

APOPKA CITY COUNCIL AGENDA
December 19, 2018 7:00 PM
APOPKA CITY HALL COUNCIL CHAMBERS

CALL TO ORDER
INVOCATION
PLEDGE

APPROVAL OF MINUTES:

1. City Council regular meeting December 5, 2018.

AGENDA REVIEW

PRESENTATIONS:

1. Girl Scout Troop 1630: Little Free Library. Kristen Young
2. Check Presentation to Debbie Turner's Cancer and Research Foundation. Chief Carnesale
3. Police/Fire Hurricane Michael Relief Efforts in the Panhandle. Sgt. Stephen Tapscott PD - Paramedic Jason Watson
4. Israeli Police Department Jacket Presentation. Edward Houston
5. SR 429 Connector Rd. Interchange Roadway Network needs Presentation. Pam Richmond

PUBLIC COMMENT PERIOD:

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

CONSENT (Action Item)

1. School Concurrency Mitigation Agreement for Ponkan Reserve.
2. Authorize the issuance of blanket purchase orders for Public Services.
3. Authorize the City Administrator to execute the Oversizing Agreement.
4. Authorize a contract with the Department of Corrections for an inmate work squad.

BUSINESS (Action Item)

1. Final Development Plan; Site/Subdivision Plans - Bobby Howell
Greystone Skilled Nursing Facility; and Emerson Park Tract G Replat
Project: Alston Bay Boulevard, LLC; The Residences at Emerson Park, LLC
Location: 1601 Alston Bay Boulevard
2. Replat – Chandler Estates Tracts “S” and “T” Bobby Howell
Project: Chandler Estates Homeowners Association Inc.
Location: South side of Chandler Estates Drive

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2676 – Second Reading – Administrative - Comprehensive Plan – Small Scale Amendment David Moon
Project: Renuka Prasad
Location: North of West Orange Blossom Trail, west of S.R. 429
2. Ordinance No. 2677 – Second Reading – Administrative - Change of Zoning David Moon
Project: Renuka Prasad
Location: North of West Orange Blossom Trail, west of S.R. 429
3. Ordinance No. 2682 – Second Reading – Administrative - Comprehensive Plan – Small Scale Amendment David Moon
Project: Douglas and Jeri Bankson
Location: 585 East Sandpiper Street

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| <p>4. Ordinance No. 2683 – Second Reading – Administrative - Change of Zoning
Project: Douglas and Jeri Bankson
Location: 585 East Sandpiper Street</p> | David Moon |
| <p>5. Ordinance No. 2684 – Second Reading – Administrative - Comprehensive Plan – Small Scale Amendment
Project: Bryan and Debbie Nelson
Location: 1157 Oakpoint Circle</p> | David Moon |
| <p>6. Ordinance No. 2685 – Second Reading – Administrative - Change of Zoning
Project: Bryan and Debbie Nelson
Location: 1157 Oakpoint Circle</p> | David Moon |
| <p>7. Ordinance No. 2686 – Second Reading – Administrative - Comprehensive Plan – Small Scale Amendment
Project: William D. Cook and Robyn D. Cook Revocable Trust
Location: 1163 Oakpoint Circle</p> | David Moon |
| <p>8. Ordinance No. 2687 – Second Reading – Administrative - Change of Zoning
Project: William D. Cook and Robyn D. Cook Revocable Trust
Location: 1163 Oakpoint Circle</p> | David Moon |
| <p>9. Ordinance No. 2688 – Second Reading – Administrative - Comprehensive Plan – Small Scale Amendment
Project: Carlos Verduzco
Location: 1175 Oakpoint Circle</p> | David Moon |
| <p>10. Ordinance No. 2689 - Second Reading – Administrative - Change of Zoning
Project: Carlos Verduzco
Location: 1175 Oakpoint Circle</p> | David Moon |
| <p>11. Ordinance No. 2692 – Second Reading – Annexation (SR 429 Group A)
Ordinance No. 2693 – Second Reading – Annexation (SR 429 Group B)
Ordinance No. 2694 – Second Reading – Annexation (SR 429 Group C)
Ordinance No. 2695 – Second Reading – Annexation (SR 429 Group D)
Project: 429 West</p> | James Hitt |
| <p>12. Ordinance No. 2696 – Second Reading – Annexation
Project: CHS Management Corporation
Location: 3443 Plymouth Sorrento Road, Plymouth Sorrento Road</p> | Jean Sanchez |
| <p>13. Ordinance No. 2698 - Second Reading - Recodification of Code of Ordinances</p> | Linda Goff |
| <p>14. Ordinance No. 2697 – First Reading – Vacate – Drainage Easement
Project: Edward and Patricia Talia
Location: 2846 Sand Oak Loop</p> | Jean Sanchez |
| <p>15. Ordinance No. 2701 – First Reading – Annexation
Project: Emerson Point Phase II, LLC
Location: 1900 South Hawthorne Avenue and Unimproved ROW to the north</p> | Jean Sanchez |

CITY ADMINISTRATOR REPORT

CITY COUNCIL REPORTS

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| <p>1. Alcoholic Beverage Ordinance: Hours of Sale</p> | Commissioner Becker |
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MAYOR'S REPORT

1. Hickerson property cleanup with the Boy Scouts on January 12, 2019.
2. Coach Darlington Reception on December 22, 2018.

ADJOURNMENT

MEETINGS AND UPCOMING EVENTS

DATE	TIME	EVENT
December 24, 2018		City offices closed in observance of Christmas Eve
December 25, 2018		City offices closed in observance of Christmas
January 1, 2019		City offices closed in observance of New Years
January 2, 2019	1:30pm –	City Council Meeting
January 3, 2019	5:30pm – 8:00pm	Food Truck Round Up
January 8, 2019	5:30pm – 7:30pm	Planning Commission Meeting
January 12, 2019	9:00am – 4:00pm	Cops & Firefighters for Cystic Fibrosis – NW Recreation Complex
January 16, 2019	7:00pm	City Council Meeting
January 19, 2019	11:00am – 12:00pm	Cookies & Milk with a cop – NW Orange/Apopka Library

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

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

CITY OF APOPKA

Minutes of the regular City Council meeting held on December 5, 2018, at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Bryan Nelson
Commissioner Doug Bankson
Commissioner Kyle Becker
Commissioner Alice Nolan
Commissioner Alexander Smith
City Attorney Cliff Shepard
City Administrator Edward Bass

PRESS PRESENT: Teresa Sargeant - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: - Mayor Nelson called on Deacon Jim Shelley of St. Francis of Assisi, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Nelson introduced Stella Canfield, a senior at Wekiva High School, who led in the Pledge of Allegiance. She said on December 7, 1941, the bombing of Pearl Harbor occurred starting American involvement in World War II. This surprise attack shocked America, leaving nothing but destruction and loss of life. There were 2,403 people, soldiers killed, and 1,178 wounded as they faced the Japanese 351 planes. However, faced with adversity, our American soldiers fought courageously and continued to protect our nation. She stated these instances remind us how valiant and honorable our soldiers, sailors, marines, and air force are. Thank you to all those who fight for our country.

Miss Canfield said for some fun facts:

1. You cannot snore and dream at the same time;
2. Butterflies taste their food with their feet;
3. On Jupiter and Saturn it rains diamonds; and
4. The word "lethological" describes the state of not being able to remember the word you want

APPROVAL OF MINUTES:

1. City Council regular meeting November 7, 2018.

MOTION by Commissioner Nolan, and seconded by Commissioner Bankson, to approve the minutes of November 7, 2018, as presented. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Nolan voting aye.

AGENDA REVIEW – City Administrator Bass reported that Item 2 under Business has been withdrawn from the agenda. He added that under Item 11 on the Consent Agenda for the Christmas Parade, the year of 2016 should be 2018.

Commissioner Becker pointed out that Consent Item 12 should also have December 6, 2018, added to the dates.

PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT

EMPLOYEE RECOGNITION:

- Ten-Year Service Award – William A. Bryant, IV – Police /Communications. William was not present and his award will be presented at another time.
- Ten-Year Service Award – Matthew A. Brown – Fire/Suppression. The Commissioners jointed Mayor Nelson in congratulating Matthew on his years of service.

PRESENTATIONS

1. Monica Marlow, Director of Marketing & Business Development for Lake Apopka Natural Gas District thanked Commissioner Becker for serving on the Board of Directors. She said Lake Apopka Natural Gas has 58 employees to provide clean, proficient and economical natural gas service to approximately 22,500 customers in Orange and Lake Counties for nearly 60 years. This is a mix of residential, industrial, and commercial customers representing a growth from 14,992 customers in 2013 to the current 22,500 customers. Lake Apopka Natural Gas is community owned by the cities of Apopka, Winter Garden, and Clermont.

PUBLIC COMMENT

Edward Bowman said he was here to request support to have a federal law enacted to protect patients against sexual predators working in hospitals and nursing homes. He has been working toward having “Clara’s Law” enacted since his wife Clara Mae Bowman was a victim of sexual assault in 2006.

Michael Cooper expressed concern regarding the length of time it takes for the approval process of projects stating it hurts developers when it comes to new owners and tenants. He also spoke of road resurfacing and pointed out a number of roads that need repaired.

Mayor Nelson advised Administration is working with Community Development staff on a way to streamline the process.

Deborah Greene thanked the Council on behalf of Orange Audubon for voting on September 19, 2018, to accept the Hickerson property for the Gateway Birding Park. She said the whole concept of the Gateway Birding Park is in the memorandum of understanding between the City of Apopka and Orange Audubon. She said Orange County is ready to get to work with cleanup and enhancement of the site. She personally has been growing native trees for the past two years for this purpose. She said the tentative date for cleanup is January 26, 2019.

George Wilkerson expressed concern regarding not getting cooperation from Code Enforcement regarding brush piles in neighboring property. Mayor Nelson advised Mr. Wilkerson to get in contact with the City Administrator regarding this matter.

CONSENT

1. Approve the appointment of a new Planning Commission member.
2. Authorize an agreement to remove the lead from the Police range berm.

3. Authorize a Decorative Street Lighting Agreement with Silver Oak Phase 1.
4. School Concurrency Mitigation Agreement for Carriage Hill, Phase 2.
5. Sewer and Water Capacity Agreement for Carriage Hill, Phase 2.
6. Authorize the issuance of blanket purchase order for multiple departments.
7. Authorize the purchase of budgeted police vehicles.
8. Approve the purchase of a budgeted garbage truck for the Sanitation division.
9. Authorize the purchase of budgeted heavy equipment for multiple divisions in the Public Services department.
10. Authorize the transfer of two Apopka Police surplus police vehicles to be donated to the Springfield Police Department.
11. Authorize the closure of roads for the annual Apopka Christmas Parade.
12. Approve the serving of alcohol at the Festival of Trees at the Museum of Apopkans.

Commissioner Nolan requested Item 12 be pulled and voted on separately as she would be abstaining due to her being part of the Historical Society and serving on this committee.

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve 11 items on the Consent Agenda. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker, Smith and Nolan voting aye.

MOTION by Commissioner Becker, and seconded by Commissioner Smith, to approve item 12 on the Consent Agenda. Motion carried 4-0-1 with Mayor Nelson and Commissioners Bankson, Becker, and Smith voting aye and Commissioner Nolan abstaining.

BUSINESS

1. Final Development Plan – Special Ops Tactical Site Plan
Project: Property Industrial Enterprises, LLC
Location: Lake Gem Commercial Industrial Park, Lot 8

Jean Sanchez, Planner, provided a brief lead-in stating this was a request to approve the Special Ops Tactical Final Development Plan. She reviewed the location of the property stating each lot is required to go through the site plan approval process. The proposed building is 4,000 square feet in size and 28 feet in height. Fourteen parking spaces will be provided including one handicap accessible space. She reviewed the proposed landscape plan and required buffers. DRC recommended approval and Planning Commission recommended approval. It is recommended to approve the final development plan.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve the Special Ops Tactical Final Development Plan. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

2. Joint Planning Agreement – 3rd Amendment – Between City of Apopka and Orange County
Item was withdrawn from the agenda.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION

1. Ordinance No. 2645 – Second Reading - Comp Plan – Large Scale Amendment
Project: Kent Greer - Location: South of West Kelly Park Road, East of Round Lake Road
The City Clerk read the title as follows:

ORDINANCE NO. 2645

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM RURAL SETTLEMENT TO MIXED USE – INTERCHANGE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF WEST KELLY PARK ROAD AND EAST OF ROUND LAKE ROAD, OWNED BY KENT GREER; COMPRISING 39.6 ACRES, MORE OR LESS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez, Planner, advised there have been no changes since the first reading.

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

MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to adopt Ordinance No. 2645. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

2. Ordinance No. 2670 – First Reading - Comprehensive Plan – Large Scale Amendment
Project: Radam Investment, LLC - Location: North of South Apopka Boulevard, west of South Lake Pleasant Road. The City Clerk read the title as follows:

ORDINANCE NO. 2670

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM RESIDENTIAL LOW AND RESIDENTIAL LOW SUBURBAN TO RESIDENTIAL MEDIUM LOW FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF S. APOPKA BOULEVARD AND WEST OF S. LAKE PLEASANT ROAD, OWNED BY RADAM INVESTMENT LLC; COMPRISING 23.67 ACRES MORE OR LESS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez, Planner, said the applicant is proposing a large-scale future land use amendment to Residential Medium Low for 23.67 acres. He reviewed the location of the property on a map as well as reviewing the surrounding land uses. He advised application for PUD zoning has been submitted to the Planning Division. The proposed future land use allows a maximum of 7.5 DU/AC. The applicant's intent is to develop a 126 unit multifamily complex with a density of 6.14 DU/AC. He reviewed the surrounding land use and the location on a map. The Planning Commission recommends approval at first reading and transmittal to the state agencies.

Jonathan Huels, representing the owner/developer, said the property is 23.5 acres in size, 3.1 of these acres is surface water or wetlands located near the Lake Pleasant Lake. This property is immediately surrounded by residential uses, and it is in close proximity to the commercial corridor of Orange Blossom Trail. The request is a future land use change to Residential Medium Low and compatible with the vicinity. He reviewed a conceptual plan that will be forthcoming if this request is transmitted to the state. He stated they are proposing a 126-unit complex broken up in to multiple buildings centered on a courtyard with amenities. He stated there would be more detail when this comes back from transmittal to the state.

In response to Commissioner Bankson inquiring if the larger portion of this property is to remain open areas, Mr. Huels responded in the affirmative and pointed out the wetland area, as well as stating approximately half of the property is to be preserved in its current state.

Mayor Nelson opened the meeting to a public hearing.

Jeff Myers inquired if they were talking about an apartment complex to which Mayor Nelson advised it was not at that level at this point and the property requires the land use changing to a higher density.

George Wilkerson said the City Attorney and the attorney for this development keep saying there is an easement at Lakeville Road. He stated his attorney sent information to the City Attorney regarding this matter. He advised they purchased the 30-foot property they are talking about and it is incorporated in with the property he owns. This was reviewed on the map.

Mr. Huels advised there was no intention to utilize the easement for access to this property and project.

Mr. Myers asked what he needed to do to stop this in lieu of what apartment complexes bring. He stated he did not welcome this project to manifest in his community. Mayor Nelson suggested Mr. Myers meet with Jim Hitt regarding the process.

Commissioner Becker asked Mr. Huels what style of apartment is planned for this property is it does go through.

Mr. Huels said the intent is to bring market rate apartments. He advised there was no desire for section 8 housing developed here. He stated the Wellington Apartments are approximately 2 miles from this area and is the model they are looking to develop.

Haide Medina said she was right next to the development and expressed concern with traffic issues. She also was concerned with privacy from 3-story high buildings.

No one wishing to speak, Mayor Nelson closed the public hearing.

MOTION by Commissioner Nolan, and seconded by Commissioner Bankson, to approve Ordinance No. 2670 at First Reading and authorize transmittal to the state agencies. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

3. Ordinance No. 2676 – First Reading – Administrative - Comprehensive Plan – Small Scale Amendment. The City Clerk read the title as follows:

ORDINANCE NO. 2676

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM MIXED USE TO COMMERCIAL (MAX. 0.25 FAR) FOR CERTAIN REAL PROPERTY LOCATED NORTH OF WEST ORANGE BLOSSOM TRAIL AND WEST OF STATE ROUTE 429, COMPRISING 3.17 ACRES MORE OR LESS AND OWNED BY RENUKA PRASAD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

David Moon, Planning Manager, said there are five properties being processed by the Community Development Department as Administrative Future Land Use Amendments and/or rezoning. He stated he would make one general presentation for all five ordinances. The first property is north of Orange Blossom Trail and being assigned City Commercial land use designation and C-2 zoning. The other four properties are currently residential single-family homes and are being assigned City Residential zoning and Residential land use designation. He advised the City looks at the future land use designations and zoning categories consistent with the what the County had assigned to the properties at the time they annexed into the City and making sure the property owner maintains the development rights they were previously assigned. The Planning Commission reviewed each case and recommended approval as submitted in each ordinance. Staff recommends approval as assigned in each ordinance.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve Ordinance No. 2676 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

4. Ordinance No. 2677 – First Reading – Administrative - Change of Zoning
Project: Renuka Prasad - Location: North of West Orange Blossom Trail, west of S.R. 429
The City Clerk read the title as follows:

ORDINANCE NO. 2677

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” C-2 (ZIP) TO “CITY” C-2 (GENERAL COMMERCIAL DISTRICT) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF WEST ORANGE BLOSSOM TRAIL AND WEST OF S.R. 429, COMPRISING 3.17 ACRES MORE OR LESS AND OWNED BY RENUKA PRASAD; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2677 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

5. Ordinance No. 2682 – First Reading – Administrative - Comprehensive Plan – Small Scale Amendment. Project: Douglas and Jeri Bankson - Location: 585 East Sandpiper Street
The City Clerk read the title as follows:

ORDINANCE NO. 2682

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” LOW DENSITY RESIDENTIAL TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR CERTAIN REAL PROPERTY LOCATED AT 585 E. SANDPIPER STREET, COMPRISING 1.92 ACRES MORE OR LESS, AND OWNED BY DOUGLAS AND JERI BANKSON; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Bankson said he would abstain from Ordinance 2682 and 2683.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2682 at First Reading and carry over for a Second Reading. Motion carried 4-0-1 with Mayor Nelson, and Commissioners Becker, Smith, and Nolan voting aye. Commissioner Bankson abstained.

6. Ordinance No. 2683 – First Reading – Administrative - Change of Zoning
Project: Douglas and Jeri Bankson - Location: 585 East Sandpiper Street
The City Clerk read the title as follows:

ORDINANCE NO. 2683

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-2 (ZIP) TO “CITY” RCE-1 (RESIDENTIAL COUNTRY ESTATE 1 DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 585 E. SANDPIPER STREET, COMPRISING 1.92 ACRES MORE OR LESS, AND OWNED BY DOUGLAS AND JERI BANKSON; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2683 at First Reading and carry over for a Second Reading. Motion carried 4-0-1 with Mayor Nelson, and Commissioners Becker, Smith, and Nolan voting aye. Commissioner Bankson abstained.

7. Ordinance No. 2684 – First Reading – Administrative - Comprehensive Plan – Small Scale Amendment. Project: Bryan and Debbie Nelson - Location: 1157 Oakpoint Circle
The City Clerk read the title as follows:

Mayor Nelson handed the gavel over to Vice Mayor Bankson.

ORDINANCE NO. 2684

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” LOW DENSITY RESIDENTIAL (0-4 DU/AC) TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR CERTAIN REAL PROPERTY LOCATED AT 1157 OAKPOINT CIRCLE, COMPRISING 1.27 ACRES MORE OR LESS, AND OWNED BY BRYAN AND DEBBIE NELSON; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Nelson said he would abstain from Ordinance 2684 and 2685.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2684 at First Reading and carry over for a Second Reading. Motion carried 4-0-1 with Commissioners Bankson, Becker, Smith, and Nolan voting aye. Mayor Nelson abstained.

8. Ordinance No. 2685 – First Reading – Administrative - Change of Zoning
Project: Bryan and Debbie Nelson - Location: 1157 Oakpoint Circle
The City Clerk read the title as follows:

ORDINANCE NO. 2685

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-CE (ZIP) TO “CITY” RCE-1 (RESIDENTIAL COUNTRY ESTATE 1 DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 1157 OAKPOINT CIRCLE, COMPRISING 1.27 ACRES MORE OR LESS, AND OWNED BY BRYAN AND DEBBIE NELSON; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Becker, and seconded by Commissioner Nolan, to approve Ordinance No. 2685 at First Reading and carry over for a Second Reading. Motion carried 4-0-1 with Commissioners Bankson, Becker, Smith, and Nolan voting aye. Mayor Nelson abstained.

Vice Mayor Bankson handed the gavel back to Mayor Nelson.

9. Ordinance No. 2686 – First Reading – Administrative - Comprehensive Plan – Small Scale Amendment. I

ORDINANCE NO. 2686

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” LOW DENSITY RESIDENTIAL TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR CERTAIN REAL PROPERTY LOCATED AT 1163 OAKPOINT CIRCLE, COMPRISING 1.27 ACRES MORE OR LESS, AND OWNED BY WILLIAM D. COOK AND ROBYN D. COOK REVOCABLE TRUST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Bankson, to approve Ordinance No. 2686 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

10. Ordinance No. 2687 – First Reading – Administrative - Change of Zoning
Project: William D. Cook and Robyn D. Cook Revocable Trust
Location: 1163 Oakpoint Circle. The City Clerk read the title as follows:

ORDINANCE NO. 2687

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-CE (ZIP) TO “CITY” RCE-1 (RESIDENTIAL COUNTRY ESTATE 1 DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 1163 OAKPOINT CIRCLE, COMPRISING 1.27 ACRES MORE OR LESS, AND OWNED BY WILLIAM D. COOK AND ROBYN D. COOK REVOCABLE TRUST; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Bankson, to approve Ordinance No. 2687 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

11. Ordinance No. 2688 – First Reading – Administrative - Comprehensive Plan – Small Scale Amendment. Project: Carlos Verduzco - Location: 1175 Oakpoint Circle
The City Clerk read the title as follows:

ORDINANCE NO. 2688

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” LOW DENSITY RESIDENTIAL TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR CERTAIN REAL PROPERTY LOCATED AT 1175 OAKPOINT CIRCLE, COMPRISING 1.14 ACRES MORE OR LESS, AND OWNED BY CARLOS VERDUZCO; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to approve Ordinance No. 2688 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

12. Ordinance No. 2689 - First Reading – Administrative - Change of Zoning
Project: Carlos Verduzco - Location: 1175 Oakpoint Circle
The City Clerk read the title as follows:

ORDINANCE NO. 2689

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-CE (ZIP) TO “CITY” RCE-1 (RESIDENTIAL COUNTRY ESTATE 1 DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 1175 OAKPOINT CIRCLE, COMPRISING 1.14 ACRES MORE OR LESS, AND OWNED BY CARLOS VERDUZCO; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2689 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

13. Ordinance No. 2690 – First Reading - Comprehensive Plan – Large Scale – Future Land Use Amendment. Project: Carrol M. and Patricia A. Hamrick - Location: North of West Ponkan Road, west of Mount Sterling Avenue. The City Clerk read the title as follows:

ORDINANCE 2690

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM RESIDENTIAL ESTATES TO RESIDENTIAL VERY LOW SUBURBAN FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF WEST PONKAN ROAD AND WEST OF MOUNT STERLING AVENUE, OWNED BY CARROL M. HAMRICK; COMPRISING 35.21 ACRES

**MORE OR LESS, PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR AN EFFECTIVE DATE**

Mr. Moon provided a brief lead-in for this project which is a request for a large land use amendment for property north of Ponkan Road at the west end of Mt. Sterling Avenue. The request is a change in future land use from Residential Estates to Residential Very Low Suburban. This property abuts to Rock Springs Ridge Phase II to the north and to the east with access from Pittman Road. He reviewed the distance from Ponkan Road and advised there was access from Mt. Sterling as well as Pittman Road. The developer is proposing a single-family residential development. He reviewed the surrounding land use stating the applicant is requesting up to a maximum of two DU/AC on this property. If the future land use designation is approved by City Council, the final product will include a 20 acre parcel to the south and the two will be incorporated into a single-family residential development with a propose PUD zoning. DRC and the Planning Commission recommended transmittal to the state agencies. The recommended action is to approve at first reading and authorize transmittal to the state agencies.

Commissioner Becker inquired if there was legal access from Mt. Sterling Avenue to that property today and why this access being proposed. Mr. Moon said it was his understanding there is connection to the property. He advised the plan is not finalized and the access to the site is being evaluated. He stated there were multiple access options, one from Pittman Road and the other could be from Mt. Sterling. Mr. Moon also pointed out Vick Road on the map and said there has always been an anticipated future connection of Rock Springs Ridge larger community to Vick Road. Commissioner Becker said he did not know why there would be an entrance from a new neighborhood into an existing neighborhood and creating additional traffic through the existing neighborhood. He suggested the primary entrance to the new neighborhood off Pittman Road. Mr. Moon pointed out those options would be explored at the time of the PUD Master Plan or the Development Plan.

Commissioner Smith said it was 2.5 miles from the new neighborhood to the front of Rock Springs Ridge, but only 1 mile from Pittman Road to the other side of the new development. He declared it would only make sense to have the entrance from Pittman and Mt. Sterling be utilized for emergency vehicles.

Jason Searl, Gray Robinson, is representing the applicant and said they concur with the staff recommendation and presentation. He said that he and the engineer, Jeff Summit, are present to answer any questions. He asked to be able to respond to any public comment. He reiterated this is the first of many steps for transmittal to the state. He stated they are pre-site plan submittal to the city.

Commissioner Bankson asked staff for confirmation that if this designation goes through, it is not granting the access and that could still be blocked.

Mr. Moon responded in the affirmative, stating the first hearing is a large-scale land use amendment and if approved it will be transmitted to the state agencies. Likely, the applicant will submit plans between the transmittal and adoption hearing. There will be an opportunity to see more formally the access points during the second hearing.

Commissioner Bankson said they have received a number of emails and there is a very reasonable response that will be read during public comment for a desire to work together for a common good.

Mayor Nelson opened the meeting to a public hearing.

Hank Dunn said he lives on Mt. Sterling Avenue and his property is completely in line with this property. He is here with other members of the community stating they did not want to overwhelm with saying the same thing, so he asked those people representing Rock Springs Ridge to raise their hand to show it is not just him speaking. He stated he appreciates the opportunity to come forward and he would not read the memorandum since the Council has this document. The basic request is to table this until February for many reasons. He said the planning process has gone on with the City and developers for some time and the community just heard of this only a week prior. He received a notice of a hearing with the Planning Commission only 5-6 days prior to the meeting. They want more citizen participation and are inviting a dialogue with the developer and prospective builders and possibly the Hamrick's. He said the Rock Springs Ridge residents are very concerned with ingress and egress. He said Pittman road is a single gravel road that is hardly big enough for the current traffic, and they bought on Mt. Sterling at the end of the road so not to have as much traffic. He said it is not designed to be a major ingress/egress road. He reiterated the residents want to talk about the planning before allowing it to go through. He expressed concern about the lot sizes, stating they were hoping the lots would be compatible with their lots and concern of lack of information. He asked for more time for a dialogue with the City and developer so that they can all be positive about this.

Commissioner Bankson inquired if there had been any attempt for a community meeting.

James Hitt, Community Development Director, said signage and notifications were sent out two weeks prior to the meeting.

Commissioner Smith said the posted signage is at the dead end of Mt. Sterling, so the residents would not see this, and the other is on Pittman Road at the very end of the one-mile length.

Mr. Dunn reiterated they were not against growth, but they also want a neighborhood compatible with what they have so to protect their investments. He requested again to table this and allow more conversation.

Discussion ensued regarding a community meeting. Mr. Hitt advised staff typically does not attend community meetings, but they can obtain the results from the HOA, developer, and report on the results prior to any public meeting.

Frank Yockos lives in Rock Springs Ridge in Phase II, stating he does not live on Mt. Sterling, but he is very concerned for those who do. He said if this were approved today, it would leave open legal loopholes so that other things can be manipulated at a future date. He stated the entrance should be a straight road from the new development out to Ponkan Road.

Christine Chancy said she lives on Spin Fisher Drive, and there are small children that play in this community. She stated no one wanted the addition of traffic from 70 new homes going through their subdivision. She asked Council to consider the ramifications.

Cory Clark said they moved to Rock Springs Ridge on Mt. Sterling with three small children because it was quiet. He said he was in agreement with the other residents.

Clint Barker said he lives on Pittman Road on a working farm with animals. He said this was some of the last farmland left in Apopka and Pittman Road was not capable of handling this traffic. He spoke of the dangers of pulling out on Ponkan Road from Pittman Road. He said there are four houses on Pittman Road and they all were on 10-acres, stating 2 DU/AC does not make sense in this area. He said he was the closest property to this and he did not receive a notice.

Anthony Zeli said he found out about this meeting from the surveyors. He should have received a notice based on where he lives. He said this would double the amount of traffic.

Chuck Sumark lives in Rock Springs Ridge and said he agreed with everything that has been said. He said it did not make sense to drive 2.5 miles to get out through another subdivision. He said it made sense to extend Vick Road.

JJ Skowronski said they moved here because it was what they wanted in a neighborhood. He stated you cannot stand in the way of development, but asked that the density not be changed and to not allow Mt. Sterling to be used as the ingress/egress. He declared Council has the power to say no to zoning changes.

Mr. Searl said they were here today for the comprehensive plan amendment and transmittal to the state. He stated in 1990 when this property was annexed it came in with R-1AA, single-family residential zoning. This is what it will be after the comp plan amendment and what it currently is. This amendment is to uniform it which should have been done upon annexation. He said every required name was delivered a notice and return receipts were supplied to city staff. He stated throughout the process everything has been done in compliance with city requirements. He declared they were not in a position for tabling the matter; they are not the property owner and are under contract having invested significant funds. He spoke of density, stating the request is compatible with abutting property designations as indicated in the staff report. He said a habitat study will be required at the time of development plan application.

Jeff Summit, Engineer, said they have done a lot of work on this project and held many meetings with staff. He said with respect to access, if Mt. Sterling was never intended to be accessed by this parcel or to be extended south, it would have been very easy to have moved it 5-feet and it would not be contiguous to their property line. He said there is a 60-foot right of way on Pittman Road and they did meet with Public Services and performed an entire route survey for that alignment. He advised they could fit a 24-foot section in that roadway. He said there were ways around the access and solutions to the problem. He reiterated the way Mt. Sterling was platted and why the City has utilities running from Ponkan Road north connecting to Mt. Sterling. He spoke of emergency management with regards to Mt. Sterling and what it does for the City in regards to a service perspective. He pointed out the

property to the south of this is heavy commercial and always envisioned to be a commercial corridor.

Brian Cummings said he has lived there for 18 years and all streets in Phase II are either dead in streets or cul-de-sacs. He said there was very little traffic on Mt. Sterling and if adding traffic from another 70 homes it will not be good. He has two handicap adult children and he does not want construction equipment coming through.

No one else wishing to speak, Mayor Nelson closed the public hearing.

In response to Commissioner Smith inquiring if he should vote since he lives in Phase II, City Attorney Shepard advised Phase II was larger than 100 homes and under the 1% rule so there would be no conflict.

Commissioner Smith said his suggestion would be to accept the recommendation from Rock Springs Ridge to delay this until February. In response to Commissioner Becker inquiring as to the intention, Commissioner Smith said for the concept of changing the zoning from one DU/AC to two DU/AC and to address the ingress and egress from that subdivision allowing the residents to obtain more information.

Mr. Hitt said there is consideration for the access, but that is not being voted on with this ordinance. The request today is to bring the density from one DU/AC to two DU/AC, which is allowed by the Land Development Code for all properties north of Ponkan Road. This does not grant any rights to the access or to water and sewer.

Commissioner Becker said if they start the process on increased density; that is a direct line impact on the road conversation. While it is two separate things, they do have direct impact to each other.

Mr. Hitt responded in the affirmative. He stated one thing not brought up other than the Mayor alluding to the property to the south; it is not known if they are granting any rights-of-way in order to get out to Ponkan Road where the light to Vick Road is located. He said this is another part of the development phase.

Commissioner Smith said changing the density is setting a precedence by granting this. He stated a conversation needs to be had and explore.

Mr. Hitt pointed out that the Land Development Code allows anything north of Ponkan not in the Form Base Code area is eligible for up to two DU/AC.

Commissioner Nolan said if they do postpone it, this would give the citizens a chance to regroup and have more information. She asked if they do push forward, was there a way to expedite their process.

Mr. Hitt affirmed any comprehensive plan change over 10 acres has to be transmitted to the state and this gives a 90-180 day window to make a final decision. Typically, during this time the developer comes in with concept plans for general review by DRC to discuss ingress/egress, viability where water and sewer is and items such as this.

Mr. Searl said they would be open to having a community meeting if that is the will of the Council. He said they are under tight time restraints and would request moving forward today with approval at first reading and transmittal to the state.

Mayor Nelson reiterated that at this time they are not voting on access points, the size of the house or number of lots on the property.

Commissioner Bankson said it was unfortunate that the dialogue has not happened before now and he leaned toward giving the opportunity for dialogue and discussion of other possible scenarios.

Discussion ensued regarding timing of a delay in the process to be able to hold a community meeting.

MOTION by Commissioner Smith, and seconded by Commissioner Bankson, to delay Ordinance No. 2690 to February 6, 2019, and a community meeting be held with residents.

Mr. Searl said he feared a February transmittal hearing will put them into June and this is beyond their contract timing so the deal will fall apart. He requested a transmittal hearing today, a site plan they produce to the community and have it vetted by the community. They will have all of this information when it comes back for adoption. He reiterated the timing was beyond their current contract timing. He stated if density was the issue, that was one thing, but it does not appear density is the issue since this is in the Land Development Code for this area.

Commissioner Becker said this was the first time this is being presented to Council and he respects the timing, but he is trying to consider the best interest for those who have lived there 20 years.

City Attorney Shepard said the first reading is with transmittal and because of state law there is no way to expedite this. He stated the concern is after a first reading the developer can claim to have obtained an equitable estoppel. If moving in this direction, Council should obtain a waiver on the record that Mr. Searl's and his clients understand and accept that if you transmit today, that does not mean that is what you will ultimately decide at second reading and public hearing. He said the best discretion and opportunity to decide either way on an issue like this is at the comprehensive plan stage. He affirmed zoning was a quasi-judicial process and Council has to apply standards and base their decision on evidence. Comp plan amendments are legislative and Council can do as they wish as long as it is debatable. He reiterated Council has maximum discretion to say yes or no to a comp plan amendment and less so on a zoning issue. His recommendation was if deciding to proceed with the first reading and transmittal, Council should obtain an agreement on record that there is no vesting, no equitable estoppel, and Mr. Searl and his clients both understand Council can change their mind on second reading.

Mr. Searl said he and his client would accept and assume that risk.

Sandra Breeden said they were saying density was not an issue, but in her opinion for her family, density is an important issue as it is in confliction with their property sales.

Commissioner Smith supports his motion as it stands.

Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

14. Ordinance No. 2691 – First Reading - Comprehensive Plan – Large Scale – Future Land Use Amendment. Project: Cantero Holdings LLC - Location: West of Golden Gem Road, south of West Kelly Park Road. The City Clerk read the title as follows:

ORDINANCE 2691

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” RURAL AND “CITY” RURAL SETTLEMENT TO “CITY” MIXED USE – INTERCHANGE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF WEST KELLY PARK ROAD AND EAST OF GOLDEN GEM ROAD, OWNED BY CANTERO HOLDINGS, LLC; COMPRISING 91.57 ACRES, MORE OR LESS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez, Planner, said this was a proposal for a large scale future land use amendment from “City” Rural settlement and “County” Rural” to Mixed-use interchange for 91.57 acres. He reviewed the properties on a map and advised they were subject to the Kelly Park Form Base Code and subject to a mixed-use land use. He advised the Form Base Code allows the property owner to bring into the one-mile radius a portion of property outside the radius. The Planning Commission recommends approval subject to the findings in the staff report. The recommended motion is to accept at first reading and authorize transmittal to the state agencies.

Jimmy Crawford, representing Cantero Holdings, LLC, said they agree with the staff report. He said that he, Jeff Summit, Engineer, and the owner are present for any questions. He stated he had three points, 1. Apopka has put many hours of planning time into stating in the Comprehensive Plan and special designations where growth should be directed and this property sits within one of those areas; 2. They have two neighbors in this area and they have met and spoken with them. They believe that of the character districts allowed within the Kelly Park Form Base Code for the Wekiva Interchange area, there is only one appropriate for this and that is Neighborhood, which is the least dense on the borderline area to allow for the transition of higher intensity commercial uses; and 3. He pointed out Policy 20.9 in the staff report Mixed-use Interchange is the only allowable comp plan designation within this area.

Mayor Nelson opened the meeting to a public hearing.

Jeff Welch, Rochelle Holdings, said he is one of the neighbors and he was initially concerned when he saw this, but he thinks it is fine and growth in this area is what has been envisioned. He affirmed that he supports this project.

Robert Moss said he lives on Golden Gem Road and he was trying to figure out what is going on in that area. He thought this property was zoned RCE at one time. He was told reclaimed water was going to be in the pit that was dug. He said the dump has been moved right next to his house. He said he had no problem with houses going in. Mayor Nelson suggested he come in and meet with Mr. Hitt to obtain the information planned in this area.

Jose Cantero, on behalf of the owner, said this was family property and he would be happy to communicate with any of the neighbors and share information throughout the development phases.

No one else wishing to speak, Mayor Nelson closed the public hearing.

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2691 at First Reading and authorize transmittal to the state agencies. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

15. Ordinance No. 2692 – First Reading – Annexation (SR 429 Group A)
 - Ordinance No. 2693 – First Reading – Annexation (SR 429 Group B)
 - Ordinance No. 2694 - First Reading – Annexation (SR 429 Group C)
 - Ordinance No. 2695 – First Reading – Annexation (SR 429 Group D)
- Project: 429 West. The City Clerk read the four titles.

Mr. Hitt said this project the Mayor noted during the State of the City Address known as 429 West. It consists of a little over 70 acres. There are 21 parcels that will be annexed. The property was separated into four ordinances and he reviewed on a map the overall property then how they were separated into the ordinances. He reviewed the potential uses for the project. The recommended motions are to approve at first reading and carry over for a second reading and adoption.

ORDINANCE NO. 2692

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY PATRICIA AND MAXINE LU, ROGER AND RANDALL WELKER, EARL AND ADELAIDA WILSON, POUL AND SHARON JENSEN, GUY ITAY, JAMES HOWARD HOLT JUNIOR, FREDDIE AND SANDRA JONES, AND SALLIE JACKSON, AND LOCATED AS DEPICTED WITHIN EXHIBIT “A” OF SAID ORDINANCE, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONVLICTS, AND AN EFFECTIVE DATE.

ORDINANCE NO. 2693

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY WILLIAMS FAMILY TRUST, AND BY JUDY BAIN AND WILLIAMS FAMILY TRUST AND LOCATED AS DEPICTED WITHIN EXHIBIT "A" OF SAID ORDINANCE, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONVLICTS, AND AN EFFECTIVE DATE.

ORDINANCE NO. 2694

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY BRUCE AND JEANNIE HATCHER; AND ROBERT AND CYNTHIA HENDERSON AND LOCATED AS DEPICTED WITHIN EXHIBIT "A" OF SAID ORDINANCE, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONVLICTS, AND AN EFFECTIVE DATE.

ORDINANCE NO. 2695

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY EARL AND ADELAIDA WILSON, PATRICK CONELLY, AND YONG SUN & BYUNG SOOK PAK; AND LOCATED AS DEPICTED WITHIN EXHIBIT "A" OF SAID ORDINANCE, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONVLICTS, AND AN EFFECTIVE DATE.

Mayor Nelson opened the meeting to a public hearing. No one wishing to speak on the annexation ordinances, he closed the public hearing.

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve Ordinance No. 2692 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to approve Ordinance No. 2693 at First Reading and carry over for a Second Reading. Motion

carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

MOTION by Commissioner Becker, and seconded by Commissioner Nolan, to approve Ordinance No. 2694 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

MOTION by Commissioner Becker, and seconded by Commissioner Smith, to approve Ordinance No. 2695 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

16. Ordinance No. 2696 – First Reading – Annexation
Project: CHS Management Corporation - Location: 3443 Plymouth Sorrento Road, Plymouth Sorrento Road. The City Clerk read the title as follows:

ORDINANCE NO. 2696

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CHS MANAGEMENT CORP. AND LOCATED AT PLYMOUTH SORRENTO ROAD, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Ms. Sanchez provided an overview of the annexation and project. She reviewed the location on a map and the surrounding land uses. The recommended motion is to accept at first reading and hold over for second reading and adoption.

Jonathan Huels, representing the applicant, said they concur with staff's recommendation and are present for any questions.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve Ordinance No. 2696 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

17. Ordinance No. 2698 - First Reading - Code of Ordinances - Recodification. The City Clerk read the title as follows:

ORDINANCE NO. 2698

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF APOPKA, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2698 at First Reading and carry over for a Second Reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

18. Resolution No. 2018-25 – Deeding City Owned Property to the State Of Florida Department Of Transportation

Pam Richards, Transportation Planner, said this item is connected to the City Center project and it is conveyance of 3.9 acres of city owned property to Florida Department of Transportation for the road improvements in the area. The improvements include a right turn land on US 441 going to McGee Avenue and there will be two signals installed; one at McGee and one at the reconfiguration of 441 and 436.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Resolution No. 2018-25 deeding city owned property to the FDOT. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

CITY COUNCIL REPORTS

Commissioner Becker said there needed to be action taken with the street lighting in the City. He advised there have been two fatalities over the last week in dark areas within the City. He declared the City needs to work with the County and FDOT to make this happen.

Mayor Nelson said administration has been in discussions with Pam Richards to have a comprehensive look at sidewalks and streetlights. He stated this was realistically a 10-year plan.

Commissioner Smith agreed with this concept and said he spoke with a representative from Representative Sullivan's office regarding a pedestrian crosswalk in the area of the Town Center and they are looking into funding for this.

Commissioner Smith reported that he, Mr. Bass, and Mr. Hitt met with Tim Clark of Florida Hospital and others regarding a possible satellite campus of FAMU in Apopka. He said this was highly received and they will be working toward higher education in the City of Apopka.

Commissioner Smith will be holding a holiday ham give away on December 17th at the VFW and this will require pre-registration that will be held tomorrow and Friday.

Commissioner Bankson said he attended the Apopka Airport Board meeting and said there was good discussion and they are looking for better communication with the City and involvement on the future vision.

Mayor Nelson said he has been talking with First Flight and Mr. Bass will be setting up a presentation in January.

Commissioner Nolan said the Festival of Trees is at the Museum and invited the public to come out and support the Historical Society.

CITY ADMINISTRATOR'S REPORT

Edward Bass, City Administrator, reported he continues to work with the Klein's and they are taking steps to clean up debris and mowing of the golf course area.

MAYOR'S REPORT –

1. Attorney Status – Mayor Nelson reported there have been discussions of having legal counsel in house. He said Cliff Shepard and his firm have done well by the City and we appreciate all of their services. He said the City would continue their serves on certain items. After a number of interviews, Dr. Joseph Byrd has been selected for the City Attorney.

Dr. Byrd thanked the Mayor and Commissioners for this opportunity and this consideration. He said much of his local government law work was done in the State of Tennessee as County Attorney for Bradley County. He stated the value of bringing counsel in house allows working with staff more closely on matters and the focus of full attention on these. He said he appreciates this consideration and would be happy to answer any questions.

MOTION by Commissioner Bankson, and seconded by Commissioner Smith, to ratify the appointment of Joseph Byrd as City Attorney, effective January 1, 2019. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

ADJOURNMENT: There being no further business the meeting adjourned at 4:30 p.m.

Bryan Nelson, Mayor

ATTEST;

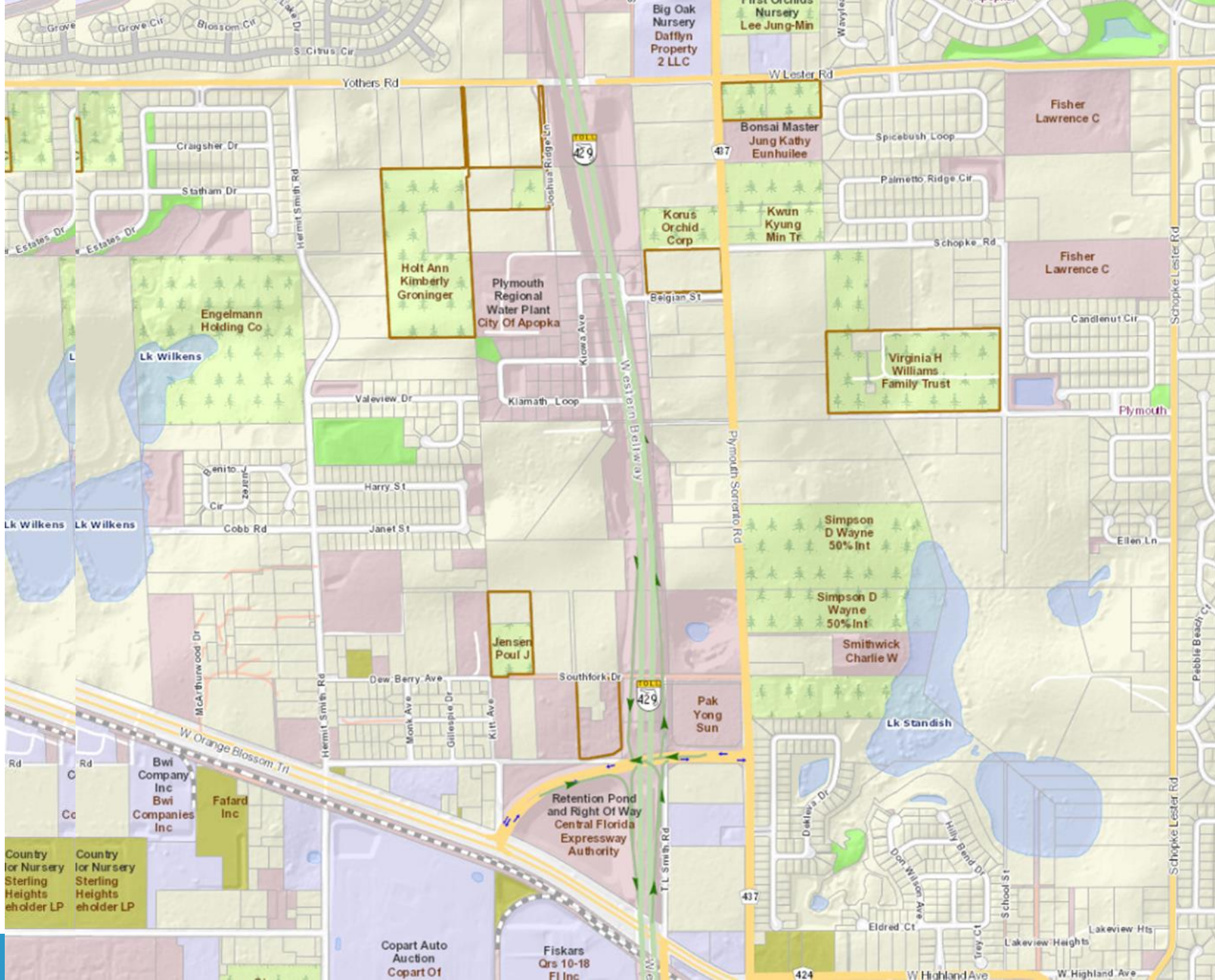
Linda F. Goff, City Clerk

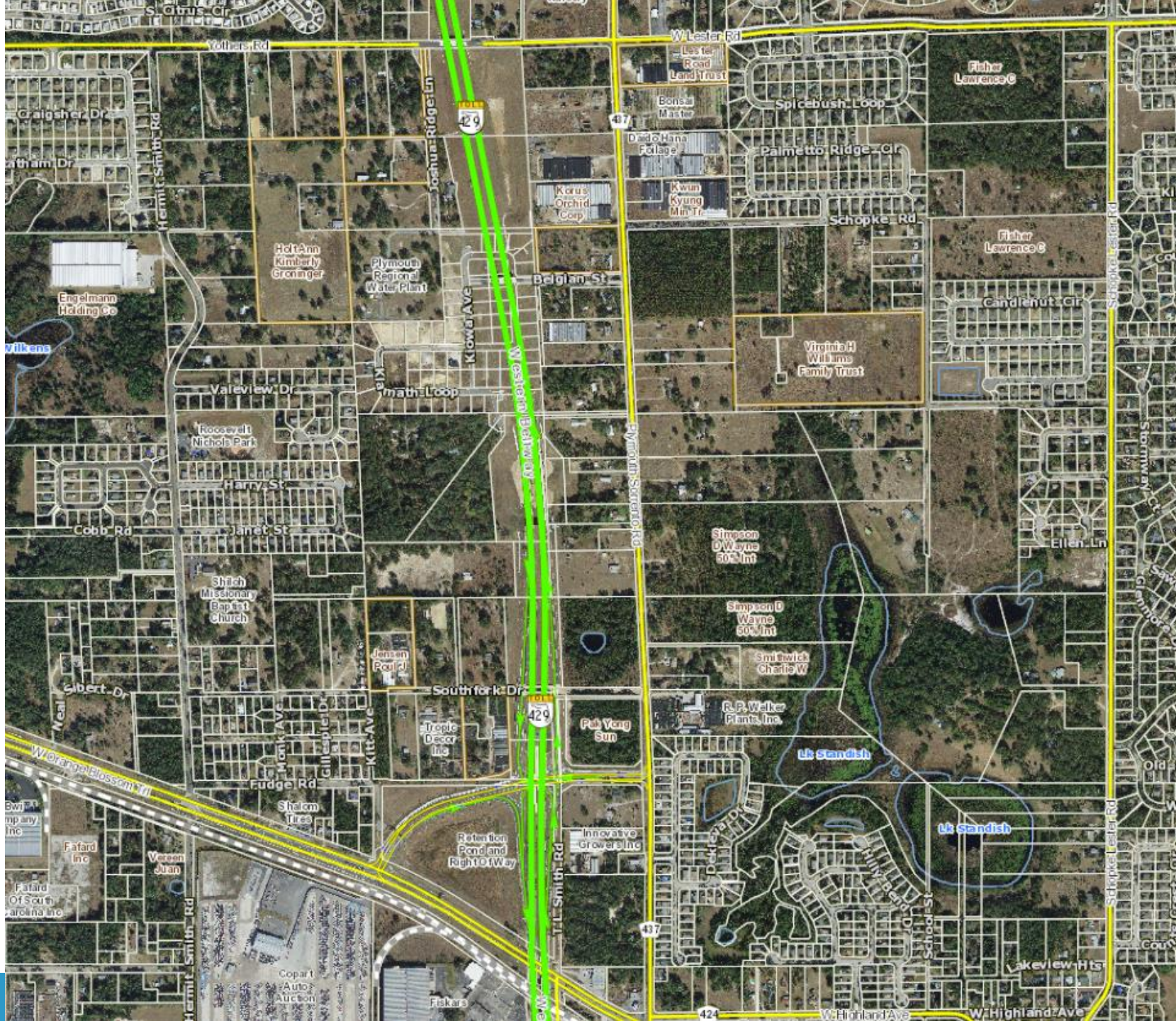


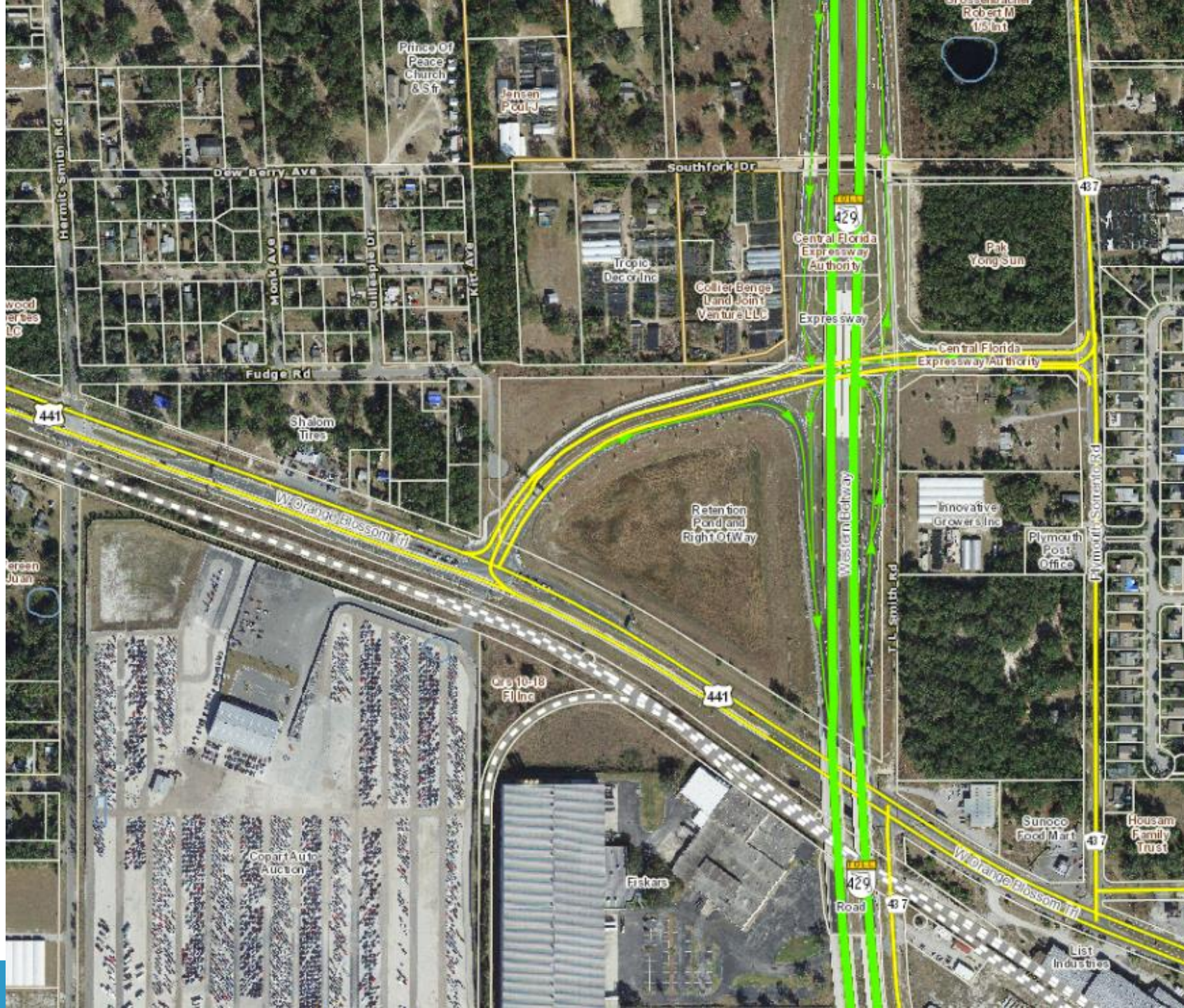
PROJECT: S.R. 429 Connector Road Interchange area roadway network needs

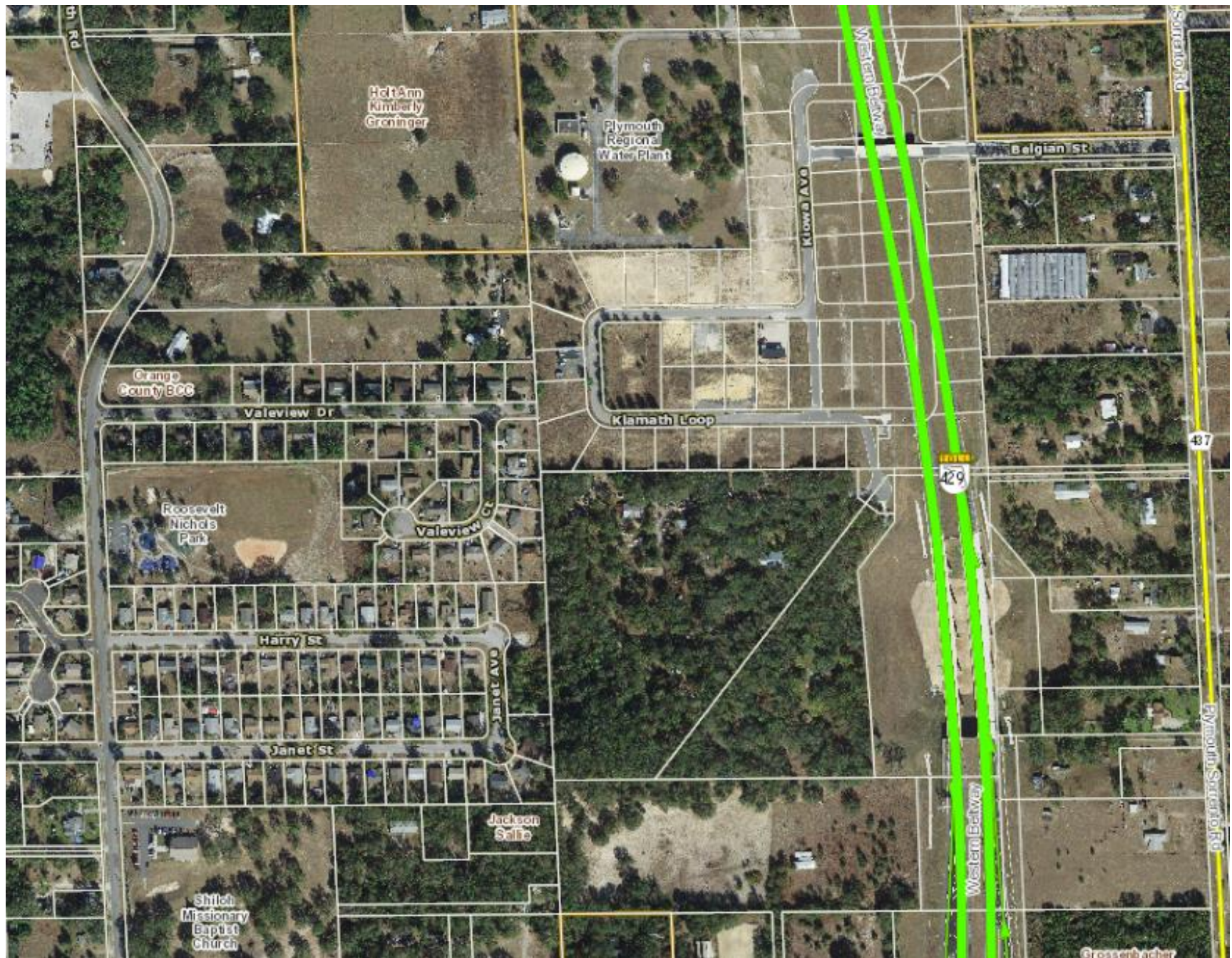
LOCATION: East of Hermit Smith Road, West of Plymouth Sorrento Road, North of S.R. 429 Connector Road and South of Yothers Road

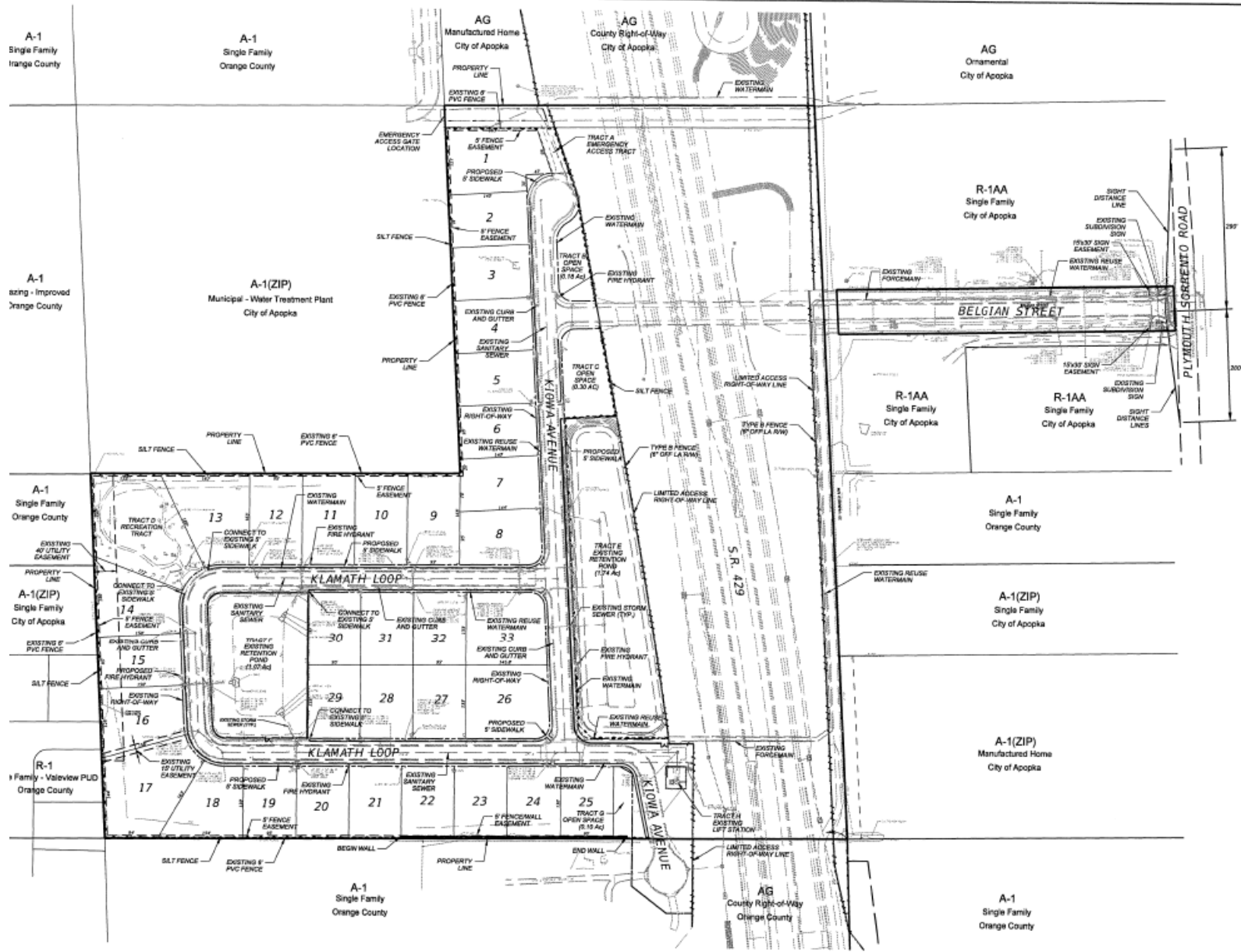
REQUEST: Prepare a letter to Central Florida Expressway Authority for the Mayor's signature.

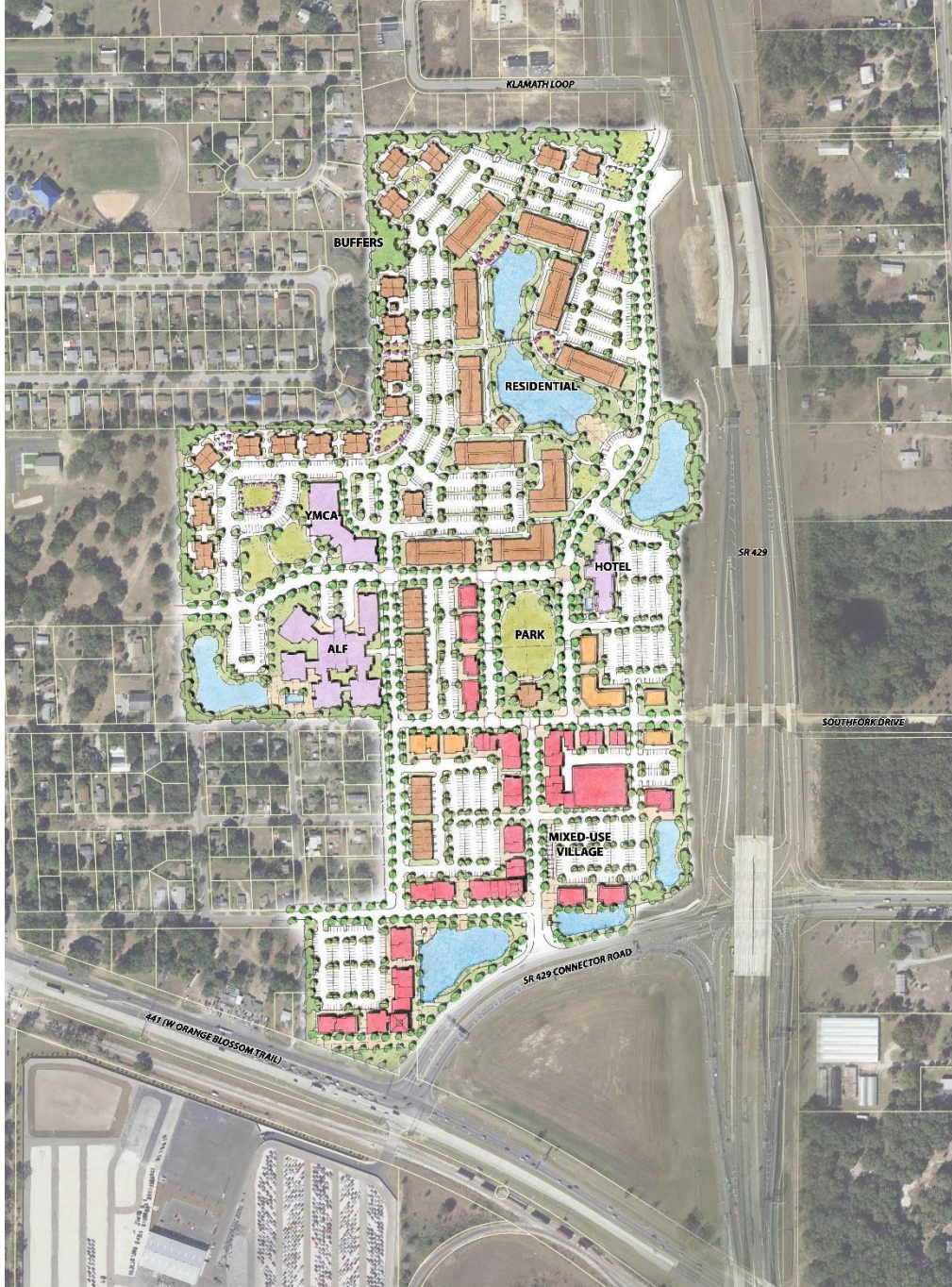












RECOMMENDED MOTION – City Council:

Direct staff to draft a letter for the Mayor's signature to Central Florida Expressway Authority, asking to work together to resolve right-of-way issues and roadway needs beneficial to both the City of Apopka and CFX.

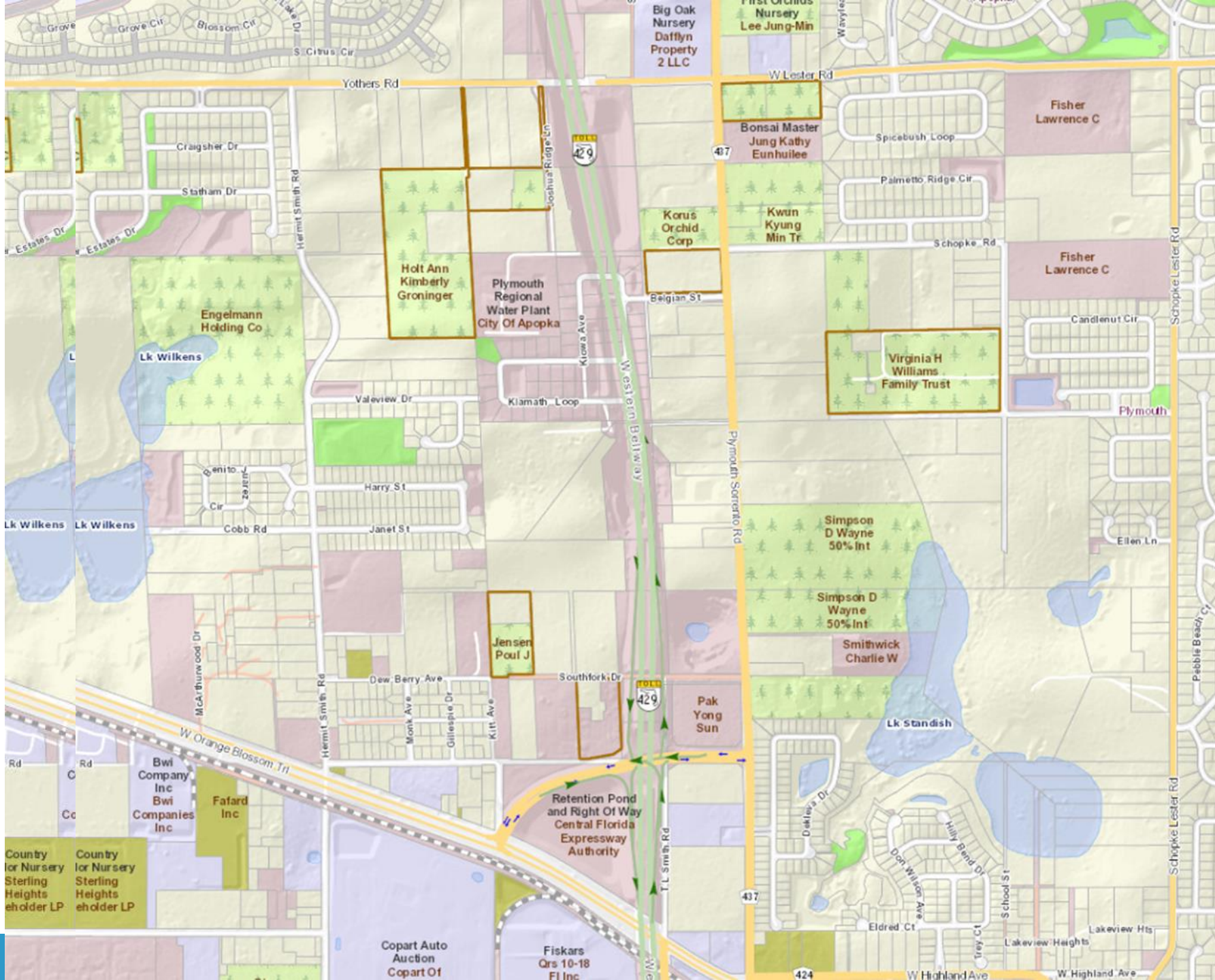


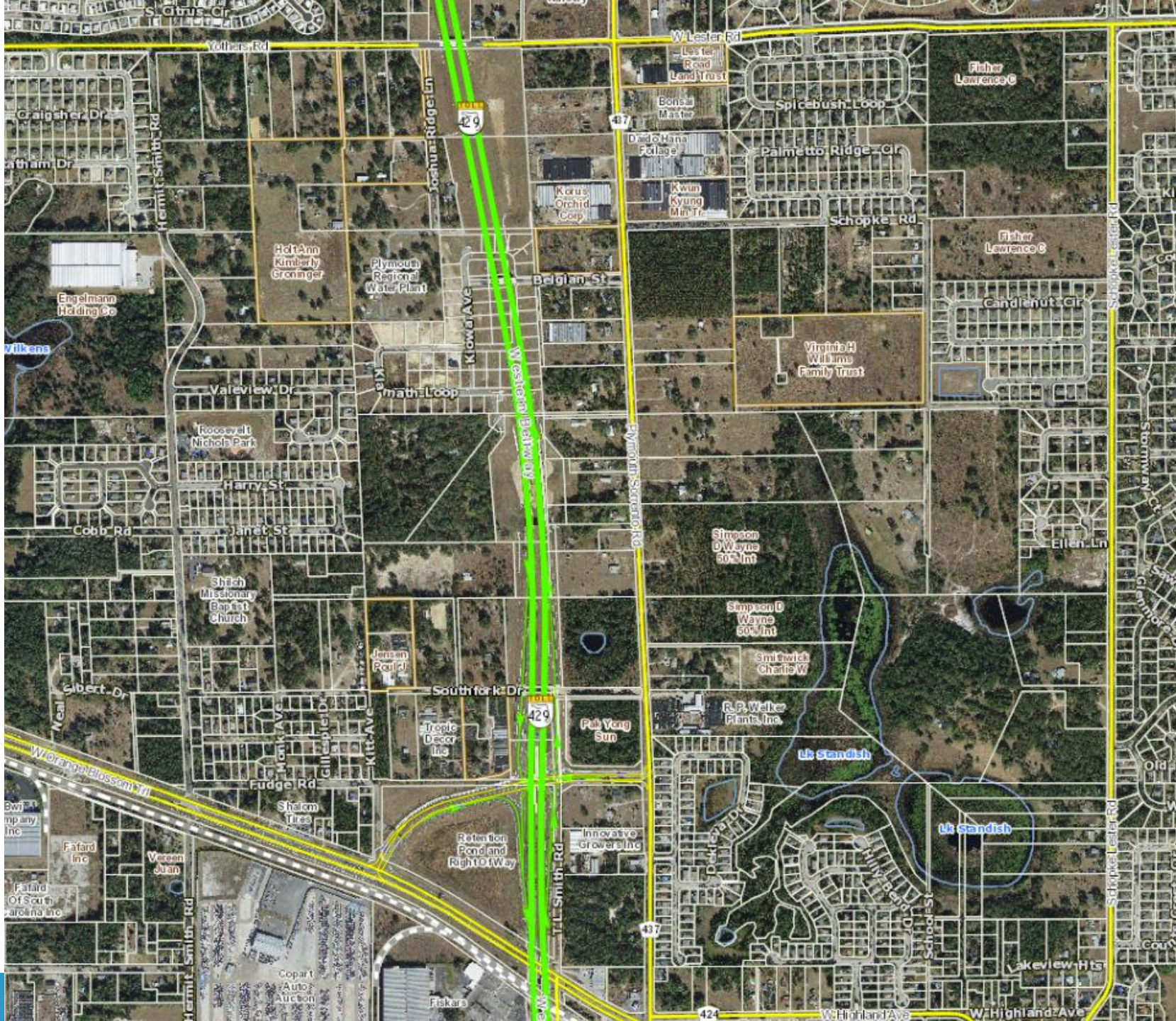


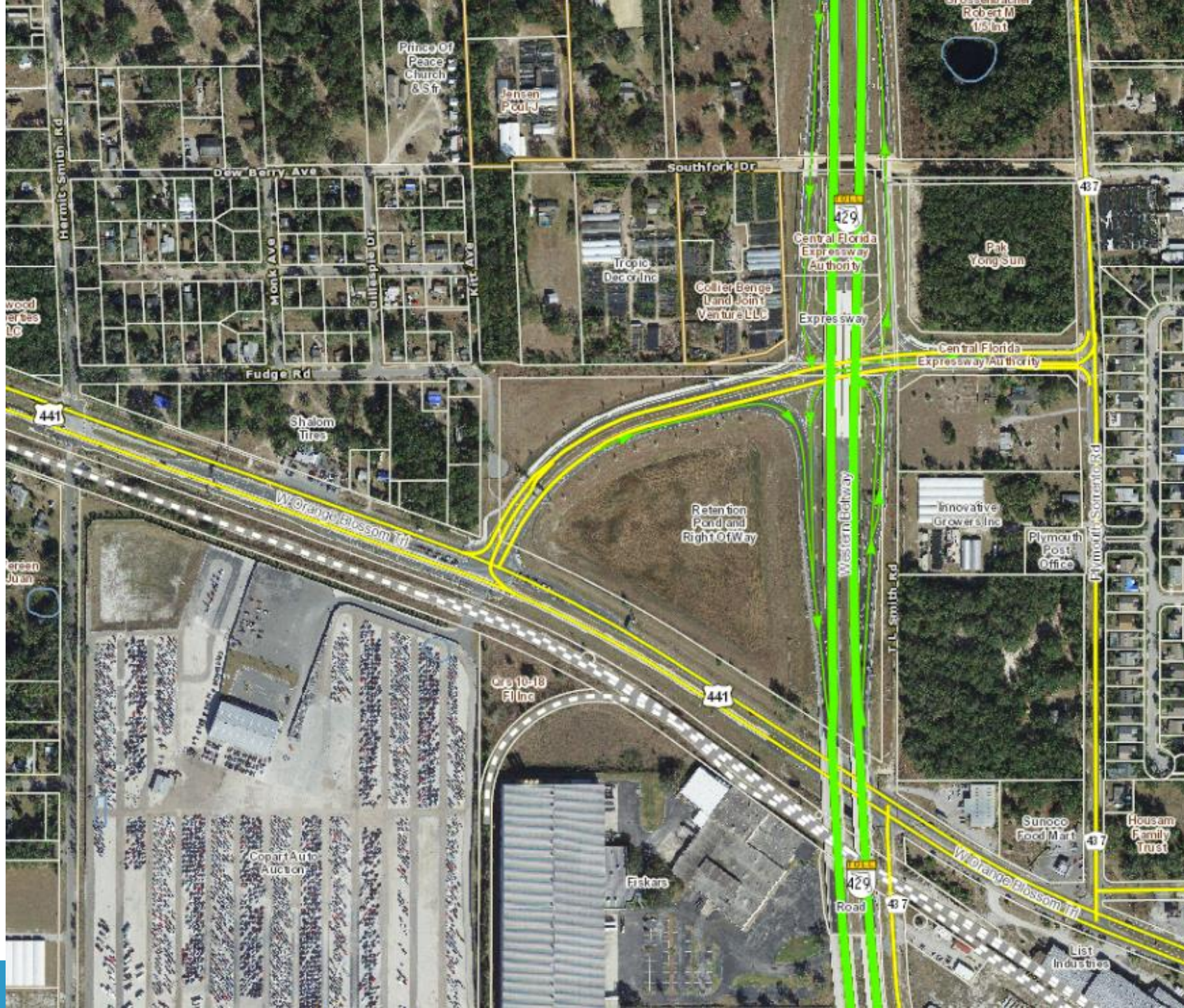
PROJECT: S.R. 429 Connector Road Interchange area roadway network needs

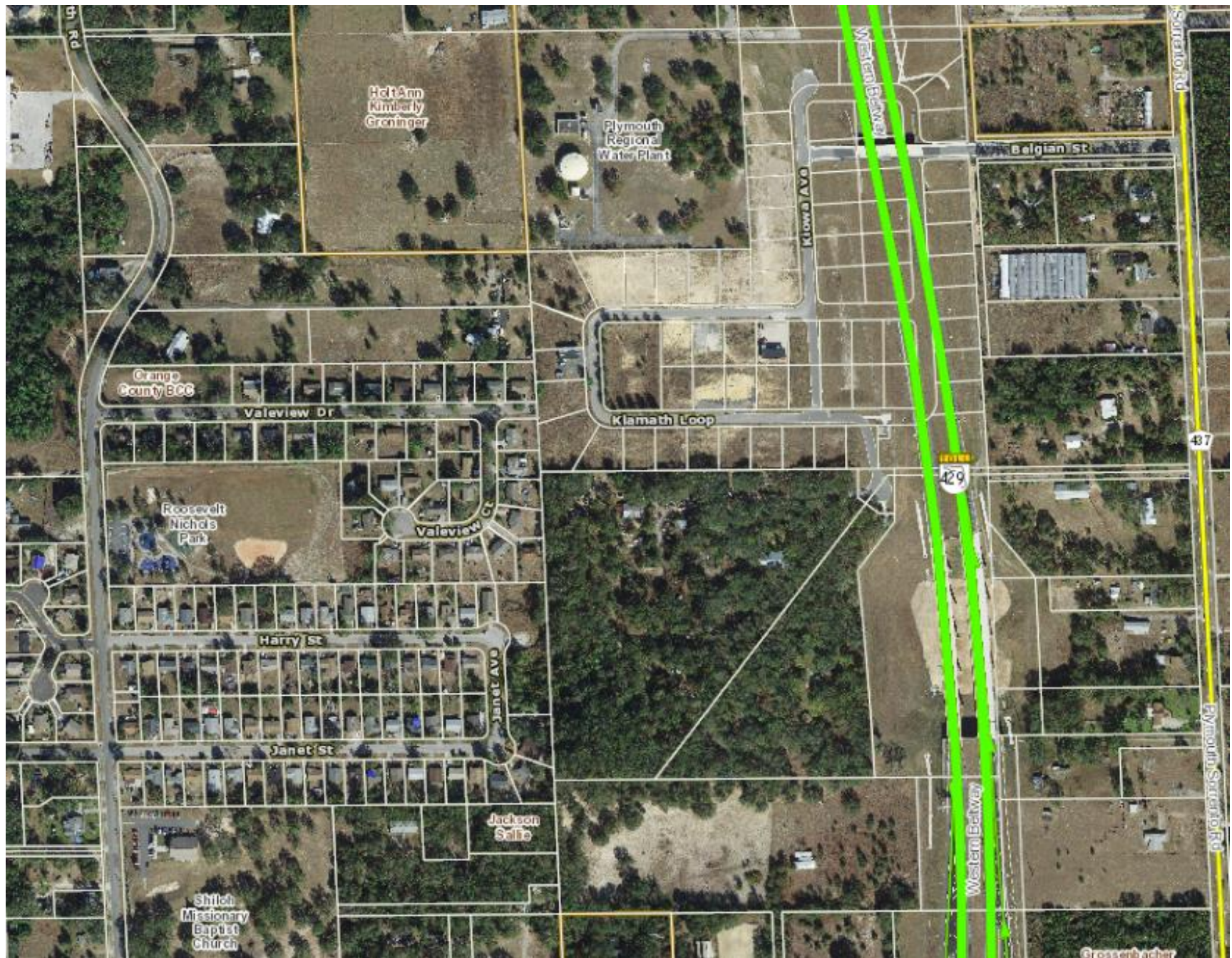
LOCATION: East of Hermit Smith Road, West of Plymouth Sorrento Road, North of S.R. 429 Connector Road and South of Yothers Road

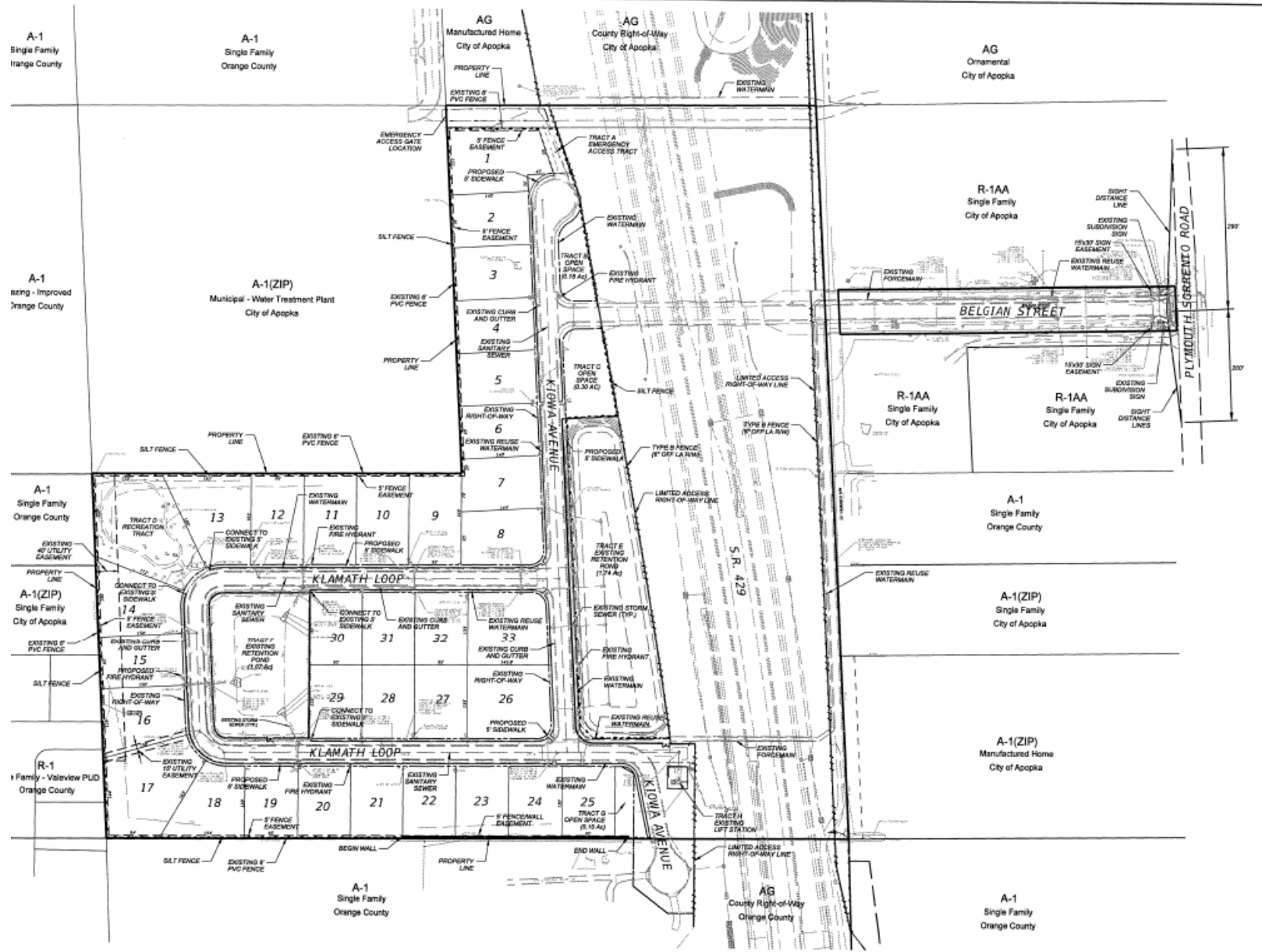
REQUEST: Prepare a letter to Central Florida Expressway Authority for the Mayor's signature.

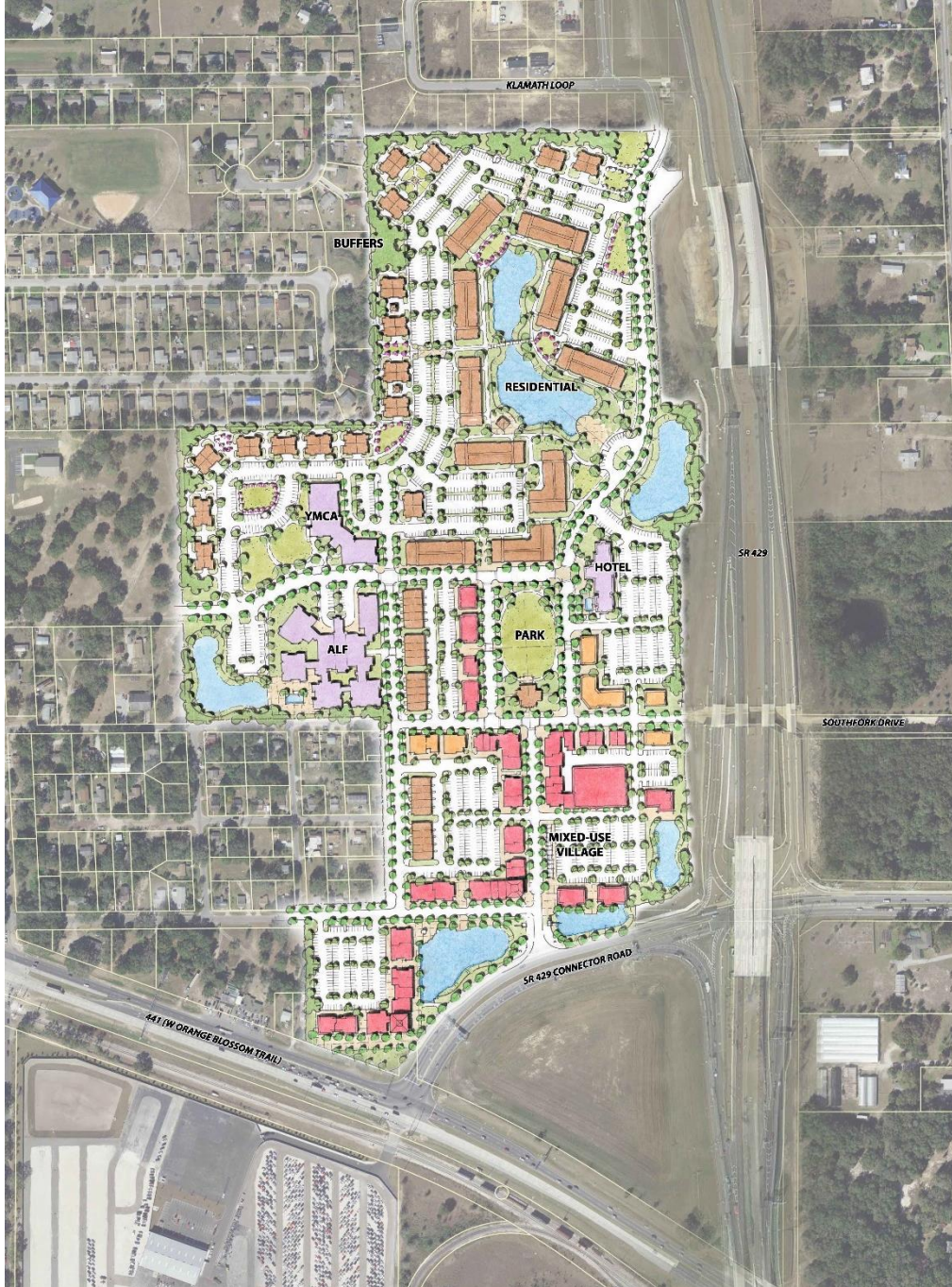












RECOMMENDED MOTION – City Council:

Direct staff to draft a letter for the Mayor's signature to Central Florida Expressway Authority, asking to work together to resolve right-of-way issues and roadway needs beneficial to both the City of Apopka and CFX.





CITY OF APOPKA CITY COUNCIL

CONSENT AGENA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER:

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Concurrency Agreement

SUBJECT: PONKAN RESERVE SCHOOL CONCURRENCY MITIGATION AGREEMENT

REQUEST: APPROVAL OF THE PONKAN RESERVE SCHOOL CONCURRENCY MITIGATION AGREEMENT

SUMMARY:

New residential development applications are reviewed by Orange County Public Schools for their impact placed on existing student capacity at public schools. This school impact analysis, called school concurrency, occurs at the time of a Final Development Plan and Plat application. In 2008 the City of Apopka entered into an interlocal agreement with the Orange County School Board to address public school facility planning and implementation of school concurrency (hereafter School Agreement). As a party to this School Agreement, the City becomes a party to the Agreement. Therefore, City Council must accept the Agreement and authorize the Mayor to sign it to allow OCPS to implement the mitigation plan. When school enrollment is over capacity at the public schools serving additional students generated by a proposed residential development, a new development must have a school concurrency mitigation analysis to determine additional cost of school impacts the proposed development will generate above that considered by the school impact fee. The developer pays these additional fees according to the conditions of the school concurrency mitigation fee. (See exhibit.)

NOTE: A Final Development Plan for Ponkan Reserve has not been approved by City Council and the approval of this Orange County Public Schools Concurrency Mitigation Agreement is not approval of the Final Development Plan.

OWNER/APPLICANT: Ponkan Reserve South, LLC
PROJECT ENGINEER: Booth, Ern, Straughn, and Hiott, Inc. / Charles Hiott, P.E.
LOCATION: South side of Ponkan Road between Vick Road and Rock Springs Road
PROPOSED DEVELOPMENT: Single Family Residential Subdivision – 14 Units
DEVELOPABLE AREA: 7.31 +/- acres
SCHOOL ATTENDANCE ZONES: Rock Springs Elementary; Wolf Lake Middle; Apopka High

DISTRIBUTION

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

**CITY COUNCIL – DECEMBER 19, 2018
PONKAN RESERVE
SCHOOL CONCURRENCY MITIGATION AGREEMENT
PAGE 2**

FUNDING SOURCE: N/A

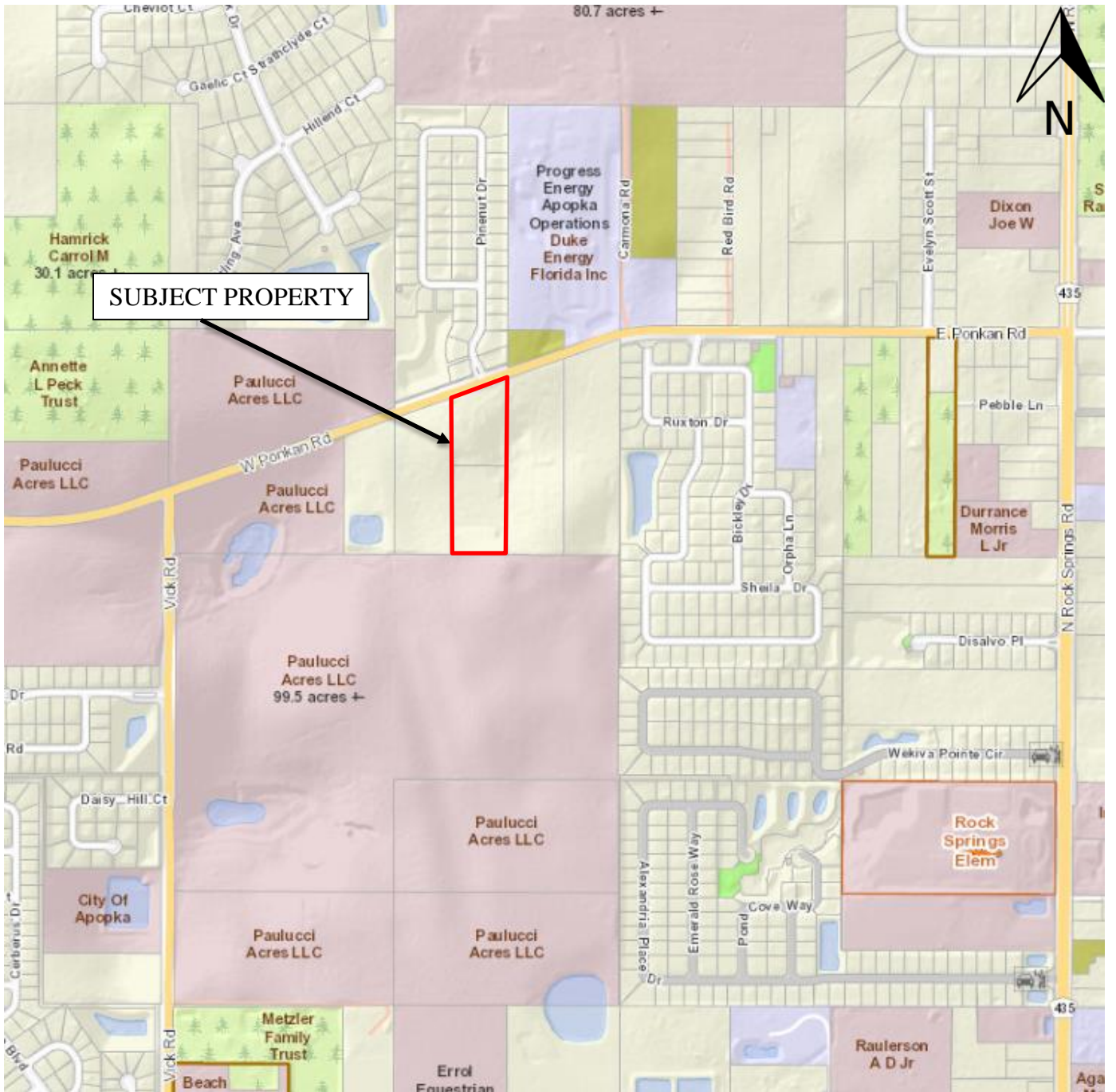
RECOMMENDATION ACTION:

City Council Recommended Motion: Approve the Ponkan Reserve Concurrency Mitigation Agreement and authorize the Mayor to sign the Agreement

CITY COUNCIL – DECEMBER 19, 2018
PONKAN RESERVE
SCHOOL CONCURRENCY MITIGATION AGREEMENT
PAGE 3

Ponkan Reserve
South side of Ponkan Road, between Vick Road and Rock Springs Road
Parcel ID #: 28-20-28-0000-00-006 and 28-20-28-0000-00-062

VICINITY MAP



After recording return to:

Jamie Boerger, AICP
Orange County Public Schools
6501 Magic Way, Building 200
Orlando, Florida 32809

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

**SCHOOL CONCURRENCY
MITIGATION AGREEMENT
APK-18-018
Ponkan Reserve
Parcel ID 28-20-28-0000-00-006; 062**

THIS SCHOOL CONCURRENCY MITIGATION AGREEMENT (“Agreement”), is entered into by **THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA** a body corporate and political subdivision of the State of Florida, (“School Board”); **CITY OF APOPKA**, a municipal corporation of the State of Florida, (“City”) and and **PONKAN RESERVE SOUTH, LLC**, a Florida limited liability company, whose address is 1490 Sunshadow Drive, Suite 3010, Casselberry, Florida 32707 (collectively, the “Applicant”), collectively referred to herein as the “Parties.”

RECITALS:

WHEREAS, the School Board, Orange County, and the municipalities within Orange County have entered into that certain “Amended and Restated Interlocal Agreement For Public School Facility Planning and Implementation of Concurrency” (the “Interlocal Agreement”), and

WHEREAS, pursuant to Section 16.6 of the Interlocal Agreement, an applicant submitting a School Concurrency Determination Application for approval of a Site Plan that will generate additional students in a School Concurrency Service Area in which there is insufficient Available School Capacity to accommodate the anticipated additional students must enter into a Proportionate Share Mitigation Agreement to prevent school overcrowding attributable to the anticipated additional students generated by the Residential Development as specified in the Interlocal Agreement;

WHEREAS, an Applicant must submit the School Concurrency Determination Application along with a Development Analysis which identifies the proposed location of the Residential Development, the number of Residential Units that will be created, a phasing schedule (if applicable), a map demonstrating land use and zoning classifications for the Applicant’s property, as well as all other information required pursuant to Section 16.5 of the Interlocal Agreement, to the City; and

WHEREAS, Applicant is the fee simple owner, or authorized agent of the owner, of that certain tract of land, as more particularly described on **Exhibit “A,”** attached hereto and incorporated herein by reference (the “Property”), the location of which is illustrated by a map attached hereto as **Exhibit “B,”** and incorporated herein by reference; and

WHEREAS, the Applicant has submitted a School Concurrency Determination Application and Development Analysis to the City in connection with a proposal to obtain approval for a plat in order to develop fourteen (14) single-family Residential Units on the Property (the “Project”) and the City has forwarded the School Concurrency Determination Application and Development Analysis to the School Board; and

WHEREAS, the School Board has reviewed and evaluated the Applicant’s School Concurrency Determination Application and Development Analysis as required by Section 18.6 of the Interlocal Agreement, and has determined that based on the current adopted Level of Service standards for the School Concurrency Service Areas within which the Property is located and the anticipated new School Capacity that will be available in the first three (3) years of the current District Facilities Work Program to serve the proposed Residential Development, there is insufficient Available School Capacity at the middle school level to serve the new single-family Residential Units within the School Concurrency Service Areas for the Project or within adjacent School Concurrency Service Areas as determined by an Adjacency Review; and

WHEREAS, approving the School Concurrency Determination Application without requiring Proportionate Share Mitigation for the impacts of the proposed Project will either create or worsen school overcrowding in the applicable School Concurrency Service Areas; and

WHEREAS, the Applicant has agreed to enter into this Agreement with the School Board and City to provide Proportionate Share Mitigation proportionate to the demand for Public School Facilities to be created by the Project, as more particularly set forth herein.

NOW, THEREFORE, in consideration of the foregoing, the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto, intending to be legally bound, agree as follows:

1. **INCORPORATION OF RECITALS.** The foregoing recitals are true and correct and are hereby incorporated into this Agreement by reference as if fully set forth herein.

2. **DEFINITION OF MATERIAL TERMS.** Any capitalized terms used herein but not defined shall have the meaning attributed to such term in the Interlocal Agreement.

3. **LEGALLY BINDING COMMITMENT.** This Agreement constitutes a legally binding commitment by the Applicant to mitigate for the impacts of the new Residential Units for which the Applicant is seeking approval pursuant to the School Concurrency Determination Application and is intended to satisfy the requirements of Florida law and the Orange County Code.

4. **PROPORTIONATE SHARE MITIGATION.** The Parties hereby agree that the Applicant shall provide Proportionate Share Mitigation in order to meet the demand for School Capacity created by the Project and to provide additional capacity for middle school students, as follows, in accordance with Section 19.2 of the Interlocal Agreement:

Payment in the amount of THIRTY-FIVE THOUSAND NINE HUNDRED EIGHTY AND 49/100 DOLLARS (\$35,980.49) to cover the Proportionate Share Mitigation associated with providing the necessary school capacity to complete the Project (the “Proportionate Share”) to the School Board. Such payment shall be due and payable prior to the time the plat for the Property is approved and has been calculated in accordance with the formula found in Section 17.2 of the Interlocal Agreement. To the extent the Applicant’s proposed Residential Development is subject to a Capacity Enhancement Agreement, any capacity enhancement mitigation paid pursuant to such agreement will be applied as a credit to the Proportionate Share Mitigation required for the Project. Such credit will be subtracted from the total Proportionate Share Mitigation required pursuant to this Agreement and the Interlocal Agreement.

5. USE OF PROPORTIONATE SHARE. The School Board shall direct the Proportionate Share to a School Capacity improvement identified in the capital improvement schedule in the five (5) year district work plan of the School Board’s District Facilities Work Program which satisfies the demands from the proposed Residential Development. If such a School Capacity improvement does not exist in the District Facilities Work Program, the School Board may, in its sole discretion, add a School Capacity improvement to its District Facilities Work Program to mitigate the impacts from the Project, as provided in Section 17.6 of the Interlocal Agreement.

6. IMPACT FEE CREDIT. The Proportionate Share Mitigation paid pursuant to Section 4 of this Agreement shall be credited against the School Impact Fee on a dollar for dollar basis at fair market value, up to the amount of the School Impact Fee Credit (hereinafter defined).

Upon payment of the Proportionate Share Mitigation, the School Board shall notify the City to establish a School Impact Fee credit account in the amount of TWENTY-EIGHT THOUSAND FIFTEEN AND 69/100 DOLLARS (\$28,015.69) based upon 3.1894 Equivalent Residential Units (as defined in Section 30-622 of the Orange County Code). (“Impact Fee Credit Amount”). Applicant shall not be entitled to a credit or refund for any portion of the Proportionate Share Mitigation in excess of the Impact Fee Credit Amount.

7. ISSUANCE OF SCHOOL CONCURRENCY RECOMMENDATION. Upon final execution of this Agreement by all Parties hereto, this Agreement will serve as the Applicant’s Capacity Encumbrance Letter in accordance with Section 16.7 of the Interlocal Agreement.

8. SCHOOL CAPACITY ENCUMBRANCE AND RESERVATION. Upon final execution of this Agreement by all Parties hereto, this Agreement will serve as the Applicant’s Capacity Encumbrance Letter that School Capacity will be available for the Project. This is in accordance with Section 16.6(g) of the Interlocal Agreement.

At such time as Applicant has prepaid the School Impact Fees further described in Section 6 of this Agreement, and paid the applicable installment(s) of the School Capacity Reservation Fee described in Section 9 below, School Capacity shall be reserved for the Project Units reflected on the application; if the Applicant fails to make any of the required School Capacity Reservation Fee payments described in Paragraph 9 below or if this Agreement is terminated, such reserved School Capacity shall lapse and be returned to the applicable Concurrency Service Area.

9. CAPACITY RESERVATION FEE. The Applicant shall be required to pay a School Capacity Reservation Fee for the Project in accordance with Section 30-599 of the Orange County Code. The Applicant shall pay the School Capacity Reservation Fee further described below.

- a. 1st Installment due within six (6) months of the Effective Date of this Agreement:
\$ 40,992.00
- b. 2nd Installment due 18 months from the Effective Date of this Agreement:
\$40,992.00
- c. 3rd Installment due 30 months from the Effective Date of this Agreement:
\$40,992.00

Notwithstanding the schedule provided by this Section, Applicant may prepay any or all of the School Capacity Reservation Fees in advance. School Capacity Reservation Fees paid pursuant to this Agreement shall be credited towards School Impact Fees as provided in Section 30-599 of the County Code.

10. TERMINATION. This Agreement shall terminate and Applicant shall forfeit any administrative fees paid, as well as any capacity encumbered or reserved under the following circumstances, unless the City and the School Board agree to an extension of the Applicant's School Concurrency Mitigation Agreement:

a. The Applicable Local Government does not approve the Plat within one hundred eighty (180) days from approval of the Site Plan by the City Council. In such event, all Proportionate Share Mitigation paid by the Applicant shall be refunded to the Applicant by the School Board.

b. The Applicant fails to proceed in good faith in a diligent and timely manner and secure at least one Building Permit for a unit other than a model home within three (3) years of recording of the plat. In such case, this Agreement shall be terminated and any encumbered or reserved school capacity shall be returned to its applicable capacity bank. The Applicant will not be entitled to a refund of any portion of the Proportionate Share Mitigation paid under this Agreement, and will only be entitled to receive a 90% refund of the Capacity Reservation Fee assuming all other applicable conditions are met.

11. COVENANTS RUNNING WITH THE LAND. This Agreement shall be binding, and shall inure to the benefit of the heirs, legal representatives, successors, and assigns of the parties, and shall be a covenant running with the Property and be binding upon the successors and assigns of the Owner and upon any person, firm, corporation, or entity who may become the successor in interest to the Property.

12. NOTICES. Any notice delivered with respect to this Agreement shall be in writing and be deemed to be delivered (whether or not actually received) (i) when hand delivered to the person(s) hereinafter designated, or (ii) upon deposit of such notice in the United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the person at the address set forth opposite the party's name below, or to such other address or other person as the party shall have specified by written notice to the other party delivered in accordance herewith:

School Board School Board of Orange County, Florida
 Attn: Superintendent
 445 West Amelia Street
 Orlando, Florida 32801

With a Copy to: Orange County Public Schools
 Attn: Facilities Planning Department
 6501 Magic Way, Building 200
 Orlando, Florida 32809

Applicant: Charles Hiott
 Booth, Ern, Straugham, Hiott, Inc.
 902 N. Sinclair Avenue
 Tavares, Florida 32778

With a Copy to: Barry Sandhaus
 Ponkan Reserve South, LLC
 1490 Sunshadow Drive, Suite 3010
 Casselberry, Florida 32707

City: City of Apopka
 Attn: Planning Department
 120 E. Main Street
 Apopka, Florida 32703

13. CAPTIONS AND PARAGRAPH HEADINGS. Captions and paragraph headings contained in this Agreement are for convenience and reference only. They in no way define, describe, extend or limit the scope or intent of this Agreement.

14. NO WAIVER. No waiver of any provision of this Agreement shall be effective unless it is in writing, and signed by the party against whom it is asserted. Any such written waiver shall only be applicable to the specific instance to which it relates, and shall not be deemed to be a continuing or future waiver.

15. EXHIBITS. All Exhibits attached hereto are a part of this Agreement and are fully incorporated herein by this reference.

16. AMENDMENTS. No modification, amendment, or alteration to the terms or conditions contained herein shall be binding upon the parties hereto unless in writing and executed by all the Parties to this Agreement. School Board does hereby confer upon the Superintendent, or Superintendent's designee, the authority to amend this Agreement, provide any consent, notice or approval set forth herein or otherwise exercise any right or election of the School Board granted or reserved herein, without formal approval from School Board, provided such amendment or consent does not substantially alter or modify the terms herein. Further, the Superintendent, or Superintendent's designee, shall have the authority, without further approval from the School Board, to finalize the form of all agreements, assignments, and similar documents set forth in this

Agreement, and the School Board's signature of those agreements, assignments, and similar documents is hereby authorized. The extension of any payment or deadline required hereunder for less than one (1) year shall not be considered to substantially alter or modify the terms herein. If, in the sole judgment of School Board, such amendment or consent does substantially alter or amend this Agreement, then School Board shall have the option of declaring the amendment or consent void *ab initio*, thus rendering the amendment or consent without any legal force and effect.

17. **ASSIGNMENT, TRANSFER OF RIGHTS.** The Applicant may assign its rights, obligations and responsibilities under this Agreement to a third-party purchaser of all or any part of fee simple title to the Property; provided, however, that any such assignment shall be in writing and shall require the prior written consent of all of the Parties hereto, which consent shall not be unreasonably withheld, conditioned, or delayed. Such consent may be conditioned upon the receipt by the other parties hereto of the written agreement of the assignee to comply with conditions and procedures to aid in the monitoring and enforcement of the assignee's performance of the Applicant's obligations with regard to Proportionate Share Mitigation under this Agreement. The assignor under such assignment shall furnish the Parties with a copy of the written assignment within ten (10) days of the date of execution of same.

18. **COUNTERPARTS.** This Agreement may be signed in counterparts, each of which may be deemed an original, and all of which together constitute one and the same agreement.

19. **RECORDING OF THIS AGREEMENT.** The School Board agrees to record this Agreement, at Applicant's expense, in the Public Records of Orange County, Florida.

20. **ENTIRE AGREEMENT.** This Agreement sets forth the entire agreement among the Parties with respect to the subject matter addressed herein, and it supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, among the Parties.

21. **SEVERABILITY.** If any provision of this Agreement is declared invalid or unenforceable by a court of competent jurisdiction, the invalid or unenforceable provision will be stricken from the Agreement, and the balance of the Agreement will remain in full force and effect as long as doing so would not affect the overall purpose or intent of the Agreement.

22. **APPLICABLE LAW.** This Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida and in accordance with the Orange County Code and venue for any action to enforce the provisions of this Agreement shall be in the Ninth Judicial Circuit Court in and for Orange County, Florida.

23. **ATTORNEY'S FEES.** In the event any party hereto brings an action or proceeding, including any counterclaim, cross-claim, or third party claim, against any other party hereto arising out of this Agreement, each party in such action or proceeding, including appeals therefrom, shall be responsible for its own attorney fees.

24. **EFFECTIVE DATE.** The effective date of this Agreement shall be the date when the last one of the parties has properly executed this Agreement as determined by the date set forth immediately below their respective signatures (the "Effective Date").

25. **PRE-PAYMENT, MITIGATION & CAPACITY RESERVATION FORMS.** This Agreement requires the Applicant to pay a Capacity Reservation Fee and Proportionate Share

Mitigation prior to the recording of a Plat. The form attached hereto as **Exhibit “C,”** must be completed and returned to the School Board’s Facilities Planning Department with all fees due hereunder, including, but not limited to, Capacity Reservation Fees and Proportionate Share Mitigation. This form must be completed and returned to the Facilities Planning Department, in addition to all fees payable pursuant to the terms of this Agreement, to satisfy Sections 4 and 9 of this Agreement.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives on the dates set forth below each signature:

“SCHOOL BOARD”

Signed and sealed in the presence of:

THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA, a body corporate and political subdivision of the State of Florida

Print Name: _____

By: _____
Teresa Jacobs, its Chair

Print Name: _____

Date: _____

STATE OF FLORIDA)
) s.s.:
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by Teresa Jacobs, Chair of The School Board of Orange County, Florida, a body corporate and political subdivision of the State of Florida, on behalf of The School Board, who is personally known to me or had produced _____ (type of identification) as identification.

AFFIX NOTARY STAMP

NOTARY PUBLIC OF FLORIDA
Print Name: _____
Commission No.: _____
Expires: _____

[ADDITIONAL SIGNATURE PAGES TO FOLLOW]

THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA, a body corporate and political subdivision of the State of Florida

Signed and sealed in the presence of:

Print Name: _____

Print Name: _____

Attest: _____
Barbara M. Jenkins, Ed.D. as its
Secretary and Superintendent

Dated: _____

STATE OF FLORIDA)
) s.s.:
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by Barbara M. Jenkins, ED.D. as Superintendent The School Board of Orange County, Florida, a body corporate and political subdivision of the State of Florida, on behalf of The School Board, who is personally known to me or has produced _____ (type of identification) as identification.

NOTARY PUBLIC OF FLORIDA
Print Name: _____
Commission No.: _____
Expires: _____

AFFIX NOTARY STAMP

Reviewed and approved by Orange County
Public School's Chief Facilities Officer

Approved as to form and legality by legal
counsel to The School Board of Orange
County, Florida, exclusively for its use and
reliance.

John T. Morris
Chief Facilities Officer

Laura L. Kelly, Staff Attorney III/Planning
and Real Estate

Date: _____, 2018

Date: _____, 2018

“APPLICANT”

Signed and sealed in the presence of:

PONKAN RESERVE SOUTH, LLC, a
Florida limited liability company

Print Name: _____

By: _____

Print Name: _____

Title: _____

Print Name: _____

Date: _____

STATE OF FLORIDA)
) s.s.:
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by _____ as _____ of Ponkan Reserve South, LLC, a Florida limited liability company, on behalf of the organization. He/she is personally known to me or has produced _____ (type of identification) as identification.

NOTARY PUBLIC OF FLORIDA

Print Name: _____

Commission No.: _____

Expires: _____

AFFIX NOTARY STAMP

“CITY”

CITY OF APOPKA, FLORIDA, a municipal corporation of the State of Florida.

By: Mayor

Print Name _____

Title: _____

Date: _____

ATTEST:

By: _____

City Clerk

{ Corporate Seal }

Date: _____

Exhibit “A” – Legal Description

That part of the East 1/2 of the West 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 28, Township 20 South, Range 28 East, Orange County, Florida, lying South of the County Road.

Exhibit "B"-Location Map



Facilities Planning
Orange County Public Schools



Jurisdiction: Apopka
School Board Dis L: # 7
Parcel ID: 28-20-28-0000-00-006; 062
Acreage: +/- 7.31 ac

Schools
ES: Rock Springs
MS: Apopka
HS: Apopka

APK-18-008
Ponkan Reserve

Exhibit “C”-Forms



CAPACITY RESERVATION FEE & MITIGATION FORM

DEPARTMENT OF FACILITIES PLANNING

6501 MAGIC WAY, BUILDING 200, ORLANDO, FL 32809

TEL: 407-317-3974 / FAX: 407-317-3263 / WEBSITE: <http://planning.ocps.net>

A Concurrency Mitigation Agreement (CMA) or Capacity Encumbrance Letter (CEL) may require property owners and developers to pay a Capacity Reservation Fee (CRF) and/or Proportionate Share Mitigation at some point in the development process prior to issuance of a building permit. This form must be completed and returned to the Department of Facilities Planning at Orange County Public Schools (OCPS) along with a check for the estimated Capacity Reservation Fees, and/or Proportionate Share Mitigation. This form must be completed and returned to the Department of Facilities Planning at Orange County Public Schools. Any questions regarding this form should be directed to the following:

Contact: Jamie Boerger, AICP
 (407) 317-3700 x2022391
 Jamie.DiLuzioBoerger@ocps.net

SECTION 1: CMA/CEL INFORMATION	CMA \ CEL #:
	CMA \ CEL Title:
	Jurisdiction:
	Parcel ID(s): ¹
	General Location:
	Development Permit Type: ²

SECTION 2: APPLICANT INFORMATION	Date:
	Applicant Name:
	Company:
	Address:
	Phone #:
	Email:

Exhibit "C"-Forms

CAPACITY RESERVATION FEE & MITIGATION FORM

SECTION 3: DEVELOPMENT PROFILE	Plat/Site Plan Title: ³
	Project Title:
	Phase:
	# Single Family Units:
	# Multi-Family Units:
	# Townhome Units:
	Total # of Units:
	Local Governmental Approval date of Plat/Site Plan:

SECTION 4: PAYMENT SUMMARY	Capacity Reservation Fee Amount (payable to the applicable local government)		
	Installment: <input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd <input type="checkbox"/> Remaining Balance \$ _____		
	Proportionate Share Mitigation Amount (payable to Orange County School Board)		
	\$ _____		
	<small><i>A check made payable to OCPS must accompany this form. If the prepayment amount is correct and the form complete and sufficient, a Letter of Authorization will be prepared by OCPS to inform the Applicable Local Government to create a credit account. OCPS will forward the Letter of Authorization to the Applicable Local Government and copy the Applicant.</i></small>		
	Single Family	Multi-Family	Townhome
	\$8,784/unit	\$5,919/unit	\$6,930/unit
	Does this CMA / CEL require an additional contribution? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Identify the section of the CMA / CEL that requires the mitigation payment?			

Applicant Checklist:		
<input type="checkbox"/>	Capacity Reservation Fee check, payable to the applicable Local Government . (Deliver to OCPS)	
<input type="checkbox"/>	Proportionate Share Mitigation check, payable to the Orange County Public Schools . (Deliver to OCPS)	
<input type="checkbox"/>	11 X 17 copy of the site plan/plat associated with this request. (Attach to email)	

Signature of Applicant
Print Name of Applicant
Date

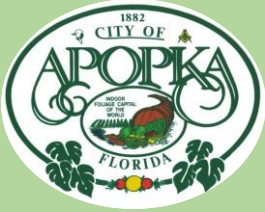
Exhibit “C”-Forms

CAPACITY RESERVATION FEE & MITIGATION FORM

For OCPS Use Only:	
Reviewer : _____ Date Reviewed: _____	Received Stamp
<input type="checkbox"/> Application Sufficient	
<input type="checkbox"/> Letter of Authorization Approved	

Footnotes:

1. List all parcel identification numbers assigned to the parcels within the Preliminary Subdivision Plan (PSP), site plan, or plat boundaries that apply to this application. List parcel IDs in a separate attachment, if necessary.
2. Development permit type – state whether the credit will be applied to a plat, PSP, site plan, or other type of permit required by local government. Only one development permit type should apply. A separate Prepaid School Impact Fee Form must be completed for each development permit application.
3. State the title of the PSP, site plan or plat exactly as it appears on that document.



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 19, 2018
 FROM: Purchasing
 EXHIBITS:

SUBJECT: PURCHASE OF COMMODITIES/SERVICES

REQUEST: APPROVE THE ISSUANCE OF BLANKET PURCHASE ORDERS FOR FISCAL YEAR 2018/2019

SUMMARY:

The departments purchase large amounts of various commodities in its daily operations including equipment, tooling, and services throughout the year. This purchasing is accomplished through piggybacking other municipalities, state contracts and evaluated sources which provide the best cost savings for the quantities that are utilized.

In accordance with Section 107.3.1.2(IV) (A), of the City’s Purchasing Policy, Staff requests approval to issue blanket purchase orders to the following vendors for the purchase of the referenced commodities. The amounts shown have been included and approved in the FY19 budget.

Department	Vendor	Commodity	Amount	Municipal Contract
Public Services	Evoqua	Lease on Odor Control Equipment & remaining budget for Odor Control Chemicals	\$190,000	Lee County
Public Services	Southern Sewer	Parts & Repairs on Large/Sanitation Trucks	\$65,000	Sole Source

FUNDING SOURCE:

Approved FY19 budget.

RECOMMENDATION ACTION:

Approve the issuance of blanket purchase orders to the referenced vendors for the purchases listed.

DISTRIBUTION

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



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 19, 2018
 FROM: Public Services
 EXHIBITS: Oversizing Costs

SUBJECT: WATER MAIN (WM) OVERSIZING AGREEMENT BETWEEN ORANGE COUNTY AND THE CITY OF APOPKA

REQUEST: EXECUTE THE POTABLE WATER OVERSIZING AGREEMENT

SUMMARY:

This agreement is to compensate Orange County for the cost difference anticipated to install a 6” Water Main (WM) per the City’s Potable Water Master Plan in lieu of the 4” WM per the engineered calculations. The oversized main is intended to serve the areas projected needs at build out for water. Article 6.04.01.D of the Land Development Code allows the City to pay developers the difference in material costs for oversizing. This reimbursement specifically covers the differential cost total estimated to be \$27,070.00 for 2,714 linear feet (lf) of pipe and three fire hydrants. The actual reimbursement will be based upon the cost difference experienced at the time of construction.

FUNDING SOURCE:

Water Impact Fees in the amount of \$27,070.00. Account Number 403-3113-533-6300

RECOMMENDATION ACTION:

Execute the Oversizing Agreement as described.

DISTRIBUTION

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



City of Apopka
 ATTN: Naret Teran
 748 E. Cleveland St.
 Apopka FL 32703
nteran@apopka.net

Subject: Camp Joy Water and Wastewater Improvements
 Cost Different Between 4" and 6" Water Main

Dear Mr. Teran:

Orange County is planning to construct a 4-inch water main along Baptist Camp Road. The City has requested that we upsize the line to 6-inches. The cost different between the 4-inch and 6-inch lines is presented below. Please review and prepare the cost sharing agreement.

Difference from 4-inch to 6-inch water main & Off-Site Fire Hydrants				
Pipe - 6" PVC C900 – Trenched (material cost only)	2,714	LF	\$13.15	\$35,689
Pipe - 4" PVC C900 – Trenched (material cost only) - deduct	2,714	LF	(\$8.15)	(\$22,119)
Off-Site Fire Hydrant Assembly (Incl. all misc. accessories)	3	EA	\$4,500.00	\$13,500
			Total	\$27,070

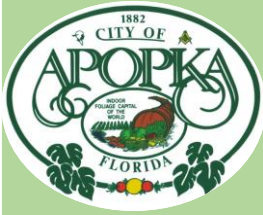
If you have any comments concerning these costs, please feel free to contact me at 407-267-8905 or jeff.earhart@cpwgengineering.com.

Very truly yours,
 CPWG, Inc.

Jeff Earhart
 Jeffrey J. Earhart, P.E.
 Project Manager



- Athletic Complexes
- Construction Management
- Environmental Services and Water Resources
- Landscape Architecture
- Land Development
- Municipal
- Parks and Recreation
- Pavement Management
- Planning
- Roadway design
- Stormwater
- Transportation
- Utilities



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 19, 2018
FROM: Public Services
EXHIBITS: Contract

SUBJECT: INMATE WORK SQUAD CONTRACT I-#WS1164

REQUEST: AUTHORIZE THE CITY TO EXECUTE THE CONTRACT WITH THE DEPARTMENT OF CORRECTIONS

SUMMARY:

On November 2, 2014, City Council approved Inmate Work Squad Contract WS1085. The contract will expire February 21, 2019.

The Department of Corrections has established a new contract WS1164 and has requested the City execute it. The contract will be effective for a one-year term, beginning February 22, 2019, and is subject to one (1) one-year extension, with the same terms and conditions. The cost is \$57,497.00 per year, the same as the prior years.

FUNDING SOURCE:

Fund 101- Street Improvement Fund

RECOMMENDATION ACTION:

Authorize the Mayor or his designee to sign a contract with the Department of Corrections for an inmate work squad.

DISTRIBUTION

Mayor Nelson
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

CONTRACT BETWEEN
THE FLORIDA DEPARTMENT OF CORRECTIONS
AND
CITY OF APOPKA

This Contract is between the Florida Department of Corrections (“Department”) and the City of Apopka (“Agency”), which are the parties hereto.

WITNESSETH

WHEREAS, Sections 944.10(7) and 946.40, Florida Statutes (F.S.), and Rules 33-601.201 and 33-601.202, Florida Administrative Code (F.A.C.), provide for the use of inmate labor in work programs;

WHEREAS, inmate labor will be used for the purposes of providing services and performing work under the supervision of the Department’s staff;

WHEREAS, the City of Apopka is a qualified and willing participant with the Department to contract for an inmate work squad(s); and

THEREFORE, the parties hereto find it to be in their best interests to enter into this Contract, and in recognition of the mutual benefits and considerations set forth, the parties hereto covenant and agree as follows:

I. CONTRACT TERM/RENEWAL

A. Contract Term

This Contract shall begin on February 22, 2019, or the last date of signature by all parties, whichever is later.

This Contract shall end at midnight on February 21, 2020.

B. Contract Renewal

This Contract may be renewed for up to a three (3) year term, in whole or part, after the initial Contract term, and upon the same terms and conditions contained herein. This Contract renewal is at the Agency’s initiative with the concurrence of the Department. The decision to exercise the option to renew should be made no later than 60 calendar days prior to this Contract’s expiration.

II. SCOPE OF CONTRACT

A. Administrative Functions

1. Each party shall cooperate with the other in any litigation or claims against the other party as a result of unlawful acts committed by an inmate(s) performing services under this Contract between the parties.

2. Each party will retain responsibility for its personnel, and its fiscal and general administrative services to support this Contract.
3. Through their designated representatives, the parties shall collaborate on the development of policies and operational procedures for the effective management and operation of this Contract.

B. Description of Services

1. Responsibilities of the Department

- a. Pursuant to Rule 33-601.202(2)(a), F.A.C., supervision of the work squad(s) will be provided by the Department. The Department shall provide one (1) Correctional Work Squad Officer position to supervise an inmate work squad. This Contract provides for one (1) work squad of up to eight (8) inmates.
- b. The Department shall ensure the availability of the work squad(s) except: when weather conditions are such that to check the squad(s) out would breach good security practices; when the absence of the Correctional Work Squad Officer is necessary for reasons of required participation in training or approved use of leave; when the officer's presence is required at the institution to assist with an emergency situation; when the officer is ill; or when the Correctional Work Squad Officer position is vacant. In the event a position becomes vacant, the Department shall make every effort to fill the position(s) within five (5) business days.
- c. For security and other reasons, the Department shall keep physical custody of the vehicle furnished by the Agency. Unless otherwise specified, the Agency shall maintain physical custody of all Agency trailers and all tools, equipment, supplies, materials, and personal work items (gloves, boots, hard hats, etc.) furnished to the Department by the Agency. The Agency is responsible for the maintenance of all furnished equipment.
- d. In the event of damage to property as a result of an accident charged to a Department employee or blatant acts of vandalism by inmates, or loss of tools and equipment, the Agency may request that the Department replace or repair to previous condition the damaged or lost property.
- e. The Department shall be reimbursed by the Agency for the Department's costs associated with this Contract in accordance with **Addendum A**. Once the Agency reimburses the Department for the costs reflected on **Addendum A**, Section II., these items will be placed on the Department's property records, as appropriate, and upon the end or termination of this Contract such items will be transferred to the Agency.
- f. The Department shall, to the maximum extent possible, maintain stability in the inmate work force assigned to the work squad on a day-to-day basis in order to maximize the effectiveness of the work squad.
- g. The Department shall provide food and drinks for inmates' lunches.

- h. The Department shall be responsible for the apprehension of an escapee and handling of problem inmates. The Department shall provide transportation from the work site to the correctional facility for inmates who refuse to work, become unable to work, or cause a disruption in the work schedule.
 - i. The Department shall be responsible for administering all disciplinary action taken against an inmate for infractions committed while performing work under this Contract.
 - j. The Department shall provide for medical treatment of ill or injured inmates and transportation of such inmates.
 - k. The Department shall provide inmates with all personal items of clothing appropriate for the season of the year.
 - l. The Department shall be responsible for driving the Correctional Work Squad Officer and the inmates to and from the work site.
 - m. Both parties agree that the Department is making no representations as to the level of skills of the work squad.
2. Responsibilities of the Agency
- a. The Agency shall periodically provide the Department's Contract Manager, or designee, with a schedule of work to be accomplished under the terms of this Contract. Deviation from the established schedule shall be reported to, and coordinated with, the Department.
 - b. If required, the Agency shall obtain licenses or permits for the work to be performed. The Agency shall provide supervision and guidance for projects that require a permit or which require technical assistance to complete the project.
 - c. The Agency shall ensure that all projects utilizing inmates are authorized projects of the municipality, city, county, governmental Agency, or non-profit organization and that private contractors employed by the Agency do not use inmates as any part of their labor force.
 - d. The Agency shall retain ownership of any vehicles or equipment provided by the Agency for the work squad(s). The Agency shall maintain its own inventory of transportation, tools, and equipment belonging to the Agency.
 - e. The Agency shall provide vehicles for transportation of the work squad(s) and is responsible for the maintenance of said vehicle.
3. Communications Equipment

It is the intent of this Contract that the work squad(s) maintains communication with the institution at all times. A method of communication (radios, cellular phone, etc.), shall be provided at no cost to the Department. The Agency shall provide a primary method of communication that shall be approved by the Department's Contract Manager, or designee, in writing, prior to assignment of the work squad(s). Depending upon the method of

communication provided, the Department's Contract Manager, or designee, may require a secondary or back-up method of communication.

All radio communication equipment owned or purchased by the Agency that is programmed to the Department's radio frequency and used by the work squad(s), whether purchased by the Department or the Agency, shall be IMMEDIATELY deprogrammed by the Department, at no cost to the Agency, upon the end or termination of this Contract. Under no circumstances shall the Agency accept the return of radio communications equipment provided to the Department under this Contract until such time as the radio communications equipment has been deprogrammed by the Department.

At the end or termination of this Contract, the Department's Contract Manager, or designee, will contact the Department's Utility Systems/Communications Engineer in the Office of Institutions to effectuate the deprogramming of radio communications equipment provided by the Agency.

a. Vehicle Mounted Radios:

Vehicles provided by the Agency, that are or that will be equipped with a mobile/vehicle mounted radio programmed to the Department's radio frequency(ies), will be retained by the Department to ensure security of the communication equipment except for short durations dictated by the need for vehicle and/or communications equipment maintenance and/or repair. The use of these vehicle(s) during the period covered by this Contract shall not be for any purpose other than as indicated in this Contract.

b. Hand-Held Radios:

Hand held radios provided by the Agency, that are or that will be programmed to the Department's radio frequency(ies), will be retained by the Department to ensure security of the communication equipment except for short durations dictated by the need for maintenance and/or repair. The use of any hand-held radio(s) provided by the Agency that is programmed to a Department radio frequency utilized by the Agency during the period covered by this Contract shall not be for any purpose other than as indicated in this Contract.

c. Cellular Phones:

Cellular phones may be utilized by the Correctional Work Squad Officer as either a primary or secondary means of communication as approved by the Department's Contract Manager, or designee. The Department's Contract Manager, or designee, shall designate whether the usage of a cellular phone is required on **Addendum A**. The cellular phone will be retained by the Department and, upon the end or termination of this Contract, returned to the Agency. The use of the cellular phone is not authorized for any purposes other than as indicated in this Contract.

4. Other Equipment

The Department's Contract Manager, or designee, shall determine if an enclosed trailer is required for the work squad to transport tools and equipment utilized in the performance of this Contract, and shall notify the Agency if a trailer is necessary. The Department's Contract

Manager, or designee, shall designate whether the usage of an enclosed trailer is required on **Addendum A**.

If a trailer is required, it will be provided by the Agency at no cost to the Department. If the Department is to maintain control of the trailer when the work squad(s) is not working, the Agency shall provide an enclosed trailer that can be secured when not in use. All tools and equipment utilized by the work squad shall be secured in the trailer. The Department shall maintain an inventory of all property, expendable and non-expendable, which is in the custody and control of the Department. Upon the end or termination of this Contract, the trailer and any non-expendable items will be returned to the Agency.

III. COMPENSATION

A. Payment to the Department

1. **Total Operating Capital To Be Advanced By The Agency**, as delineated in Section IV., of **Addendum A**, shall be due and payable upon execution of this Contract. The Department will not proceed with the purchase until payment, in full, has been received and processed by the Department’s Bureau of Finance and Accounting. Delays in receipt of these funds may result in start-up postponement or interruption of the services provided by the work squad.
2. **Total Costs To Be Billed To The Agency By Contract**, as delineated in Section VI., of **Addendum A**, will be made quarterly, in advance, with the first payment equaling one-fourth (1/4) of the total amount, due within two (2) weeks after the effective date of this Contract. The second quarterly payment is due no later than the 20th calendar day of the last month of the first Contract quarter. Payment for subsequent consecutive quarters shall be received no later than the 20th calendar day of the last month of the preceding Contract quarter.
3. In the event the Correctional Work Squad Officer position becomes vacant and remains vacant for a period of more than five (5) business days, the next or subsequent billing will be adjusted by the Department for services not provided.
4. The Agency shall insure any vehicles owned by the Agency used under this Contract.
5. The rate of compensation shall remain in effect through the term of this Contract or subsequent to legislative change. In the event there is an increase/decrease in costs identified in **Addendum A**, this Contract shall be amended to adjust to such new rates.

B. Official Payee

The name and address of the Department’s official payee to whom payment shall be made is as follows:

Florida Department of Corrections
 Bureau of Finance and Accounting
 Attn: Professional Accountant Supervisor
 Centerville Station
 Call Box 13600
 Tallahassee, Florida 32317-3600

C. Submission of Invoice(s)

The name, address, and phone number of the Agency's official representative to whom invoices shall be submitted is:

Beau Kirkland
City of Apopka
748 East Cleveland Street
Apopka, Florida 32703
Telephone: (407) 703-1731
Email: BKirkland@apopka.net

IV. CONTRACT MANAGEMENT

The Department will be responsible for the project management of this Contract. The Department has assigned the following named individuals, addresses, and phone numbers as indicated, as the Department's Contract Manager and the Department's Contract Administrator for the Project.

A. Department's Contract Manager

The Department's Field Office Manager of Central Office Reception Center is designated as the Department's Contract Manager and is responsible for enforcing performance of this Contract terms and conditions and shall serve as a liaison with the Agency. The title, address, and telephone number of the Department's Contract Manager for this Contract is:

Field Office Manager
Central Florida Reception Center
7000 H.C. Kelley Road
Orlando, Florida 32831
Telephone: (407) 208-8187
Email: Johnnie.Pleicones@fdc.myflorida.com

B. Department's Contract Administrator

The Department's Contract Administrator is responsible for maintaining a Contract file on this Contract service and will serve as a liaison with the Department's Contract Manager.

The title, address, and telephone number of the Department's Contract Administrator for this Contract is:

Contract Administrator
Bureau of Procurement
Florida Department of Corrections
501 South Calhoun Street
Tallahassee, Florida 32399-2500
Telephone: (850) 717-3681
Fax: (850) 488-7189

C. Agency's Representative

The name, address, and telephone number of the Agency's Representative is:

Beau Kirkland
City of Apopka
748 East Cleveland Street
Apopka, Florida 32703
Telephone: (407) 703-1731
Email: BKirkland@apopka.net

D. Changes to Designees

In the event that different representatives are designated by either party after execution of this Contract, notice of the name and address of the new representatives will be rendered, in writing, to the other party and said notification attached to originals of this Contract.

V. CONTRACT MODIFICATIONS

Modifications to provisions of this Contract shall only be valid when they have been rendered, in writing, and duly signed by both parties. The parties agree to renegotiate this Contract if stated revisions of any applicable laws, regulations, or increases/decreases in allocations make changes to this Contract necessary.

VI. TERMINATION/CANCELLATION

Termination at Will

This Contract may be terminated by either party upon no less than 30 calendar days notice, without cause, unless a lesser time is mutually agreed upon by both parties. Said notice shall be delivered by certified mail (return receipt requested), by other method of delivery whereby an original signature is obtained, or in-person with proof of delivery. In the event of termination, the Department will be paid for all costs incurred and hours worked up to the time of termination. The Department shall reimburse the Agency any advance payments, prorated as of last day worked.

VII. CONDITIONS

A. Records

The Agency agrees to allow the Department and the public access to any documents, papers, letters, or other materials subject to the provisions of Chapter 119 and Section 945.10, F.S., made or received by the Agency in conjunction with this Contract. The Agency's refusal to comply with this provision shall constitute sufficient cause for termination of this Contract.

B. Annual Appropriation

The Department's performance under this Contract is contingent upon an annual appropriation by the legislature. It is also contingent upon receipt of payments as outlined in **Addendum A** and in Section III., COMPENSATION.

C. Disputes

Any dispute concerning performance of the Contract shall be resolved informally by the Department's Contract Manager. Any dispute that cannot be resolved informally shall be reduced

to writing and delivered to the Department’s Assistant Deputy Secretary of Institutions. The Department’s Assistant Deputy Secretary of Institutions shall decide the dispute, reduce the decision to writing, and deliver a copy to the Agency, the Department’s Contract Administrator, and the Department’s Contract Manager.

D. Force Majeure

Neither party shall be liable for loss or damage suffered as a result of any delay or failure in performance under this Contract or interruption of performance resulting directly or indirectly from acts of God, fire, explosions, earthquakes, floods, water, wind, lightning, civil or military authority, acts of public enemy, war, riots, civil disturbances, insurrections, strikes, or labor disputes.

E. Severability

The invalidity or unenforceability of any particular provision of this Contract shall not affect the other provisions hereof and this Contract shall be construed in all respects as if such invalid or unenforceable provision was omitted.

F. Verbal Instructions

No negotiations, decisions, or actions shall be initiated or executed by the Agency as a result of any discussions with any Department employee. Only those communications which are in writing from the Department’s administrative or project staff identified in Section IV., CONTRACT MANAGEMENT, of this Contract shall be considered as a duly authorized expression on behalf of the Department. Only communications from the Agency that are signed and, in writing, will be recognized by the Department as duly authorized expressions on behalf of the Agency.

G. No Third-Party Beneficiaries

Except as otherwise expressly provided herein, neither this Contract, nor any amendment, addendum or exhibit attached hereto, nor term, provision or clause contained therein, shall be construed as being for the benefit of, or providing a benefit to, any party not a signatory hereto.

H. Prison Rape Elimination Act (PREA)

The Agency shall report any violations of the Prison Rape Elimination Act (PREA), Federal Rule 28 C.F.R. Part 115, to the Department’s Contract Manager, or designee.

I. Cooperation with Inspector General

In accordance with Section 20.055(5), F.S., the Agency understands and will comply with its duty to cooperate with the Inspector General in any investigation, audit, inspection, review, or hearing.

J. Sovereign Immunity

The Agency and the Department are state agencies or political subdivisions as defined in Section 768.28, F.S., and agree to be fully responsible for acts and omissions of their own agents or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by either party to which sovereign immunity may be applicable. Further, nothing herein shall be construed as consent by a state agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this Contract.

K. Americans with Disabilities Act

The Agency shall comply with the Americans with Disabilities Act. In the event of the Agency's noncompliance with the nondiscrimination clauses, the Americans with Disabilities Act, or with any other such rules, regulations, or orders, this Contract may be canceled, terminated, or suspended, in whole or in part, and the Agency may be declared ineligible for further Contracts.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

Waiver of breach of any provision of this Contract shall not be deemed to be a waiver of any other breach and shall not be construed to be a modification of the terms of this Contract.

This Contract will be governed by and construed in accordance with the laws of the State of Florida. Any action hereon or in connection herewith shall be brought in Leon County, Florida.

This Contract and **Addendum A** contain all of the terms and conditions agreed upon by the parties.

IN WITNESS THEREOF, the parties hereto have caused this Contract to be executed by their undersigned officials as duly authorized.

AGENCY: CITY OF APOPKA

SIGNED
 BY: _____

NAME: _____

TITLE: _____

DATE: _____

FEIN: _____

FLORIDA DEPARTMENT OF CORRECTIONS

Approved as to form and legality, subject to execution.

SIGNED
 BY: _____

NAME: Kasey B. Faulk

TITLE: Chief, Bureau of Procurement

DATE: _____

SIGNED
 BY: _____

NAME: Kenneth S. Steely

TITLE: General Counsel

DATE: _____

Addendum A
Inmate Work Squad Detail of Costs for City of Apopka
Interagency Contract Number W1164 Effective February 22, 2019

ENTER MULTIPLIERS IN SHADED BOXES ONLY IF TO BE INVOICED TO AGENCY

**I. CORRECTIONAL WORK SQUAD OFFICER SALARIES AND POSITION RELATED-EXPENSES
TO BE REIMBURSED BY THE AGENCY:**

		Per Officer Annual Cost	Total Annual Cost
Officers Salary	# Officers: Multiplier	1	\$ 54,194.00 **
Salary Incentive Payment		\$ 1,128.00	\$ 1,128.00
Repair and Maintenance		\$ 121.00	\$ 121.00
State Personnel Assessment		\$ 354.00	\$ 354.00
Training/Criminal Justice Standards		\$ 200.00	\$ 200.00
Uniform Purchase		\$ 400.00	\$ 400.00
Uniform Maintenance		\$ 350.00	\$ 350.00
Training/Criminal Justice Standards *		\$ 2,225.00	
TOTAL - To Be Billed By Contract To Agency		\$ 58,972.00	\$ 56,747.00

*Cost limited to first year of contract as this is not a recurring personnel/position cost.

** Annual cost does not include overtime pay.

IA. **The Overtime Hourly Rate of Compensation for this Contract is \$31.85, if applicable.** (The Overtime Hourly Rate of Compensation shall include the average hourly rate of pay for a Correctional Officer and the average benefit package provided by the department, represented as time and one half for purposes of this Contract.)

II. ADMINISTRATIVE COSTS TO BE REIMBURSED BY THE AGENCY:

Costs include but may not be limited to the following:

Rain coats, staff high visibility safety vest, inmate high visibility safety vest, fire extinguisher, first aid kit, personal protection kit, flex cuffs, warning signs, handcuffs, Igloo coolers, portable toilets, insect repellants, masks, vaccinations, and other administrative expenses.

	Number Squads	Total Annual Cost
	1	\$ 750.00
TOTAL - To Be Billed By Contract To Agency		\$ 750.00

III. ADDITIONAL AGENCY EXPENSES:

Tools, equipment, materials and supplies not listed in Section II above are to be provided by the Agency.

CELLULAR PHONE WITH SERVICE REQUIRED: YES NO
ENCLOSED TRAILER REQUIRED: YES NO

Addendum A
Inmate Work Squad Detail of Costs for City of Apopka
Interagency Contract Number W1164 Effective February 22, 2019

IV. OPERATING CAPITAL TO BE ADVANCED BY AGENCY:

Hand Held Radio MACOM \$4969.00
 Vehicle Mounted Radio MACOM \$5400.00

	Per Unit Cost	Number of Units
<input type="checkbox"/>		
<input checked="" type="checkbox"/>		1

TOTAL Operating Capital To Be Advanced By Agency

Total Cost
\$ -

Bill To Agency	Provided By Agency	Already Exists
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. TOTAL COSTS TO BE ADVANCED BY AGENCY:

1. Operating Capital - from Section IV.
2. **Grand Total - To Be Advanced By Agency At Contract Signing:**

Total Cost
\$0.00
\$0.00

VI. TOTAL COSTS TO BE BILLED TO AGENCY BY CONTRACT:

1. Correctional Officer Salaries and Position-Related Expenses - from Section I.
2. Other Related Expenses and Security Supplies - from Section II.
3. **Grand Total - To Be Billed To Agency By Contract:**

Total Cost
\$56,747.00
\$750.00
\$57,497.00

VII. TOTAL OF ALL COSTS ASSOCIATED WITH CONTRACT:
 (Total of Sections V. and VI.)

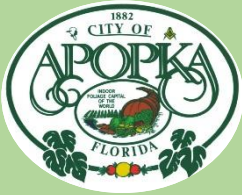
\$57,497.00

VIII. OVERTIME COSTS:

If the contracting Agency requests overtime for the work squad which is approved by the Department, the contracting Agency agrees to pay such costs and will be billed separately by the Department for the cost of overtime.

Addendum A - INSTRUCTIONS
Inmate Work Squad Detail of Costs for City of Apopka
Interagency Contract Number W1164 Effective February 22, 2019

- Section I.** Costs in this section are determined each fiscal year by the Budget and Management Evaluation Bureau and are fixed. By entering the number of Officers required for this contract, the spreadsheet will automatically calculate the "Total Annual Cost" column. If this Work Squad is beyond the first year of existence, enter a zero (0) in the "Total Annual Cost" column for "Training/Criminal Justice Standards" after you have entered the "# Officers Multiplier".
- Section II.** Safety and environmental health procedures require safety measures such as the use of safety signs, vests, and clothing. The Department's procedure for Outside Work Squads requires that all Work Squad Officers be responsible for ensuring their squad is equipped with a first aid kit and a personal protection equipment (PPE) kit. Section II identifies such required equipment. A new squad must be sufficiently equipped and an on-going squad must be re-supplied when needed. Type in the number of squads used for this contract and the spreadsheet will automatically calculate the fixed annual expense of \$750.00 per squad and place the total in Section VI.
- Section III.** Check "Yes" or "No" to indicate whether a Cellular Phone with Service and/or an Enclosed Trailer is required by the Contract Manager.
- Section IV.** The Department's procedure for Outside Work Squads requires that they have at least one (1) primary means of direct communication with the Institution's Control Room. Communication via radio and/or cellular phone is appropriate. It is preferred that a backup, secondary means of communication also be available. It is the Agency's responsibility to provide them. If the Department purchases a radio(s), the Agency must fund the purchase at the time the Contract is signed. Check the box for the type of radio and fill in the Per Unit Cost for the type of radio, Number of Units, and Total Cost columns. Leave the Total Cost column blank if a radio(s) is not being purchased at this time. Check applicable boxes ("Bill to Agency", "Provided by Agency" and "Already Exists") for each radio.
NOTE: All radio communication equipment owned or purchased by the Agency that is programmed to the Department's radio frequency and used by the work squad(s), whether purchased by the Department or the Agency, shall be IMMEDIATELY deprogrammed by the Department at no cost to the Agency upon the end or termination of this Contract.
- Section V.** The total funds the Agency must provide at the time the contract is signed will be displayed here when the form is properly filled out.
- Section VI.** The total funds the Agency will owe contractually, and pay in equal quarterly payments, will be displayed here.
- Section VII.** The total funds associated with the Contract, to be paid by the Agency as indicated in Sections V. and VI., will be displayed here.
- Section VIII.** Any agreement in this area will be billed separately as charges are incurred.



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Final Development Plan;
Emerson Park Tract G Replat

MEETING OF: December 19, 2018
 FROM: Community Development
 EXHIBITS: Vicinity Map
 Aerial Map
 Final Development Plan
 Emerson Park Replat
 Emerson Park Plat

SUBJECT: FINAL DEVELOPMENT PLAN; SITE AND SUBDIVISION PLANS – GREYSTONE SKILLED NURSING FACILITY, AND EMERSON PARK TRACT G REPLAT

REQUEST: APPROVE THE FINAL DEVELOPMENT PLAN; SITE AND SUBDIVISION PLANS FOR GREYSTONE SKILLED NURSING FACILITY; AND EMERSON PARK TRACT G REPLAT; PROPERTY LOCATED AT 1601 ALSTON BAY BOULEVARD

SUMMARY:

OWNER: Alston Bay Boulevard, LLC, Residences at Emerson Park, LLC
 APPLICANT/ENGINEER: Donald W. McIntosh Associates, Inc., c/o Michael Farrell, P.E.
 LOCATION: 1601 Alston Bay Boulevard
 PARCEL ID #: 20-21-28-2522-00-007, 20-21-28-2522-00-008
 LAND USE: Mixed Use
 ZONING: Mixed-EC
 EXISTING USE: Vacant property
 PROPOSED USE: Skilled Nursing Facility, Mixed-EC uses
 BUILDING SIZE: 108,567 square foot Skilled Nursing Facility on Lot 1
 TRACT SIZE: Total property - 24.046 +/- acres, Greystone development area - 9.77 +/- acres, remaining area - 14.276 +/- acres

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Nelson
 Commissioners
 City Administrator
 Community Development Director

Finance Director
 HR Director
 IT Director
 Police Chief

Public Services Director
 Recreation Director
 City Clerk
 Fire Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Mixed Use	Mixed-EC	Vacant
East (City)	Mixed Use	Mixed-EC	Emerson Park Conservation area/open space
South (City)	Mixed Use	Mixed-EC	Emerson Park Conservation area/open space
West (City)	Mixed Use, Industrial	Mixed-EC, I-1	Vacant

ADDITIONAL COMMENTS: The subject property is approximately 24.046 acres in size and is zoned Mixed EC, and is located at the northeast corner of the intersection of Ocoee-Apopka Road and Alston Bay Boulevard, specifically at 1601 Alston Bay Boulevard. The property is located within the Emerson Park subdivision, on Tract “G” as noted on the plat thereof.

On July 18, 2018 the City Council approved a Master Preliminary Development Plan/Preliminary Site Plan and Subdivision Plan for a two lot commercial subdivision consisting of one 9.77 acre parcel with a 108,567 square foot Skilled Nursing Facility and a 14.23 acre vacant parcel that will be reserved for uses that are permitted in the Mixed EC zoning district. The applicant is requesting approval of the Final Development Plan/Final Site Plan and Subdivision Plan, and replat of Tract G of Emerson Park, which will legally divide Tract G into two parcels.

PARKING: A total of 218 parking spaces will be provided on site for the skilled nursing facility. Two parking spaces are reserved for emergency vehicles. Ten spaces are handicapped parking spaces. Additional parking spaces are available along Alston Bay Blvd.

ACCESS: Access to both lots will be provided via Alston Bay Boulevard. Access to the Skilled Nursing Facility, which is proposed to be located on Lot 1, is provided via two full access points located on Alston Bay Boulevard.

STORMWATER: Stormwater run-off and drainage will be conveyed to the existing master stormwater system for the Emerson Park subdivision. This stormwater system was sized for development of Tract G, and was permitted by St. John’s River Water Management District (SJRWMD) permit #4-095-101Q65.

BUFFER/TREE PROGRAM: The applicant has provided a detailed landscape and irrigation plan that complies with the requirements of the City’s Land Development Code. The planting materials and irrigation system design are consistent with the water-efficient, Florida-friendly landscape standards set forth in Ordinance No. 2069. Landscaping including Live Oaks, Red Maple, Southern Magnolia, Dahoon Holly, Crepe Myrtle, Zoysia and Bahia sod are provided on site.

TREES: There is one pine on the site that is 9-inches D.B.H. The landscape plan proposes replacing this tree with three, three-inch D.B.H trees. The site currently has Agricultural Property Tax Credit status as young pine trees are planted in rows throughout the site. Planted pines are not subject to the City’s arbor ordinance when planted for agriculture/silviculture purposes.

ORANGE COUNTY NOTIFICATION: The County was notified at the time of the subdivision plan and plat for this property through the DRC agenda distribution.

**CITY COUNCIL – DECEMBER 19, 2018
GREYSTONE SKILLED NURSING FACILITY
FINAL DEVELOPMENT PLAN, SITE/SUBDIVISION PLAN; EMERSON PARK TRACT “G” REPLAT
PAGE 3**

PUBLIC HEARING SCHEDULE:

December 11, 2018 - Planning Commission (5:30 pm)

December 19, 2018 - City Council (7:00 pm)

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the Greystone Final Development Plan/Final Site Plan and Subdivision Plan and Emerson Park, Tract G replat.

The **Planning Commission**, at its meeting on December 11, 2018 recommended approval of the Emerson Park, Tract G Replat, subject to final review by the City surveyor and City Engineer prior to recording the plat.

City Council: Approve the Greystone Master Final Development Plan/Final Site Plan and Subdivision Plan, and Emerson Park, Tract G Replat, subject to final review by the City surveyor and City Engineer prior to recording the plat.

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

**CITY COUNCIL – DECEMBER 19, 2018
GREYSTONE SKILLED NURSING FACILITY
FINAL DEVELOPMENT PLAN, SITE/SUBDIVISION PLAN; EMERSON PARK TRACT “G” REPLAT
PAGE 4**

Application: Final Development Plan; Site/Subdivision Plans; and Emerson Park Tract G Replat
Owner: Alston Bay Boulevard, LLC, Residences at Emerson Park, LLC
Applicant/Engineer: Donald W. McIntosh Associates, Inc., c/o Michael Farrell, P.E.
Parcel I.D. No: 20-21-28-2522-00-007, 20-21-28-2522-00-008
Location: 1601 Alston Bay Boulevard
Acres: 24.046 acres



VICINITY MAP

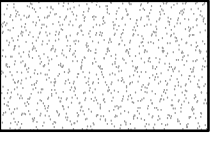
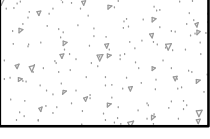



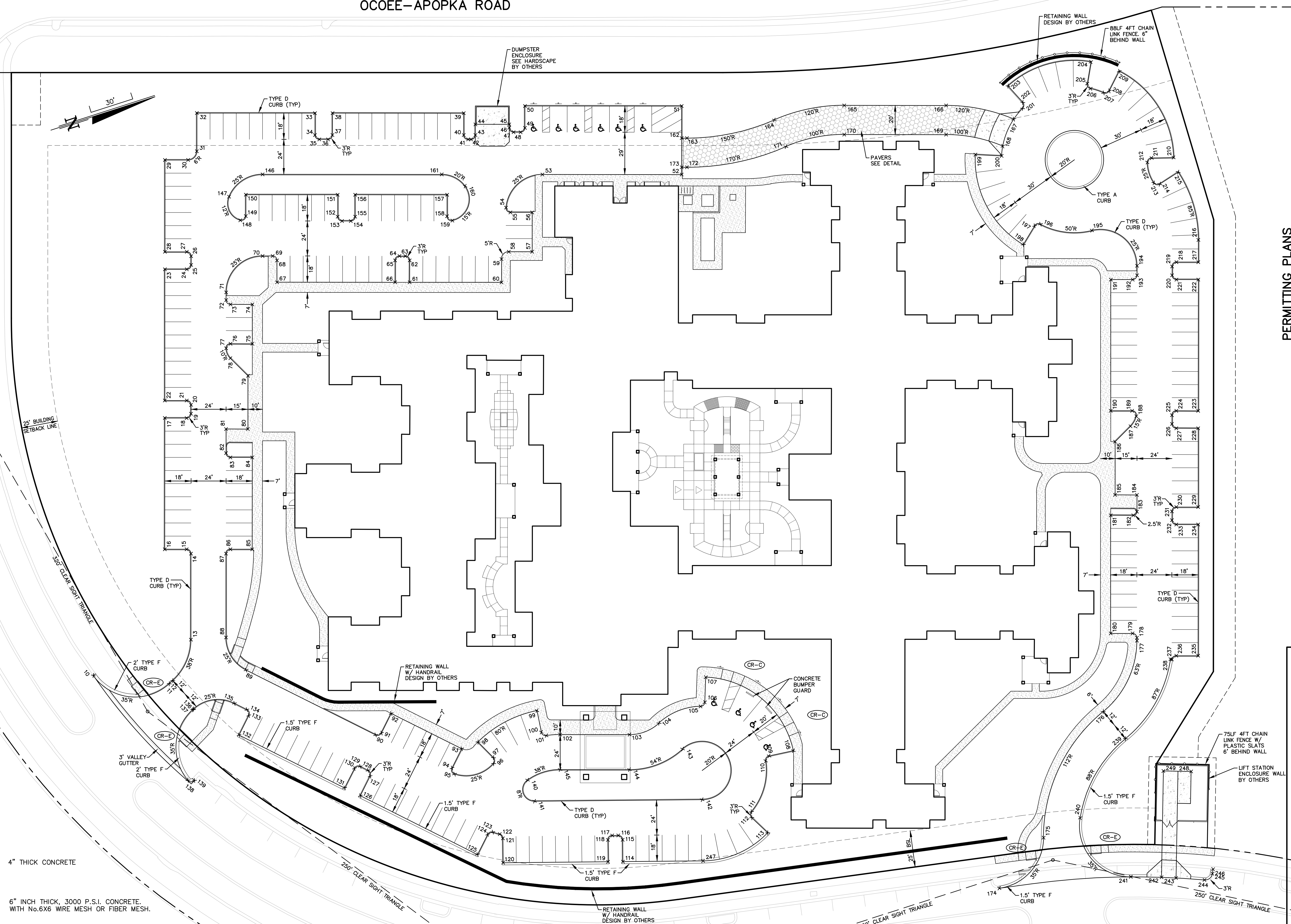


AERIAL MAP



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-  4" THICK CONCRETE
-  6" INCH THICK, 3000 P.S.I. CONCRETE, WITH No.6X6 WIRE MESH OR FIBER MESH.
-  PAVERS (SEE HARDSCAPE PLANS BY OTHERS FOR DETAILS)



**ALSTON BAY BLVD
POSTED SPEED 25MPH**

- GENERAL NOTES:
- SEE NOTES, SPECIFICATIONS & LEGEND SHEET FOR ADDITIONAL INFORMATION.
 - THE SCALE OF THIS DRAWING MAY HAVE CHANGED DUE TO REPRODUCTION.

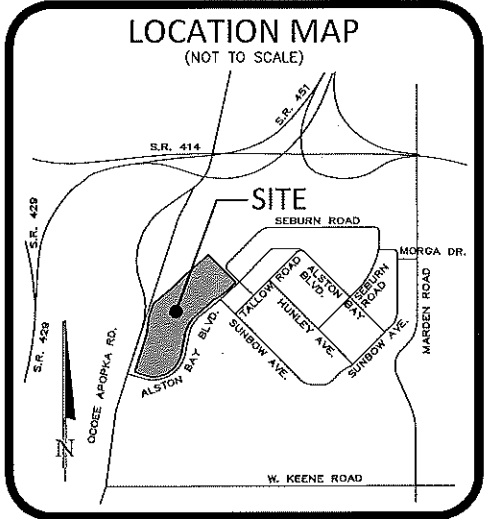
**PERMITTING PLANS
NOT FOR CONSTRUCTION**

**FINAL DEVELOPMENT PLAN
GREYSTONE - APOPKA
SKILLED NURSING FACILITY
CITY OF APOPKA, FLORIDA
HORIZONTAL GEOMETRY PLAN**

DESIGNED BY MKF	CHECKED BY JTT	DATE 8/29/18	SCALE 1"=30'	JOB NUMBER 17097
DONALD W. MCINTOSH ASSOCIATES, INC. ENGINEERS 2800 PARK AVENUE NORTH, WINTER PARK, FL 32789 407.644.4088 CERTIFICATE OF AUTHORIZATION NO. 68				
PLANNERS SURVEYORS				
MICHAEL K. FARRELL FLORIDA P.E. No. 73231				
DRAWN BY C/WG	DATE 10/10/18	NO. 1	REVISIONS	CHK.
			2 11/27/18 REVISED PER CITY COMMENTS	MKF
			1 10/10/18 REVISED PER CITY COMMENTS	MKF
				CHK.

DRAWING
17097-GEO
SHEET
C211
9 OF 39

EMERSON PARK TRACT G REPLAT SHEET 1 OF 2
 A REPLAT OF TRACT G, EMERSON PARK,
 PLAT BOOK 68, PAGES 1 THROUGH 17,
 LYING WITHIN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST,
 CITY OF APOPKA, ORANGE COUNTY, FLORIDA



DESCRIPTION:
 Tract G, EMERSON PARK, according to the plat thereof, as recorded in Plat Book 68, Pages 1 through 17 of the Public Records of Orange County, Florida, also described as follows:

BEGIN at the Southwest corner of said Tract G; thence run the following nineteen course along the boundary of said Tract G: 572.12'15"E, 168.47 feet to the point of curvature of a curve concave Northwesterly having a radius of 402.50 feet and a chord bearing of N58°53'50"E; thence Northeastly along the arc of said curve through a central angle of 97°47'49" for a distance of 687.02 feet to the point of tangency; thence N09°59'56"E, 241.43 feet to the point of curvature of a curve concave Southeastly having a radius of 547.50 feet and a chord bearing of N28°44'56"E; thence Northeastly along the arc of said curve through a central angle of 37°30'00" for a distance of 358.34 feet to the point of tangency; thence N47°29'56"E, 312.29 feet to the point of curvature of a curve concave Southeastly having a radius of 145.00 feet and a chord bearing of N56°06'07"E; thence Northeastly along the arc of said curve through a central angle of 17°12'23" for a distance of 43.54 feet to the point of tangency; thence N64°42'19"E, 17.08 feet to the point of curvature of a curve concave Northwesterly having a radius of 300.00 feet and a chord bearing of N57°38'36"E; thence Northeastly along the arc of said curve through a central angle of 14°07'26" for a distance of 73.95 feet to the point of tangency; thence N50°34'52"E, 145.74 feet to the point of curvature of a curve concave Northwesterly having a radius of 275.00 feet and a chord bearing of N47°47'24"E; thence Northeastly along the arc of said curve through a central angle of 05°34'56" for a distance of 26.79 feet to the point of tangency; thence N44°59'56"E, 109.97 feet to the point of curvature of a curve concave Northwesterly having a radius of 25.00 feet and a chord bearing of N25°34'06"E; thence Northeastly along the arc of said curve through a central angle of 36°51'40" for a distance of 16.08 feet to a non-tangent line; thence N45°00'04"W, 552.92 feet; thence S49°24'30"W, 433.63 feet; thence S43°41'52"W, 201.00 feet; thence S49°24'30"W, 430.83 feet; thence S17°47'54"W, 221.23 feet to a non-tangent curve concave Westerly having a radius of 1029.93 feet and a chord bearing of S09°17'55"W; thence Southerly along the arc of said curve through a central angle of 16°59'56" for a distance of 305.57 feet to the point of tangency; thence S17°47'54"W, 488.05 feet to the POINT OF BEGINNING;

Containing 24.046 acres more or less.

EMERSON PARK TRACT G REPLAT DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the limited liability company named below, being the owner in fee simple of a portion of the lands described in the foregoing caption to this plat (Lot 2 shown herein), hereby dedicates said lands and plat for the uses and purposes herein expressed and dedicates the utility easements shown hereon to and for use by all public utilities providers.

In witness whereof, the undersigned has caused these presents to be signed and acknowledged by the officer named below on date: _____

By: Alston Bay Boulevard LLC, a Delaware limited liability company

By: _____
 Print Name: _____
 Title: _____

Signed, sealed and delivered in the presence of:
 By: _____
 signature _____
 printed name _____

By: _____
 signature _____
 printed name _____

STATE OF FLORIDA
 COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by _____ of Alston Bay Boulevard LLC, a Delaware limited liability company, on behalf of the limited liability company. He/She is _____ personally known to me or has produced _____ as identification, and did / did not take an oath before me.

In witness whereof, I have hereunto set my hand and seal on the above date. _____
NOTARY PUBLIC

My commission expires: _____
 Commission #: _____

PLAT BOOK PAGE

EMERSON PARK TRACT G REPLAT DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the limited liability company named below, being the owner in fee simple of a portion of the lands described in the foregoing caption to this plat (Lot 1 and Tract A shown herein), hereby dedicates said lands and plat for the uses and purposes herein expressed and dedicates the utility easements shown hereon to and for use by all public utilities providers. Tract A, Lift Station is dedicated in fee simple to City of Apopka. City ownership of this Tract and any improvements thereon vests upon approval of this plat by the City of Apopka.

In witness whereof, the undersigned has caused these presents to be signed and acknowledged by the officer named below on date: _____

By: The Residences at Emerson Park, LLC, a Florida Limited Liability Company

By: _____
 Print Name: Charles Whittle
 Title: Manager

Signed, sealed and delivered in the presence of:
 By: _____
 signature _____
 printed name _____

By: _____
 signature _____
 printed name _____

STATE OF FLORIDA
 COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Charles Whittle, manager of The Residences at Emerson Park, LLC, a Florida limited liability company, on behalf of the limited liability company. He is _____ personally known to me or has produced _____ as identification, and did / did not take an oath before me.

In witness whereof, I have hereunto set my hand and seal on the above date. _____
NOTARY PUBLIC

My commission expires: _____
 Commission #: _____

LEGEND (FOR ALL SHEETS)

Δ= CENTRAL ANGLE
 R= RADIUS
 L= ARC LENGTH
 CB= CHORD BEARING
 CL= CHORD LENGTH
 C#= CENTERLINE
 C# CURVE NUMBER (SEE TABLE)
 L# LINE NUMBER (SEE TABLE)

NUMBER
 COR CERTIFIED CORNER RECORD
 CLF CHAIN LINK FENCE
 CM CONCRETE MONUMENT
 C.R. COUNTY ROAD
 DB DEED BOOK
 DE DRAINAGE EASEMENT
 DAE DRAINAGE AND ACCESS EASEMENT
 D&UE DRAINAGE AND UTILITY EASEMENT
 FDOT FLORIDA DEPARTMENT OF TRANSPORTATION
 FND FOUND
 IP IRON PIPE
 IRC IRON ROD AND CAP
 LB LICENSED BUSINESS
 LE LANDSCAPE EASEMENT
 LLC LIMITED LIABILITY COMPANY
 LS LICENSED SURVEYOR
 ID NO IDENTIFICATION NUMBER
 H&D NAIL AND DISK
 NT NON-TANGENT
 NR NOT-RADIAL
 NTS NOT TO SCALE
 OOCEA ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
 ORB OFFICIAL RECORD BOOK
 PB PLAT BOOK
 PC POINT OF CURVATURE
 P-C POINT OF CUSP
 PCC POINT OF COMPOUND CURVATURE
 P.D. PLANNED DEVELOPMENT
 PDE PRIVATE DRAINAGE EASEMENT
 PDE PAGES
 PIS POINT OF INTERSECTION
 POL POINT ON LINE
 PRIC POINT OF REVERSE CURVATURE
 PRM PERMANENT REFERENCE MONUMENT
 PSM PROFESSIONAL SURVEYOR & MAPPER
 PT POINT OF TANGENCY
 (R) RADIAL
 R/W RIGHT-OF-WAY
 SEC 20-21-28 SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST
 SMA STORMWATER MANAGEMENT AREA
 S.R. STATE ROAD
 UE UTILITY EASEMENT
 WE WALL EASEMENT

○ DENOTES PERMANENT REFERENCE CONTROL POINT (SET NAIL AND DISK STAMPED "PPR LB68" PER CHAPTER 177, FLORIDA STATUTES. (UNLESS OTHERWISE NOTED))

■ DENOTES PERMANENT REFERENCE MONUMENT (SET 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "PRM LB68" PER CHAPTER 177, FLORIDA STATUTES. (UNLESS OTHERWISE NOTED))

----- SECTION LINE

DOC# OFFICIAL RECORDS DOCUMENT NUMBER OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PREPARED BY:
 **DONALD W. MCINTOSH ASSOCIATES, INC.**
 ENGINEERS PLANNERS SURVEYORS
 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 944-4068
 CERTIFICATE OF AUTHORIZATION NUMBER LB68

NOTES:

- Bearings shown hereon are pursuant to the Florida State Plane Coordinate System East Zone, North American Datum of 1983 (2011 adjustment). West line of Tract G, EMERSON PARK, Plat Book 68, Pages 1 through 17, being S17°47'54"W (measured), S17°47'49"W (per plat).
- The lands described hereon are subject to the Declaration of Covenants, Conditions, Restrictions and Easement, as recorded in Official Records Book 9110, Page 2962, of the Public Records of Orange County, Florida, as amended or supplemented.
- Per Chapter 177.091 (28) Florida Statutes: All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.
- A non-exclusive easement over, under, upon, through and across all Utility Easements shown on this Plat is hereby dedicated to and for use by all public utilities providers for the purpose of constructing, maintaining, repairing and replacing their respective utility facilities which service the lands encompassed by this Plat.
- Tract A is a Lift Station tract dedicated in fee simple to the City of Apopka. City ownership of this Tract and any improvements thereon vests upon approval of this plat by the City of Apopka.
- All easements shown hereon which are created by a separate instrument are for informational purposes only and, unless stated otherwise, the depiction of said easements are not intended to re-impose same.
- The 10.00' wide Drainage Easement shown hereon is hereby dedicated to the Emerson Park Homeowners Association Inc., a Florida not for profit corporation.
- The Signage and Landscape Easement is reserved on Lot 1 for purposes of installation and maintenance of signage, landscape and irrigation and is dedicated to the Emerson Park Homeowners Association Inc. a Florida not for profit corporation, for maintenance purposes.
- The City of Apopka has a non- exclusive, perpetual easement for pedestrian and vehicular ingress, egress and passage over and upon Alston Bay Boulevard and its associated sidewalks as may from time to time be located within the Right-of-way.

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY PHOTOCOPY, PHOTODUPLICATION, PRINTING OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL INFORMATION THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE _____ 85 _____

QUALIFICATION STATEMENT OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered land surveyor, does hereby certify that this plat was prepared under my direction and supervision and that this plat complies with all the survey requirements of Chapter 177, Florida Statutes; and that said land is located in the City of Apopka, Florida.

By: _____ Date: _____
 Rocky L. Carson
 Florida Registered Surveyor and Mapper
 Certificate No. 4285

DONALD W. MCINTOSH ASSOCIATES, INC.
 Certificate of Authorization Number LB 68
 2200 Park Avenue North, Winter Park, FL 32789

CERTIFICATE OF APPROVAL BY APOPKA PLANNING COMMISSION

THIS IS TO CERTIFY, That on _____ the foregoing plat was approved by the Apopka Planning Commission of the City of Apopka.

Chairman: _____ Date: _____

CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, That on _____ the City Council of the City of Apopka approved the foregoing plat.

Attest:
 Bryan Nelson, Mayor City Clerk

CERTIFICATE OF APPROVAL BY CITY ENGINEER

Examined and Approved: _____ Date _____
 City Engineer: Richard Erp

CERTIFICATE OF REVIEW BY CITY SURVEYOR

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to chapter 177 Part I of the Florida Statutes and that said plat complies with the technical requirements of that chapter; provided however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

Signed: _____ Date: _____
 PRINTED NAME: Ralph A. Nieto, PSM
 Nieto, Whittaker Surveying LLC
 Registration No. 8025

CERTIFICATE OF COUNTY COMPTROLLER

I HEREBY CERTIFY, That the foregoing plat was recorded in the Orange County Official Records on _____ as File No. _____ County Comptroller in and for Orange County, Florida

By: _____

Printed: Thu 11-Oct-2018 11:22AM
 F:\Pro\2018\18062\dwg\NA\18062\plaf\18062 Tract G - Replat Emerson.dwg
 Copyright © 2018 by The Florida Surveyors' Association, Inc. All Rights Reserved.

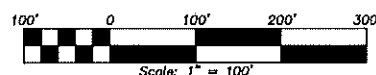
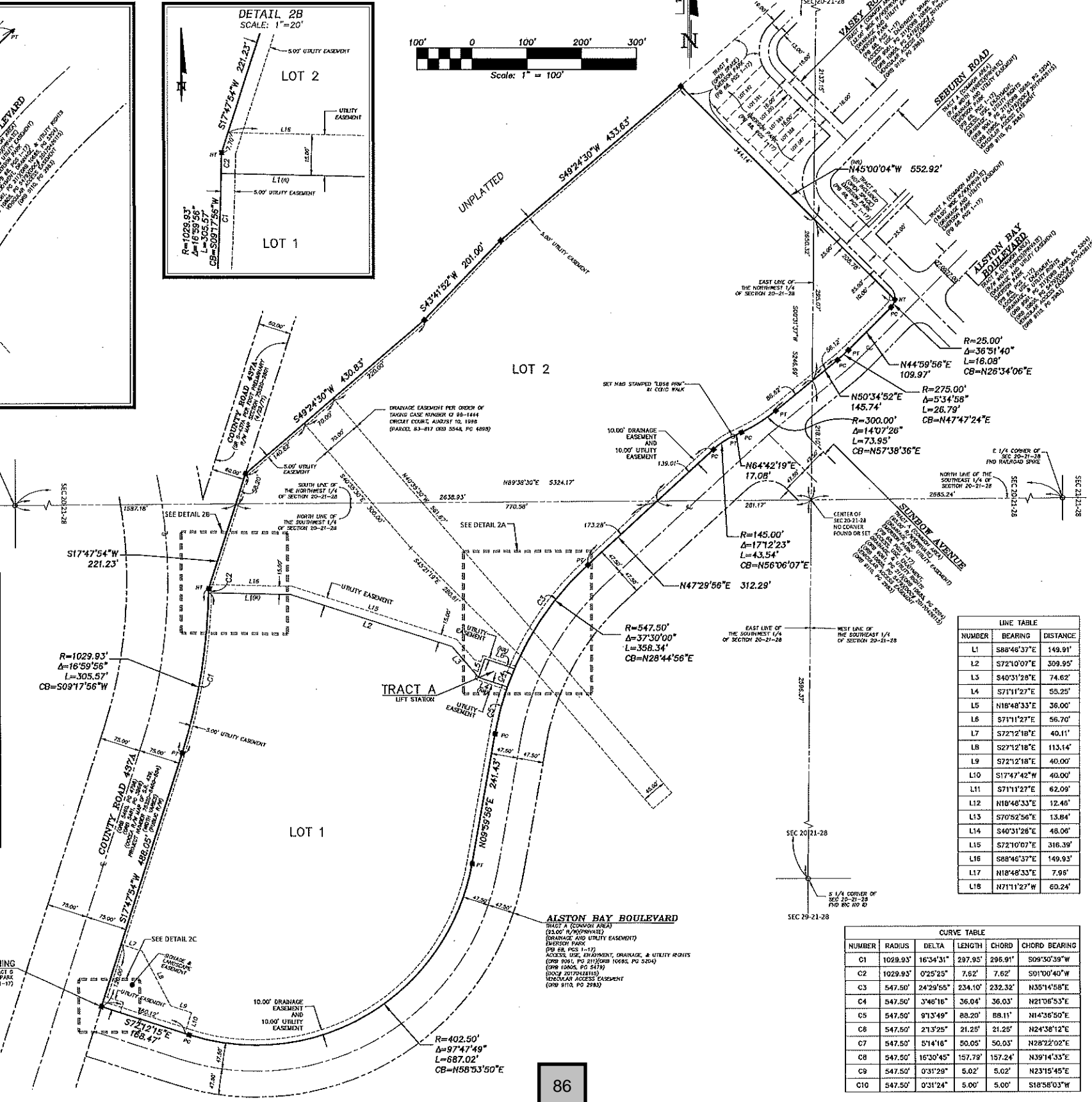
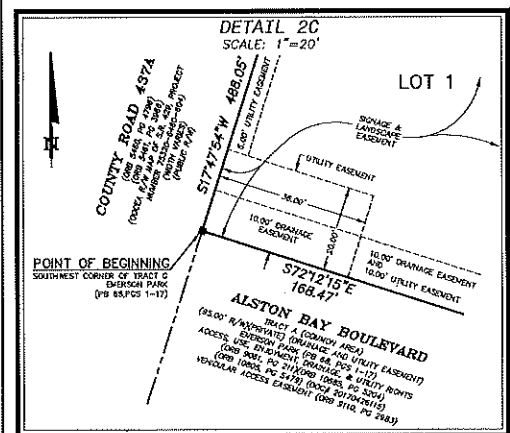
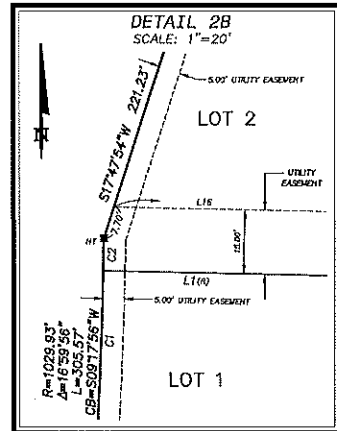
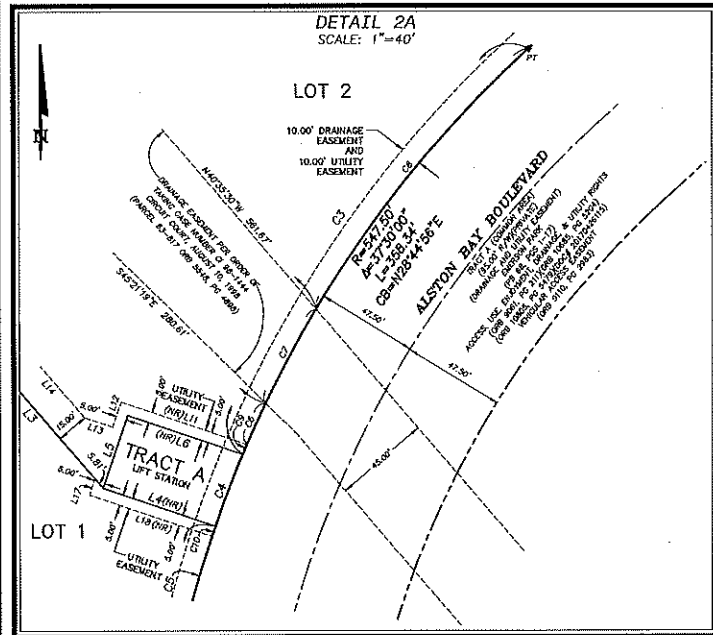
EMERSON PARK TRACT G REPLAT

A REPLAT OF TRACT G, EMERSON PARK,
 PLAT BOOK 68, PAGES 1 THROUGH 17,
 LYING WITHIN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST,
 CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 2 OF 2

PLAT BOOK

PAGE



NUMBER	BEARING	DISTANCE
L1	S88°46'37"E	149.91'
L2	S72°10'07"E	309.95'
L3	S40°31'28"E	74.62'
L4	S71°11'27"E	55.25'
L5	N18°48'33"E	36.00'
L6	S71°11'27"E	56.70'
L7	S72°12'18"E	40.11'
L8	S27°12'18"E	113.14'
L9	S72°12'18"E	40.00'
L10	S17°47'42"W	40.00'
L11	S71°11'27"E	62.09'
L12	N18°48'33"E	12.45'
L13	S70°52'56"E	13.84'
L14	S40°31'28"E	48.00'
L15	S72°10'07"E	316.39'
L16	S88°46'37"E	149.93'
L17	N18°48'33"E	7.95'
L18	N71°11'27"W	60.24'

NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	1029.93'	16°34'31"	297.95'	296.91'	S09°50'39"W
C2	1029.93'	0°25'25"	7.62'	7.62'	S01°00'40"W
C3	547.50'	24°29'55"	234.10'	232.32'	N35°14'58"E
C4	547.50'	3°46'18"	36.04'	36.03'	N21°06'53"E
C5	547.50'	9°13'49"	88.20'	88.11'	N14°36'50"E
C6	547.50'	21°3'25"	21.25'	21.25'	N24°38'12"E
C7	547.50'	5°14'16"	50.05'	50.03'	N28°22'02"E
C8	547.50'	16°30'45"	157.78'	157.24'	N39°14'33"E
C9	547.50'	0°31'29"	5.02'	5.02'	N23°15'45"E
C10	547.50'	0°31'24"	5.00'	5.00'	S16°58'03"W

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

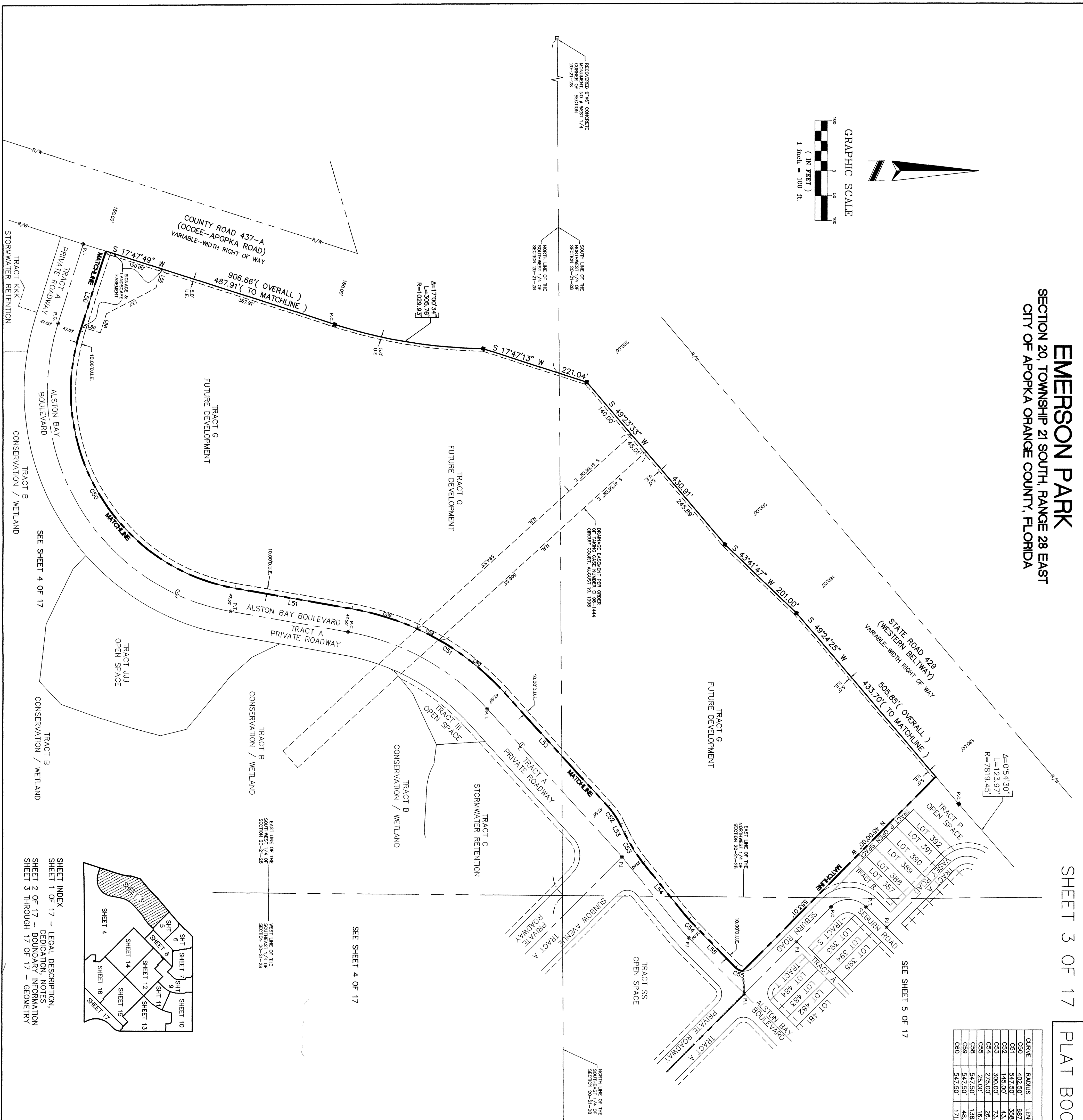
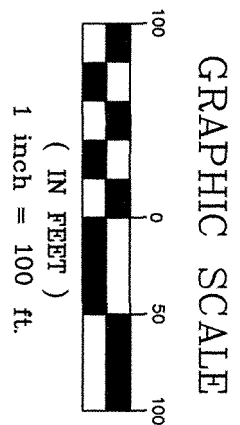
PREPARED BY:
DONALD W. MCINTOSH ASSOCIATES, INC.
 ENGINEERS PLANNERS SURVEYORS
 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 844-4068
 CERTIFICATE OF AUTHORIZATION NUMBER 1868

Printed: Thu 11-Oct-2018 11:21AM
 F:\Proj\2018\18062\Sdwg\WAVD88\plat\18062 Tract G - Replat Emerson.dwg

EMERSON PARK
SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST
CITY OF APOPKA ORANGE COUNTY, FLORIDA

SHEET 3 OF 17

PLAT BOOK **68** PAGE **3**

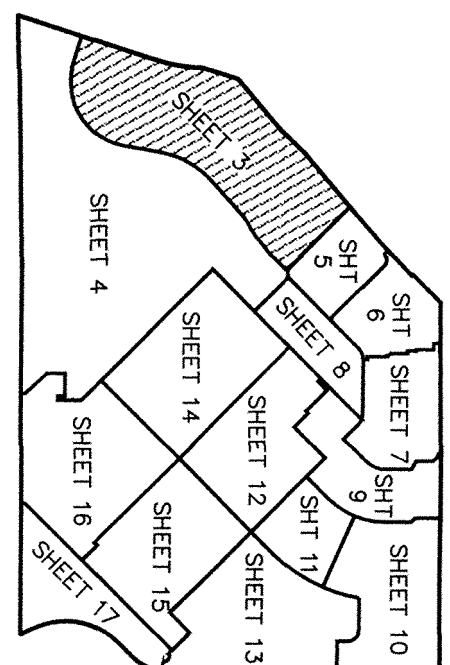


CURVE TABLE

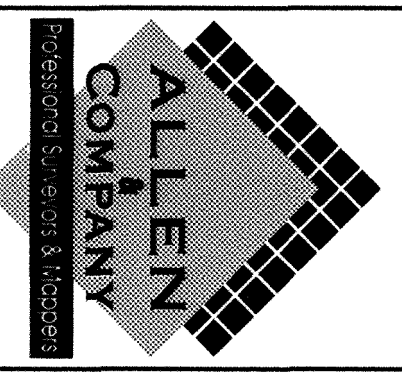
CURVE	RADIUS	LENGTH	CHORD	CHORD BEARING	DELTA
C50	402.50'	687.02'	687.02'	S89°58'54"E	92°21'46"
C51	547.50'	358.34'	351.98'	S82°45'10"W	37°30'00"
C52	145.00'	43.34'	43.38'	S66°08'11"W	17°12'23"
C53	300.00'	73.95'	73.77'	N47°38'40"E	14°07'28"
C54	275.00'	26.79'	26.78'	N47°47'28"E	5°34'56"
C55	25.00'	16.08'	15.81'	N28°34'10"E	36°51'40"
C58	547.50'	138.93'	138.58'	S17°16'10"W	14°32'20"
C59	547.50'	48.22'	48.20'	S27°03'43"W	5°02'46"
C60	547.50'	171.19'	170.50'	S38°32'33"W	17°54'55"

LINE TABLE

LINE	LENGTH	BEARING
L30	188.36'	S72°12'11"E
L31	241.43'	N10°00'00"E
L32	312.29'	N47°30'00"E
L34	145.97'	N63°44'23"E
L35	108.87'	N45°00'00"E
L36	40.00'	N27°12'11"W
L37	113.14'	N27°12'11"W
L38	40.00'	S72°12'11"E
L39	40.00'	N17°47'49"E



SHEET INDEX
SHEET 1 OF 17 - LEGAL DESCRIPTION
SHEET 2 OF 17 - DEDICATION NOTES
SHEET 3 THROUGH 17 OF 17 - GEOMETRY



16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5555



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Replat

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Vicinity Map
Replat, Chandler Estates
Chandler Estates Plat
Apopka Farms PUD Master Plan

SUBJECT: CHANDLER ESTATES RESIDENTIAL SUBDIVISION - REPLAT

**REQUEST: APPROVE THE CHANDLER ESTATES RESIDENTIAL
SUBDIVISION REPLAT TO RELOCATE A PUBLIC RIGHT-OF-
WAY**

SUMMARY:

OWNER: Chandler Estates Homeowners Association Inc.
APPLICANT: American Surveying and Mapping, Inc. c/o Kirk Lippi/Adam Christenberry
LOCATION: Tracts "S" and "T", Chandler Estates subdivision as noted on the plat thereof
EXISTING USE: Vacant land
FUTURE LAND USE: Low Density Residential
ZONING: R-1A (Residential Single-Family District)
PROPOSED USE: Buffer and Community Recreation Tract
TRACT SIZE: 0.455 +/- acres

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Nelson
Commissioners

Finance Director
HR Director

Public Services Director
Recreation Director

City Administrator

IT Director

City Clerk

Community Development Director

Police Chief

Fire Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Low Density Residential (0-5 du/ac)	R-1A	Chandler Estates residential subdivision
East (City)	Low Density Residential (0-5 du/ac)	R-1A	Chandler Estates residential subdivision
South (City)	Low Density Residential (0-5 du/ac)	PUD	Apopka Farms PUD (a.k.a Windward Hills)
West (City)	Low Density Residential (0-5 du/ac)	R-1A	Chandler Estates residential subdivision

Summary: The purpose of the re-plat is to relocate an undeveloped public road right-of-way within Chandler Estates approximately 100 feet to the west to a position where it aligns with a proposed new public road within a planned new residential community to the south known as Windward Hills (f.k.a Apopka Farms). Chandler Estates is an existing platted and developed residential community. An exhibit at the end of the staff report illustrates the relocation.

Project Use: The approved plat for Chandler Estates, recorded in Plat Book 74, Pages 111-118 reserves Tracts “S” and “T” for a Community Recreation Area and 10 -foot buffer tract respectively. These tracts are owned and maintained by the Chandler Estates Homeowners Association. Adjacent to these tracts is Chandler Estates Drive, which is a 50-foot public right-of-way. The plat of Chandler Estates depicts a point of interconnectivity leading from Chandler Estates Drive to the property to the south, adjacent to Lot 64.

City staff has received a development proposal for the property to the south, which is a single-family development consisting of 101 single-family homes called Windward Hills, of which a PUD Master Plan was approved in 2016 under the name Apopka Farms. The PUD Master Plan provides interconnectivity between the proposed Windward Hills development and Chandler Estates to the west of Lot 64. During the preparation of the Windward Hills Final Development Plan it was determined that the interconnection point depicted on the Chandler Estates plat should be relocated to the west to align with the location depicted on the approved PUD Master Plan and proposed Final Development Plan. Additionally, relocation of the access point further to the west will help alleviate potential adverse impacts that may be posed on Lot 64 of Chandler Estates such as vehicle lights shining into the windows of a future residence located on the lot. To allow for this interconnection to line up with the location shown on the approved PUD Master Plan and the proposed Final Development Plan, a replat of Tracts “S” and “T” of Chandler Estates is proposed which shifts the point of interconnection to the west to line up with the roadway depicted on the Windward Hills Final Development Plan. The proposed replat for does not propose the creation of any new residential lots in the subdivision.

SCHOOL CAPACITY REPORT: School concurrency is not applicable to this project as no residential lots are being created by the replat to relocate a public right-of-way.

ORANGE COUNTY NOTIFICATION: The County was notified through the DRC agenda distribution.

PUBLIC HEARING SCHEDULE:

December 11, 2018 - Planning Commission, 5:30 p.m.

December 19, 2018 - City Council, 7:00 p.m.

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the replat for Chandler Estates subject to the final review by the City surveyor and City Engineer prior to recording the plat.

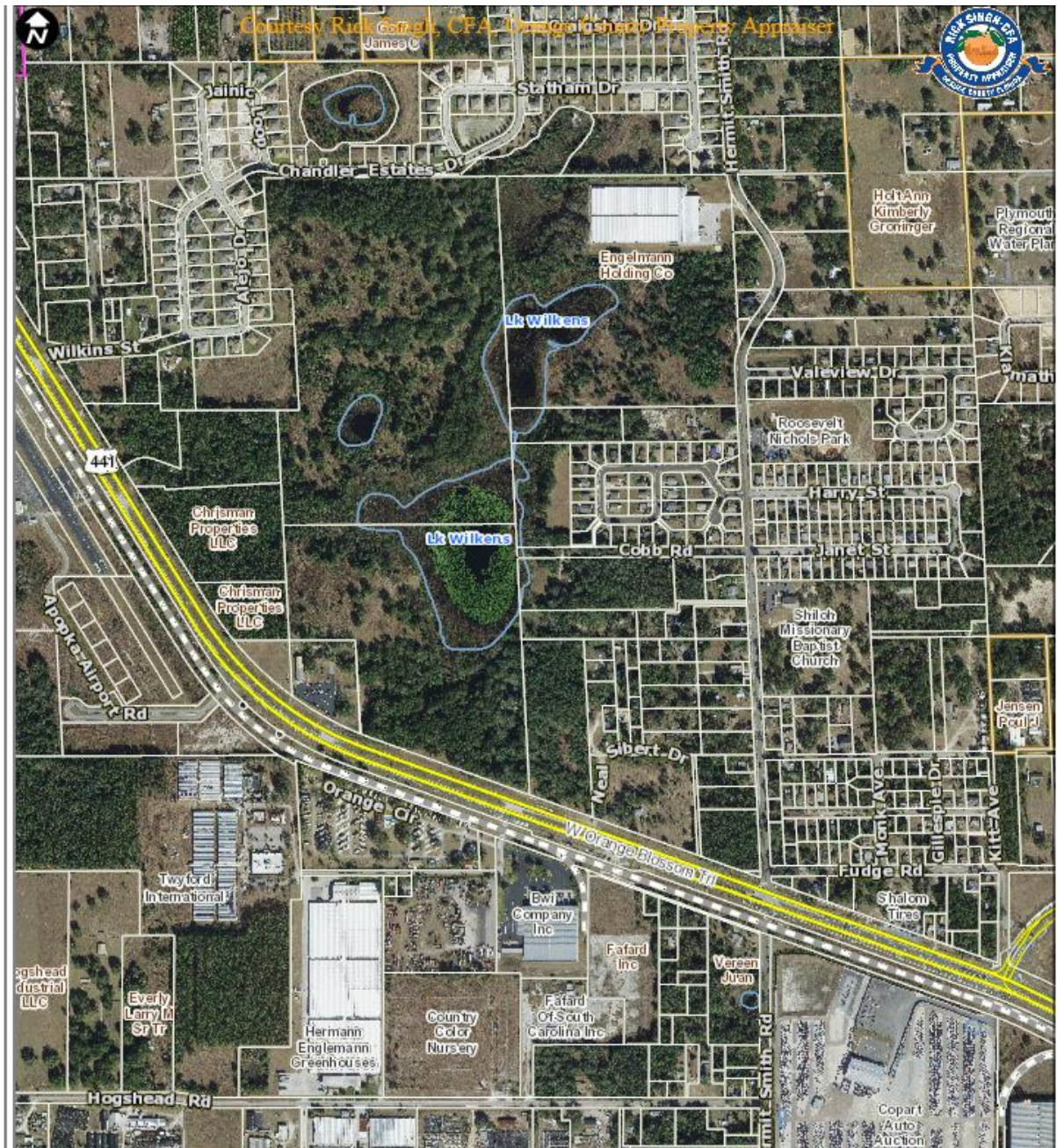
The **Planning Commission** at its December 11, 2018 meeting, recommended approval of the replat for Chandler Estates subject to final review by the City surveyor and City Engineer prior to recording the plat.

City Council: Approve the Chandler Estates replat.

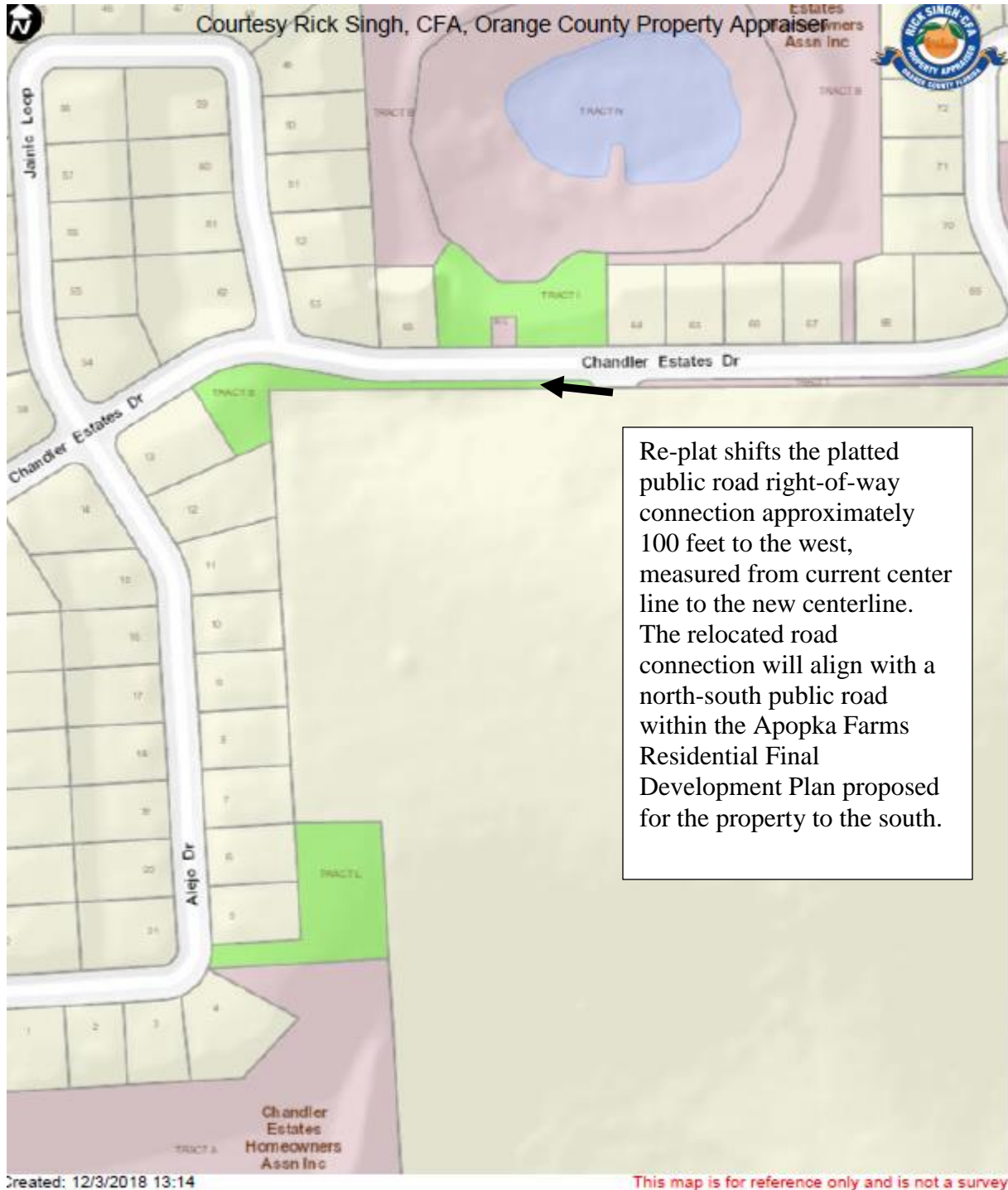
Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Application: Chandler Estates replat
Owners: Chandler Estates Homeowners Association, Inc.
Project Engineer: American Surveying and Mapping, Inc. c/o Kirk Lippi/Adam Christenberry
Parcel ID#s: 35-20-27-1253-19-000, 35-20-27-1253-20-000 Total
Acres: 0.455 acres +/-

VICINITY/AERIAL MAP



Chandles Estate Drive Stub-Out Relocation



CHANDLER ESTATES REPLAT

SHEET 1 OF 2

A REPLAT OF A PORTION OF CHANDLER ESTATES DRIVE
TRACT "S" AND TRACT "T", CHANDLER ESTATES
PLAT BOOK 74, PAGE 111
SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST,
ORANGE COUNTY, APOPKA, FLORIDA

PLAT BOOK PAGE
CHANDLER ESTATES REPLAT DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT _____ BEING THE OWNER IN FEE SIMPLE OF THE LANDS DESCRIBED IN THE ATTACHED PLAT, TITLED CHANDLER ESTATES REPLAT, LOCATED IN THE CITY OF APOPKA, ORANGE COUNTY, FLORIDA, HEREBY DEDICATES CHANDLER ESTATES DRIVE SHOWN HEREON TO THE CITY OF APOPKA FOR THE PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE SIGNED BY THE OFFICER NAMED BELOW ON THIS _____ DAY OF _____, 2018.

BY: _____

PRINTED NAME _____

TITLE: _____

WITNESS: _____ DATE _____

PRINTED NAME: _____

WITNESS: _____ DATE _____

PRINTED NAME: _____

ACKNOWLEDGEMENT:

STATE OF FLORIDA
COUNTY OF ORANGE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF _____, 2018, BY _____ AS A _____ OF _____ SAID PERSON IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC _____ DATE _____

STATE OF FLORIDA _____

MY COMMISSION EXPIRES: _____

PRINTED NAME: _____

COMMISSION #: _____

CERTIFICATE OF APPROVAL OF CITY ENGINEER

EXAMINED AND APPROVED: _____ CITY ENGINEER DATE _____

CERTIFICATE OF APPROVAL BY MUNICIPALITY

FOREGOING PLAT WAS APPROVED.

MAYOR, CITY OF APOPKA _____

PRINT NAME _____

ATTEST _____

CITY CLERK PRINT _____

CERTIFICATE OF APPROVAL BY LAND DEVELOPMENT REVIEW BOARD

THIS IS TO CERTIFY, THAT ON THIS _____ DAY OF _____, 2018, THE LAND DEVELOPMENT REVIEW BOARD APPROVED THE FOREGOING PLAT.

CHAIRMAN _____

PRINT NAME _____

CERTIFICATE OF SURVEYOR

THIS PLAT WAS PREPARED UNDER MY DIRECTION AND SUPERVISION. TO THE BEST OF MY KNOWLEDGE THIS PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.

SURVEYOR: JAMES D. FLICK, P.S.M. Date
REGISTRATION NUMBER: LS #6088
PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NUMBER OF LEGAL ENTITY: LB 6393

LEGAL DESCRIPTION

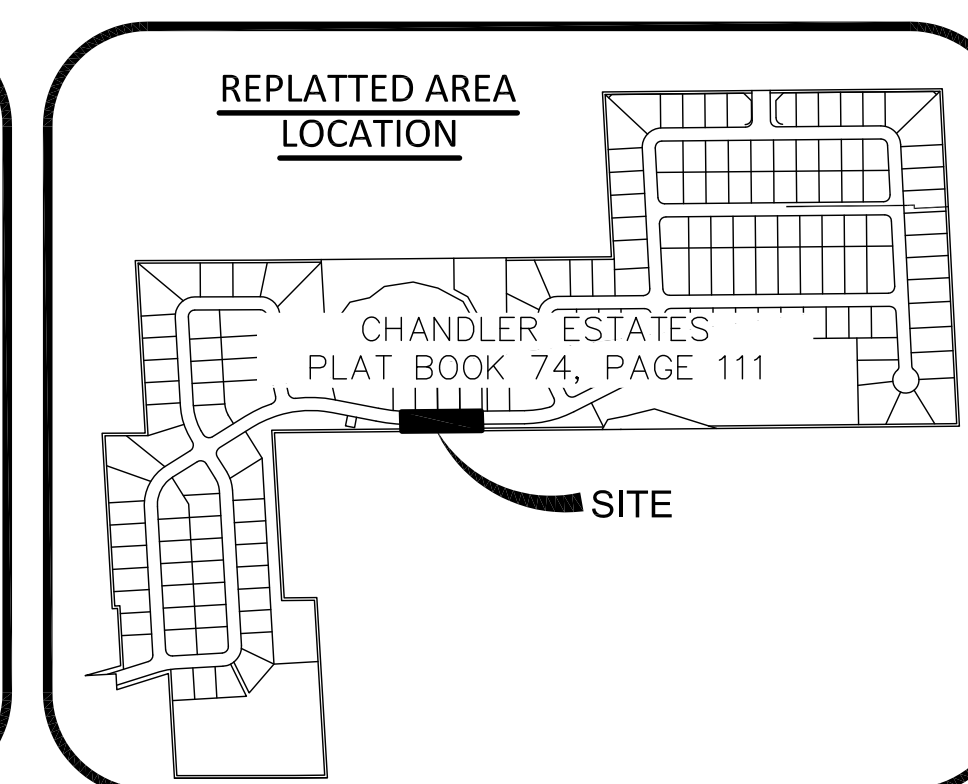
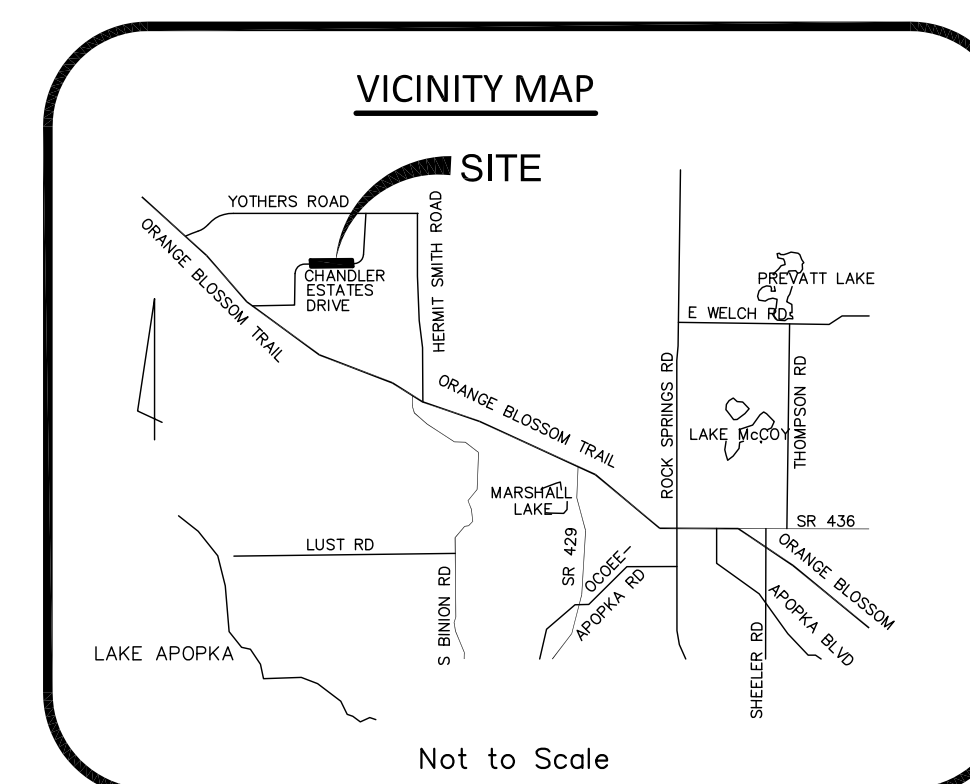
A REPLAT OF A PORTION OF CHANDLER ESTATES, AS RECORDED IN PLAT BOOK 74, PAGE 111 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING WITHIN SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST NORTHEAST CORNER ON THE SOUTH LINE OF TRACT S OF CHANDLER ESTATES, AS RECORDED IN PLAT BOOK 74, PAGE 111 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID CORNER BEING A PERMANENT REFERENCE MONUMENT ON THE SOUTH LINE OF SAID CHANDLER ESTATES; THENCE RUN N89°27'11"E ALONG THE SOUTH LINE OF SAID TRACT S AND SOUTH LINE OF SAID CHANDLER ESTATES A DISTANCE OF 246.45 FEET FOR A POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH LINE RUN N00°32'49"W FOR A DISTANCE OF 60.00 FEET TO THE A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID CHANDLER ESTATES DRIVE AND THE SOUTHEAST CORNER OF LOT 63, SAID CHANDLER ESTATES; THENCE RUN ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CHANDLER ESTATES DRIVE N89°27'11"E, FOR A DISTANCE OF 330.56 FEET TO THE SOUTHEAST CORNER OF LOT 64 OF SAID CHANDLER ESTATES; THENCE RUN S00°32'49"E, FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTH LINE OF TRACT T AND SOUTHERLY LINE OF SAID CHANDLER ESTATES; THENCE RUN S89°27'11"W, ALONG THE SOUTH LINE OF SAID CHANDLER ESTATES FOR A DISTANCE OF 330.56 FEET TO THE POINT OF BEGINNING.

CONTAINS 19,834 SQUARE FEET OR 0.455 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF TRACT S, CHANDLER ESTATES, AS RECORDED IN PLAT BOOK 74 PAGE 111, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, HAVING A BEARING OF NORTH 89°27'11" EAST, AS RECORDED.
2. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
3. TRACT 'T' IS A 10' BUFFER TRACT AND SHALL BE DEDICATED AND MAINTAINED BY THE CHANDLER ESTATES HOMEOWNERS ASSOCIATION, INC.
4. TRACT 'S' IS A COMMUNITY RECREATION AREA TRACT AND SHALL BE DEDICATED AND MAINTAINED BY THE CHANDLER ESTATES HOMEOWNERS ASSOCIATION, INC.
5. ALL RIGHTS OF WAY ARE TO BE DEDICATED TO THE CITY OF APOPKA.



ASAM
AMERICAN SURVEYING & MAPPING INC.
CERTIFICATION OF AUTHORIZATION
NUMBER LB#6393
3191 MAGUIRE BOULEVARD, SUITE 200
ORLANDO, FLORIDA 32803 (407) 426-7979

NOTICE
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

"FLOOD HAZARD WARNING"
THIS PROPERTY MAY BE SUBJECT TO FLOODING. YOU SHOULD CONTACT ORANGE COUNTY AND OBTAIN THE LATEST INFORMATION ON FLOOD ELEVATIONS AND RESTRICTIONS BEFORE MAKING PLANS FOR USE OF THIS PROPERTY. EVEN MEETING ORANGE COUNTY STANDARDS DOES NOT ENSURE ANY IMPROVEMENTS SUCH AS STRUCTURES, DRIVEWAYS, YARDS, SANITARY SEWER SYSTEMS WILL NOT BE FLOODED IN CERTAIN RAIN EVENTS.

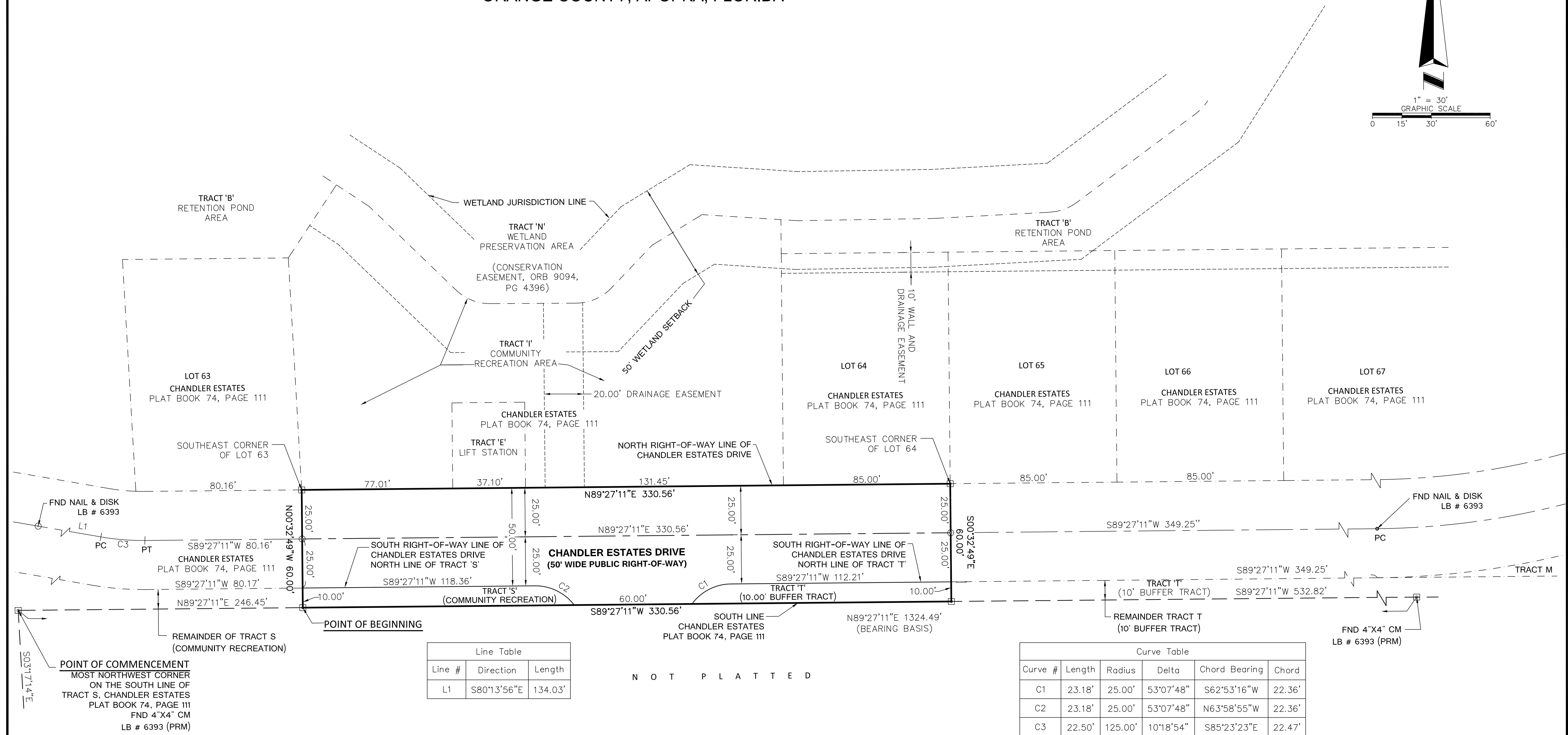
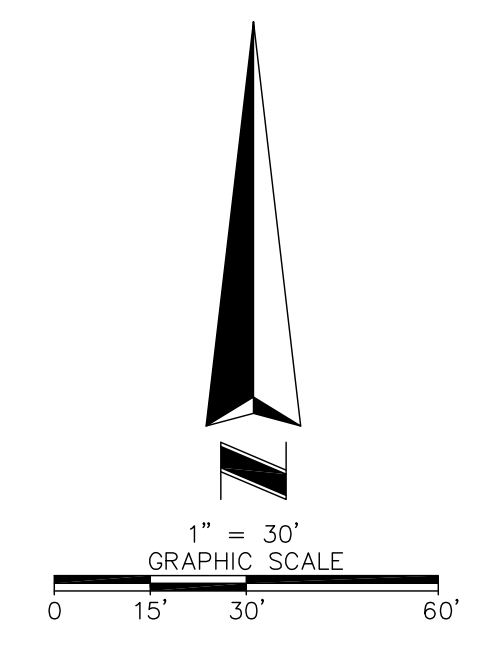
CHANDLER ESTATES REPLAT

SHEET 2 OF 2

PLAT BOOK

PAGE

A REPLAT OF A PORTION OF CHANDLER ESTATES DRIVE
 TRACT "S" AND TRACT "T", CHANDLER ESTATES
 PLAT BOOK 74, PAGE 111
 SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST,
 ORANGE COUNTY, APOPKA, FLORIDA



Line Table		
Line #	Direction	Length
L1	S80°13'56"E	134.03'

N O T P L A T T E D

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord
C1	23.18'	25.00'	53°07'48"	S62°53'16"W	22.36'
C2	23.18'	25.00'	53°07'48"	N63°58'55"W	22.36'
C3	22.50'	125.00'	10°18'54"	S85°23'23"E	22.47'

POINT OF COMMENCEMENT
 MOST NORTHWEST CORNER
 ON THE SOUTH LINE OF
 TRACT S, CHANDLER ESTATES
 PLAT BOOK 74, PAGE 111
 FND 4"x4" CM
 LB # 6393 (PRM)

SHEET INDEX

- PAGE:
1. COVER SHEET
 2. BOUNDARY SHEET

ASAM
 AMERICAN SURVEYING & MAPPING INC.
 CERTIFICATION OF AUTHORIZATION
 NUMBER LB#6393
 3191 MAGUIRE BOULEVARD, SUITE 200
 ORLANDO, FLORIDA 32803 (407) 426-7979

NOTICE
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"FLOOD HAZARD WARNING"
 THIS PROPERTY MAY BE SUBJECT TO FLOODING. YOU SHOULD CONTACT ORANGE COUNTY AND OBTAIN THE LATEST INFORMATION ON FLOOD ELEVATIONS AND RESTRICTIONS BEFORE MAKING PLANS FOR USE OF THIS PROPERTY. EVEN MEETING ORANGE COUNTY STANDARDS DOES NOT ENSURE ANY IMPROVEMENTS SUCH AS STRUCTURES, DRIVEWAYS, YARDS, SANITARY SEWER SYSTEMS WILL NOT BE FLOODED IN CERTAIN RAIN EVENTS.

LEGEND AND ABBREVIATIONS

#/NO. NUMBER	PRM PERMANENT REFERENCE MONUMENT
LB LICENSED BUSINESS	MONUMENT BREAK LINE
PSM PROFESSIONAL SURVEYOR & MAPPER	PC POINT OF CURVATURE
CM CONCRETE MONUMENT	PT POINT OF TANGENCY
FND FOUND	
PG PAGE	
L ARC LENGTH	
⊙ DENOTES SET P.R.M. SET NAIL & DISK P.R.M. LB #6393 SET IN ACCORDANCE WITH CHAPTER 177.091(7), FLORIDA STATUTES.	
⊠ DENOTES SET P.R.M. SET 4"x4" CONCRETE MONUMENT P.R.M. LB #6393 SET IN ACCORDANCE WITH CHAPTER 177.091(7), FLORIDA STATUTES.	

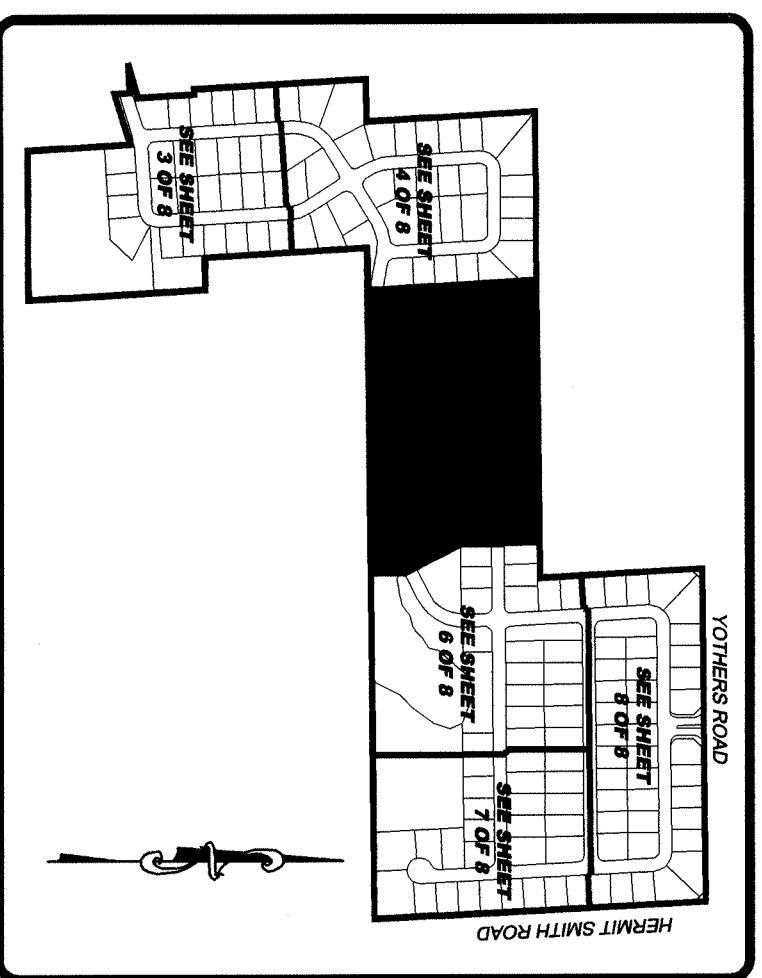
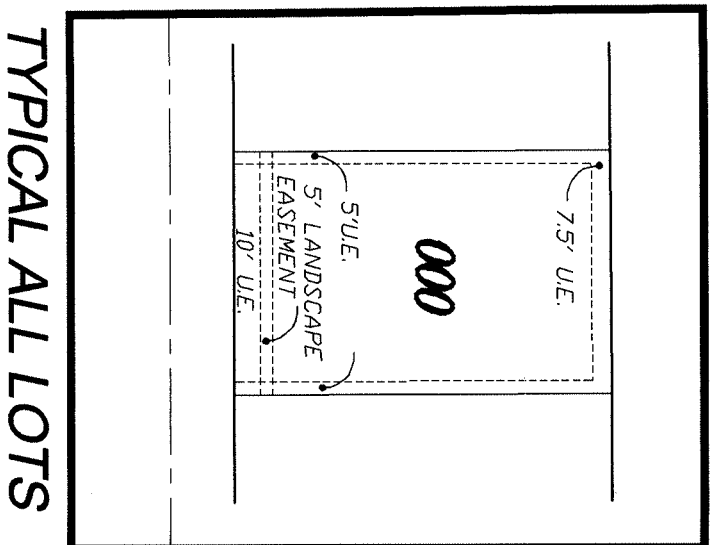
CHANDLER ESTATES

PLAT BOOK 74 PAGE 115

A REPLAT OF PORTIONS OF LOTS 6 AND 7, BLOCK "F" AND THE UNOPENED PLATTED STREET

"MCDONALDS & WILKINS SUBDIVISION", PLAT BOOK A, PAGE 92
 AND A PORTION OF SECTION 35 AND A PORTION OF SECTION 36,
 TOWNSHIP 20 SOUTH, RANGE 27 EAST,
 CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 5 of 8



CURVE TABLE - THIS SHEET ONLY

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C1	400.00'	184.04'	28.21°	N78°28'E	184.42'
C2	400.00'	184.04'	28.21°	N78°28'E	184.42'
C3	400.00'	184.04'	28.21°	N78°28'E	184.42'
C4	400.00'	184.04'	28.21°	N78°28'E	184.42'
C5	400.00'	184.04'	28.21°	N78°28'E	184.42'
C6	400.00'	184.04'	28.21°	N78°28'E	184.42'
C7	400.00'	184.04'	28.21°	N78°28'E	184.42'
C8	400.00'	184.04'	28.21°	N78°28'E	184.42'
C9	400.00'	184.04'	28.21°	N78°28'E	184.42'
C10	400.00'	184.04'	28.21°	N78°28'E	184.42'
C11	400.00'	184.04'	28.21°	N78°28'E	184.42'
C12	400.00'	184.04'	28.21°	N78°28'E	184.42'
C13	400.00'	184.04'	28.21°	N78°28'E	184.42'
C14	400.00'	184.04'	28.21°	N78°28'E	184.42'
C15	400.00'	184.04'	28.21°	N78°28'E	184.42'
C16	400.00'	184.04'	28.21°	N78°28'E	184.42'
C17	400.00'	184.04'	28.21°	N78°28'E	184.42'
C18	400.00'	184.04'	28.21°	N78°28'E	184.42'
C19	400.00'	184.04'	28.21°	N78°28'E	184.42'
C20	400.00'	184.04'	28.21°	N78°28'E	184.42'
C21	400.00'	184.04'	28.21°	N78°28'E	184.42'
C22	400.00'	184.04'	28.21°	N78°28'E	184.42'

CURVE TABLE - THIS SHEET ONLY

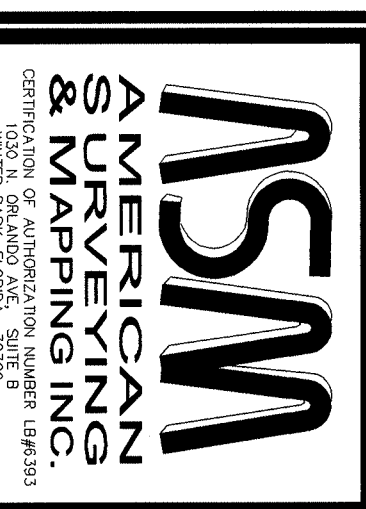
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C23	400.00'	184.04'	28.21°	N78°28'E	184.42'
C24	400.00'	184.04'	28.21°	N78°28'E	184.42'
C25	400.00'	184.04'	28.21°	N78°28'E	184.42'
C26	400.00'	184.04'	28.21°	N78°28'E	184.42'
C27	400.00'	184.04'	28.21°	N78°28'E	184.42'
C28	400.00'	184.04'	28.21°	N78°28'E	184.42'
C29	400.00'	184.04'	28.21°	N78°28'E	184.42'
C30	400.00'	184.04'	28.21°	N78°28'E	184.42'
C31	400.00'	184.04'	28.21°	N78°28'E	184.42'
C32	400.00'	184.04'	28.21°	N78°28'E	184.42'
C33	400.00'	184.04'	28.21°	N78°28'E	184.42'
C34	400.00'	184.04'	28.21°	N78°28'E	184.42'
C35	400.00'	184.04'	28.21°	N78°28'E	184.42'
C36	400.00'	184.04'	28.21°	N78°28'E	184.42'
C37	400.00'	184.04'	28.21°	N78°28'E	184.42'
C38	400.00'	184.04'	28.21°	N78°28'E	184.42'
C39	400.00'	184.04'	28.21°	N78°28'E	184.42'
C40	400.00'	184.04'	28.21°	N78°28'E	184.42'
C41	400.00'	184.04'	28.21°	N78°28'E	184.42'
C42	400.00'	184.04'	28.21°	N78°28'E	184.42'
C43	400.00'	184.04'	28.21°	N78°28'E	184.42'
C44	400.00'	184.04'	28.21°	N78°28'E	184.42'
C45	400.00'	184.04'	28.21°	N78°28'E	184.42'

LINE TABLE - THIS SHEET ONLY

LINE	LENGTH	BEARING
L1	30.09'	N43°37'0"E
L2	29.85'	N89°33'3"E
L3	29.85'	N89°33'3"E
L4	29.85'	N89°33'3"E
L5	29.85'	N89°33'3"E
L6	29.85'	N89°33'3"E
L7	29.85'	N89°33'3"E
L8	29.85'	N89°33'3"E
L9	29.85'	N89°33'3"E
L10	29.85'	N89°33'3"E
L11	29.85'	N89°33'3"E
L12	29.85'	N89°33'3"E
L13	29.85'	N89°33'3"E
L14	29.85'	N89°33'3"E
L15	29.85'	N89°33'3"E
L16	29.85'	N89°33'3"E
L17	29.85'	N89°33'3"E
L18	29.85'	N89°33'3"E
L19	29.85'	N89°33'3"E
L20	29.85'	N89°33'3"E
L21	29.85'	N89°33'3"E
L22	29.85'	N89°33'3"E
L23	29.85'	N89°33'3"E
L24	29.85'	N89°33'3"E
L25	29.85'	N89°33'3"E
L26	29.85'	N89°33'3"E
L27	29.85'	N89°33'3"E

LINE TABLE - THIS SHEET ONLY

LINE	LENGTH	BEARING
L28	48.80'	S18°02'3"E
L29	15.48'	S18°02'3"E
L30	33.88'	S18°02'3"E
L31	28.28'	S66°37'4"E
L32	28.28'	S66°37'4"E
L33	61.26'	S48°02'0"E
L34	43.85'	N89°30'4"E
L35	43.85'	N89°30'4"E
L36	43.85'	N89°30'4"E
L37	43.85'	N89°30'4"E
L38	18.67'	S48°02'0"E
L39	17.66'	S66°37'4"E
L40	38.45'	S58°37'4"E
L41	29.24'	S58°37'4"E
L42	29.24'	S58°37'4"E
L43	17.35'	S00°32'4"E
L44	44.48'	S33°27'6"W
L45	43.61'	N00°32'4"E
L46	37.01'	N89°27'1"E
L47	48.25'	N79°54'2"E
L48	48.25'	N79°54'2"E
L49	7.21'	N89°20'0"E
L50	70.27'	N89°20'0"E
L51	7.09'	N88°58'5"E
L52	9.76'	S58°37'4"E
L53	10.00'	N89°27'1"E
L54	27.14'	N89°27'1"E
L55	16.21'	N89°27'1"E
L56	16.21'	N89°27'1"E
L57	10.00'	S00°32'4"E
L58	33.67'	N89°27'1"E
L59	20.00'	N89°27'1"E
L60	20.00'	N89°27'1"E



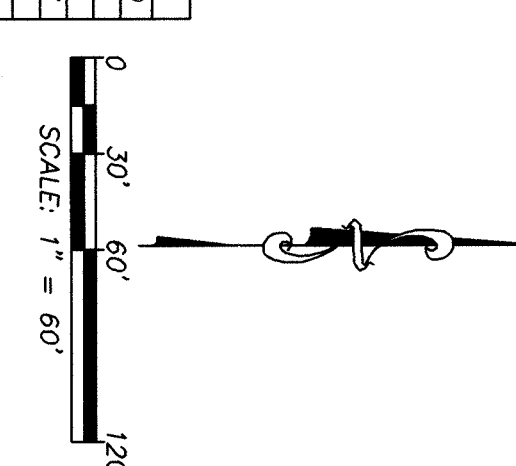
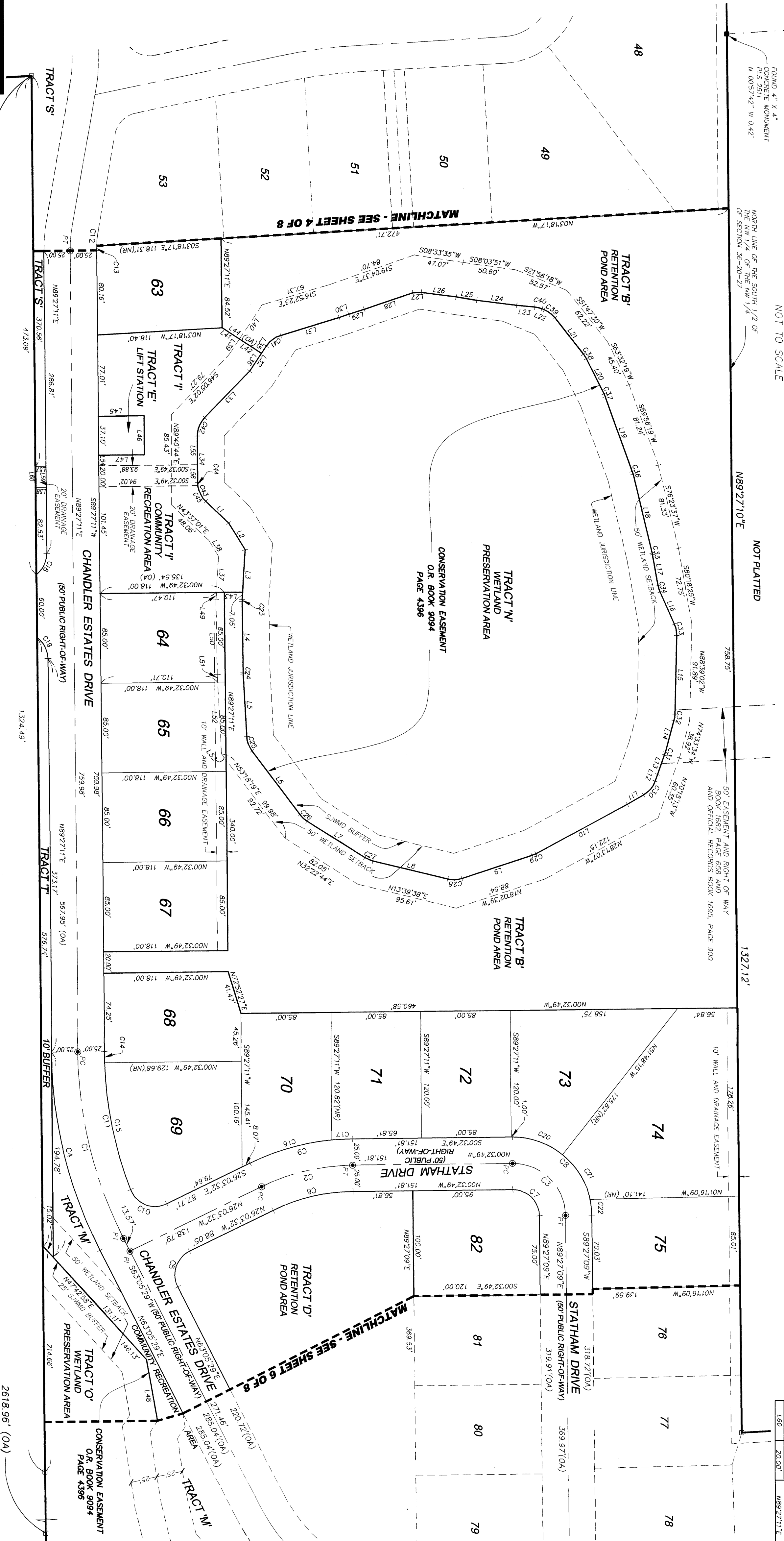
LEGEND

- OP OFFICIAL RECORDS
- P.B. PLAT BOOK
- PG. PAGE
- (OA) OVERALL DISTANCE
- C1 CURVE NUMBER
- L1 LINE NUMBER
- UE UTILITY EASEMENT
- LD LANDSCAPE EASEMENT
- (MH) NON-HADML
- PT POINT OF TANGENCY
- PC POINT OF CURVATURE
- PI POINT OF INTERSECTION
- SWIMD SWIMMING DISTRICT
- ST JOHN'S WATER MANAGEMENT DISTRICT

NOT PLATTED

NOTES:

- 1. DENOTES FROM PERMANENT REFERENCE MONUMENT "X" 4"
- 2. PERMANENT REFERENCE MONUMENT "X" 4"
- 3. ACCORDANCE WITH CHAPTER 177.091 FLORIDA STATUTES.
- 4. DENOTES POB (PERMANENT CONTROL POINT) MAIL WITH DISC
- 5. STAMPED LHM 8393 TO BE SET IN ACCORDANCE WITH CHAPTER 177.091 FLORIDA STATUTES.

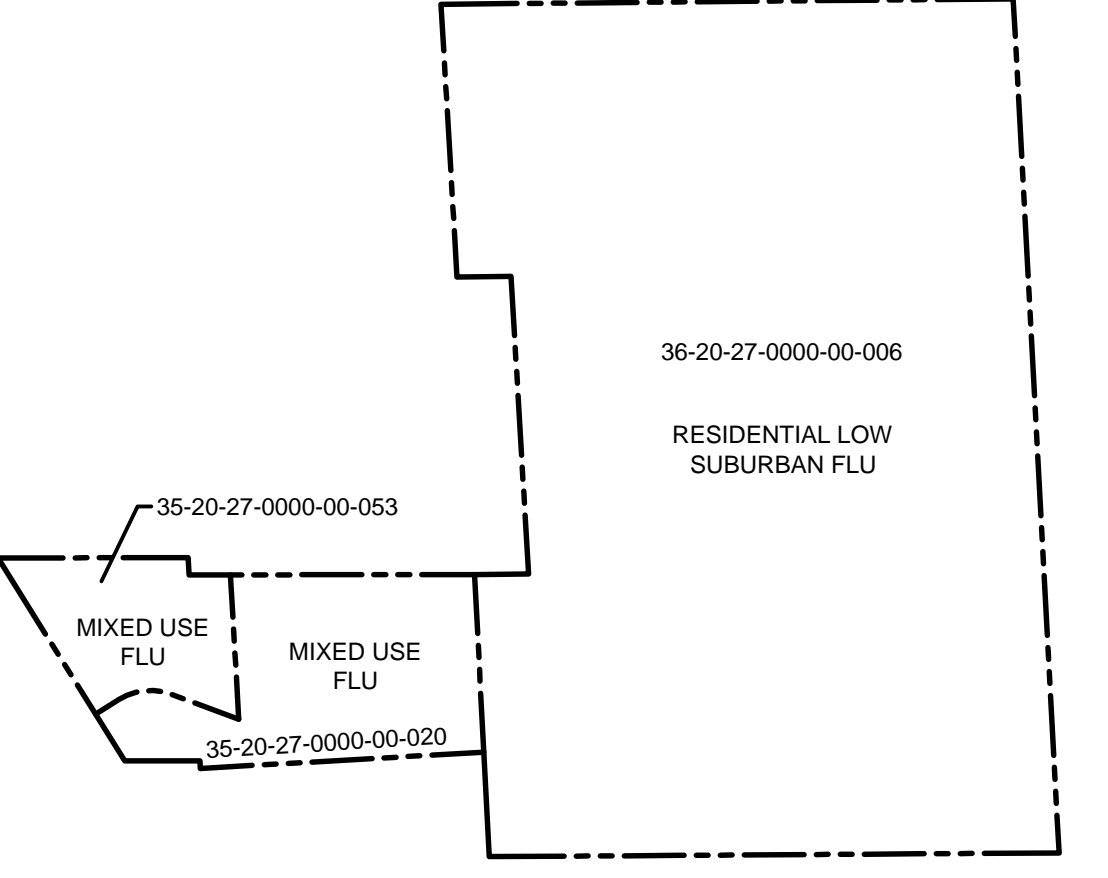


By	Date	Revision	Comments
JEO	4-21-16	1	REVISED PER 4-27-16 DRC COMMENTS
JEO	5-31-16	2	REVISED PER 2-10-16 DRC COMMENTS

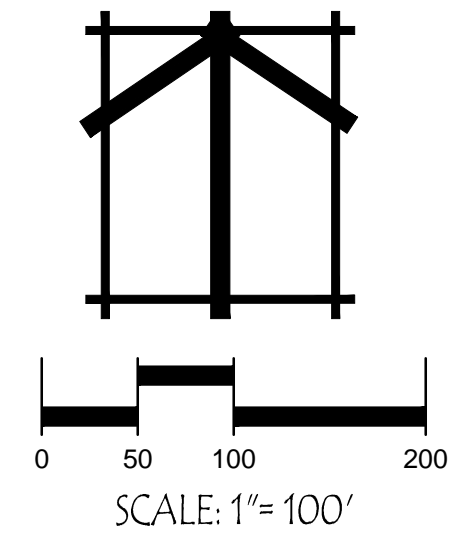
Plans Prepared By:
CPI, Inc.
1117 E. Robinson St.
Orlando, FL 32801
Ph: 407.425.0452
Licenses:
Eng. C.O.A. No. 3215
Survey L.B. No. 7143
Arch. Lic. No. AA2600926
Landscape Lic. No. LC0000298

PUD REZONE - MASTER PLAN
APOPKA FARMS
M.L. CARTER PROPERTY
APOPKA, FLORIDA

Sheet No.
3



KEY MAP / FUTURE LAND USE
N.T.S.



PROJECT NOTES
PARCEL ID #S: 35-20-27-0000-00-020; 35-20-27-0000-00-053; 36-20-27-0000-00-006
FUTURE LAND USE: MIXED USE / RESIDENTIAL LOW SUBURBAN
EXISTING ZONING: MIXED-CC / R-1A
PROPOSED ZONING: PLANNED UNIT DEVELOPMENT (PUD) WITH R-2 UNDERLYING ZONING CRITERIA
CURRENT USE: VACANT
PROPOSED USE: SINGLE FAMILY RESIDENTIAL / COMMERCIAL (DUPLIX RESIDENTIAL UNITS ARE NOT PERMITTED)
TOTAL SITE AREA: 67.73 AC±

LEGEND

	10' MIN. LANDSCAPE BUFFERYARD, 1 TREE/25 LF. PAVED AREAS SHALL PROVIDE A CONTINUOUS HEDGE OR BERM OR COMBINATION THEREOF.
	10' MIN. LANDSCAPE BUFFERYARD WITH 6' HIGH MASONRY WALL
	5' MIN. LANDSCAPE BUFFERYARD
	5' MIN. LANDSCAPE BUFFERYARD WITH 6' HIGH BRICK, STONE OR DECORATIVE BLOCK WALL
	10' MINIMUM LANDSCAPE BUFFERYARD

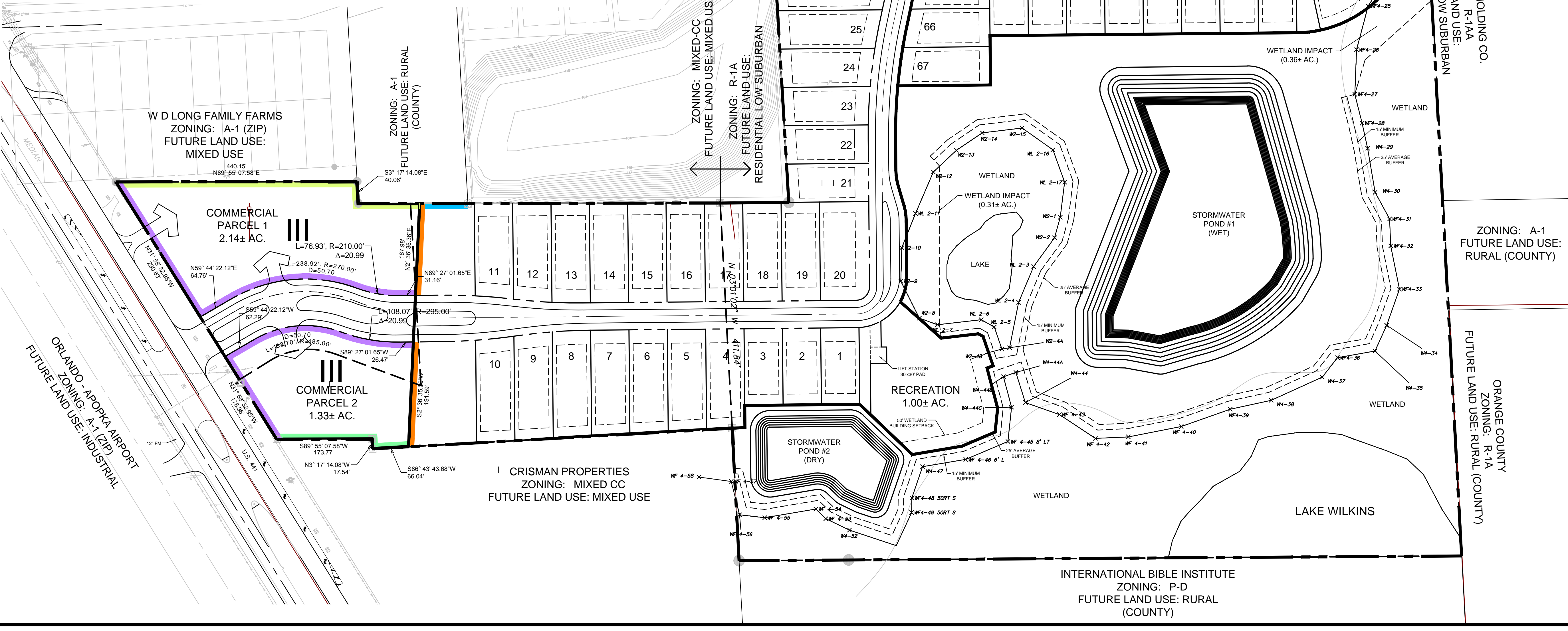
PHASING (PHASING REFERS TO VERTICAL CONSTRUCTION)

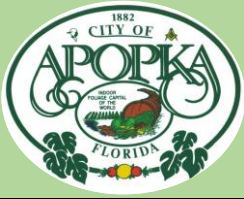
NOTE: EXISTING TREES TO BE SAVED SHALL COUNT TOWARDS BUFFERYARD TREE REQUIREMENT.

PHASING*

PHASE	USE	CURRENT ZONING	PROPOSED ZONING	AREA (AC)	UNITS/BLDG SF
I	Single Family Residential	Mixed CC / R-1A	PUD	18.99	36 Units
I	Recreation	R-1A	PUD	1.00	TBD
II	Single Family Residential	R-1A	PUD	18.93	65 Units
III	Commercial	Mixed CC	PUD	3.47	45,345 SF Max.

*Storm system to be constructed as required for each phase, or constructed in its entirety as part of Phase I. Wetland impacts to occur as needed for each phase. Wetland impacts to be permitted during construction document phase.
TBD = Recreation amenities To Be Determined at the Final Master Plan (Site Plan) stage.





CITY OF APOPKA CITY COUNCIL

CONSENT AGENA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Future Land Use Map
Zoning Map
Aerial Map
Ordinance No. 2676

SUBJECT: ORDINANCE NO. 2676 – ADMINISTRATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – RENUKA PRASAD

REQUEST: ORDINANCE NO. 2676 – SECOND READING AND ADOPTION - ADMINISTRATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – RENUKA PRASAD, FROM MIXED USE TO COMMERCIAL.

SUMMARY:

OWNER: Renuka Prasad
APPLICANT: City of Apopka
LOCATION: North of West Orange Blossom Trail and West of S.R. 429
PARCEL ID NUMBER: 01-21-27-0000-00-037
EXISTING USE: Tire and Automotive Services
CURRENT ZONING: “County” C-2 (ZIP)
PROPOSED DEVELOPMENT: Tire and Automotive Services
PROPOSED ZONING: “City” C-2 (Note: this Future Land Use amendment request is being processed along with a request to change the zoning classification from “County” C-2 (ZIP) to “City” C-2 (General Commercial District).
TRACT SIZE: 3.17 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: not applicable without City zoning designation
PROPOSED: 34,479 sq. ft. commercial space

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: The subject parcel was annexed into the city on October 7, 2009 by Ordinance Number 2124. Presently, the subject property has a “City” future land use designation of Mixed Use; however, no “City” zoning classification has been assigned. Based on a letter from the property owner’s attorney, the property owner supports and requests a Commercial Future Land Use Designation and C-2 Zoning. The property owner’s intent is to retain similar property rights/ permitted uses that were granted to the property when in unincorporated Orange County. Use of the subject property is an automobile repair business, and was used as such at the time of annexation.

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is consistent with the Commercial Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Commercial FLUM designation at the subject site:

Future Land Use Element

1. Policy 3.1.i

Commercial

Primary uses shall be for business, commerce, and convenience shopping which may be neighborhood or community oriented. The maximum floor area ratio shall be .25 gross floor area. Institutional land uses of less than five acres; and public facilities or utilities of less than five acres.

Planned Unit Development uses may include: (Policy 3.1.i)

1. All primary uses
2. All Special Exception uses
3. Multifamily Development of up to fifteen dwelling units per acre, when located within a primary use structure
4. Other uses deemed compatible with and complimentary to the other proposed master planned uses and the surrounding neighborhoods.

SCHOOL CAPACITY REPORT: Because this request represents a change to a non-residential future land use designation and zoning classification, school capacity determination by Orange County Public Schools is not required.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on August 6, 2018.

PUBLIC HEARING SCHEDULE:

November 13, 2018 - Planning Commission (5:30 pm)

December 5, 2018 - City Council (7:00 pm) - 1st Reading

December 19, 2018 – City Council (1:30 pm) – 2nd Reading and Adoption

DULY ADVERTISED:

November 2, 2018 – Public Notice and Notification (Apopka Chief and letter to property owner)

December 7, 2018 – Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee**: finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Commercial for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area; and unanimously recommended approval of the change of Future Land Use Designation from Mixed Use to Commercial, subject to the findings of the Staff Report for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2676, and held it over for Second Reading and Adoption on December 19, 2018.

Adopt Ordinance No. 2676.

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

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	“County” Rural	“County” A-1	Morrison’s Subdivision
East (County)	“County” Rural	“County” A-1	Woodlands and Single Family Homes
South (City)	“City” Industrial	“City” I-1	Copart Automotive
West (County)	“County” Rural	“County” A-1	Woodlands

II. LAND USE ANALYSIS

The subject property is located on a site that is ideal for commercial use, which makes the request for a Commercial future land use designation consistent with the Comprehensive Plan policies listed above, as well as the general future land use character of the surrounding area.

Properties to the south are developed as industrial properties, with properties to the north developed as residential properties. The proposed Commercial Future Land Use will act as a transition between the residential and industrial properties. Furthermore, the property is accessed from the arterial road, West Orange Blossom Trail, with close access to the State Route 429 Interchange.

The proposed Residential Low Suburban future land use designation is consistent with the general future land use character of the surrounding area.

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

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “West Area” of the JPA. The proposed FLUM Amendment request for a change from Mixed Use to Commercial (Max. 0.25 FAR) is consistent with the terms of the JPA (Second Amendment). Renuka Prasad is the property owner of the proposed future land use amendment and proposed change of zoning for the property, and has been notified of the hearing schedule.

Transportation: Road access to the site is from West Orange Blossom.

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

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

CITY COUNCIL – DECEMBER 19, 2018
PRASAD – FUTURE LAND USE AMENDMENT
PAGE 5

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

Analysis of the character of the Property: The current use of the Property is an Auto Repair Facility and an Auto Parts Vendor.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the property is Commercial (max FAR 0.25). Based on the housing element of the City's Comprehensive Plan, this amendment will not increase the City's future population

CALCULATIONS:

ADOPTED: 1 Unit(s) x 2.659 p/h = 3 persons

PROPOSED: N/A, no residential

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

Habitat for species listed as endangered, threatened or of special concern: A habitat study is required for developments greater than ten (10) acres in size. The subject site is less than 10 acres; thus, a habitat study is not required.

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

Sanitary Sewer Analysis

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

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

2. Projected total demand under existing designation: 5,172 GPD
3. Projected total demand under proposed designation: 5,172 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

CITY COUNCIL – DECEMBER 19, 2018
PRASAD – FUTURE LAND USE AMENDMENT
PAGE 6

2. Projected total demand under existing designation: 6,896 GPD
3. Projected total demand under proposed designation: 6,896 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD / Capita
6. Projected LOS under proposed designation: 177 GPD / Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: Yes

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: 69 lbs/ day
4. Projected LOS under proposed designation: 69 lbs / day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

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

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

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

Permitted capacity of the water treatment plant(s): 9.353 MGD

Total design capacity of the water treatment plant(s): 33.696 MGD

Availability of distribution lines to serve the property: Yes

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

Drainage Analysis

1. Facilities serving the site: None

CITY COUNCIL – DECEMBER 19, 2018
PRASAD – FUTURE LAND USE AMENDMENT
PAGE 7

2. Projected LOS under existing designation: 100 year – 24 hour design storm
3. Projected LOS under proposed designation: 100 year – 24 hour design storm
4. Improvement/expansion: On site retention / detention ponds

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System ; 3 acre / 1000 capita
2. Projected facility under existing designation: N/A acres
3. Projected facility under proposed designation: N/A acres

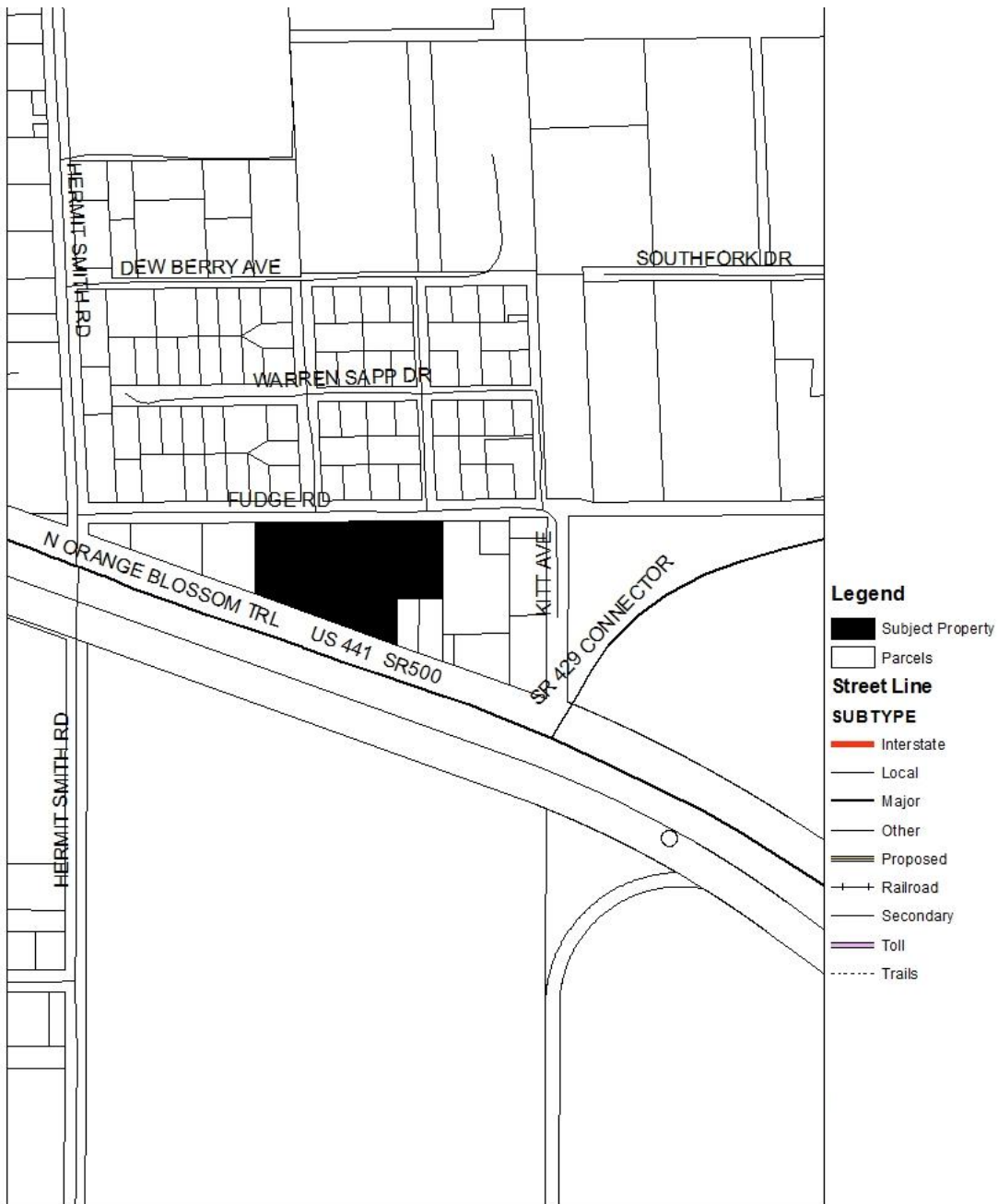
Improvement/expansions already programmed or needed as a result of the proposed amendment: None

Standards set forth in the City's Land Development Code will require any development plans to provide parkland and recreation facilities and open space for residents residing with the new development. This initial review does not preclude conformance with concurrency requirements at the time of development approval.



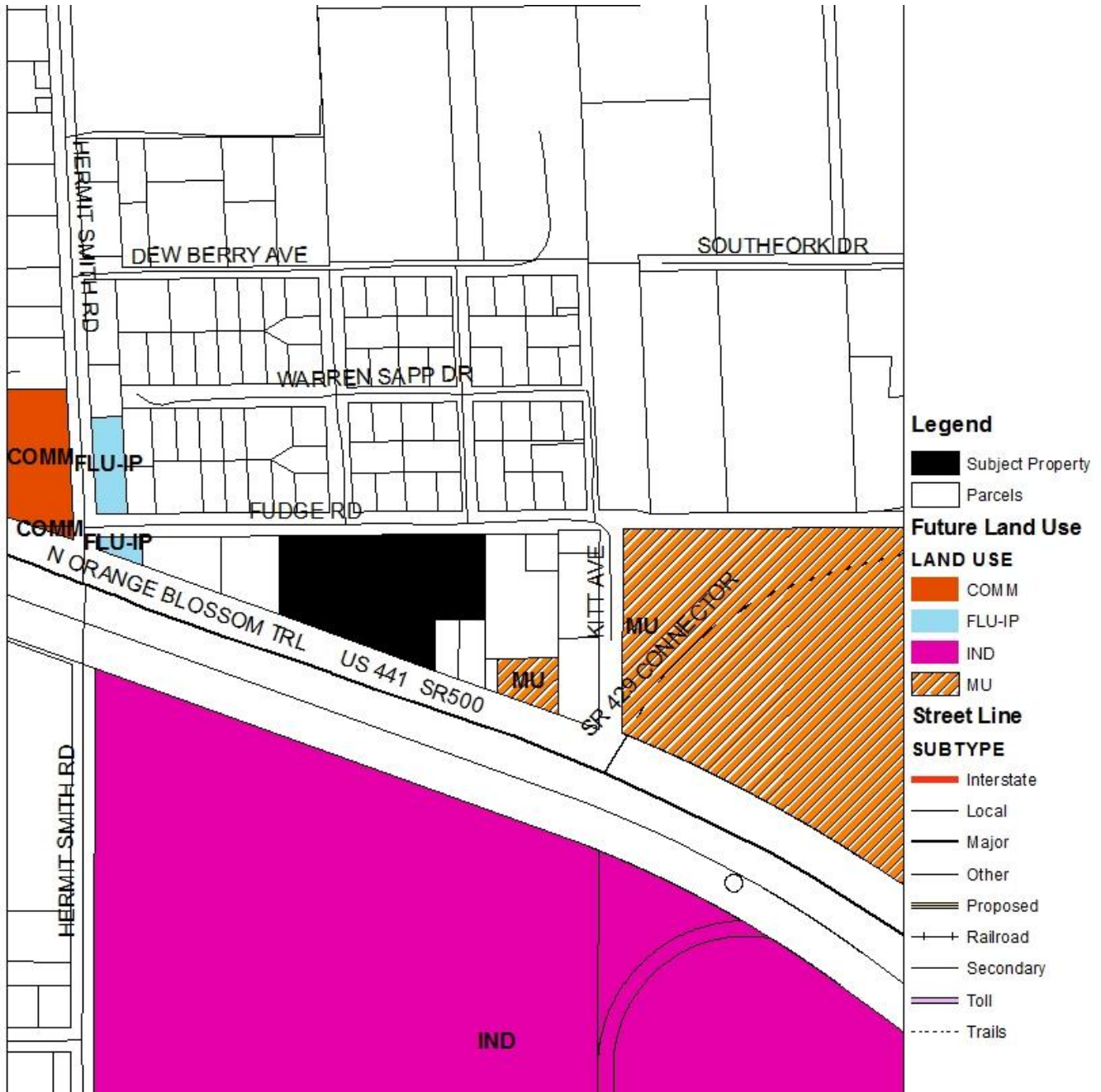
Renuka Prasad
3.17 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: Mixed Use
To: Commercial
Proposed Change of Zoning:
From: "County" C-2 (ZIP)
To: "City" C-2
Parcel ID #: 01-21-27-0000-00-037

VICINITY MAP





FUTURE LAND USE MAP



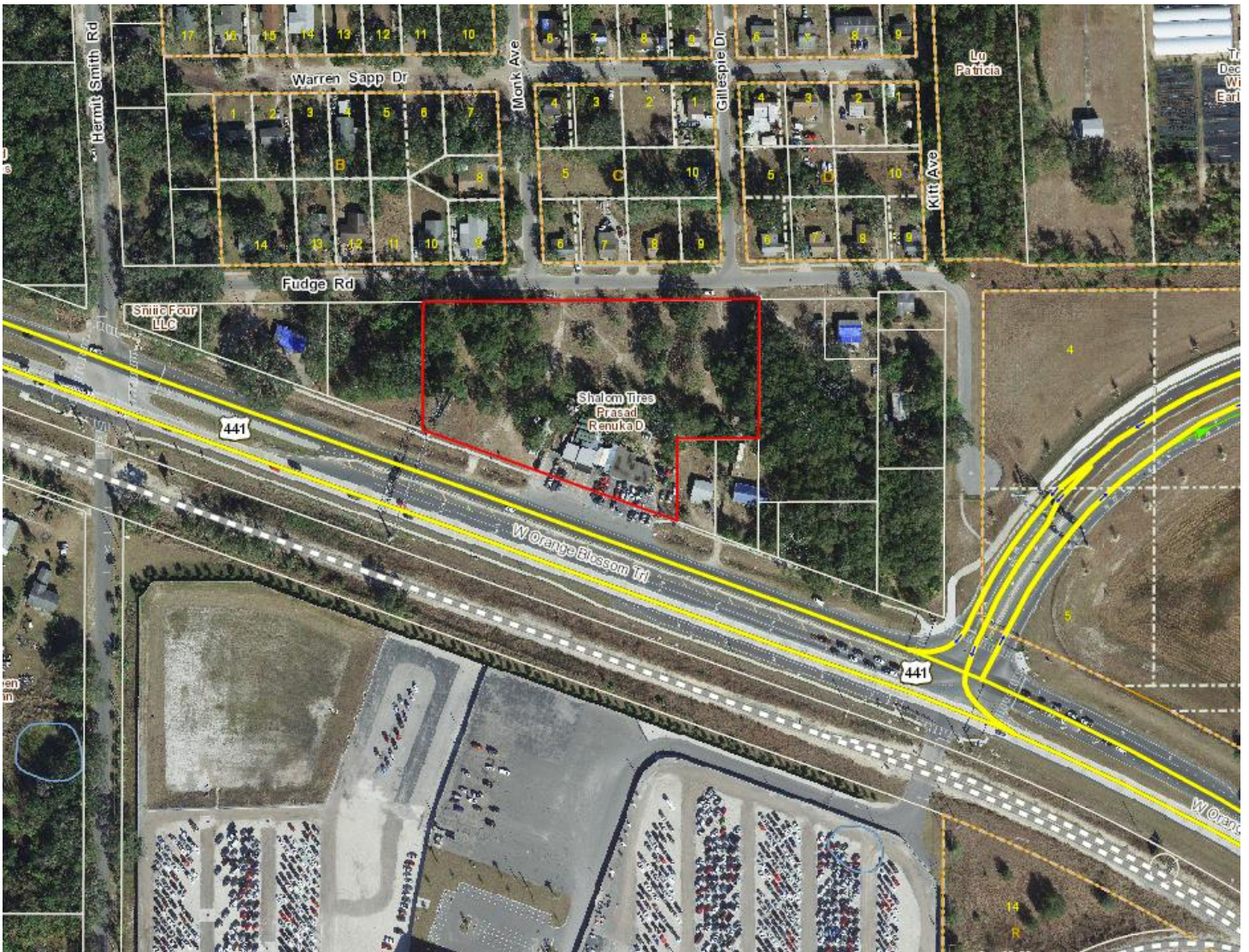


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2676

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM MIXED USE TO COMMERCIAL (MAX. 0.25 FAR) FOR CERTAIN REAL PROPERTY LOCATED NORTH OF WEST ORANGE BLOSSOM TRAIL AND WEST OF STATE ROUTE 429, COMPRISING 3.17 ACRES MORE OR LESS, AND OWNED BY RENUKA PRASAD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2659 adopted on September 19, 2018; and

WHEREAS, the City of Apopka’s local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

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

Section I. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section II. Future Land Use Element.

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2659, is amended in its entirety to change the land use from Mixed Use to Commercial (Max. 0.25 FAR), for certain real property located North of West Orange Blossom Trail and West of State Route 429, comprising 3.17 acres more or less, (Parcel No. 01-21-27-0000-00-037); as further described in Exhibit “A” attached hereto.

Section III. Applicability and Effect.

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section IV. Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

Section VI. Effective Date. This Ordinance shall become effective upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this 19th day of December, 2018.

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

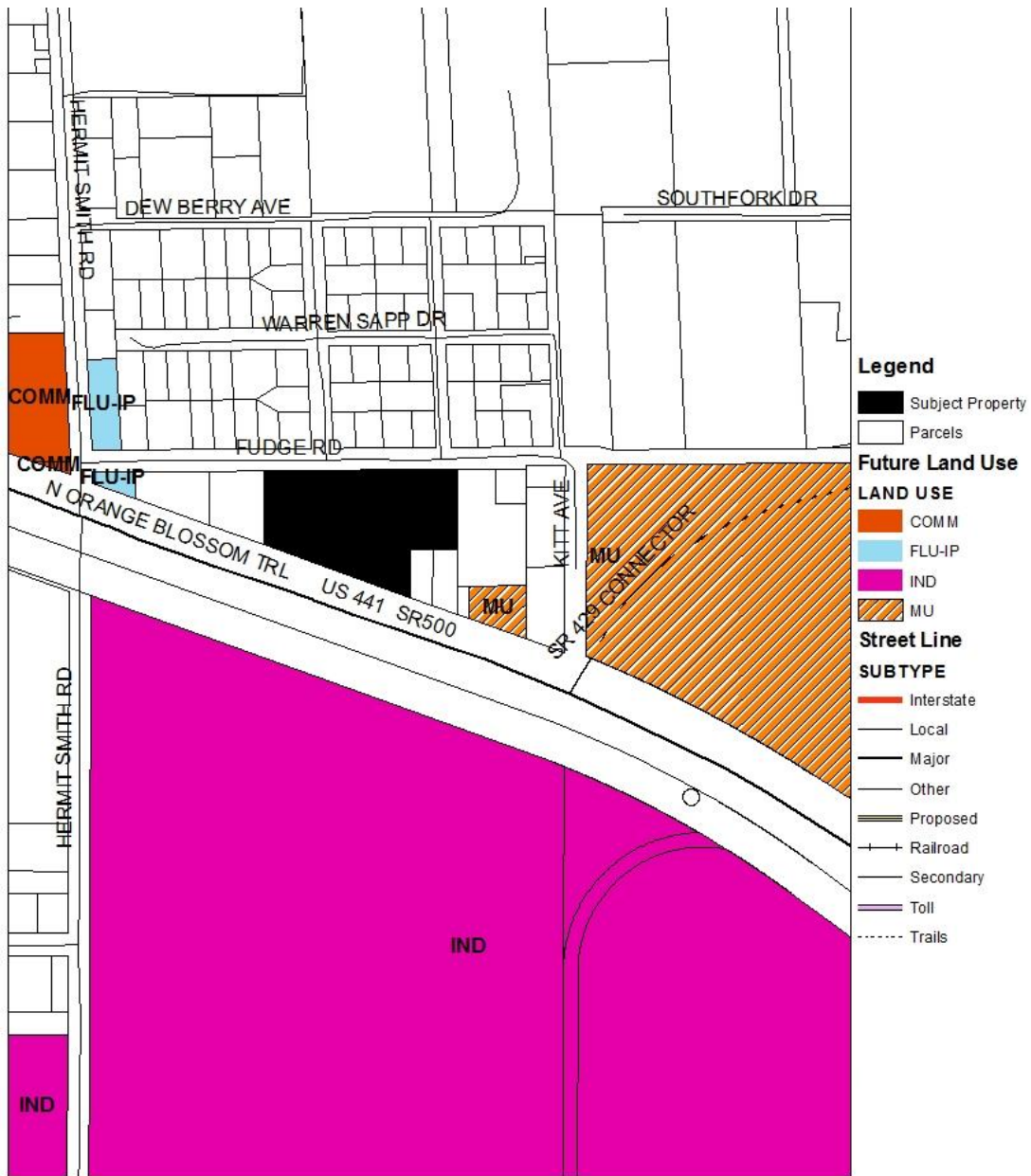
Linda Goff, City Clerk

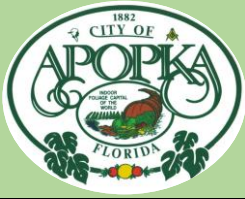
DULY ADVERTISED FOR HEARING: November 2, 2018; December 7, 2018



EXHIBIT "A"

Renuka Prasad
3.17 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: Mixed Use
To: Commercial
Proposed Change of Zoning:
From: "County" C-2 (Zoning in Progress)
To: "City" C-2 (General Commercial District)
Parcel ID #: 01-21-27-0000-00-037





CITY OF APOPKA CITY COUNCIL

 CONSENT AGENA
 X PUBLIC HEARING
 SPECIAL REPORTS
 X OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Zoning Map
Aerial Map
Ordinance No. 2677

SUBJECT: ORDINANCE NO. 2677 – ADMINISTRATIVE – CHANGE OF ZONING – RENUKA PRASAD

REQUEST: ORDINANCE NO. 2677 – SECOND READING AND ADOPTION - ADMINISTRATIVE – CHANGE OF ZONING – RENUKA PRASAD, FROM “COUNTY” C-2 TO “CITY” C-2.

SUMMARY:

OWNER: Renuka Prasad

APPLICANT: City of Apopka

LOCATION: North of West Orange Blossom Trail and West of S.R. 429

PARCEL ID NUMBER: 01-21-27-0000-00-037

EXISTING USE: Tire and Automotive Services

CURRENT ZONING: “County” C-2 (ZIP)

PROPOSED DEVELOPMENT: Tire and Automotive Services

PROPOSED ZONING: “City” C-2 (Note: this Change of Zoning request is being processed along with a request to change the Future Land Use from Mixed Use to Commercial (Max. 0.25 FAR))

TRACT SIZE: 3.17 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT:

EXISTING:	34,479 sq. ft. commercial space
PROPOSED:	34,479 sq. ft. commercial space

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: Presently, the subject property has not yet been assigned a “City” zoning category. The applicant is requesting the City to assign a zoning classification of C-2 (General Commercial District) to the property. Prior to annexing into the City, the subject property was assigned a “County” Commercial Future Land Use Designation and a “County” C-2 zoning category. The intent for requesting “City” C-2 zoning is to retain the permitted uses that were once granted to the property when in Orange County, with “County” C-2 zoning. At the time the property annexed into the City of Apopka, the property was used for an automobile repair business, which remains the current use of the property. Automobile repair is the present use.

The subject parcel was annexed into the city on October 7, 2009 by Ordinance Number 2124.

A request to assign a change of zoning to C-2 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The change of zoning request is being processed in conjunction with a future land use amendment from “City” Mixed Use to “City” Commercial.

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the proposed Commercial (Max. 25% Floor Area Ratio) Future Land Use designation and the City’s C-2 Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: School capacity enhancement and concurrency is not applicable as the property is zoned for and used as commercial.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

PUBLIC HEARING SCHEDULE:

Planning Commission, November 13, 2018 (5:30 pm)
City Council, December 5, 2018 (1:30 pm) - 1st Reading
City Council, December 19, 2018 (7:00 pm) - 2nd Reading

DULY ADVERTISED:

November 2, 2018 - Public Notice and Notification- (Apopka Chief, letter to property owner)
December 7, 2018 - Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas and the current use of the property, recommending approval of the proposed Change of Zoning from “County” C-2 (ZIP) to “City” C-2 for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas; and unanimously recommended approval of the proposed Change of Zoning from “County” C-2 to “City” C-2 for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2677, and held it over for Second Reading and Adoption on December 19, 2018.

Recommended Motion: Adopt Ordinance No. 2677.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	“County” Rural	“County” A-1	Morrison’s Subdivision
East (County)	“County” Rural	“County” A-1	Woodlands and Single Family Homes
South (City)	“City” Industrial	“City” I-1	Copart Automotive
West (County)	“County” Rural	“County” A-1	Woodlands

**LAND USE & TRAFFIC
 COMPATIBILITY:**

The property is currently accessed from the arterial road, West Orange Blossom Trail. In the vicinity is the S.R. 429 interchange. With the given infrastructure, C-2 zoning is an adequate zoning designation for the subject property.

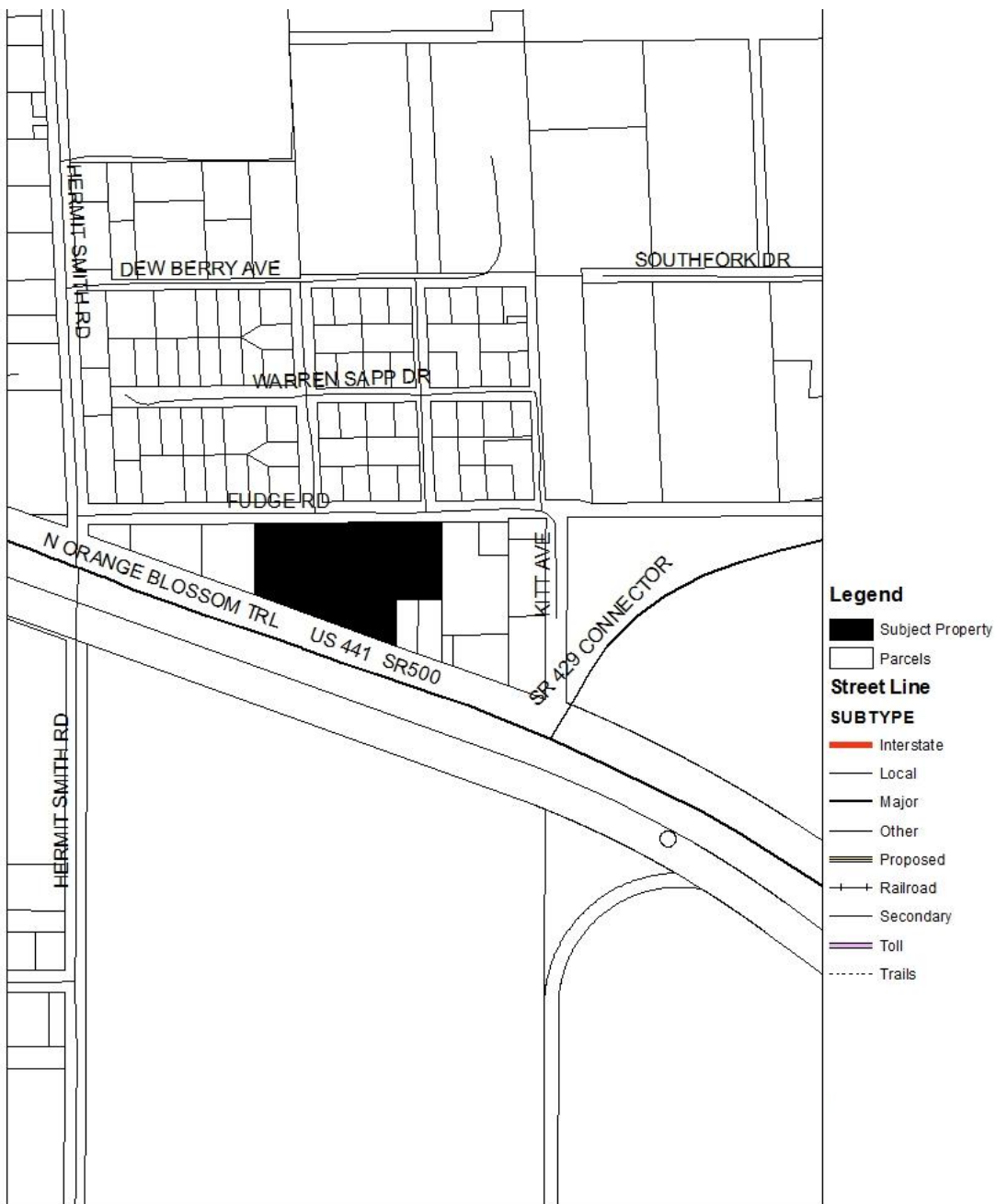
**COMPREHENSIVE PLAN
 COMPLIANCE:**

The proposed C-2 zoning is consistent with the proposed Future Land Use designation, “Commercial” (Max. 25% FAR) and with the character of the surrounding area and future proposed development. Development Plans shall not exceed the density allowed in the adopted Future Land Use designation.



Renuka Prasad
3.17 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: Mixed Use
To: Commercial
Proposed Change of Zoning:
From: “County” C-2 (ZIP)
To: “City” C-2
Parcel ID #: 01-21-27-0000-00-037

VICINITY MAP



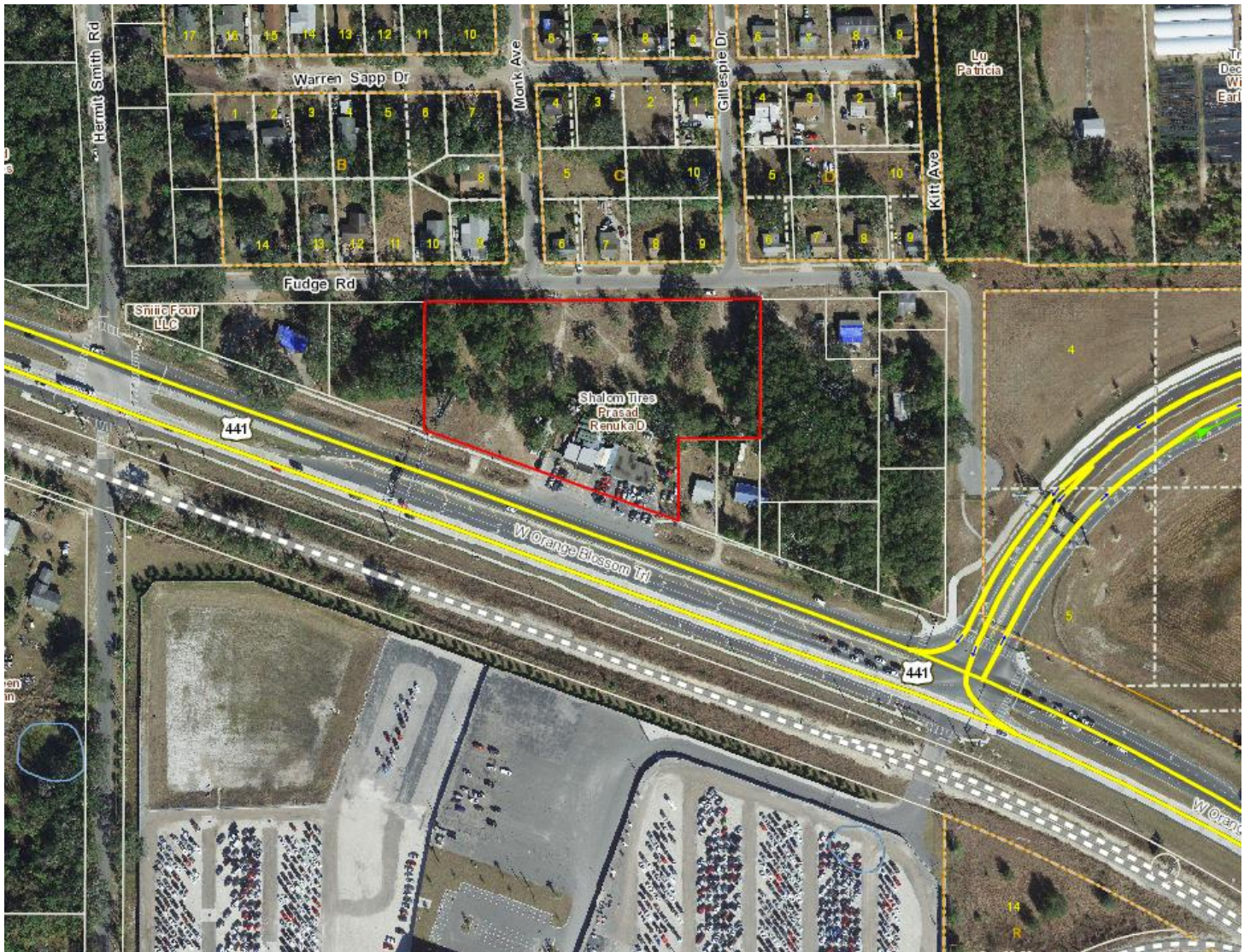


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2677

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” C-2 (ZIP) TO “CITY” C-2 (GENERAL COMMERCIAL DISTRICT) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF WEST ORANGE BLOSSOM TRAIL AND WEST OF S.R. 429, COMPRISING 3.17 ACRES MORE OR LESS, AND OWNED BY RENUKA PRASAD; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed C-2 (General Commercial District) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property be designated as C-2 (General Commercial District) as defined in the Apopka Land Development Code and as appearing in Exhibit “A”:

Property Description:

9924/7712 INCOMPLETE LEGAL DESC: W 528 FT OF E 820 FT OF NW1/4 OF NE1/4 N OF ST RD (LESS BEG 249 FT S & 292 FT W OF NE COR OF SAID NW1/4 OF NE1/4 RUN W 128 FT S TO ST RD SELY ALONG RD TO PT S OF POB TH N TO POB & LESS N 30 FT FOR RD R/W) IN SEC 01-21-27

Parcel ID #: 01-21-27-0000-00-037

Section II. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section III. That the Community Development Director, or the Director’s designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

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

Section V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. This Ordinance shall take effect if and when the companion Comprehensive Plan Future Land Use Map amendment relative to the subject property (Ord. 2676) becomes effective pursuant to § 163.3187(5)(c), Fla. Stat. If the companion Comprehensive Plan Future Land Use Map amendment does not become effective, then this Ordinance shall become null and void.

READ FIRST TIME: December 5, 2018
READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

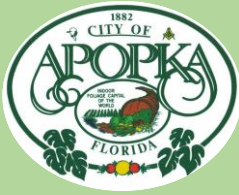
DULY ADVERTISED: November 2, 2018, December 7, 2018



Renuka Prasad
3.17 +/- acres
Proposed Change of Zoning:
From: "County" C-2 (ZIP)
To: "City" C-2 (General Commercial District)
Parcel ID #: 01-21-27-0000-00-037

ZONING MAP





CITY OF APOPKA CITY COUNCIL

CONSENT AGENA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER:

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Future Land Use Map
Zoning Map
Adjacent Uses Map
Ordinance No. 2682

SUBJECT: ORDINANCE NO. 2682 – ADMINISTRATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – DOUGLAS AND JERI BANKSON

REQUEST: ORDINANCE NO. 2682 – SECOND READING AND ADOPTION – ADMINISTRATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – DOUGLAS AND JERI BANKSON; FROM “COUNTY” LOW DENSITY RESIDENTIAL (0-4 DU/AC) TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC).

SUMMARY:

OWNERS: Douglas and Jeri Bankson
APPLICANT: City of Apopka
LOCATION: 585 E. Sandpiper Street
PARCEL ID NUMBER: 03-21-28-0000-00-068
EXISTING USE: Single Family House
CURRENT ZONING: “County” A-2 (ZIP-Zoning in Progress)
PROPOSED DEVELOPMENT: Single Family House
PROPOSED ZONING: “City” RCE-1 (Note: this Future Land Use amendment request is being processed along with a request to change the zoning classification from “County” A-2 (ZIP) to “City” RCE-1 (Residential Country Estates 1 District).
TRACT SIZE: 1.92 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 7 Dwelling Units
PROPOSED: 3 Dwelling Units

FUNDING SOURCE: N/A

DISTRIBUTION

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

CITY COUNCIL – DECEMBER 19, 2018
DOUGLAS AND JERI BANKSON – FUTURE LAND USE AMENDMENT
PAGE 2

ADDITIONAL COMMENTS: The subject parcel was annexed into the city on October 16, 2013 by Ordinance Number 2333. Presently, the subject property is without a “city” future land use and zoning designation. The proposed Future Land Use, “Residential Very Low Suburban” is compatible with the property due to its size and existing uses. In addition, “Residential Very Low Suburban” can be found in the vicinity of the property, including the south-adjacent subdivision, Lakeshore at Wekiva.

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is consistent with the Residential Very Low Suburban Future Land Use designation. Site development cannot exceed the density allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Residential Very Low Suburban FLUM designation at the subject site:

Future Land Use Element

Policy 3.1.c

Very Low Density Suburban Residential

The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

Special exception uses shall include:

- 1) Institutional uses of five acres or less
- 2) High schools
- 3) Supporting infrastructure and public facilities of two acres or more
- 4) Horticultural nurseries as a primary use;

Planned Development uses may include:

- (1) All primary uses
- (2) All special exception uses
- (3) Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
- (4) Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods

SCHOOL CAPACITY REPORT: The proposed future land use change will result no result in an increase in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

PUBLIC HEARING SCHEDULE:

November 13, 2018 - Planning Commission (5:30 pm)
December 5, 2018 - City Council (1:30 pm) - 1st Reading
December 19, 2018 – City Council (7:00 pm) – 2nd Reading and Adoption

CITY COUNCIL – DECEMBER 19, 2018
DOUGLAS AND JERI BANKSON – FUTURE LAND USE AMENDMENT
PAGE 3

DULY ADVERTISED:

November 2, 2018 – Public Notice and Notification (Apopka Chief); Property owner(s) were notified of the hearing schedule via U.S. Postal Service mail.

RECOMMENDATION ACTION:

The **Development Review Committee**: finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Street.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area; and unanimously recommended approval of the change of Future Land Use Designation from “County” Low Density Residential to “City” Residential Very Low Suburban, subject to the findings of the Staff Report.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2682 and Held it Over for Second Reading and Adoption on December 19, 2018.

Recommended Motion: Adopt Ordinance No. 2682.

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

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	“County” Low Density Residential	“County” A-2	Single Family Home
East (County)	“County” Low Density Residential	“County” A-2	Single Family Home
South (City)	“City” Residential Very Low Suburban	“City” PUD	Lakeshore at Wekiva Subdivision
West (County)	“County” Low Density Residential	“County” A-2	Single Family Home

II. LAND USE ANALYSIS

The subject property currently contains one dwelling unit, which makes the request for a Residential Very Low Suburban future land use designation consistent with the Comprehensive Plan policies listed above, as well as the general future land use character of the surrounding area.

The proposed Residential Very Low Suburban future land use designation is consistent with the general future land use character of the surrounding area.

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

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Core Area” of the JPA. The proposed FLUM Amendment request for a change from “County” Low Density Residential to “City” Residential Very Low Suburban (0-2 DU/AC) is consistent with the terms of the JPA (Second Amendment). Douglas and Jeri Bankson are the property owners of the proposed future land use amendment and proposed change of zoning for the property, and have been notified of the hearing schedule.

Transportation: Road access to the site is from E. Sandpiper Street

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

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

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

Analysis of the character of the Property: The current use of the Property is a single family home. The surrounding area is predominantly single family residential.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the property is Residential Very Low Suburban (0-2 DU/AC). Based on the housing element of the City's Comprehensive Plan, this amendment will not increase the City’s future population.

CITY COUNCIL – DECEMBER 19, 2018
DOUGLAS AND JERI BANKSON – FUTURE LAND USE AMENDMENT
PAGE 5

CALCULATIONS:

ADOPTED: 7 Unit(s) x 2.659 p/h = 18 persons

PROPOSED: 3 Unit(s) x 2.659 p/h = 7 persons

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

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

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

Sanitary Sewer Analysis

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

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

2. Projected total demand under existing designation: 196 GPD
3. Projected total demand under proposed designation: 392 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 1,372 GPD/Capita
6. Projected LOS under proposed designation: 588 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

2. Projected total demand under existing designation: 3,178 GPD
3. Projected total demand under proposed designation: 1,362 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD / Capita
6. Projected LOS under proposed designation: 177 GPD / Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: No

CITY COUNCIL – DECEMBER 19, 2018
DOUGLAS AND JERI BANKSON – FUTURE LAND USE AMENDMENT
PAGE 6

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: 72 lbs/ day
4. Projected LOS under proposed designation: 28 lbs / day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

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

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

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

Permitted capacity of the water treatment plant(s): 9.353 MGD

Total design capacity of the water treatment plant(s): 33.696 MGD

Availability of distribution lines to serve the property: Yes

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

Drainage Analysis

1. Facilities serving the site: Lake Prevatt
2. Projected LOS under existing designation: 25 year – 96 hour design storm
3. Projected LOS under proposed designation: 25 year – 96 hour design storm
4. Improvement/expansion: On site retention / detention ponds

Recreation

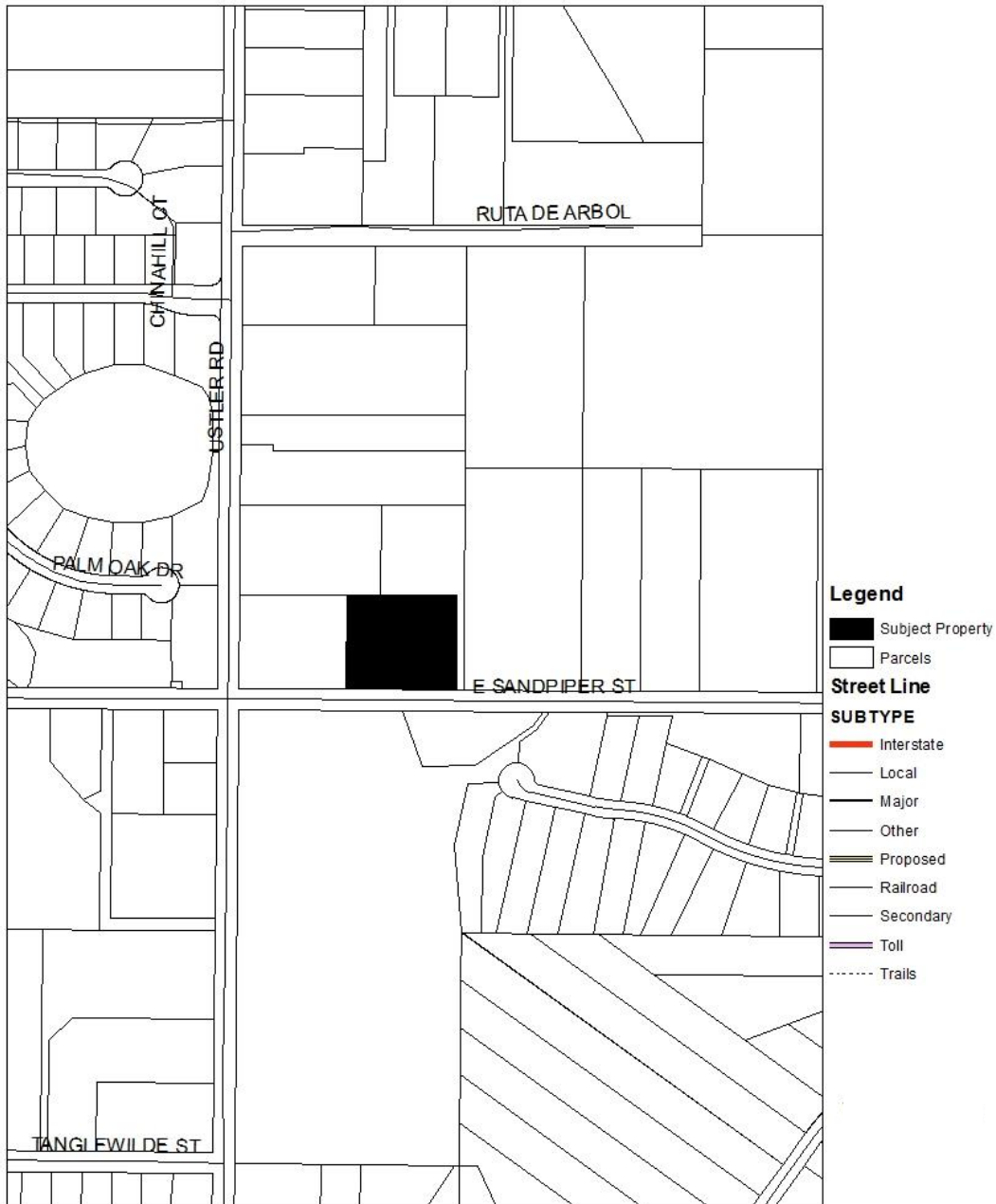
1. Facilities serving the site; LOS standard: City of Apopka Parks System ; 3 acre / 1000 capita
2. Projected facility under existing designation: 0.054 acres
3. Projected facility under proposed designation: 0.021 acres
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None

Standards set forth in the City's Land Development Code will require any development plans to provide parkland and recreation facilities and open space for residents residing with the new development. This initial review does not preclude conformance with concurrency requirements at the time of development approval.



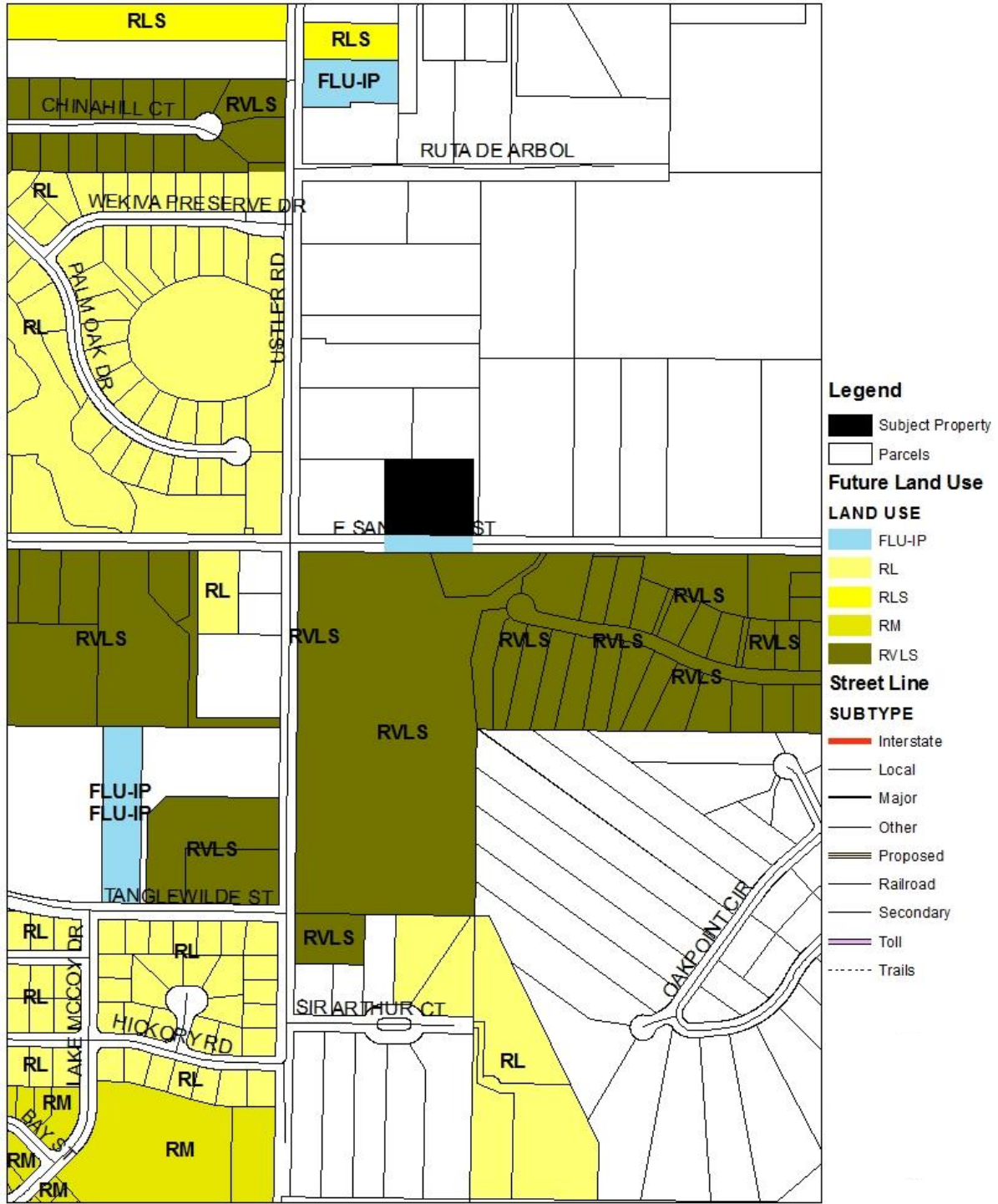
Douglas and Jeri Bankson
1.92 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: “County” Low Density Residential
To: “City” Residential Very Low Suburban
Proposed Change of Zoning:
From: “County” A-2 (ZIP)
To: “City” RCE-1
Parcel ID #: 03-21-28-0000-00-068

VICINITY MAP



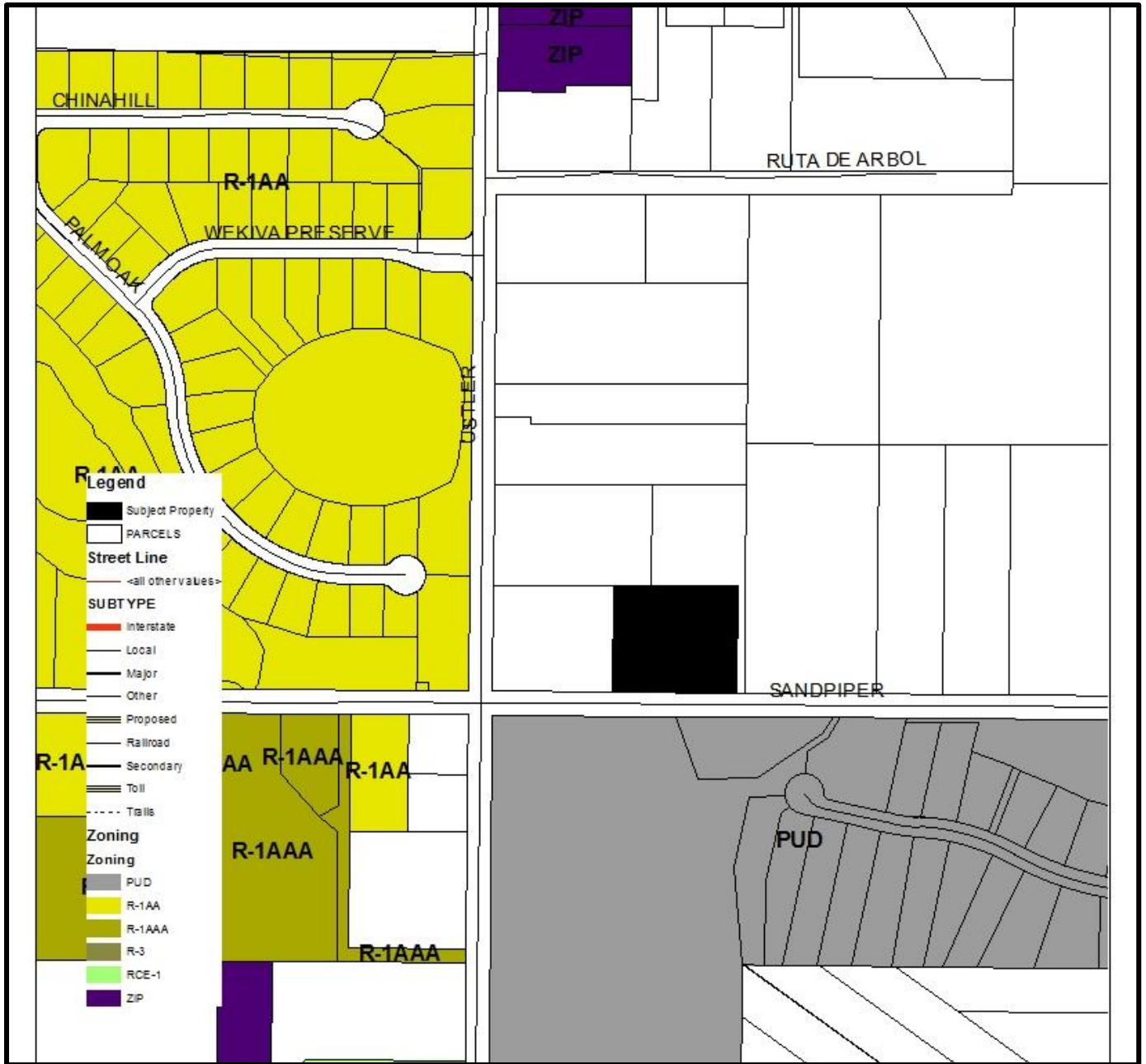


FUTURE LAND USE MAP



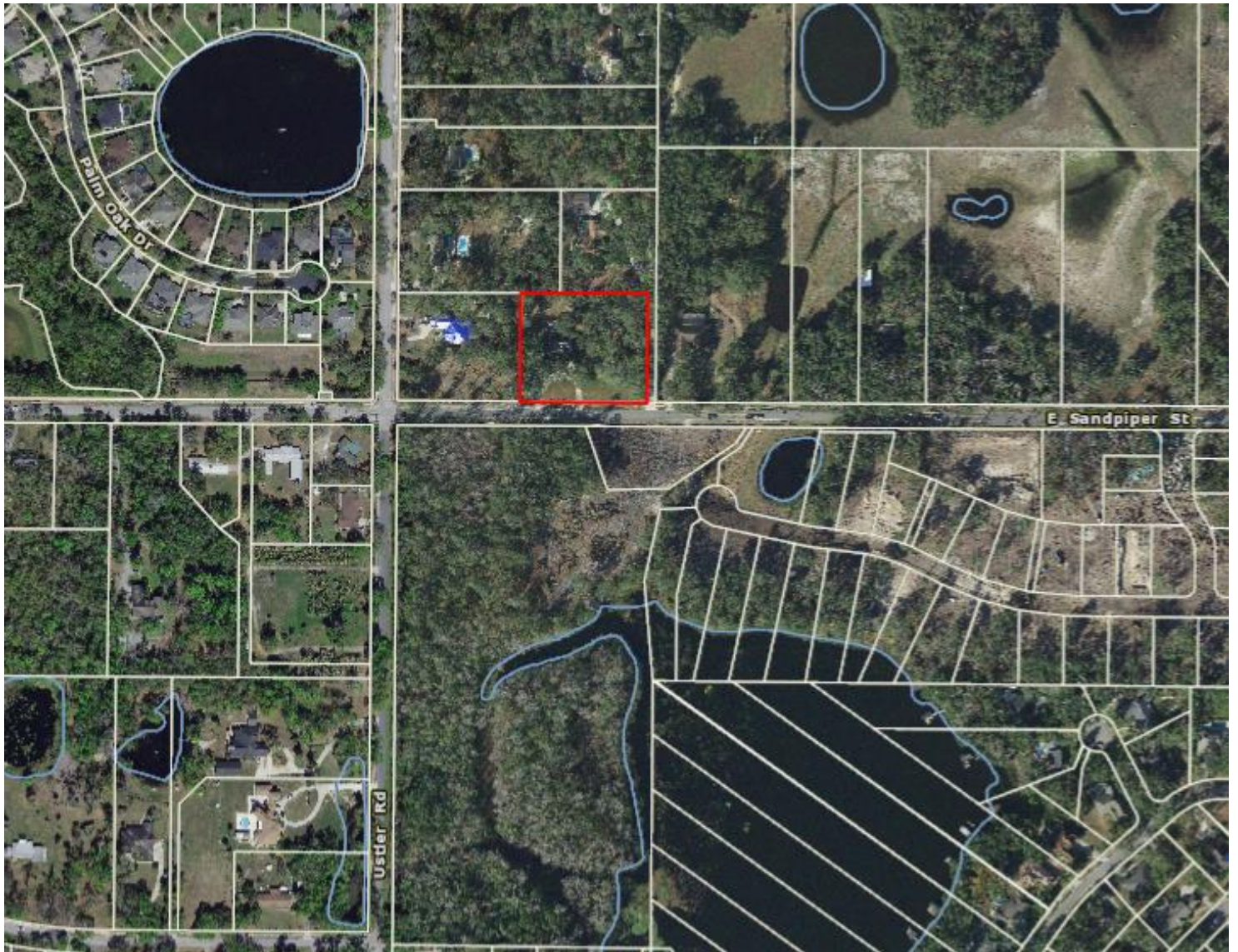


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2682

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” LOW DENSITY RESIDENTIAL TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR CERTAIN REAL PROPERTY LOCATED AT 585 E. SANDPIPER STREET, COMPRISING 1.92 ACRES MORE OR LESS, AND OWNED BY DOUGLAS AND JERI BANKSON; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2659 adopted on September 19, 2018; and

WHEREAS, the City of Apopka’s local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

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

Section I. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section II. Future Land Use Element.

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2659, is amended in its entirety to change the land use from “County” Low Density Residential to “City” Residential Very Low Suburban (0-2 DU/AC), for certain real property located at 585 E. Sandpiper Street, comprising 1.92 acres more or less, (Parcel No. 03-21-28-0000-00-068); as further described in Exhibit “A” attached hereto.

Section III. Applicability and Effect.

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section IV. Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

ORDINANCE NO. 2682

PAGE 2

Section V. The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

Section VI. Effective Date. This Ordinance shall become effective upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this 19th day of December, 2018

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

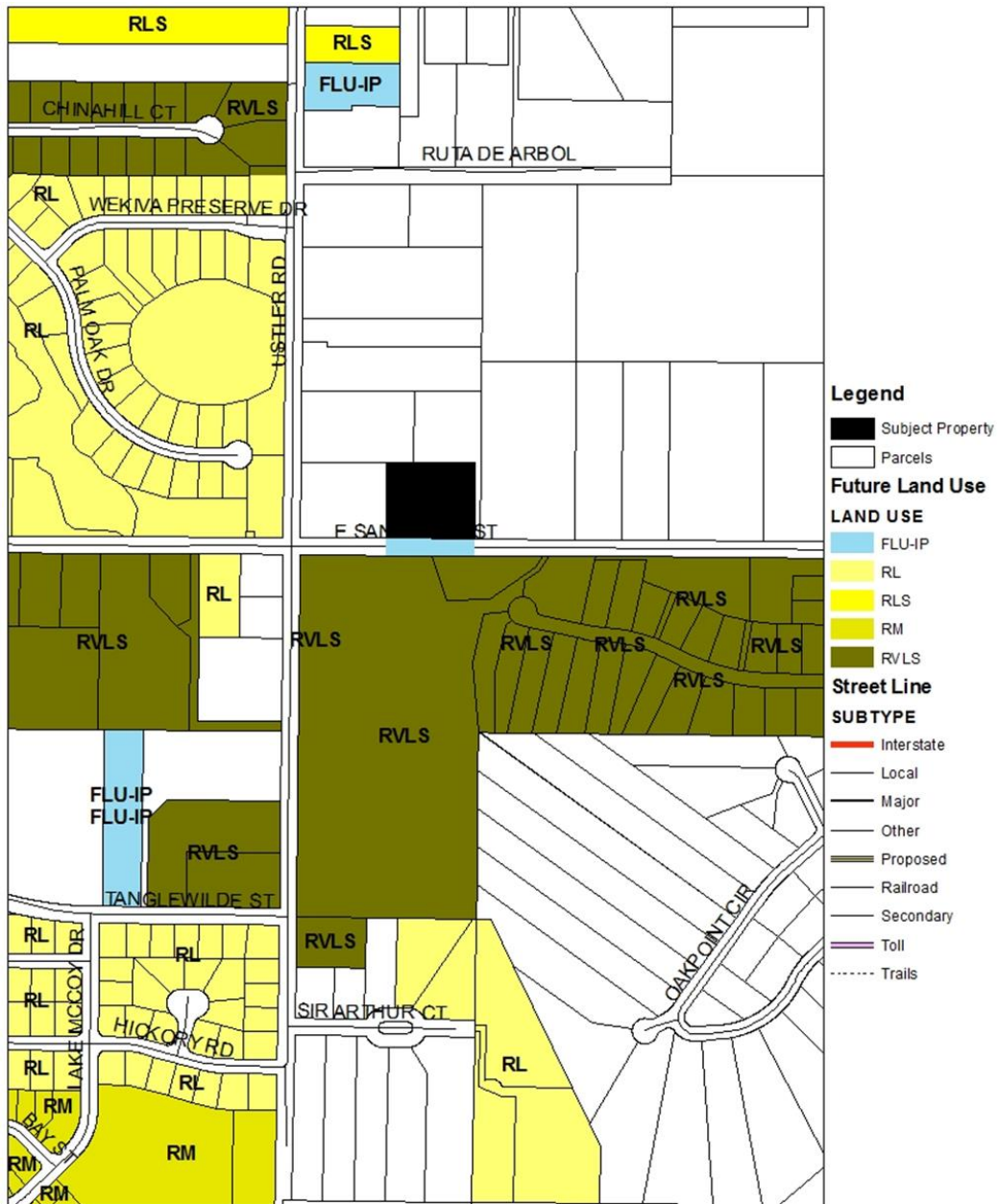
Linda Goff, City Clerk

DULY ADVERTISED FOR HEARING: November 2, 2018; December 7, 2018



EXHIBIT "A"

Douglas and Jeri Bankson
1.92 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" A-2 (ZIP)
To: "City" RCE-1
Parcel ID #: 03-21-28-0000-00-068





CITY OF APOPKA CITY COUNCIL

CONSENT AGENA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Zoning Map
Adjacent Uses Map
Ordinance No. 2683

SUBJECT: ORDINANCE NO. 2683 – ADMINISTRATIVE - CHANGE OF ZONING – DOUGLAS AND JERI BANKSON

REQUEST: ORDINANCE NO. 2683 – SECOND READING AND ADOPTION – ADMINISTRATIVE - CHANGE OF ZONING – DOUGLAS AND JERI BANKSON – FROM “COUNTY” A-2 TO “CITY” RCE-1

SUMMARY:

OWNERS:	Douglas and Jeri Bankson
APPLICANT:	City of Apopka
PARCEL ID NUMBER:	03-21-28-0000-00-068
LOCATION:	North of E. Sandpiper St. and East of Ustler Rd.
EXISTING USE:	Single Family House
CURRENT ZONING:	“County” A-2 (ZIP)
PROPOSED ZONING:	“City” RCE-1 (Note: this Change of Zoning request is being processed along with a request to amend the Future Land Use from “County” Low Density Residential to “City” Residential Very Low Suburban.
TRACT SIZE:	1.92 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT UNDER ZONING DISTRICT:	EXISTING: 3 Dwelling Units PROPOSED: 1 Dwelling Unit

FUNDING SOURCE: N/A

DISTRIBUTION

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

CITY COUNCIL – DECEMBER 19, 2018
CHANGE OF ZONING – DOUGLAS & JERI BANKSON
PAGE 2

ADDITIONAL COMMENTS: Presently, the subject property has not yet been assigned a “City” zoning category. The subject parcel was annexed into the city on October 16, 2013 by Ordinance Number 2333.

A request to assign a change of zoning to RCE-1 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The RCE-1 zoning is compatible with the property due to the size and uses. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Low Density Residential to “City” Residential Very Low Suburban.

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-2 DU/Acre) Future Land Use designation and the City’s RCE-1 Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

PUBLIC HEARING SCHEDULE:
Planning Commission, November 13, 2018 (5:30 pm)
City Council, December 5, 2018 (1:30 pm) - 1st Reading
City Council, December 19, 2018 (7:00 pm) - 2nd Reading

DULY ADVERTISED:
November 2, 2018 -- Public Notice and Notification- (Apopka Chief, letter to property owner)
December 7, 2018 – Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” A-2 (ZIP) to “City” RCE-1 for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas; and unanimously recommended approval of the proposed Change of Zoning from “County” A-2 to “City” RCE-1 for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2683 and Held it Over for Second Reading and Adoption on December 19, 2018.

Recommended Motion: Adopt Ordinance No. 2683.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	“County” Low Density Residential	“County” A-2	Single Family Home
East (County)	“County” Low Density Residential	“County” A-2	Single Family Home
South (City)	“City” Residential Very Low Suburban	“City” PUD	Lakeshore at Wekiva Subdivision
West (County)	“County” Low Density Residential	“County” A-2	Single Family Home

**LAND USE & TRAFFIC
 COMPATIBILITY:**

The property is currently accessed from E. Sandpiper Road. The subject property, along with other properties in the vicinity, are of a large-lot, residential nature. The requirements found in RCE-1 zoning, along with the Residential Very Low Suburban Future Land Use can assist in maintaining a large-lot character.

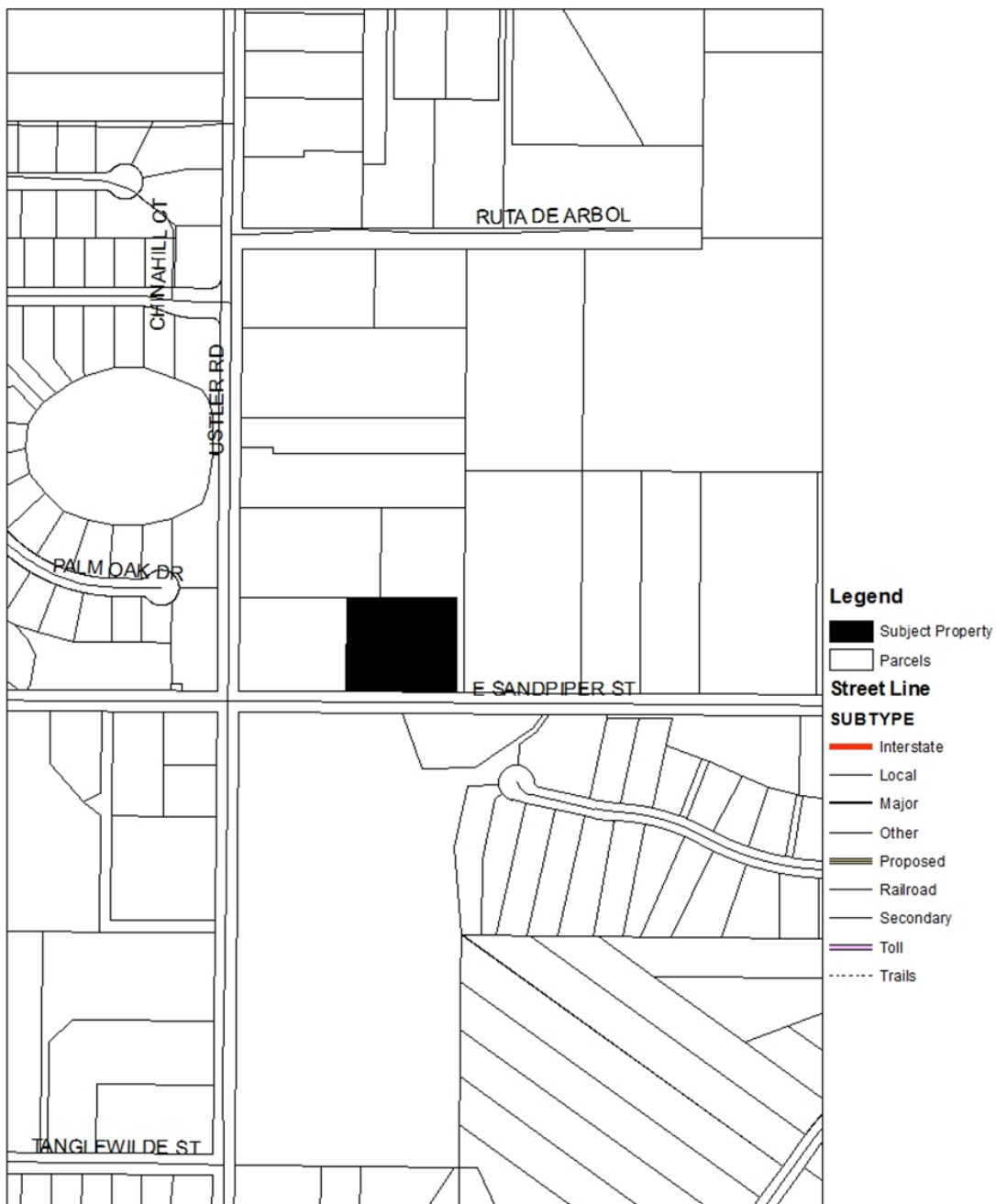
**COMPREHENSIVE PLAN
 COMPLIANCE:**

The proposed RCE-1 zoning is consistent with the proposed Future Land Use designation, “Residential Very Low Suburban” (0-2 DU/AC) and with the character of the surrounding area and future proposed development. Development Plans shall not exceed the density allowed in the adopted Future Land Use designation.



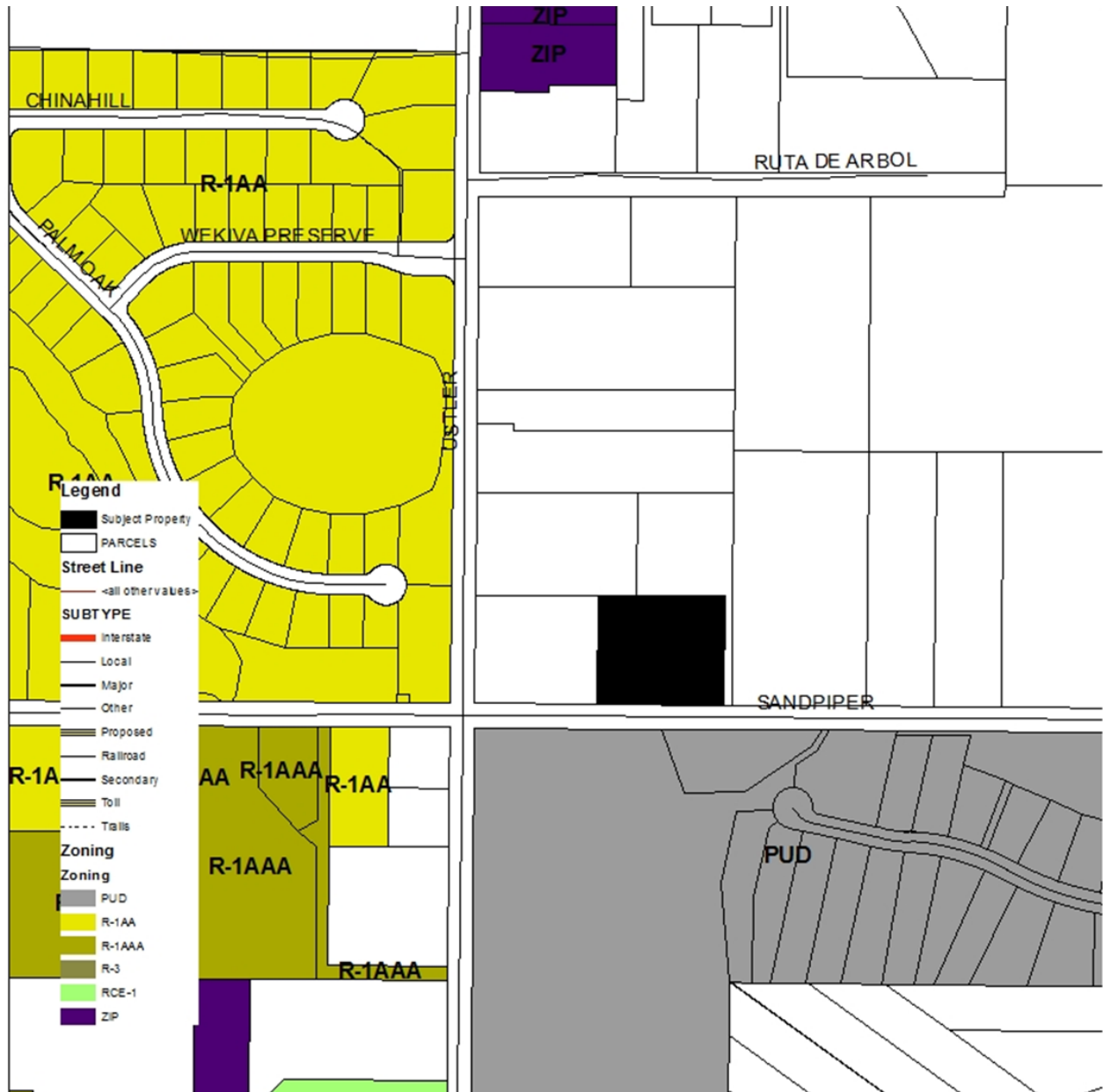
Douglas and Jeri Bankson
1.92 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" A-2 (ZIP)
To: "City" RCE-1
Parcel ID #: 03-21-28-0000-00-068

VICINITY MAP



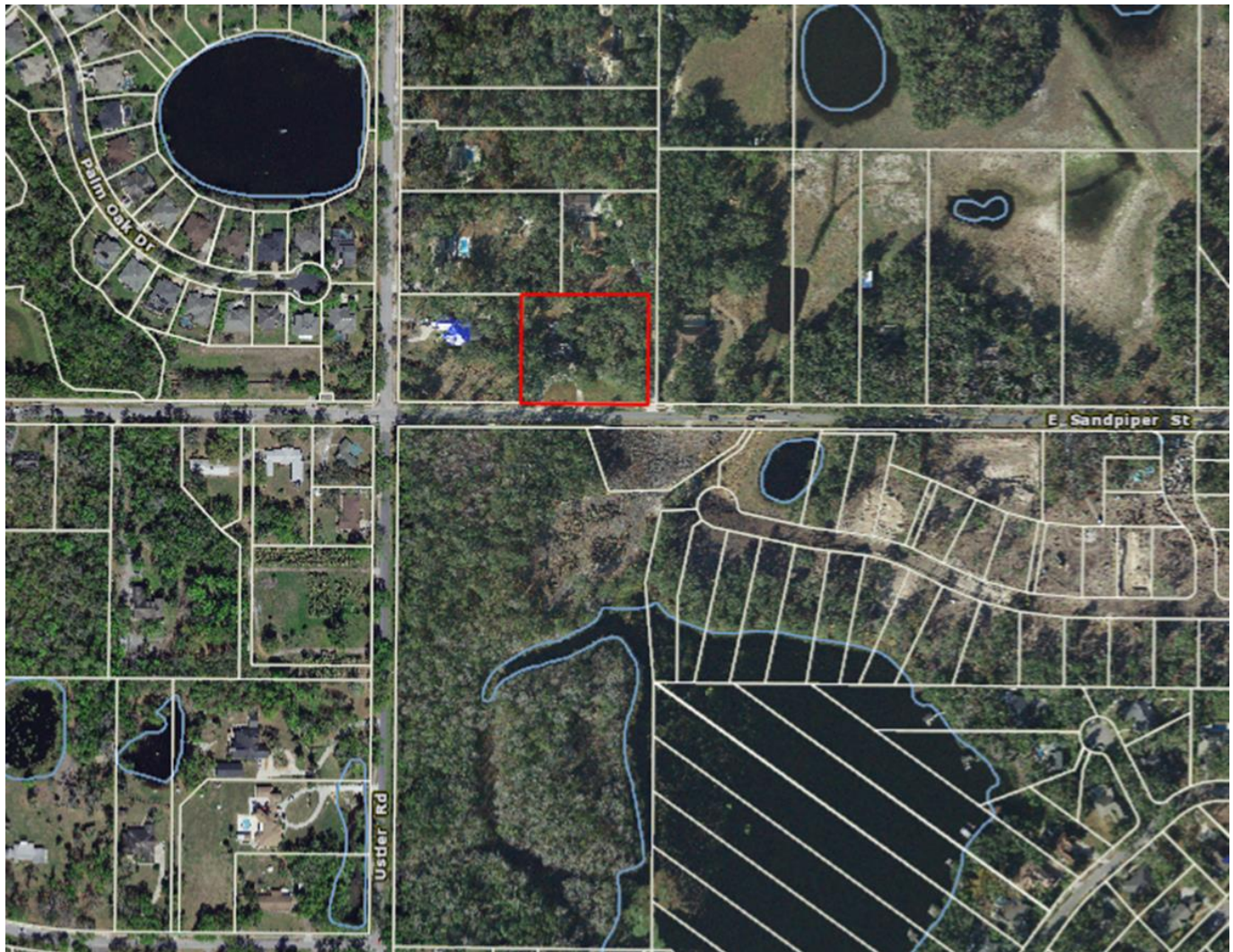


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2683

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-2 (ZIP) TO “CITY” RCE-1 (RESIDENTIAL COUNTRY ESTATE 1 DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 585 E SANDPIPER STREET, COMPRISING 1.92 ACRES MORE OR LESS, AND OWNED BY DOUGLAS AND JERI BANKSON PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed RCE-1 (Residential Country Estate 1 District) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property be designated as RCE-1 (Residential Country Estate 1 District) as defined in the Apopka Land Development Code for the following described property and as depicted in Exhibit “A:

Property Description:

E1/2 OF W1/2 OF NW1/4 OF NE1/4 (LESS N 1012 FT THEREOF & LESS R/W FOR SANDPIPER RD & LESS E 20 FT THEREOF) OF SEC 03-21-28

Parcel ID #: 03-21-28-0000-00-068

Section II. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section III. That the Community Development Director, or the Director’s designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

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

ORDINANCE 2683

Page 2

Section V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. This Ordinance shall take effect if and when the companion Comprehensive Plan Future Land Use Map amendment relative to the subject property (Ord. 2682) becomes effective pursuant to § 163.3187(5)(c), Fla. Stat. If the companion Comprehensive Plan Future Land Use Map amendment does not become effective, then this Ordinance shall become null and void.

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: November 2, 2018; December 7, 2018



Douglas and Jeri Bankson

1.92 +/- acres

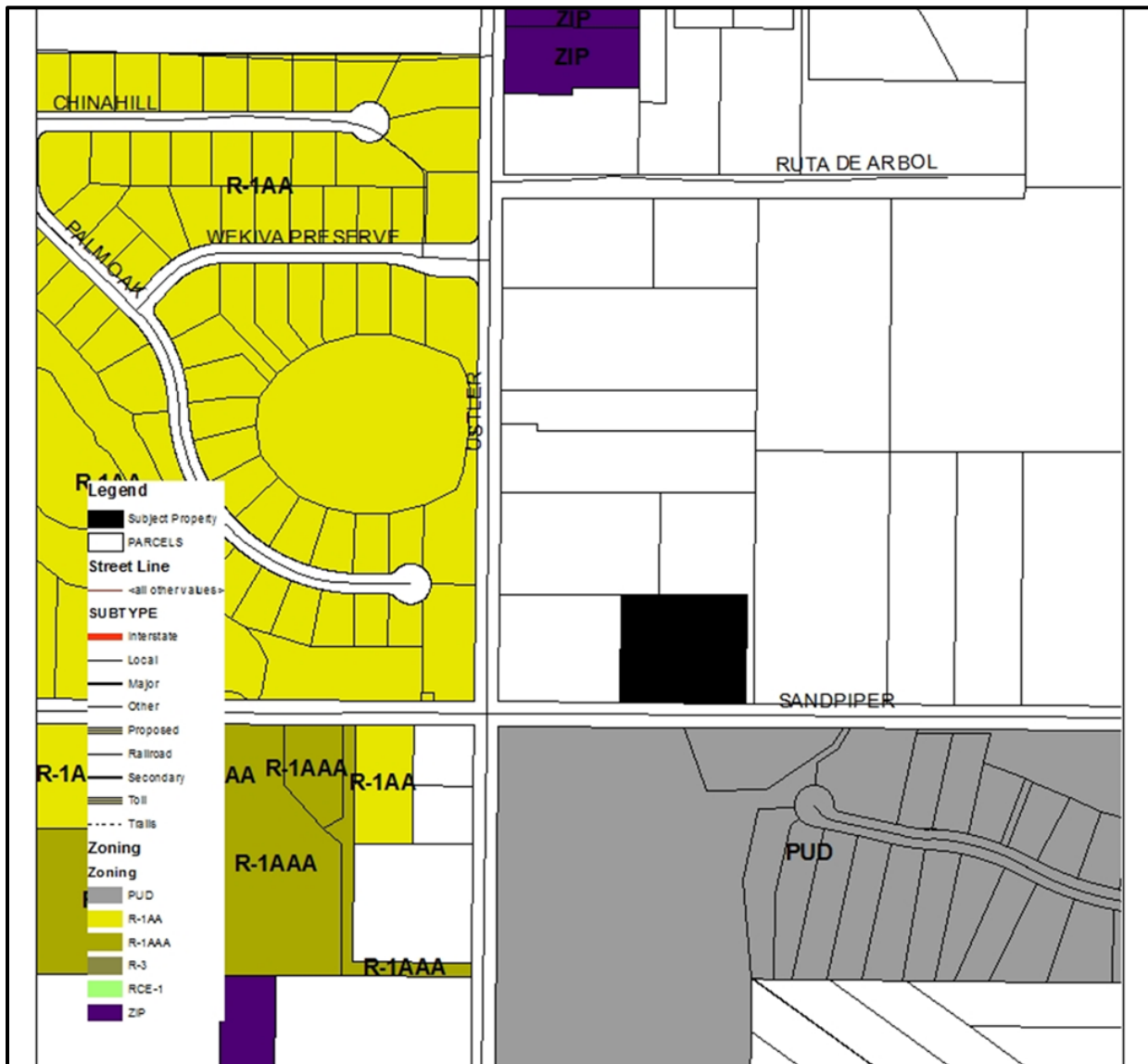
Proposed Change of Zoning:

From: "County" A-2 (ZIP)

To: "City" RCE-1 (Residential Country Estate 1 District)

Parcel ID #: 03-21-28-0000-00-068

ZONING MAP





CITY OF APOPKA CITY COUNCIL

CONSENT AGENA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Future Land Use Map
Zoning Map
Adjacent Uses Map
Ordinance No. 2684

SUBJECT: ORDINANCE NO. 2684 – ADMINISTRATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - BRYAN AND DEBBIE NELSON

REQUEST: ORDINANCE NO. 2684 – SECOND READING AND ADOPTION - ADMINISTRATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - BRYAN AND DEBBIE NELSON, FROM “COUNTY” LOW DENSITY RESIDENTIAL (0-4 DU/AC) TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC,

SUMMARY:

OWNERS: Bryan and Debbie Nelson
APPLICANT: City of Apopka
PARCEL ID NUMBER: 02-21-28-9090-00-020
LOCATION: 1157 Oakpoint Circle
EXISTING USE: Single Family House
CURRENT ZONING: “County” R-CE (ZIP)
PROPOSED ZONING: “City” RCE-1 (Note: this Future Land Use request is being processed along with a request to Change the Zoning from “County” R-CE (ZIP) to “City” RCE-1.
TRACT SIZE: 1.27 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT UNDER ZONING DISTRICT: EXISTING: 5 Dwelling Units
PROPOSED: 2 Dwelling Unit

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2515. Presently, the subject property is without a “City” future land use and zoning designation. The proposed Future Land Use, “Residential Very Low Suburban” is compatible with the property due to its size and existing uses. In addition, “Residential Very Low Suburban” can be found in the vicinity of the property, including the north-adjacent subdivision, Lakeshore at Wekiva.

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is consistent with the Residential Very Low Suburban Future Land Use designation. Site development cannot exceed the density allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Residential Very Low Suburban FLUM designation at the subject site:

Future Land Use Element

Policy 3.1.c

Very Low Density Suburban Residential

The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

Special exception uses shall include:

- (1) Institutional uses of five acres or less
- (2) High schools
- (3) Supporting infrastructure and public facilities of two acres or more
- (4) Horticultural nurseries as a primary use;

Planned Development uses may include:

- (1) All primary uses
- (2) All special exception uses
- (3) Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
- (4) Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods

SCHOOL CAPACITY REPORT: The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

PUBLIC HEARING SCHEDULE:

November 13, 2018 - Planning Commission (5:30 pm)
December 5, 2018 - City Council (1:30 pm) - 1st Reading
December 19, 2018 – City Council (7:00 pm) – 2nd Reading and Adoption

DULY ADVERTISED:

November 2, 2018 – Public Notice and Notification (Apopka Chief and letter to property owner)
December 7, 2018 – Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The Development Review Committee: finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban for the property owned by Bryan and Debbie Nelson, and located at 1157 Oakpoint Circle.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area; and unanimously recommended approval of the change of Future Land Use Designation from “County” Low Density Residential to “City” Residential Very Low Suburban, subject to the findings of the Staff Report for the property owned by Bryan and Debbie Nelson, and located at 1157 Oakpoint Circle.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2684, and held it over for Second Reading and Adoption on December 19, 2018.

Recommended Motion: Adopt Ordinance No. 2684.

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

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North	“City” Residential Very Low Suburban	“City” PUD	Vacant Subdivision Lot (Lakeshore at Wekiva)
East	“County” Low Density Residential (FLU-IP)	“County” RCE (ZIP)	Single Family Home
South	“County” Low Density Residential	“County” RCE	Single Family Home
West	“County” Low Density Residential	“County” RCE	Single Family Home

II. LAND USE ANALYSIS

The subject property currently contains one dwelling unit, which makes the request for a Residential Very Low Suburban future land use designation consistent with the Comprehensive Plan policies listed above, as well as the general future land use character of the surrounding area.

Properties in all four cardinal directions are single-family residential in character. The Future Land Use designation, “Residential Very Low Suburban” preserves a sparse residential nature.

The proposed Residential Low Suburban future land use designation is consistent with the general future land use character of the surrounding area.

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

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Core Area” of the JPA. The proposed FLUM Amendment request for a change from “County” Low Density Residential to “City” Residential Very Low Suburban (0-2 DU/AC) is consistent with the terms of the JPA (Second Amendment). Bryan and Debbie Nelson are the property owners of the proposed future land use amendment and proposed change of zoning for the property, and have been notified of the hearing schedule.

Transportation: Road access to the site is from Oakpoint Circle.

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

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

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

Analysis of the character of the Property: The current use of the Property is a single family home. The character of the surrounding area is single family residential.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the property is Residential Very Low Suburban (0-2 DU/AC). Based on the housing element of the City's Comprehensive Plan, this amendment will not increase the City's future population.

CALCULATIONS:

ADOPTED: 5 Unit(s) x 2.659 p/h = 13 persons

PROPOSED: 2 Units(s) x 2.659 p/h = 5 persons

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

Habitat for species listed as endangered, threatened or of special concern: A habitat study is required for developments greater than ten (10) acres in size. The subject property is less than 10 acres. A habitat study is not required.

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

Sanitary Sewer Analysis

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

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

2. Projected total demand under existing designation: 196 GPD
3. Projected total demand under proposed designation: 392 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 980 GPD/Capita
6. Projected LOS under proposed designation: 392 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

2. Projected total demand under existing designation: 2,270 GPD
3. Projected total demand under proposed designation: 908 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD / Capita
6. Projected LOS under proposed designation: 177 GPD / Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: No

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: 52 lbs/ day
4. Projected LOS under proposed designation: 20 lbs / day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

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

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

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

Permitted capacity of the water treatment plant(s): 9.353 MGD

Total design capacity of the water treatment plant(s): 33.696 MGD

Availability of distribution lines to serve the property: Yes

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

Drainage Analysis

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

Recreation

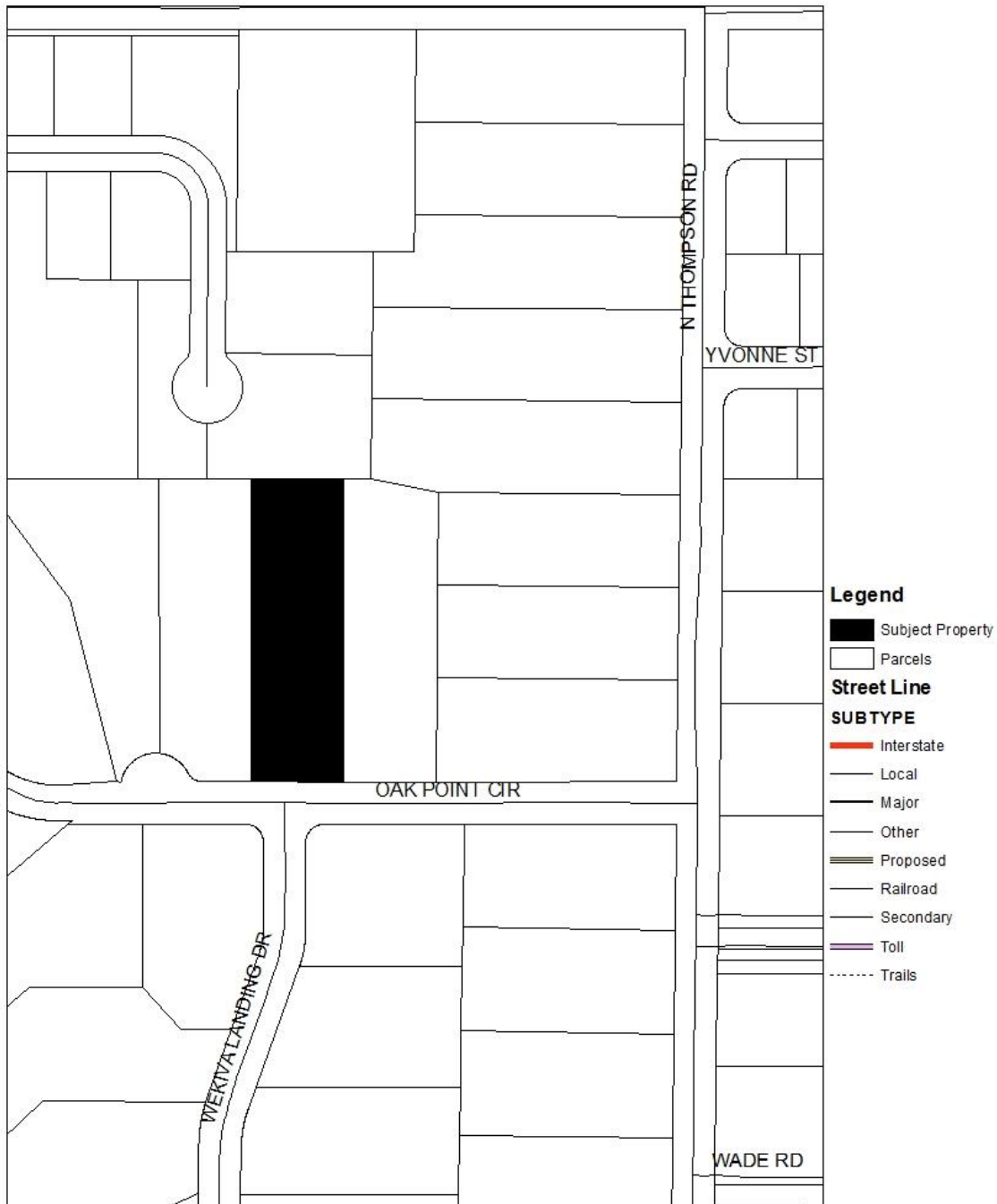
1. Facilities serving the site; LOS standard: City of Apopka Parks System ; 3 acre / 1000 capita
2. Projected facility under existing designation: 0.039 acres
3. Projected facility under proposed designation: 0.015 acres
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None

Standards set forth in the City’s Land Development Code will require any development plans to provide parkland and recreation facilities and open space for residents residing with the new development. This initial review does not preclude conformance with concurrency requirements at the time of development approval.



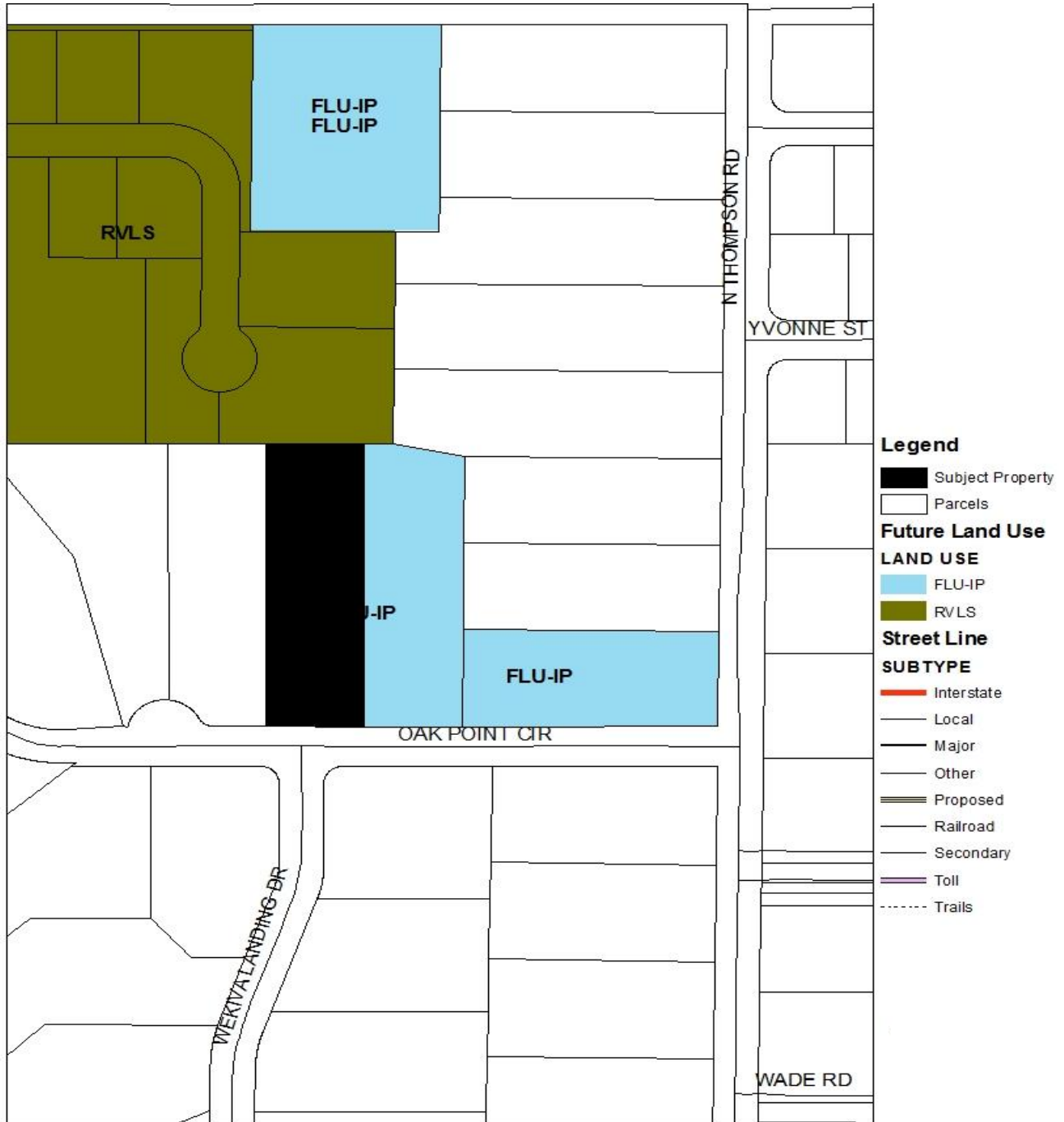
Bryan and Debbie Nelson
1.27 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" RCE (ZIP)
To: "City" RCE-1
Parcel ID #: 02-21-28-9090-00-020

VICINITY MAP



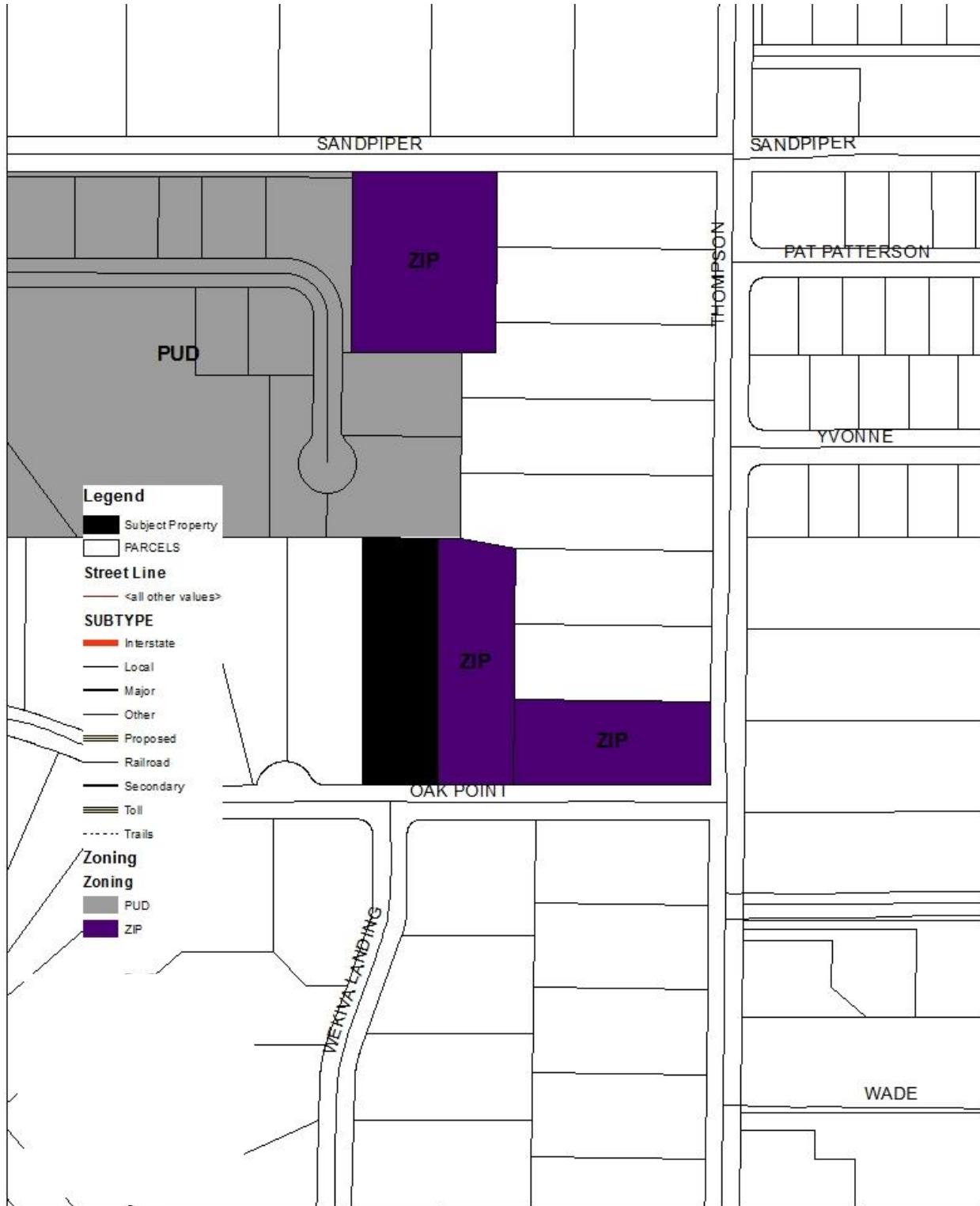


FUTURE LAND USE MAP



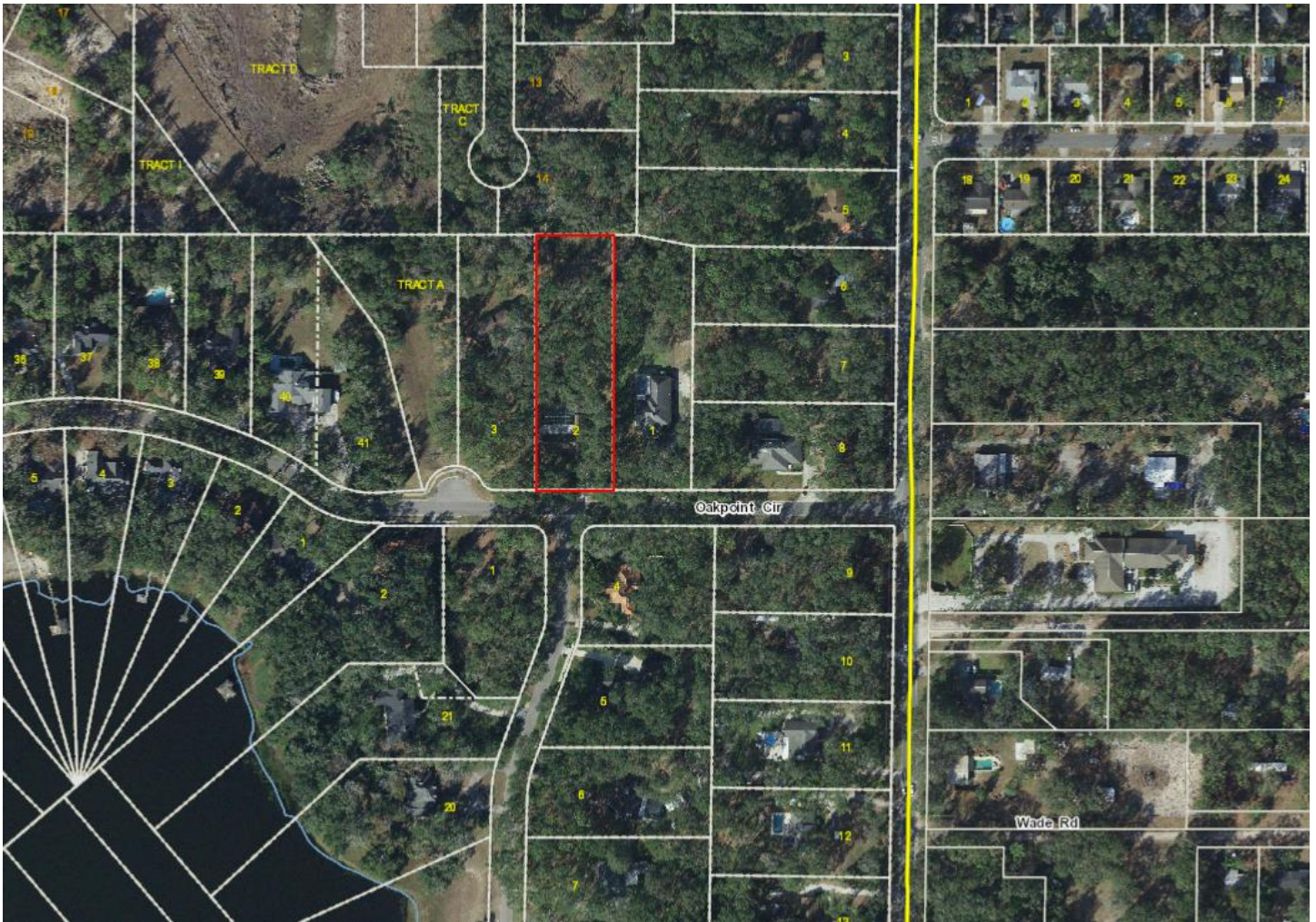


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2684

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” LOW DENSITY RESIDENTIAL (0-4 DU\AC) TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR CERTAIN REAL PROPERTY LOCATED AT 1157 OAKPOINT CIRCLE, COMPRISING 1.27 ACRES MORE OR LESS, AND OWNED BY BRYAN AND DEBBIE NELSON; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2659 adopted on September 19, 2018; and

WHEREAS, the City of Apopka’s local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

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

Section I. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section II. Future Land Use Element.

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2659, is amended in its entirety to change the land use from “County” Low Density Residential to “City” Residential Very Low Suburban (0-2 DU/AC), for certain real property located at 1157 Oakpoint Circle, comprising 1.27 acres more or less, (Parcel No. 02-21-28-9090-00-020); as further described in Exhibit “A” attached hereto.

Section III. Applicability and Effect.

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section IV. Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

Section VI. Effective Date. This Ordinance shall become effective upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this 19th day of December, 2018

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

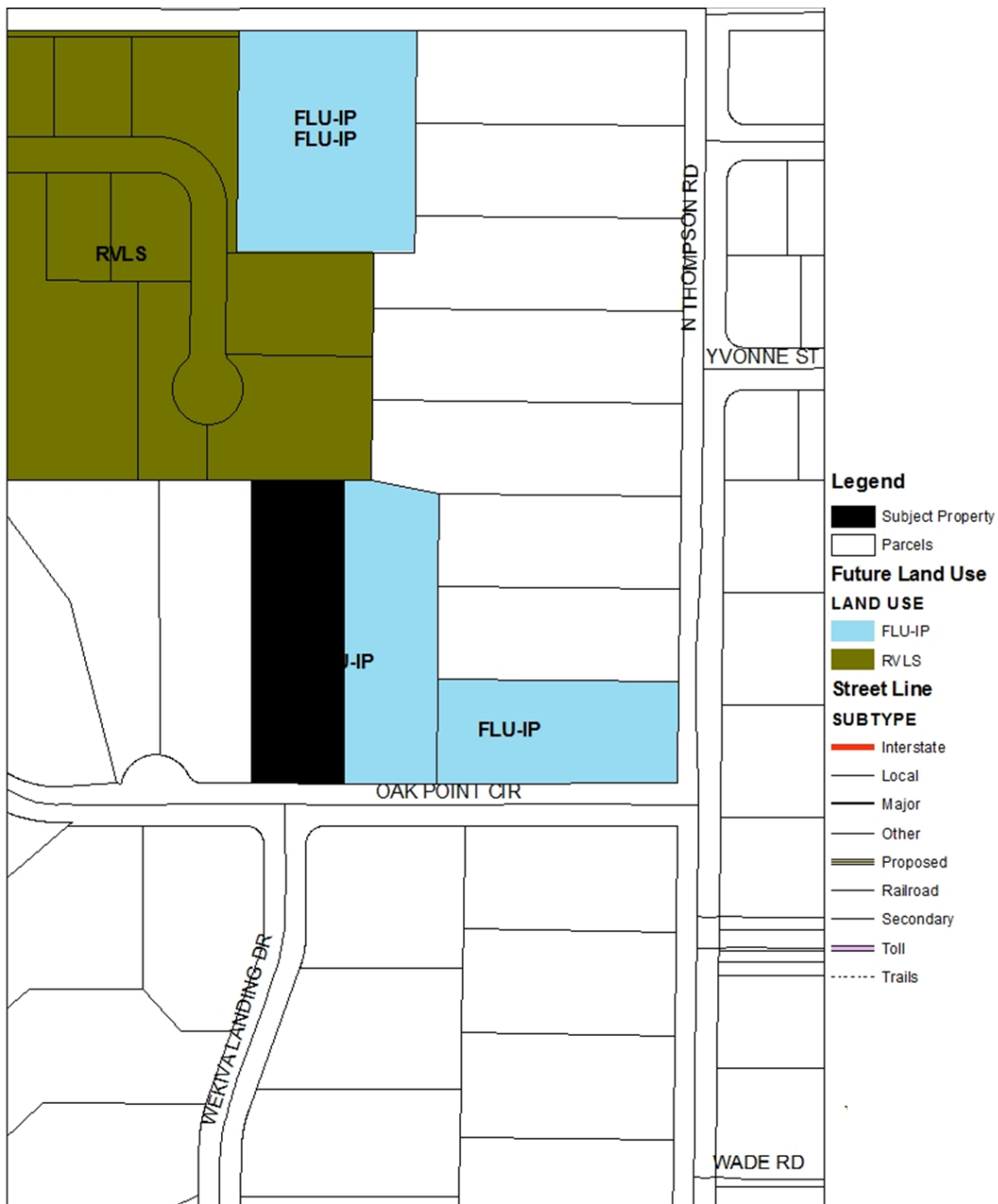
DULY ADVERTISED FOR HEARING: November 2, 2018; December 7, 2018



EXHIBIT "A"

Bryan and Debbie Nelson
1.27 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" RCE (ZIP)
To: "City" RCE-1
Parcel ID #: 02-21-28-9090-00-020

FUTURE LAND USE MAP





CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Zoning Map
Adjacent Uses Map
Ordinance No. 2685

SUBJECT: ORDINANCE NO. 2685 – ADMINISTRATIVE – CHANGE OF ZONING – BRYAN AND DEBBIE NELSON

REQUEST: ORDINANCE NO. 2685 – SECOND READING AND ADOPTION - ADMINISTRATIVE – CHANGE OF ZONING – BRYAN AND DEBBIE NELSON, FROM “COUNTY” R-CE (ZIP) TO “CITY” RCE-1.

SUMMARY:

OWNERS:	Bryan and Debbie Nelson
APPLICANT:	City of Apopka
PARCEL ID NUMBER:	02-21-28-9090-00-020
LOCATION:	1157 Oakpoint Circle
EXISTING USE:	Single Family House
CURRENT ZONING:	“County” R-CE (ZIP)
PROPOSED ZONING:	“City” RCE-1 (Note: this Change of Zoning request is being processed along with a request to amend the Future Land Use from “County” Low Density Residential to “City” Residential Very Low Suburban.
TRACT SIZE:	1.27 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT UNDER ZONING DISTRICT:	EXISTING: 2 Dwelling Units PROPOSED: 1 Dwelling Unit

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: Presently, the subject property has not yet been assigned a “City” zoning category. The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2515.

A request to assign a change of zoning to RCE-1 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The RCE-1 zoning is compatible with the property due to the size and uses. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Low Density Residential to “City” Residential Very Low Suburban.

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-2 DU/Acre) Future Land Use designation and the City’s RCE-1 Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed future land use change will not result in an increase in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

PUBLIC HEARING SCHEDULE:

Planning Commission, November 13, 2018 (5:30 pm)
City Council, December 5, 2018 (1:30 pm) - 1st Reading
City Council, December 19, 2018 (7:00 pm) - 2nd Reading

DULY ADVERTISED:

November 2, 2018 - Public Notice and Notification (Apopka Chief, letter to property owner)
December 7, 2018 - Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 for the property owned by Bryan and Debbie Nelson, and located at 1157 Oakpoint Circle.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas; and unanimously recommended approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 for the property owned by Bryan and Debbie Nelson, and located at 1157 Oakpoint Circle.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2685 and Held it Over for Second Reading and Adoption on December 19, 2018.

Recommended Action: Adopt Ordinance No. 2685.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North	“City” Residential Very Low Suburban	“City” PUD	Vacant Subdivision Lot (Lakeshore at Wekiva)
East	“County” Low Density Residential (FLU-IP)	“County” RCE (ZIP)	Single Family Home
South	“County” Low Density Residential	“County” RCE	Single Family Home
West	“County” Low Density Residential	“County” RCE	Single Family Home

**LAND USE & TRAFFIC
 COMPATIBILITY:**

The property is currently accessed from Oakpoint Circle. The subject property, along with other properties in the vicinity, are of a large-lot, residential nature. The requirements found in RCE-1 zoning, along with the Residential Very Low Suburban Future Land Use can assist in maintaining a large-lot nature.

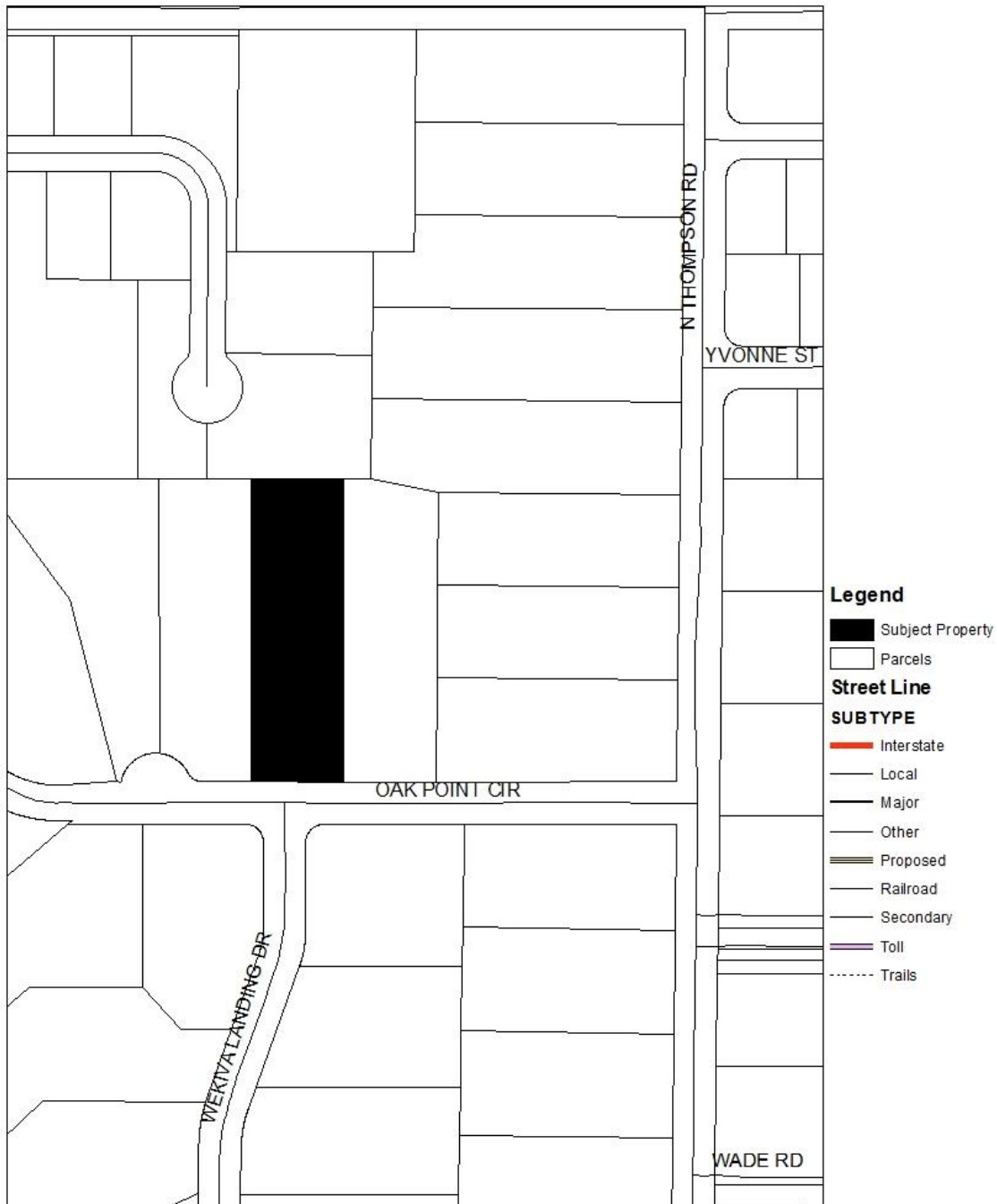
**COMPREHENSIVE PLAN
 COMPLIANCE:**

The proposed RCE-1 zoning is consistent with the proposed Future Land Use designation, “Residential Very Low Suburban” (0-2 DU/AC) and with the character of the surrounding area and future proposed development. Development Plans shall not exceed the density allowed in the adopted Future Land Use designation.



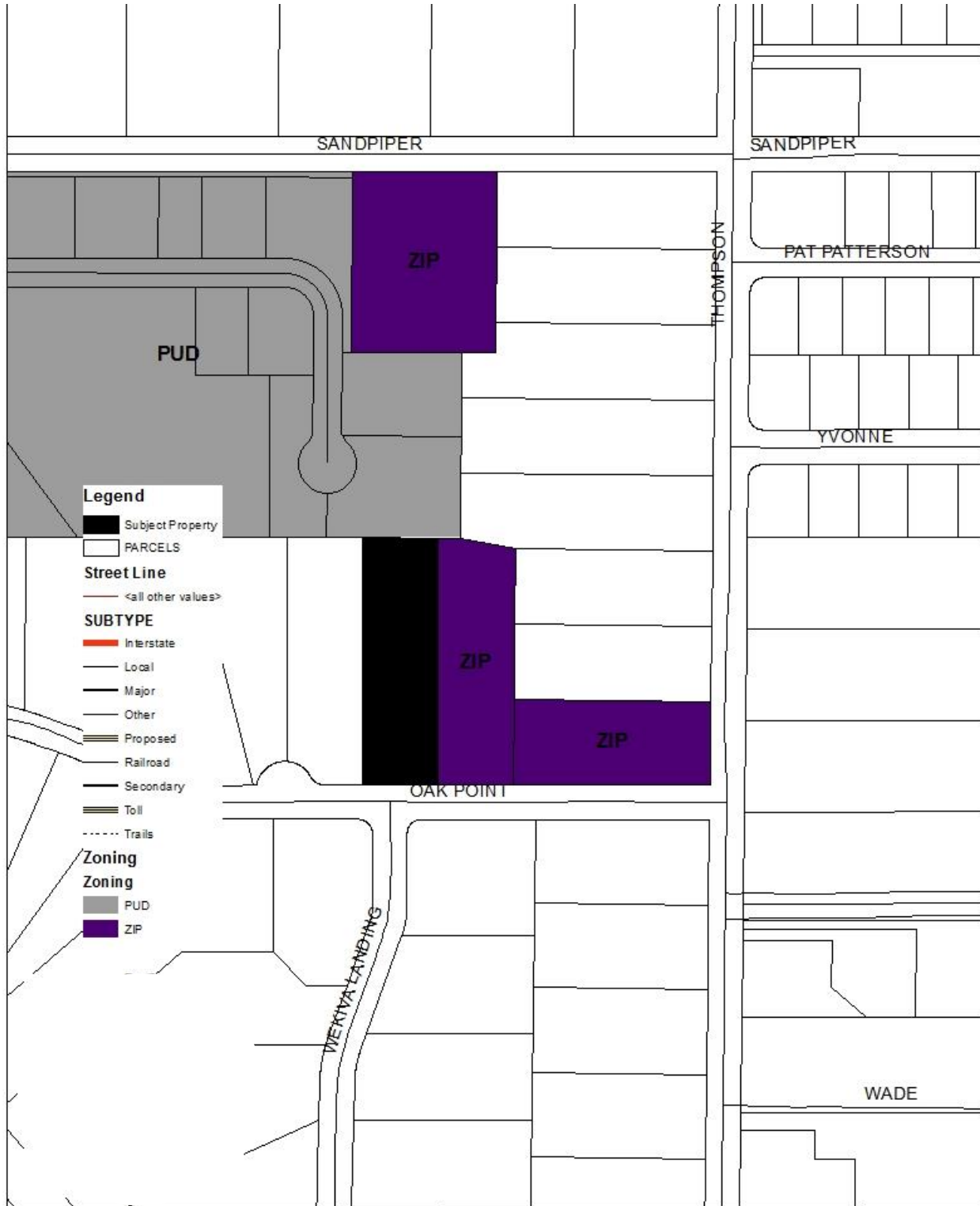
Bryan and Debbie Nelson
1.27 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" RCE (ZIP)
To: "City" RCE-1
Parcel ID #: 02-21-28-9090-00-020

VICINITY MAP



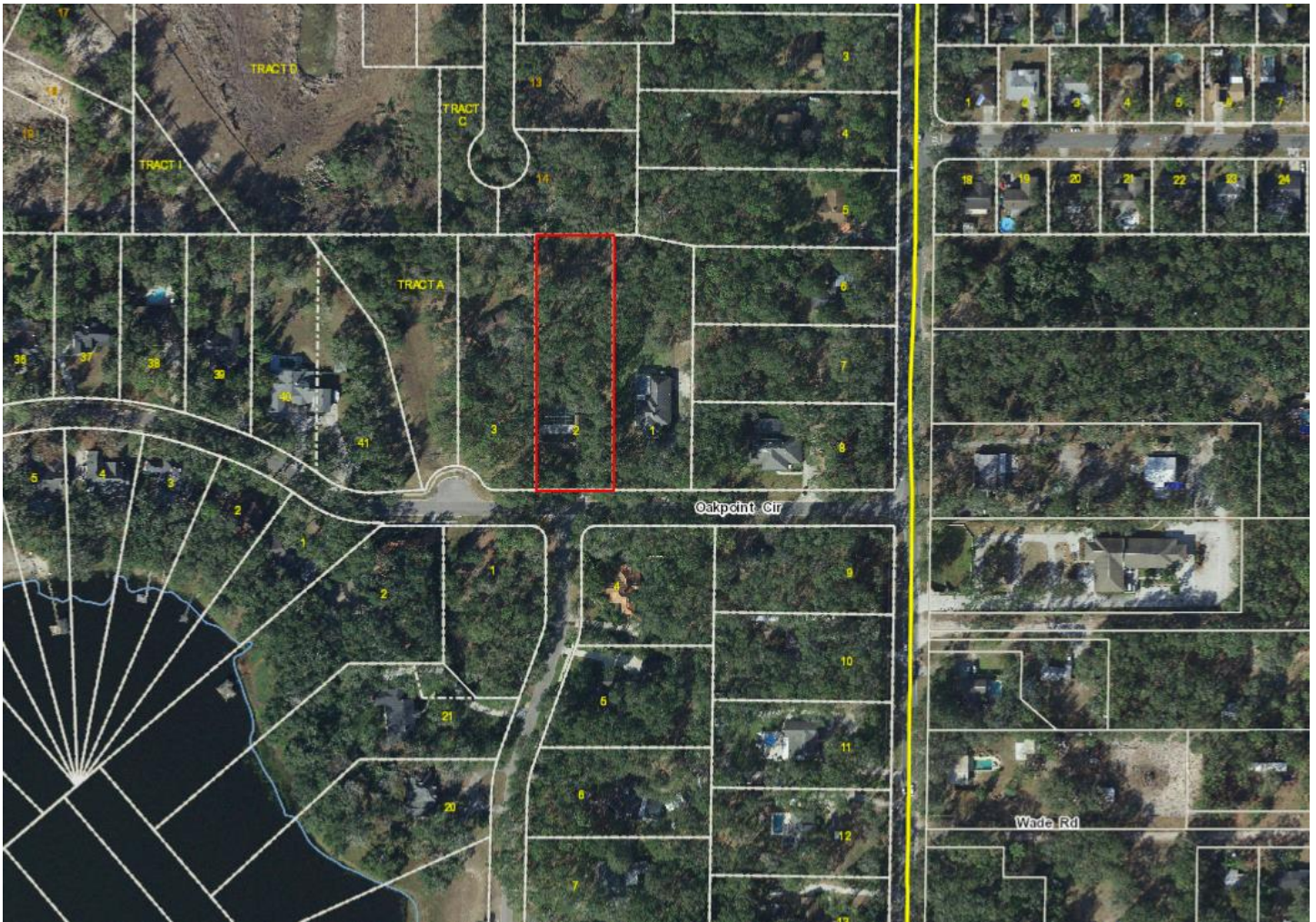


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2685

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-CE (ZIP) TO “CITY” RCE-1 (RESIDENTIAL COUNTRY ESTATE 1 DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 1157 OAKPOINT CIRCLE, COMPRISING 1.27 ACRES MORE OR LESS, AND OWNED BY BRYAN AND DEBBIE NELSON PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed RCE-1 (Residential Country Estate 1 District) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property be designated as RCE-1 (Residential Country Estate 1 District) as defined in the Apopka Land Development Code and as appearing in Exhibit “A”:

Property Description:
Wekiva Landing Plat, Platbook 14, Page 43; Lot 2

Parcel ID #: 02-21-28-9090-00-020

Section II. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section III. That the Community Development Director, or the Director’s designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

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

Section V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. This Ordinance shall take effect if and when the companion Comprehensive Plan Future Land Use Map amendment relative to the subject property (Ord. 2684) becomes effective pursuant to § 163.3187(5)(c), Fla. Stat. If the companion Comprehensive Plan Future Land Use Map amendment does not become effective, then this Ordinance shall become null and void.

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: November 2, 2018; December 7, 2018



Bryan and Debbie Nelson
1.27 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" RCE (ZIP)
To: "City" RCE-1
Parcel ID #: 02-21-28-9090-00-020





CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Future Land Use Map
Zoning Map
Adjacent Uses Map
Ordinance No. 2686

SUBJECT: ORDINANCE NO. 2686 – ADMINISTRATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – WILLIAM D. AND ROBYN D. COOK REVOCABLE TRUST

REQUEST: ORDINANCE NO. 2686 – SECOND READING AND ADOPTION - ADMINISTRATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – WILLIAM D. AND ROBYN D. COOK REVOCABLE TRUST; FROM “COUNTY” LOW DENSITY RESIDENTIAL (0-4 DU/AC) TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC).

SUMMARY:

OWNERS: William D. Cook and Robyn D. Cook Revocable Trust
APPLICANT: City of Apopka
LOCATION: 1163 Oakpoint Circle
PARCEL ID NUMBER: 02-21-28-9090-00-010
EXISTING USE: Single Family House
CURRENT ZONING: “County” R-CE (ZIP-Zoning in Progress)
PROPOSED DEVELOPMENT: Single Family House
PROPOSED ZONING: “City” RCE-1 (Note: this Future Land Use amendment request is being processed along with a request to change the zoning classification from “County” R-CE (ZIP) to “City” RCE-1 (Residential Single Family District).
TRACT SIZE: 1.27 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 5 Dwelling Units
PROPOSED: 2 Dwelling Units

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2516. Presently, the subject property is without a “City” future land use and zoning designation. The proposed Future Land Use, “Residential Very Low Suburban” is compatible with the property due to its size and existing uses. In addition, “Residential Very Low Suburban” can be found in the vicinity of the property, including the north-adjacent subdivision, Lakeshore at Wekiva.

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is consistent with the Residential Very Low Suburban Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Residential Very Low Suburban FLUM designation at the subject site:

Future Land Use Element

Policy 3.1.c

Very Low Density Suburban Residential

The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

Special exception uses shall include:

- 1) Institutional uses of five acres or less
- 2) High schools
- 3) Supporting infrastructure and public facilities of two acres or more
- 4) Horticultural nurseries as a primary use;

Planned Development uses may include:

- (1) All primary uses
- (2) All special exception uses
- (3) Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
- (4) Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods

SCHOOL CAPACITY REPORT: The proposed future land use change will not increase the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

PUBLIC HEARING SCHEDULE:

November 13, 2018 - Planning Commission (5:30 pm)
December 5, 2018 - City Council (1:30 pm pm) - 1st Reading
December 19, 2018 – City Council (7:00 pm) – 2nd Reading and Adoption

CITY COUNCIL – DECEMBER 19, 2018
COOK – FUTURE LAND USE AMENDMENT
PAGE 3

DULY ADVERTISED:

November 2, 2018 – Public Notice and Notification (Apopka Chief and letter to property owner)
December 7, 2018 – Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee**: finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban for the property owned by William D. Cook and Robyn D. Cook Revocable Trust, and located at 1163 Oakpoint Circle.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area; and unanimously recommended approval of the change of Future Land Use Designation from “County” Low Density Residential to “City” Residential Very Low Suburban, subject to the findings of the Staff Report.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2686 and held it over for Second Reading and Adoption on December 19, 2018.

Recommended Motion: Adopt Ordinance No. 2686.

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

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North	“City” RVLS and “County” LDR	“City” PUD and “County” RCE	Vacant Subdivision Lot (Lakeshore at Wekiva) and Single Family Home
East	“County” Low Density Residential (FLU-IP)	“County” RCE (ZIP)	Single Family Home
South	“County” Low Density Residential	“County” RCE	Single Family Home
West	“County” Low Density Residential	“County” RCE	Single Family Home

II. LAND USE ANALYSIS

The subject property currently contains one dwelling unit, which makes the request for a Residential Very Low Suburban future land use designation consistent with the Comprehensive Plan policies listed above, as well as the general future land use character of the surrounding area.

Properties in all four cardinal directions are of a sparse residential nature. The Future Land Use designation, “Residential Very Low Suburban” preserves a sparse residential nature.

The proposed Residential Low Suburban future land use designation is consistent with the general future land use character of the surrounding area.

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

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Core Area” of the JPA. The proposed FLUM Amendment request for a change from “County” Low Density Residential to “City” Residential Very Low Suburban (0-2 DU/AC) is consistent with the terms of the JPA (Second Amendment). William D. Cook and Robyn D. Cook Revocable Trust are the property owners of the proposed future land use amendment and proposed change of zoning for the property, and have been notified of the hearing schedule.

Transportation: Road access to the site is from Oakpoint Circle.

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

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

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

Analysis of the character of the Property: The current use of the Property is a single family home. The character of the surrounding area is single family residential.

CITY COUNCIL – DECEMBER 19, 2018
COOK – FUTURE LAND USE AMENDMENT
PAGE 5

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the property is Residential Very Low Suburban (0-2 DU/AC). Based on the housing element of the City's Comprehensive Plan, this amendment will not increase the City's future population.

CALCULATIONS:

ADOPTED: 5 Unit(s) x 2.659 p/h = 13 persons

PROPOSED: 2 Unit(s) x 2.659 p/h = 5 persons

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

Habitat for species listed as endangered, threatened or of special concern: A habitat study is required for developments greater than ten (10) acres in size. The site is less than ten acres and is already developed. A habitat management plan is not required.

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

Sanitary Sewer Analysis

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

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

2. Projected total demand under existing designation: 196 GPD
3. Projected total demand under proposed designation: 392 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 980 GPD/Capita
6. Projected LOS under proposed designation: 392 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

2. Projected total demand under existing designation: 2,270 GPD
3. Projected total demand under proposed designation: 908 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD / Capita
6. Projected LOS under proposed designation: 177 GPD / Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: No

CITY COUNCIL – DECEMBER 19, 2018
COOK – FUTURE LAND USE AMENDMENT
PAGE 6

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: 52 lbs/ day
4. Projected LOS under proposed designation: 20 lbs / day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

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

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

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

Permitted capacity of the water treatment plant(s): 9.353 MGD

Total design capacity of the water treatment plant(s): 33.696 MGD

Availability of distribution lines to serve the property: Yes

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

Drainage Analysis

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

Recreation

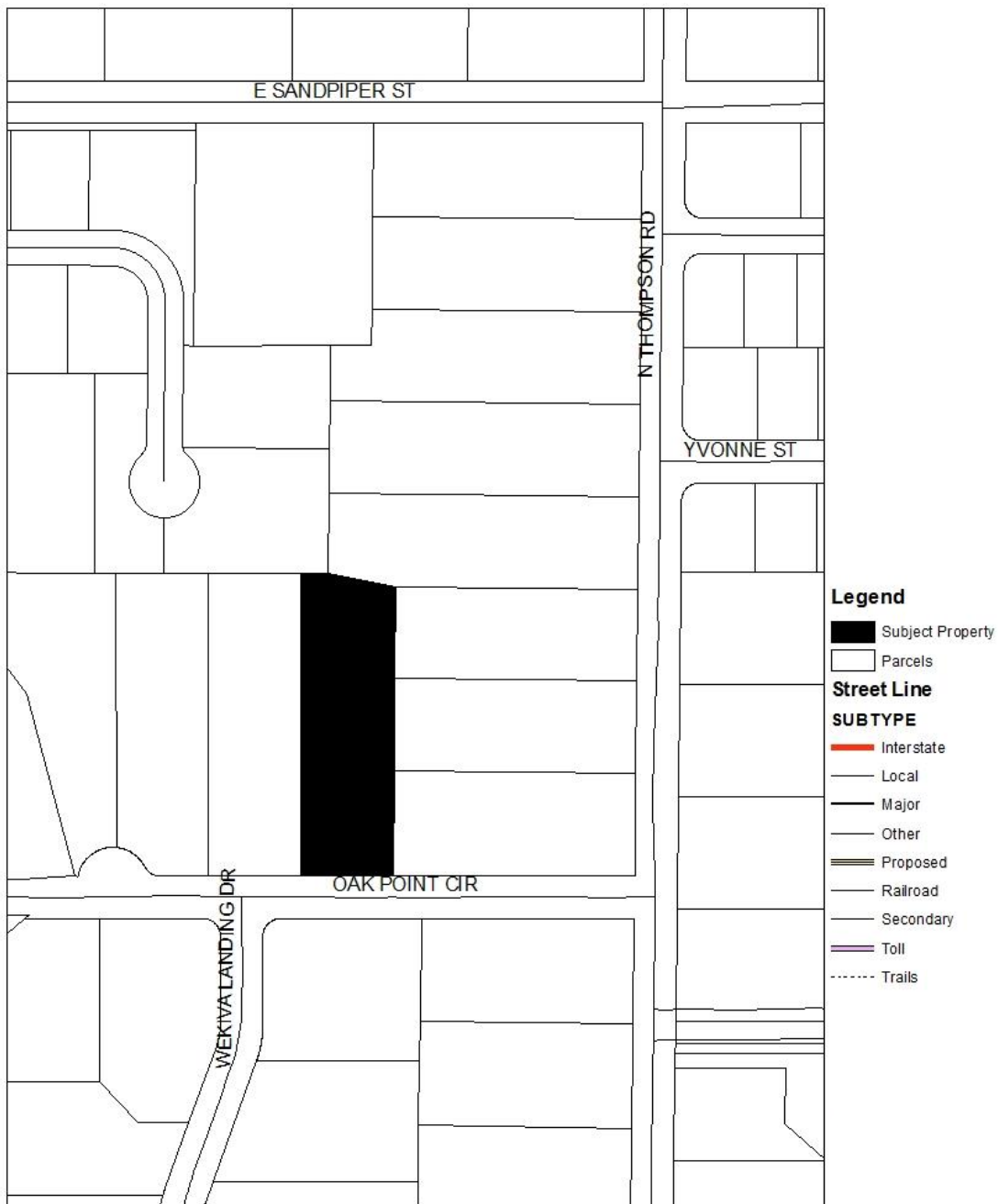
1. Facilities serving the site; LOS standard: City of Apopka Parks System ; 3 acre / 1000 capita
2. Projected facility under existing designation: 0.039 acres
3. Projected facility under proposed designation: 0.015 acres
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None

Standards set forth in the City's Land Development Code will require any development plans to provide parkland and recreation facilities and open space for residents residing with the new development. This initial review does not preclude conformance with concurrency requirements at the time of development approval.



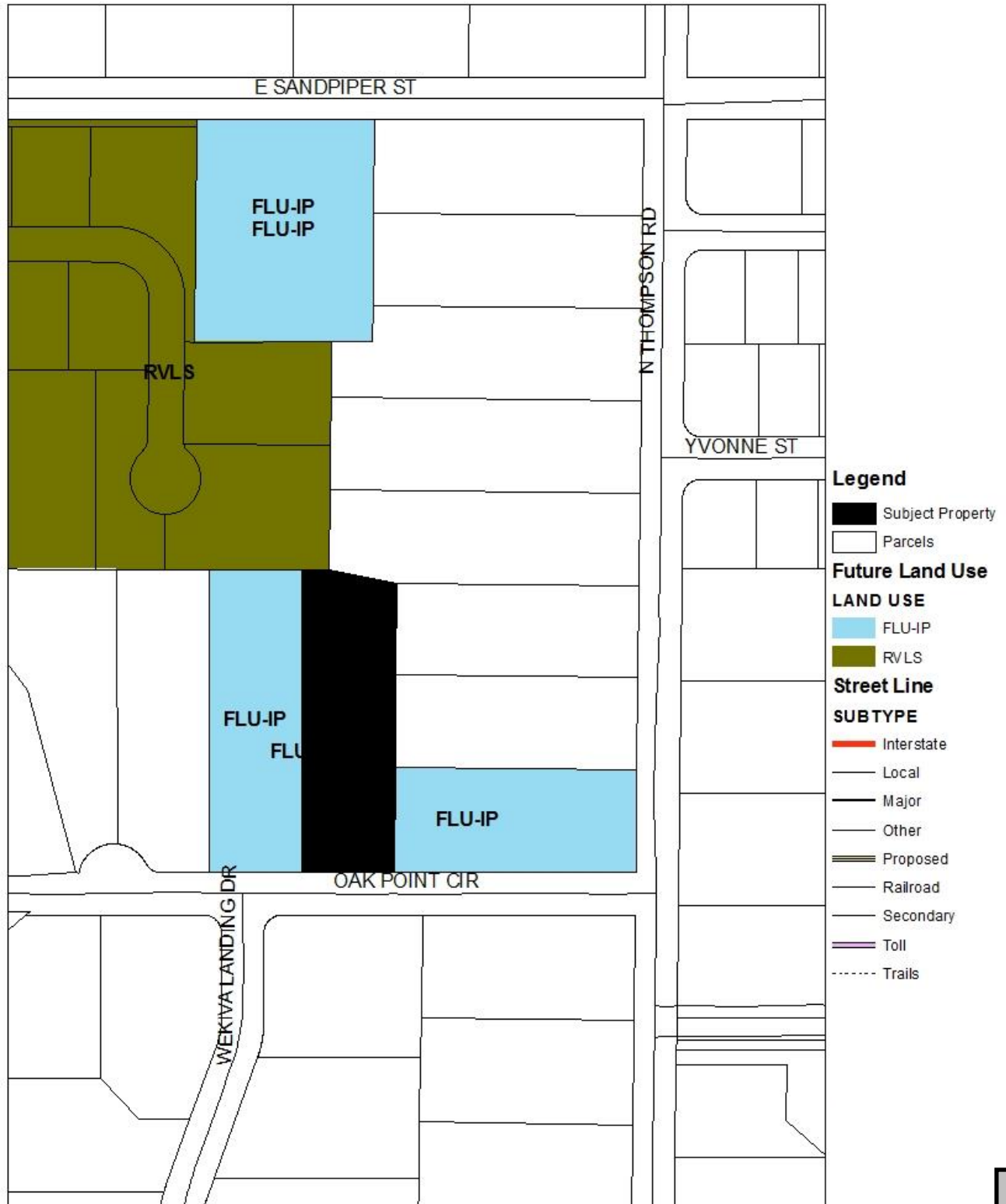
William D. Cook and Robyn D. Cook Revocable Trust
1.27 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: “County” Low Density Residential
To: “City” Residential Very Low Suburban
Proposed Change of Zoning:
From: “County” RCE (ZIP)
To: “City” RCE-1
Parcel ID #: 02-21-28-9090-00-010

VICINITY MAP





FUTURE LAND USE MAP



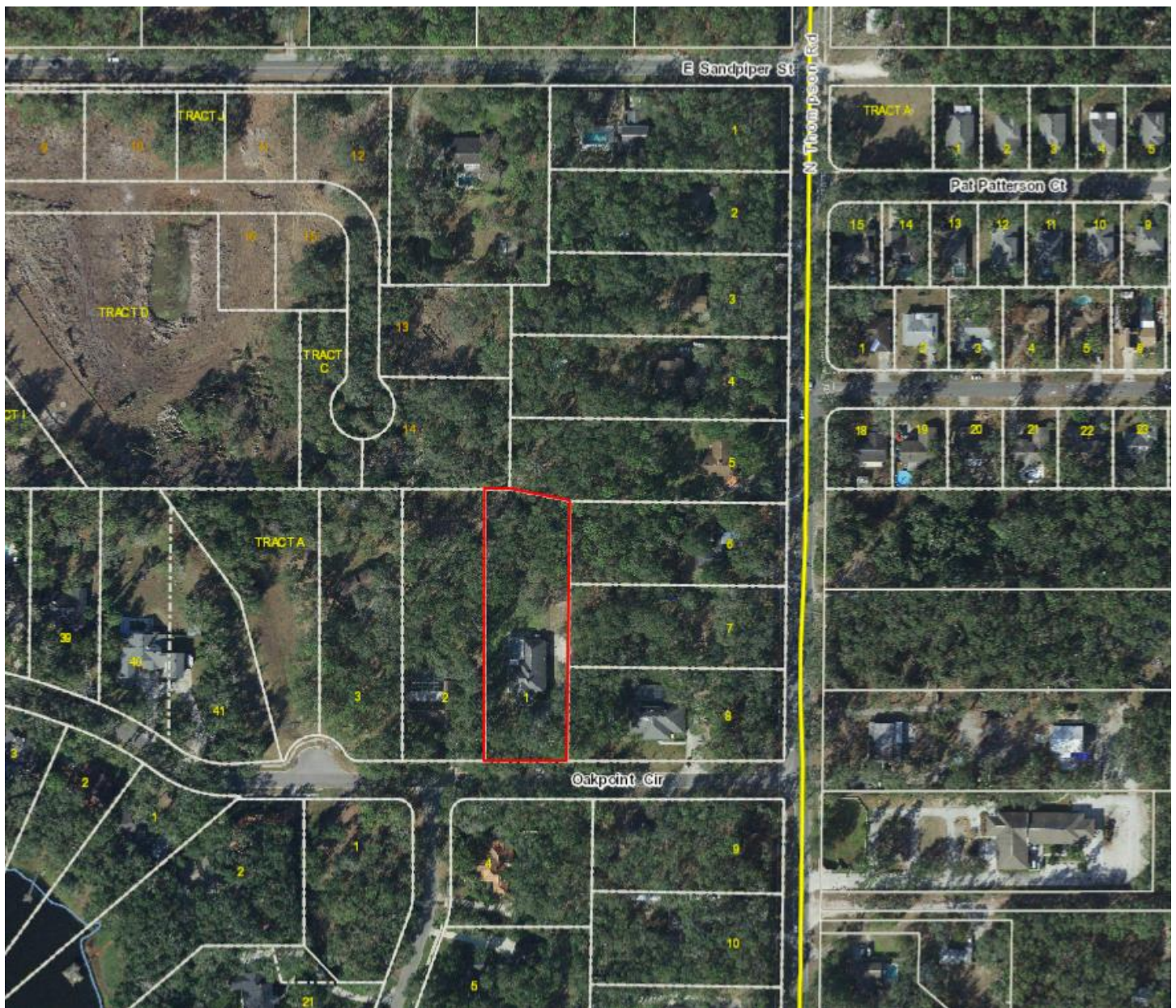


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2686

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” LOW DENSITY RESIDENTIAL TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR CERTAIN REAL PROPERTY LOCATED AT 1163 OAKPOINT CIRCLE, COMPRISING 1.27 ACRES MORE OR LESS, AND OWNED BY WILLIAM D COOK AND ROBYN D COOK REVOCABLE TRUST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2659 adopted on September 19, 2018; and

WHEREAS, the City of Apopka’s local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

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

Section I. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section II. Future Land Use Element.

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2659, is amended in its entirety to change the land use from “County” Low Density Residential to “City” Residential Very Low Suburban (0-2 DU/AC), for certain real property located at 1163 Oakpoint Circle, comprising 1.27 acres more or less, (Parcel No. 02-21-28-9090-00-010); as further described in Exhibit “A” attached hereto.

Section III. Applicability and Effect.

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section IV. Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

Section VI. Effective Date.

This Ordinance shall become effective upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this _____ day of _____, 2018

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

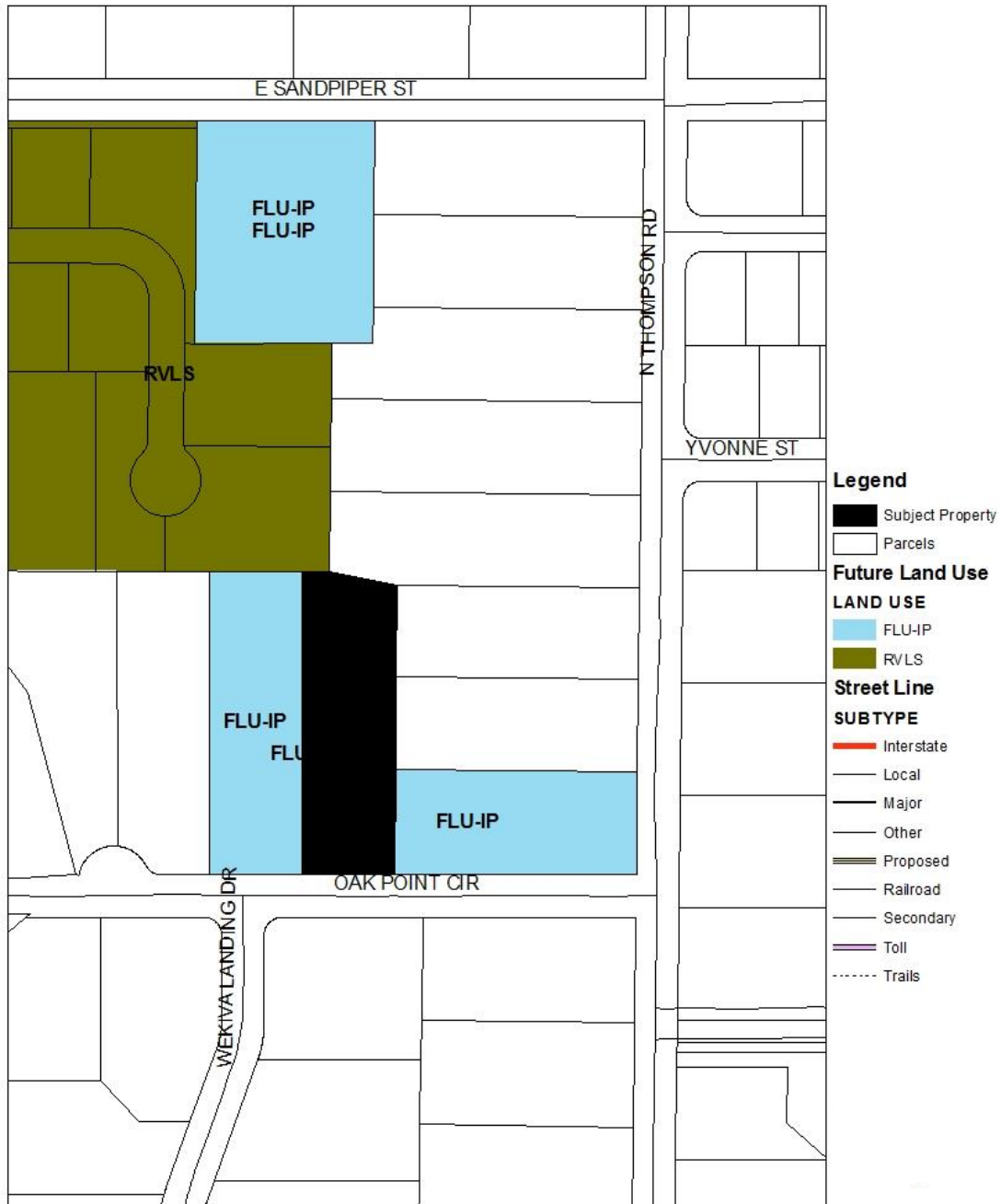
Linda Goff, City Clerk

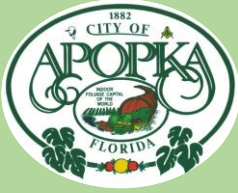
DULY ADVERTISED FOR HEARING: November 2, 2018; December 7, 2018.



EXHIBIT "A"

William D. Cook and Robyn D. Cook Revocable Trust
1.27 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" RCE (ZIP)
To: "City" RCE-1
Parcel ID #: 02-21-28-9090-00-010





CITY OF APOPKA CITY COUNCIL

CONSENT AGENA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Zoning Map
Adjacent Uses Map
Ordinance No. 2687

SUBJECT: ORDINANCE NO. 2687 – ADMINISTRATIVE – CHANGE OF ZONING – WILLIAM D. COOK AND ROBYN D. COOK REVOCABLE TRUST

REQUEST: ORDINANCE NO. 2687 – SECOND READING AND ADOPTION - ADMINISTRATIVE – CHANGE OF ZONING – WILLIAM D. COOK AND ROBYN D. COOK REVOCABLE TRUST FROM “COUNTY” R-CE (ZIP) TO “CITY” RCE-1.

SUMMARY:

OWNERS: William D. Cook and Robyn D. Cook Revocable Trust
APPLICANT: City of Apopka
PARCEL ID NUMBER: 02-21-28-9090-00-010
LOCATION: 1163 Oakpoint Circle
EXISTING USE: Single Family House
CURRENT ZONING: “County” R-CE (ZIP)
PROPOSED ZONING: “City” RCE-1 (Note: this Change of Zoning request is being processed along with a request to amend the Future Land Use from “County” Low Density Residential to “City” Residential Very Low Suburban.
TRACT SIZE: 1.27 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT UNDER ZONING DISTRICT: EXISTING: 2 Dwelling Units
PROPOSED: 1 Dwelling Units

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: Presently, the subject property has not yet been assigned a “City” zoning category. The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2516.

A request to assign a change of zoning to RCE-1 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The RCE-1 zoning is compatible with the property due to the size and uses. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Low Density Residential to “City” Residential Very Low Suburban.

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-2 DU/Acre) Future Land Use designation and the City’s RCE-1 Zoning classification. Site development cannot exceed the density allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

PUBLIC HEARING SCHEDULE:

Planning Commission, November 13, 2018 (5:30 pm)
City Council, December 5, 2018 (1:30 pm) - 1st Reading
City Council, December 19, 2018 (7:00 pm) - 2nd Reading

DULY ADVERTISED:

November 2, 2018 - Public Notice and Notification- (Apopka Chief, letter to property owner)
December 7, 2018 - Public Notice – (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 for the property owned by William D. Cook and Robyn D. Cook Revocable Trust, and located at 1163 Oakpoint Circle.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas; and unanimously recommended approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 for the property owned by William D. Cook and Robyn D. Cook Revocable Trust, and located at 1163 Oakpoint Circle.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2687, and held it over for Second Reading and Adoption on December 19, 2018.

Recommended Motion: Adopt Ordinance No. 2687.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North	“City” RVLS and “County” LDR	“City” PUD and “County” RCE	Vacant Subdivision Lot (Lakeshore at Wekiva) and Single Family Home
East	“County” Low Density Residential (FLU-IP)	“County” RCE (ZIP)	Single Family Home
South	“County” Low Density Residential	“County” RCE	Single Family Home
West	“County” Low Density Residential	“County” RCE	Single Family Home

**LAND USE & TRAFFIC
 COMPATIBILITY:**

The property is currently accessed from Oakpoint Circle. The subject property, along with other properties in the vicinity, are of a large-lot, residential nature. The requirements found in RCE-1 zoning, along with the Residential Very Low Suburban Future Land Use can assist in maintaining a large-lot nature.

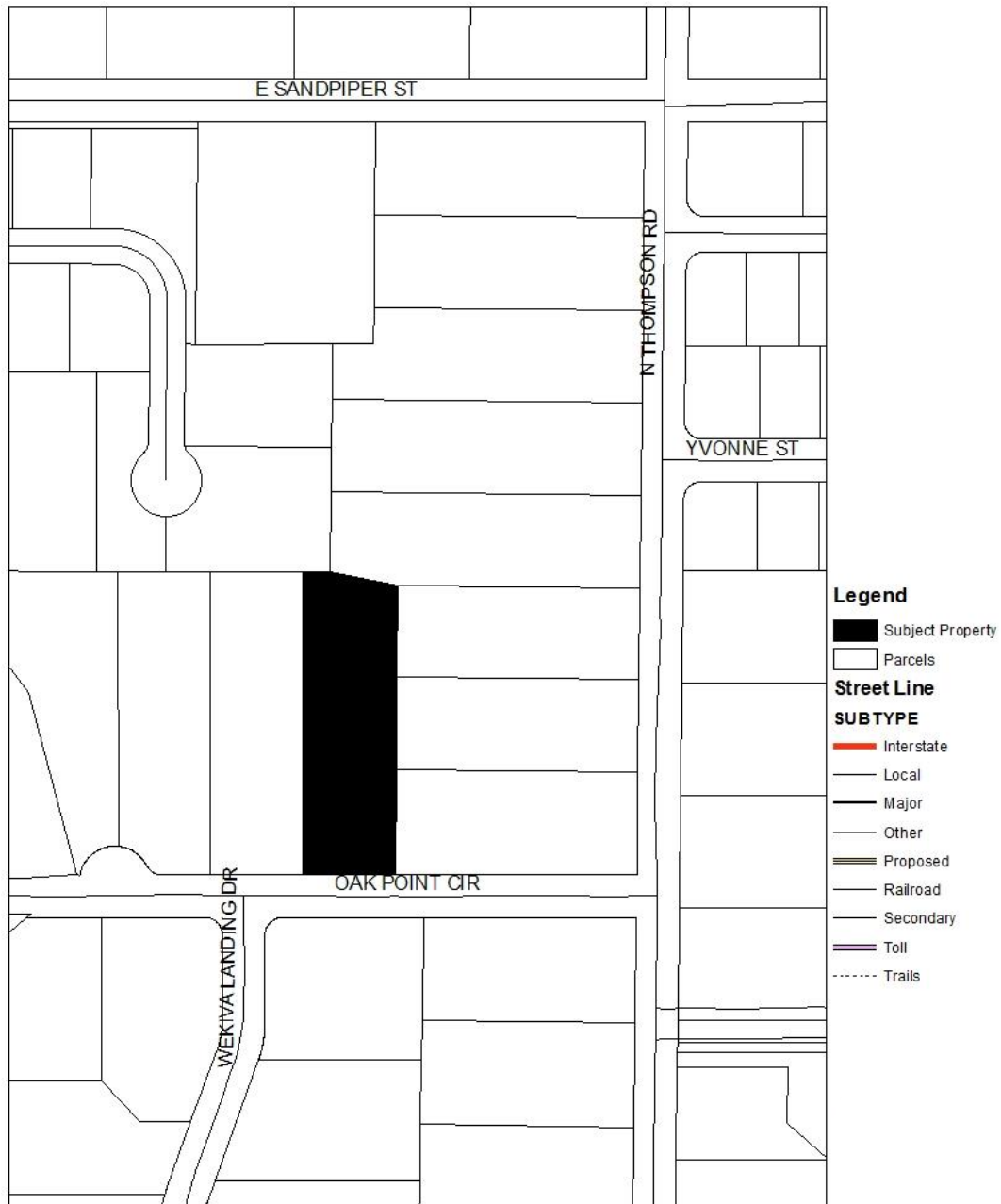
**COMPREHENSIVE PLAN
 COMPLIANCE:**

The proposed RCE-1 zoning is consistent with the proposed Future Land Use designation, “Residential Very Low Suburban” (0-2 DU/AC) and with the character of the surrounding area and future proposed development. Development Plans shall not exceed the density allowed in the adopted Future Land Use designation.



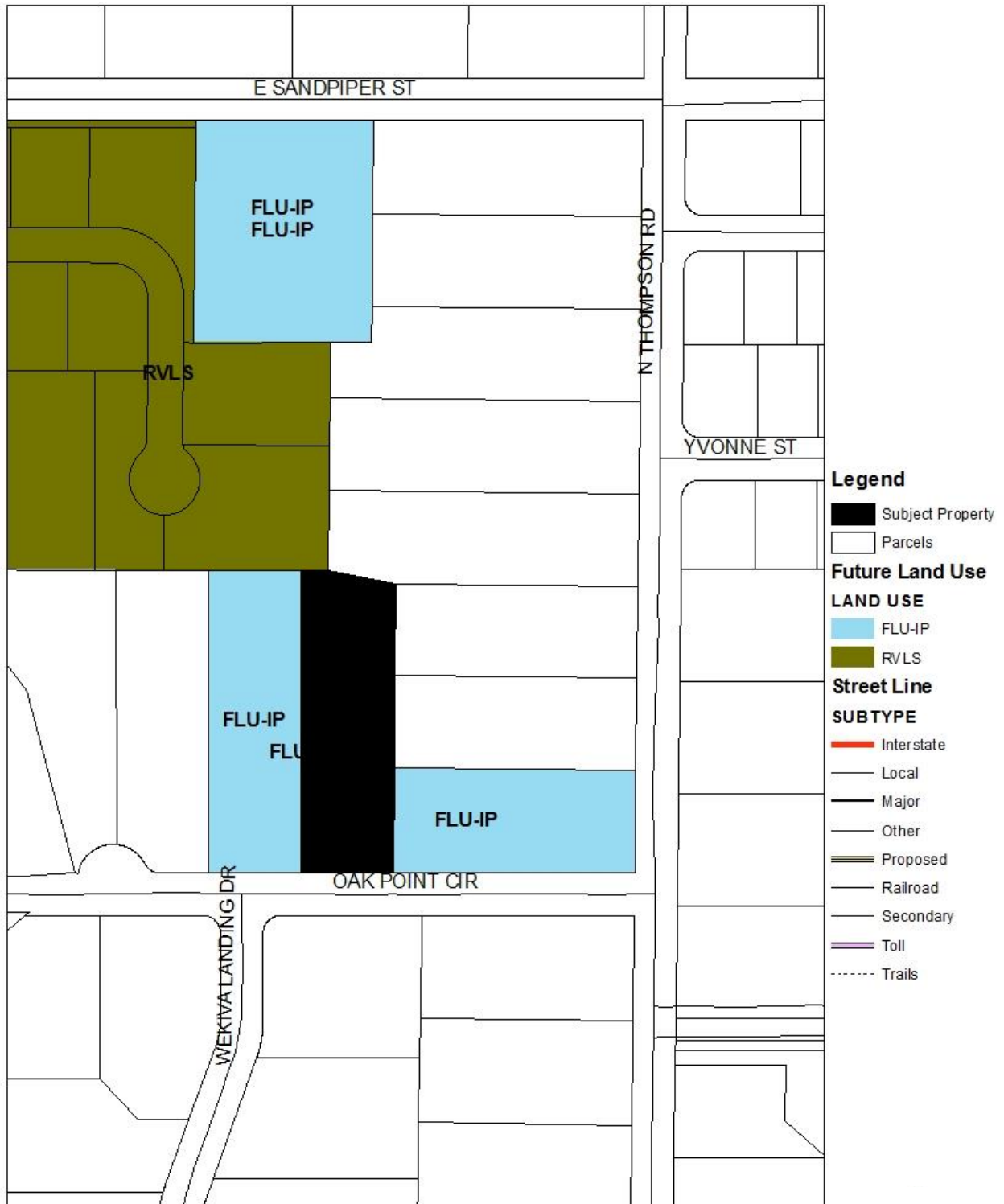
William D. Cook and Robyn D. Cook Revocable Trust
1.27 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" RCE (ZIP)
To: "City" RCE-1
Parcel ID #: 02-21-28-9090-00-010

VICINITY MAP





FUTURE LAND USE MAP



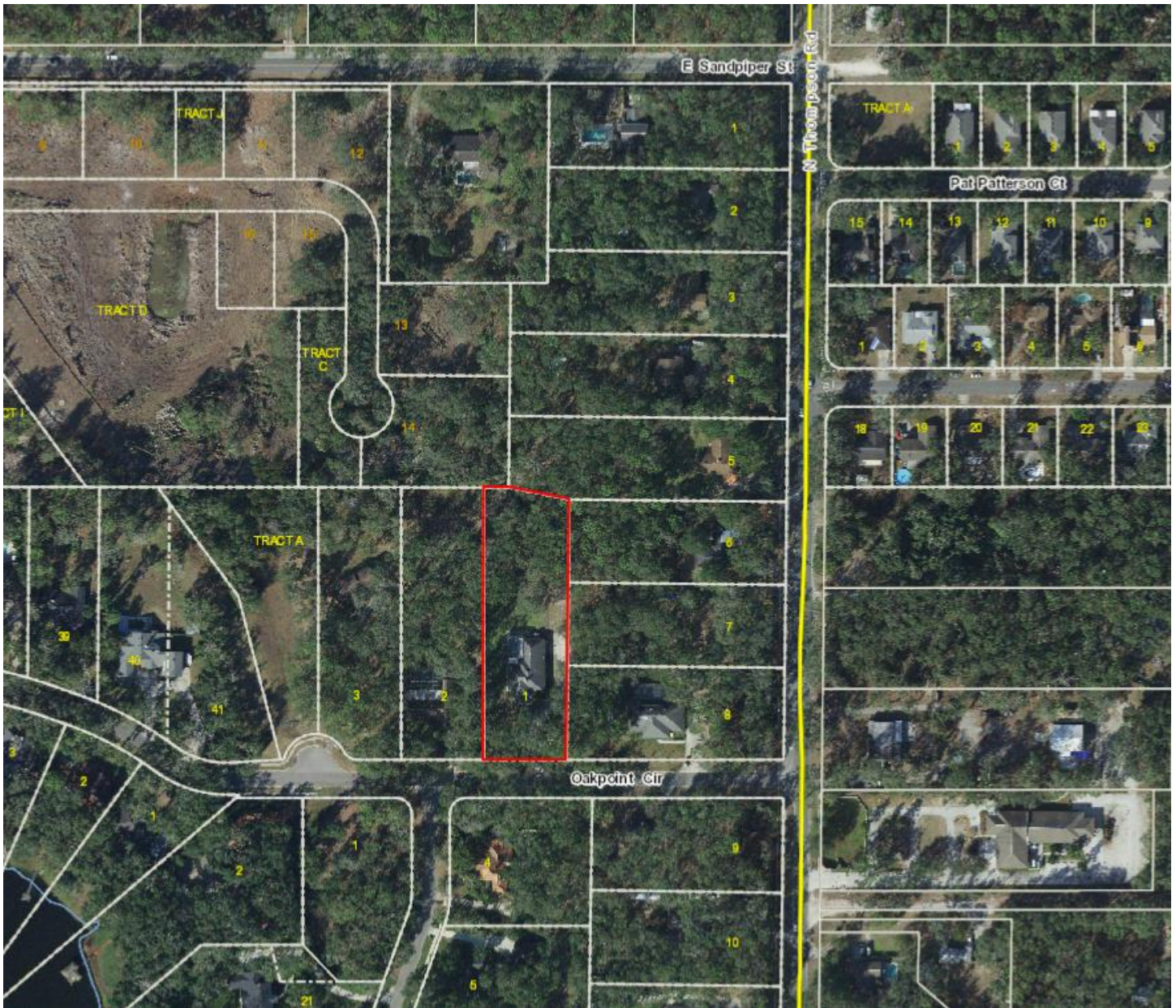


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2687

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-CE (ZIP) TO “CITY” RCE-1 (RESIDENTIAL COUNTRY ESTATE 1 DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 1163 OAKPOINT CIRCLE, COMPRISING 1.27 ACRES MORE OR LESS, AND OWNED BY WILLIAM D. COOK AND ROBYN D. COOK REVOCABLE TRUST PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed RCE-1 (Residential Country Estate 1 District) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property be designated as RCE-1 (Residential Country Estate 1 District) as defined in the Apopka Land Development Code and as appearing in Exhibit “A”:

Property Description:

Wekiva Landing Plat; Platbook 14, Page; Lot 1

Parcel ID #: 02-21-28-9090-00-010

Section II. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section III. That the Community Development Director, or the Director’s designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

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

Section V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. This Ordinance shall take effect if and when the companion Comprehensive Plan Future Land Use Map amendment relative to the subject property (Ord. 2686) becomes effective pursuant to § 163.3187(5)(c), Fla. Stat. If the companion Comprehensive Plan Future Land Use Map amendment does not become effective, then this Ordinance shall become null and void.

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: November 2, 2018; December 7, 2018



William D. Cook and Robyn D. Cook Revocable Trust
1.27 +/- acres

Proposed Small Scale Future Land Use Amendment:

From: "County" Low Density Residential

To: "City" Residential Very Low Suburban

Proposed Change of Zoning:

From: "County" RCE (ZIP)

To: "City" RCE-1 Parcel ID #: 02-21-28-9090-00-010





CITY OF APOPKA CITY COUNCIL

CONSENT AGENA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Future Land Use Map
Zoning Map
Adjacent Uses Map
Ordinance No. 2688

SUBJECT: ORDINANCE NO. 2688 – ADMINISTRATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – CARLOS VERDUZCO

REQUEST: ORDINANCE NO. 2688 – SECOND READING AND ADOPTION - ADMINISTRATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - CARLOS VERDUZCO, FROM “COUNTY” LOW DENSITY RESIDENTIAL (0-4 DU/AC) TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC).

SUMMARY:

OWNER: Carlos Verduzco
APPLICANT: City of Apopka
PARCEL ID NUMBER: 02-21-28-9090-00-080
LOCATION: 1175 Oakpoint Circle
EXISTING USE: Single Family House
CURRENT ZONING: “County” R-CE (ZIP)
PROPOSED ZONING: “City” RCE-1 (Note: this Future Land Use request is being processed along with a request to Change the Zoning from “County” R-CE (ZIP) to “City” RCE-1.
TRACT SIZE: 1.14 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT UNDER ZONING DISTRICT: EXISTING: 4 Dwelling Units
PROPOSED: 2 Dwelling Unit

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2517. Presently, the subject property is without a “City” future land use and zoning designation. The proposed Future Land Use, “Residential Very Low Suburban” is compatible with the property due to its size and existing uses. In addition, “Residential Very Low Suburban” can be found in the vicinity of the property, including the Lakeshore at Wekiva Subdivision.

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is consistent with the Residential Very Low Suburban Future Land Use designation. Site development cannot exceed the density allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Residential Very Low Suburban FLUM designation at the subject site:

Future Land Use Element

Policy 3.1.c

Very Low Density Suburban Residential

The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

Special exception uses shall include:

- (1) Institutional uses of five acres or less
- (2) High schools
- (3) Supporting infrastructure and public facilities of two acres or more
- (4) Horticultural nurseries as a primary use;

Planned Development uses may include:

- (1) All primary uses
- (2) All special exception uses
- (3) Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
- (4) Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods

SCHOOL CAPACITY REPORT: The proposed future land use change will not result in an increase in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

PUBLIC HEARING SCHEDULE:

November 13, 2018 - Planning Commission (5:30 pm)
December 5, 2018 - City Council (1:30 pm) - 1st Reading
December 19, 2018 – City Council (7:00 pm) – 2nd Reading and Adoption

DULY ADVERTISED:

November 2, 2018 – Public Notice and Notification (Apopka Chief and letter to property owner)
December 7, 2018 – Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee** found the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban for the property owned by Carlos Verduzco, and located at 1175 Oakpoint Circle.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area; and unanimously recommended approval of the change of Future Land Use Designation from “County” Low Density Residential to “City” Residential Very Low Suburban, subject to the findings of the Staff Report for the property owned by for the property owned by Carlos Verduzco, and located at 1175 Oakpoint Circle.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2688, and held it over for Second Reading and Adoption on December 19, 2018.

Adopt Ordinance No. 2688.

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

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North	“County” Low Density Residential	“County” RCE	Single Family Home
East	“County” Low Density Residential	“County” A-1	Single Family Home
South	“County” Low Density Residential	“County” RCE	Single Family Home
West	“County” Low Density Residential (FLU-IP)	“County” RCE (ZIP)	Single Family Home

II. LAND USE ANALYSIS

The subject property currently contains one dwelling unit, which makes the request for a Residential Very Low Suburban future land use designation consistent with the Comprehensive Plan policies listed above, as well as the general future land use character of the surrounding area.

Properties in all four cardinal directions are of a sparse residential nature. The Future Land Use designation, “Residential Very Low Suburban” preserves a sparse residential nature.

The proposed Residential Low Suburban future land use designation is consistent with the general future land use character of the surrounding area.

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

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Core Area” of the JPA. The proposed FLUM Amendment request for a change from “County” Low Density Residential to “City” Residential Very Low Suburban (0-2 DU/AC) is consistent with the terms of the JPA (Second Amendment). Carlos Verduzco is the property owner of the proposed future land use amendment and proposed change of zoning for the property, and has been notified of the hearing schedule.

Transportation: Road access to the site is from Oakpoint Circle.

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

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

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

Analysis of the character of the Property: The current use of the Property is a single family home. The character of the surrounding area is single family residential.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the property is Residential Very Low Suburban (0-2 DU/AC). Based on the housing element of the City's Comprehensive Plan, this amendment will not increase the City's future population.

CALCULATIONS:

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

PROPOSED: 2 Unit(s) x 2.659 p/h = 5 persons

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

Habitat for species listed as endangered, threatened or of special concern: A habitat study is required for developments greater than ten (10) acres in size.

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

Sanitary Sewer Analysis

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

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

2. Projected total demand under existing designation: 196 GPD
3. Projected total demand under proposed designation: 392 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 784 GPD/Capita
6. Projected LOS under proposed designation: 392 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

2. Projected total demand under existing designation: 1,816 GPD
3. Projected total demand under proposed designation: 908 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD / Capita
6. Projected LOS under proposed designation: 177 GPD / Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: No

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: 40 lbs/ day
4. Projected LOS under proposed designation: 20 lbs / day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

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

Infrastructure Information

- Water treatment plant permit number: CUP No. 3217
- Permitting agency: St. John's River Water Management District
- Permitted capacity of the water treatment plant(s): 9.353 MGD
- Total design capacity of the water treatment plant(s): 33.696 MGD
- Availability of distribution lines to serve the property: Yes
- Availability of reuse distribution lines available to serve the property: Yes

Drainage Analysis

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

Recreation

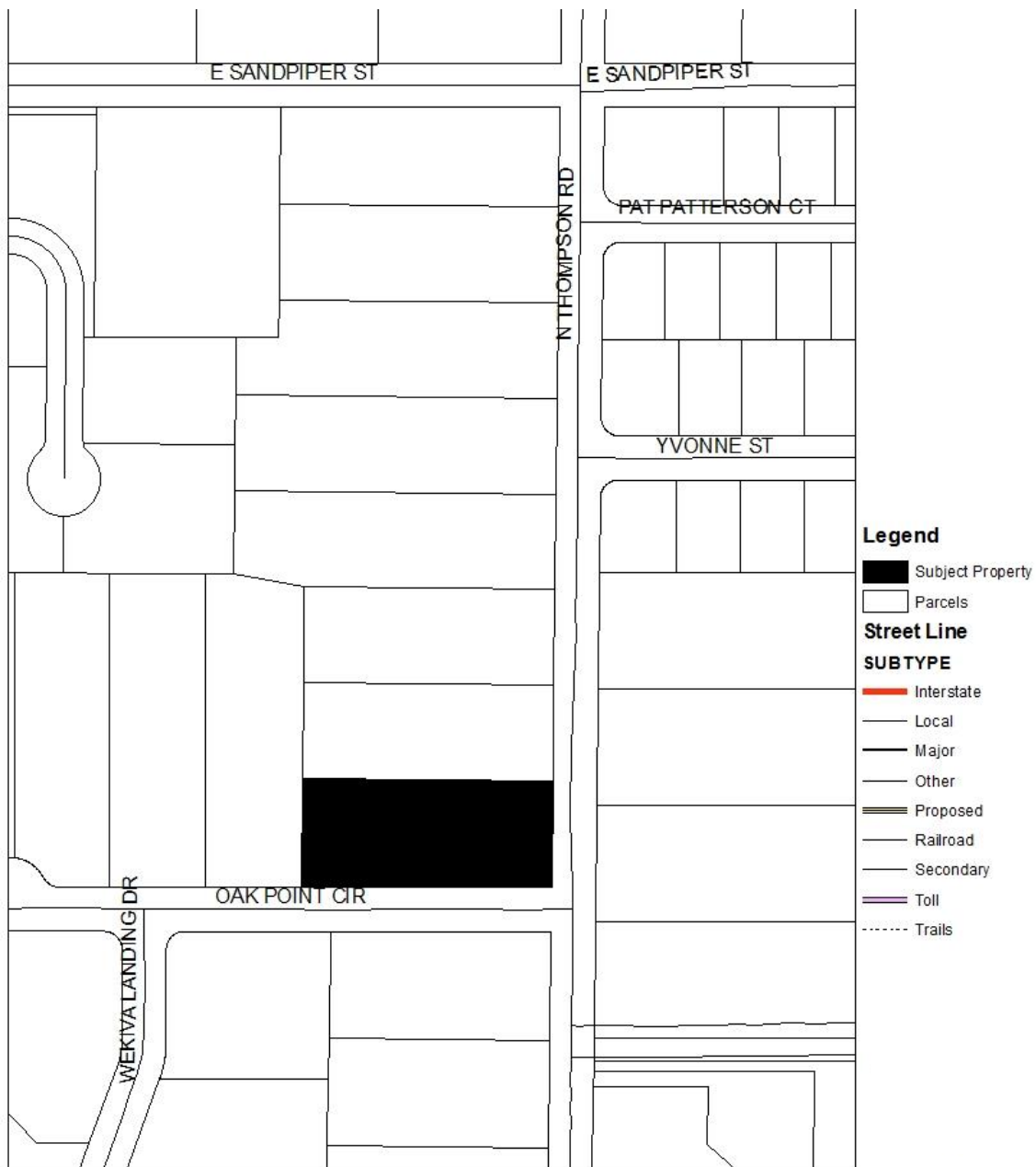
1. Facilities serving the site; LOS standard: City of Apopka Parks System ; 3 acre / 1000 capita
2. Projected facility under existing designation: 0.030 acres
3. Projected facility under proposed designation: 0.015 acres
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None

Standards set forth in the City's Land Development Code will require any development plans to provide parkland and recreation facilities and open space for residents residing with the new development. This initial review does not preclude conformance with concurrency requirements at the time of development approval.



Carlos Verduzco
1.14 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: “County” Low Density Residential
To: “City” Residential Very Low Suburban
Proposed Change of Zoning:
From: “County” RCE (ZIP)
To: “City” RCE-1
Parcel ID #: 02-21-28-7328-00-080

VICINITY MAP





FUTURE LAND USE MAP



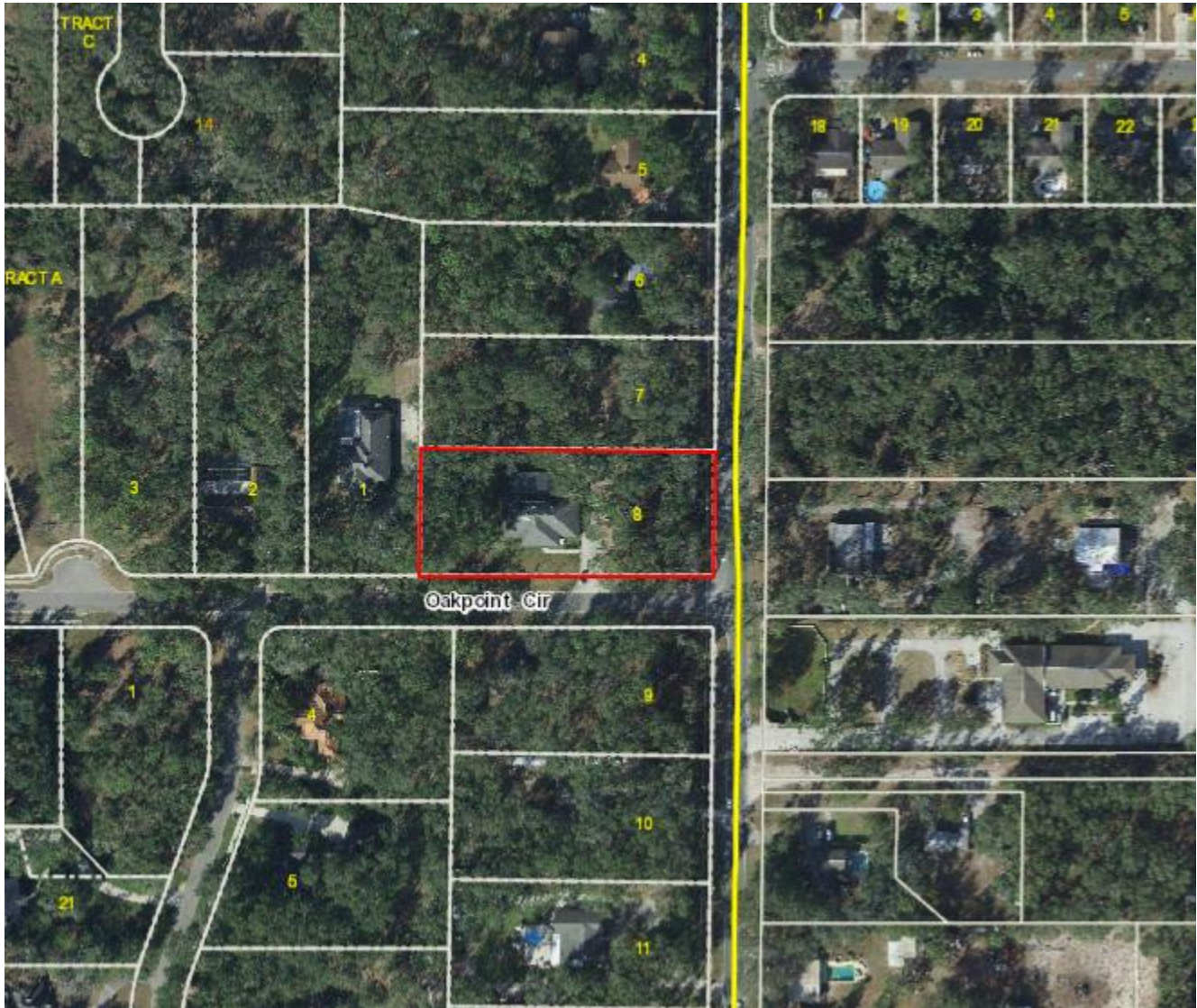


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2688

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” LOW DENSITY RESIDENTIAL TO “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR CERTAIN REAL PROPERTY LOCATED AT 1175 OAKPOINT CIRCLE, COMPRISING 1.14 ACRES MORE OR LESS, AND OWNED BY CARLOS VERDUZCO; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2659 adopted on September 19, 2018; and

WHEREAS, the City of Apopka’s local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

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

Section I. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section II. Future Land Use Element.

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2659, is amended in its entirety to change the land use from “County” Low Density Residential to “City” Residential Very Low Suburban (0-2 DU/AC), for certain real property located at 1175 Oakpoint Circle, comprising 1.14 acres more or less, (Parcel No. 02-21-28-7328-00-080); as further described in Exhibit “A” attached hereto.

Section III. Applicability and Effect.

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section IV. Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

Section VI. Effective Date. This Ordinance shall become effective upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this 19th day of December, 2018

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR HEARING: November 2, 2018; December 7, 2018



EXHIBIT "A"

Carlos Verduzco
1.14 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" RCE (ZIP)
To: "City" RCE-1
Parcel ID #: 02-21-28-7328-00-080





CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Zoning Map
Adjacent Uses Map
Ordinance No. 2689

SUBJECT: ORDINANCE NO. 2689 – ADMINISTRATIVE – CHANGE OF ZONING – CARLOS VERDUZCO

REQUEST: ORDINANCE NO. 2689 – SECOND READING AND ADOPTION - ADMINISTRATIVE – CHANGE OF ZONING - CARLOS VERDUZCO, FROM “COUNTY” R-CE (ZIP) TO “CITY” RCE-1

SUMMARY:

OWNER:	Carlos Verduzco
APPLICANT:	City of Apopka
PARCEL ID NUMBER:	02-21-28-9090-00-080
LOCATION:	1175 Oakpoint Circle
EXISTING USE:	Single Family House
CURRENT ZONING:	“County” R-CE (ZIP)
PROPOSED ZONING:	“City” RCE-1 (Note: this Change of Zoning request is being processed along with a request to amend the Future Land Use from “County” Low Density Residential to “City” Residential Very Low Suburban.
TRACT SIZE:	1.14 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT UNDER ZONING DISTRICT:	EXISTING: 2 Dwelling Units PROPOSED: 1 Dwelling Unit

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: Presently, the subject property has not yet been assigned a “City” zoning category. The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2517.

A request to assign a change of zoning to RCE-1 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The RCE-1 zoning is compatible with the property due to the size and use. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Low Density Residential to “City” Residential Very Low Suburban.

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-2 DU/Acre) Future Land Use designation and the City’s RCE-1 Zoning classification. Site development cannot exceed the density allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed future land use change will not result in an increase in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

PUBLIC HEARING SCHEDULE:

Planning Commission, November 13, 2018 (5:30 pm)
City Council, December 5, 2018 (1:30 pm) - 1st Reading
City Council, December 19, 2018 (7:00 pm) - 2nd Reading

DULY ADVERTISED:

November 2, 2018 -- Public Notice and Notification- (Apopka Chief, letter to property owner)
December 7, 2018 – Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 for the property owned by Carlos Verduzco, and located at 1175 Oakpoint Circle.

The **Planning Commission**, at its meeting on November 13, 2018, found the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas; and unanimously recommended approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 for the property owned by Carlos Verduzco, and located at 1175 Oakpoint Circle.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2689, and held it over for Second Reading and Adoption on December 19, 2018.

Recommended Motion: Adopt Ordinance No. 2689.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North	“County” Low Density Residential	“County” RCE	Single Family Home
East	“County” Low Density Residential	“County” A-1	Single Family Home
South	“County” Low Density Residential	“County” RCE	Single Family Home
West	“County” Low Density Residential (FLU-IP)	“County” RCE (ZIP)	Single Family Home

**LAND USE & TRAFFIC
 COMPATIBILITY:**

The property is currently accessed from Oakpoint Circle. The subject property, along with other properties in the vicinity, are of a large-lot, residential nature. The requirements found in RCE-1 zoning, along with the Residential Very Low Suburban Future Land Use can assist in maintaining a large-lot nature.

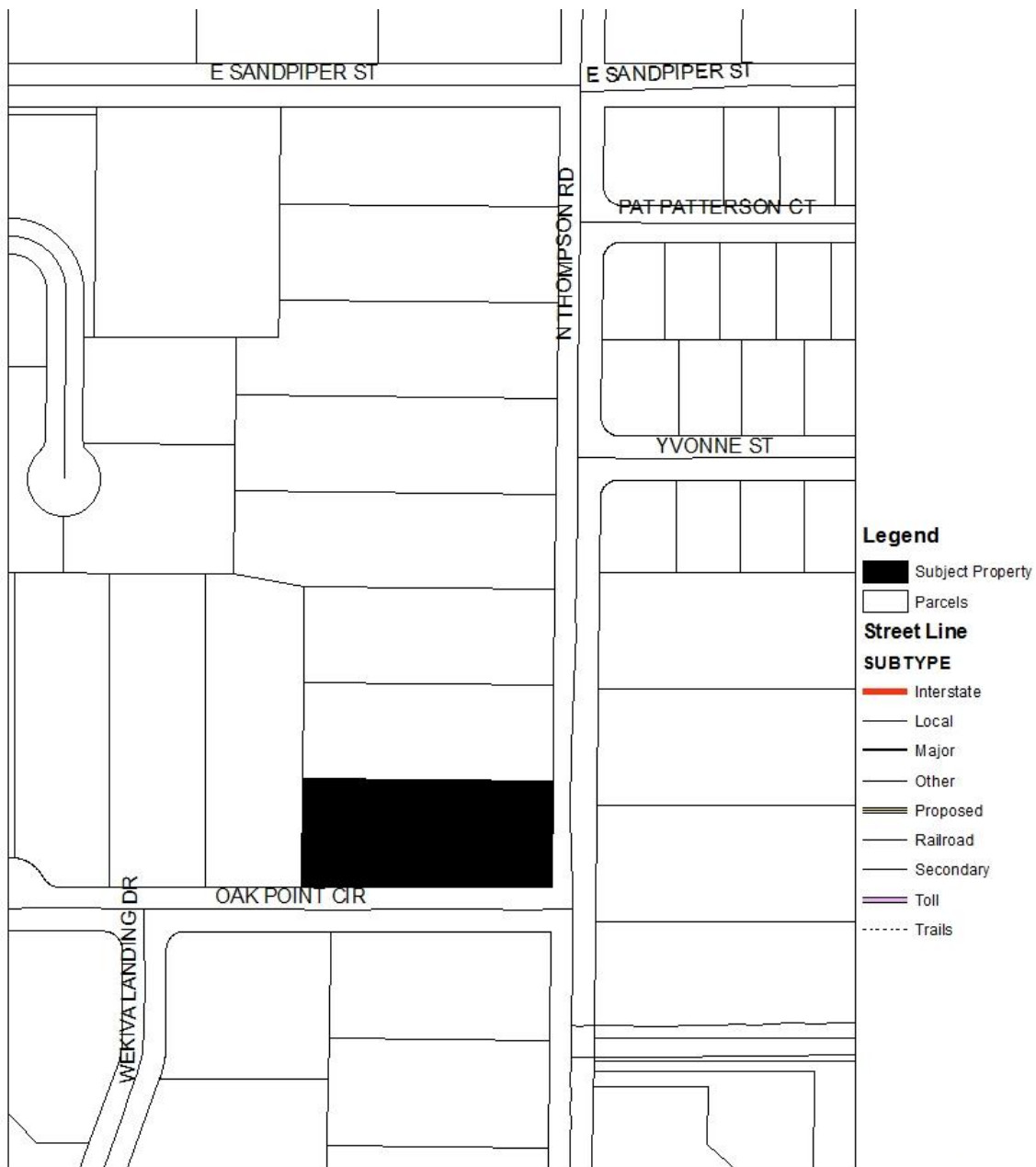
**COMPREHENSIVE PLAN
 COMPLIANCE:**

The proposed RCE-1 zoning is consistent with the proposed Future Land Use designation, “Residential Very Low Suburban” (0-2 DU/AC) and with the character of the surrounding area and future proposed development. Development Plans shall not exceed the density allowed in the adopted Future Land Use designation.



Carlos Verduzco
1.14 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: “County” Low Density Residential
To: “City” Residential Very Low Suburban
Proposed Change of Zoning:
From: “County” RCE (ZIP)
To: “City” RCE-1
Parcel ID #: 02-21-28-7328-00-080

VICINITY MAP



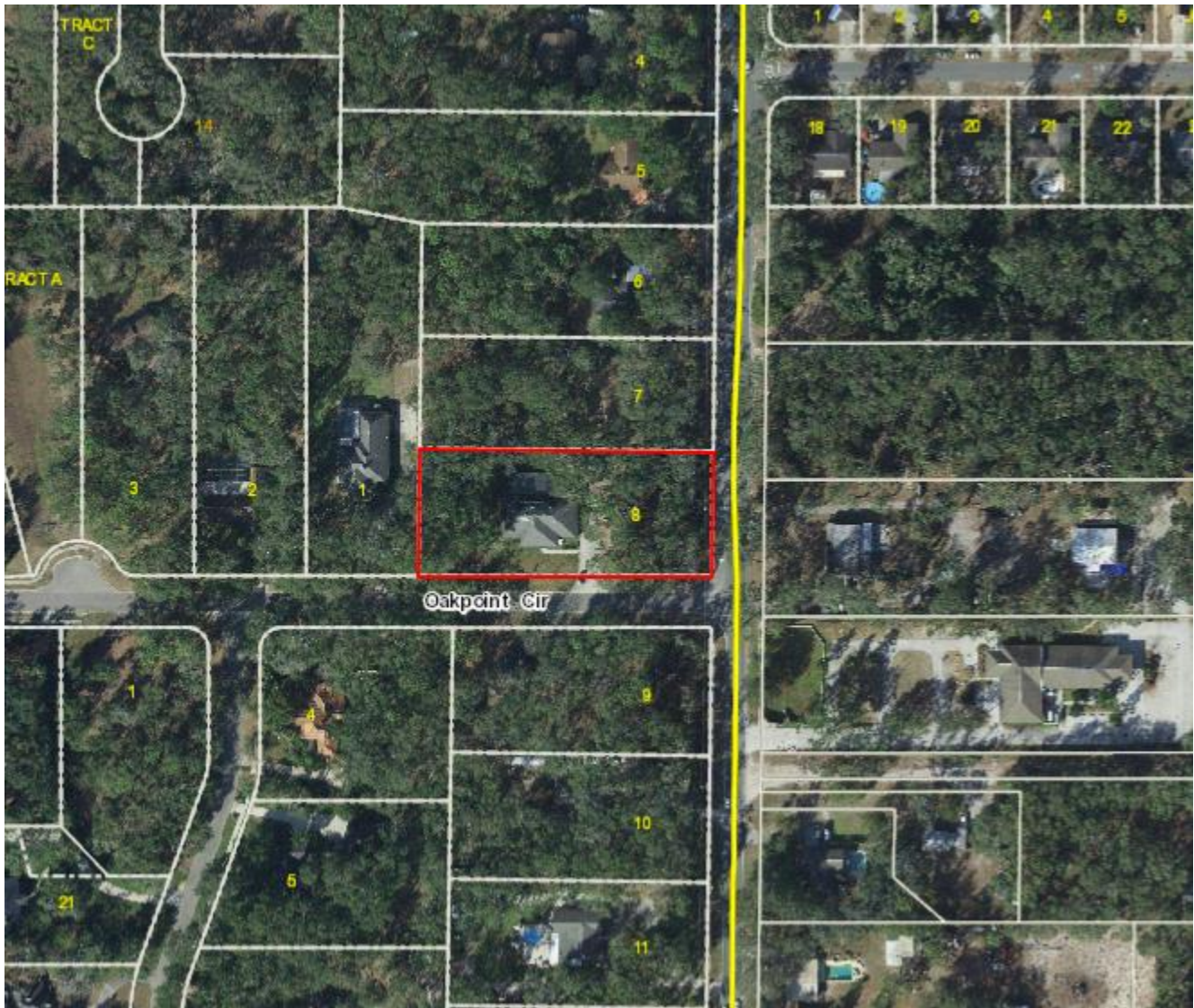


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2689

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-CE (ZIP) TO “CITY” RCE-1 (RESIDENTIAL COUNTRY ESTATE 1 DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED AT 1175 OAKPOINT CIRCLE, COMPRISING 1.14 ACRES MORE OR LESS, AND OWNED BY CARLOS VERDUZCO PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed RCE-1 (Residential Country Estate 1 District) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property be designated as RCE-1 (Residential Country Estate 1 District) as defined in the Apopka Land Development Code and as appearing in Exhibit “A”:

Property Description:

Raven’s Haven Plat; Plat Book 7, Page 12; Lot 8
Parcel ID #: 02-21-28-9090-00-010

Section II. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section III. That the Community Development Director, or the Director’s designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

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

ORDINANCE 2689

Page 2

Section V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. This Ordinance shall take effect if and when the companion Comprehensive Plan Future Land Use Map amendment relative to the subject property (Ord. 2688) becomes effective pursuant to § 163.3187(5)(c), Fla. Stat. If the companion Comprehensive Plan Future Land Use Map amendment does not become effective, then this Ordinance shall become null and void.

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: November 2, 2018; December 7, 2018



Carlos Verduzco
1.14 +/- acres
Proposed Small Scale Future Land Use Amendment:
From: "County" Low Density Residential
To: "City" Residential Very Low Suburban
Proposed Change of Zoning:
From: "County" RCE (ZIP)
To: "City" RCE-1
Parcel ID #: 02-21-28-7328-00-080





CITY OF APOPKA CITY COUNCIL

CONSENT AGENA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Annexation

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBITS: "A" – Properties
 "B" – Location Map
 Ordinance No. 2692
 Ordinance No. 2693
 Ordinance No. 2694
 Ordinance No. 2695

SUBJECT: 2018 ANNEXATION – SR 429 WEST PROPERTIES

**REQUEST: ORDINANCE NOS. 2692, 2693, 2694, AND 2695 – SECOND READING
AND ADOPTION – 2018 ANNEXATION – SR 429 WEST PROPERTIES**

SUMMARY:

OWNERS: MULTIPLE OWNERS – LISTED IN EXHIBIT "A"

APPLICANT: Property Owners (Exhibit "A") and Collier Bengel Land Joint Venture, LLC

LOCATIONS: Various locations – Listed in Exhibit "A", generally north of U.S. 441 and
west and east of S.R. 429

LAND USE: Various Future Land Use designations – Listed in Exhibit "A"

EXISTING USE: The existing uses of the subject properties vary – Listed in Exhibit "A"

TRACT SIZE: 77.29 +/- acres representing twenty-one (21) parcels

FUNDING SOURCE: N/A

DISTRIBUTION

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

CITY COUNCIL – DECEMBER 19, 2018
2018 ANNEXATION – SR 429 WEST PROPERTIES
PAGE 2

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through additional action by the City Council. Applicant proposes a mixed-use development with retail commercial, office, and multi-family residential. Land use mix to be determined at the time of the future land use and zoning amendment applications.

The proposed annexations meet the intent of the annexation criteria set forth in Chapter 171, Florida Statutes. Annexation of the parcels west of S.R. 429 are located in a large pocket of unincorporated parcels that are nearly encircled by the boundaries of the City of Apopka.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on November 2, 2018.

DULY ADVERTISED:

November 21, 2018 - 1/4 Page Public Hearing Advertisement
November 28, 2018 - 1/4 Page Public Hearing Advertisement

PUBLIC HEARING SCHEDULE:

December 5, 2018 (1:30 pm) - City Council 1st Reading
December 19, 2018 (7:00 pm) - City Council 2nd Reading and Adoption

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed annexation applications consistent with the intent of Florida Statute Chapter 177, and recommends approval of the 2018 Annexation Ordinance Nos. 2692, 2693, 2694, and 2695.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance Nos. 2692 through 2695 and held them over for Second Reading and Adoption on December 19, 2018.

Recommended Motions: Adopt Ordinance Nos. 2692 through 2695.

CITY COUNCIL – DECEMBER 19, 2018
2018 ANNEXATION – SR 429 WEST PROPERTIES
PAGE 3

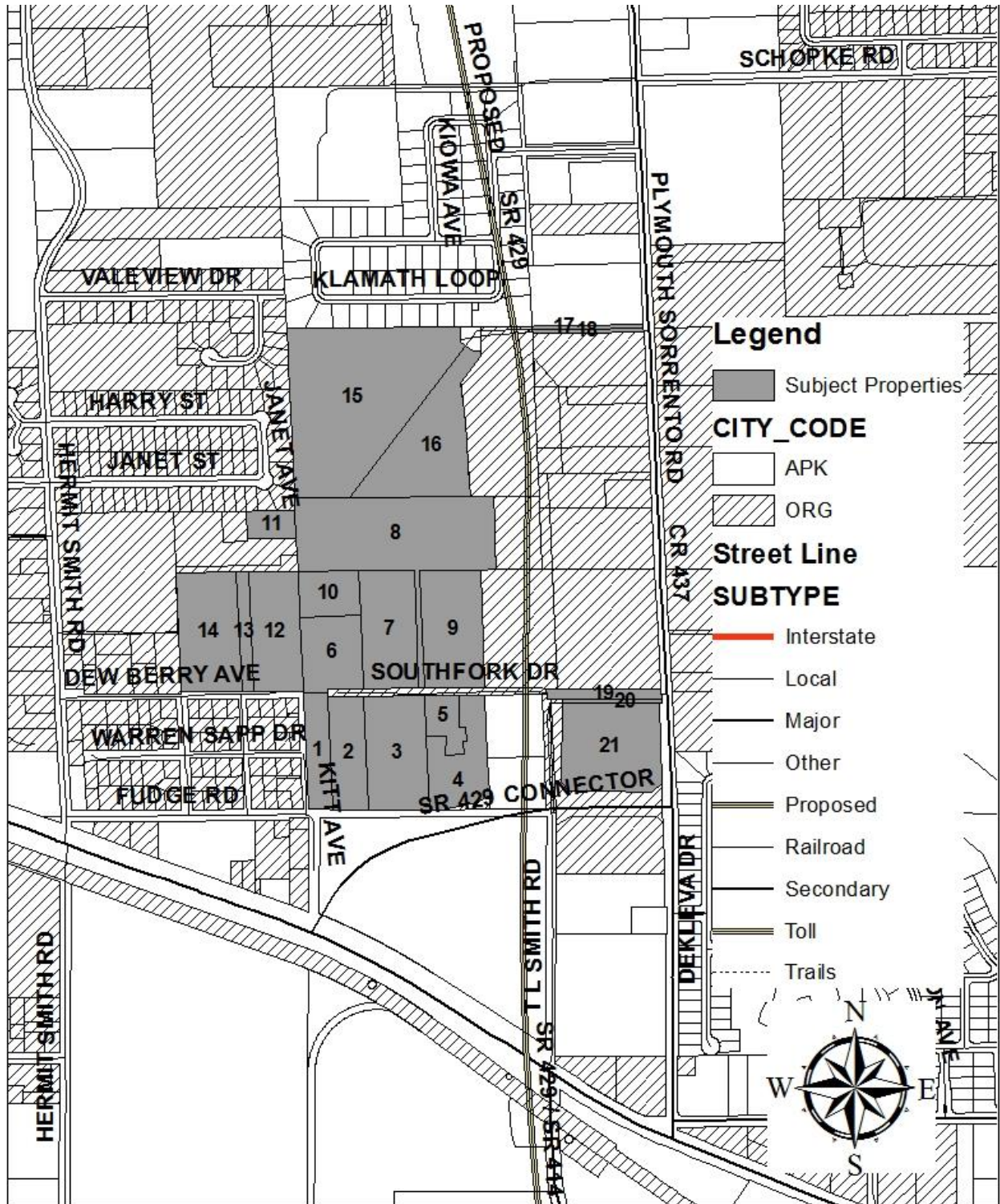
Exhibit A

Total Acres: 77.29 +/- acres

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2692 Group "A"	1	Patricia & Maxine Lu	3189 Fudge Rd.	06-21-28-7172-16-051	1.9	Woodlands	Rural
	2	Roger & Randall Welker	3200 Southfork Dr.	06-21-28-7172-16-050	2.84	Single Family House	Rural
	3	Earl & Adelaida Wilson	3162 Southfork Dr.	06-21-28-7172-16-060	4.7	Single Family House & Greenhouse	Rural
	4	Earl & Adelaida Wilson	Southfork Dr.	06-21-28-7172-16-071	3.32	Single Family House & Greenhouse	Rural
	5	Earl & Adelaida Wilson	3076 Southfork Dr.	06-21-28-7172-16-070	1.22	Single Family House	Rural
	6	Poul & Sharon Jensen	Southfork Dr.	06-21-28-7172-16-041	3.06	Greenhouse	Rural
	7	Guy Itay	3173 Southfork Dr.	06-21-28-7172-16-030	4.43	Single Family House	Rural
	8	Jame Howard Holt	3161 Southfork Dr.	36-20-27-0000-00-052	10.37	Single Family House	Rural
	9	Freddie & Sandra Jones	3075 Southfork Dr.	06-21-28-7172-16-020	4.87	Single Family House	Rural
	10	Poul & Sharon Jensen	3201 Southfork Dr.	06-21-28-7172-16-040	1.87	Single Family House	Rural
	11	Sallie Jackson	Hermit Smith Rd.	36-20-27-0000-00-068	0.9	Woodlands	Rural
2693 Group "B"	12	Williams Family Trust	3205 Dew Berry Ave.	36-20-27-0000-00-047	3.99	Place of Worship	Rural
	13	Judy Bain & Williams Family Trust	3225 Dew Berry Ave.	36-20-27-0000-00-085	0.99	Mobile Home	Rural
	14	Judy Bain & Williams Family Trust	3321 Dew Berry Ave.	36-20-27-0000-00-083	4.94	Mobile Homes	Rural
2694 Group "C"	15	Bruce & Jeannie Hatcher	1430 Plymouth Sorrento Rd.	36-20-27-0000-00-093	14.18	Single Family House	Rural
	16	Robert & Cynthia Henderson	1374 Plymouth Sorrento Rd.	36-20-27-0000-00-075	6.15	Single Family House	Rural
	17	Bruce & Jeannie Hatcher	1430 Plymouth Sorrento Rd.	36-20-27-0000-00-093	0.28	Single Family House	Rural
	18	Robert & Cynthia Henderson	1374 Plymouth Sorrento Rd.	36-20-27-0000-00-075	0.28	Single Family House	Rural
2695 Group "D"	19	Earl & Adelaida Wilson	1118 Plymouth Sorrento Rd.	06-21-28-7172-04-062	0.86	Vacant	Rural
	20	Patrick Connelly	1102 Plymouth Sorrento Rd.	06-21-28-7172-04-061	0.23	Vacant	Rural
	21	Yong Sun & Byung Sook Pak	1058 Plymouth Sorrento Rd.	06-21-28-7172-04-060	5.92	Woodlands	Rural

EXHIBIT “B”

Vicinity Map



ORDINANCE NO. 2692

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY PATRICIA AND MAXINE LU, ROGER AND RANDALL WELKER, EARL AND ADELAIDA WILSON, POUL AND SHARON JENSEN, GUY ITAY, JAMES HOWARD HOLT JUNIOR, FREDDIE AND SANDRA JONES, AND SALLIE JACKSON AND LOCATED AS DEPICTED WITHIN EXHIBIT "A" OF SAID ORDINANCE, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Orange County Board of County Commissioners has requested that the City of Apopka, Florida, annex the property located North of North Orange Blossom Trail and West of State Route 429; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling **39.48 +/- acres**, and depicted in Exhibit "A" and further graphically depicted by Exhibit "B", are hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

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

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

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

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

ORDINANCE NO. 2695

PAGE 2

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

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

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: November 21 and 28, 2018

EXHIBIT "A"

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-
2692	1	Patricia & Maxine Lu	3189 Fudge Rd.	06-21-28-7172-16-051	1.9
	2	Roger & Randall Welker	3200 Southfork Dr.	06-21-28-7172-16-050	2.84
	3	Earl & Adelaida Wilson	3162 Southfork Dr.	06-21-28-7172-16-060	4.7
	4	Earl & Adelaida Wilson	Southfork Dr.	06-21-28-7172-16-071	3.32
	5	Earl & Adelaida Wilson	3076 Southfork Dr.	06-21-28-7172-16-070	1.22
	6	Poul & Sharon Jensen	Southfork Dr.	06-21-28-7172-16-041	3.06
	7	Guy Itay	3173 Southfork Dr.	06-21-28-7172-16-030	4.43
	8	James Howard Holt, Jr.	3161 Southfork Dr.	36-20-27-0000-00-052	10.37
	9	Freddie & Sandra Jones	3075 Southfork Dr.	06-21-28-7172-16-020	4.87
	10	Poul & Sharon Jensen	3201 Southfork Dr.	06-21-28-7172-16-040	1.87
	11	Sallie Jackson	Hermit Smith Rd.	36-20-27-0000-00-068	0.9

Property Descriptions

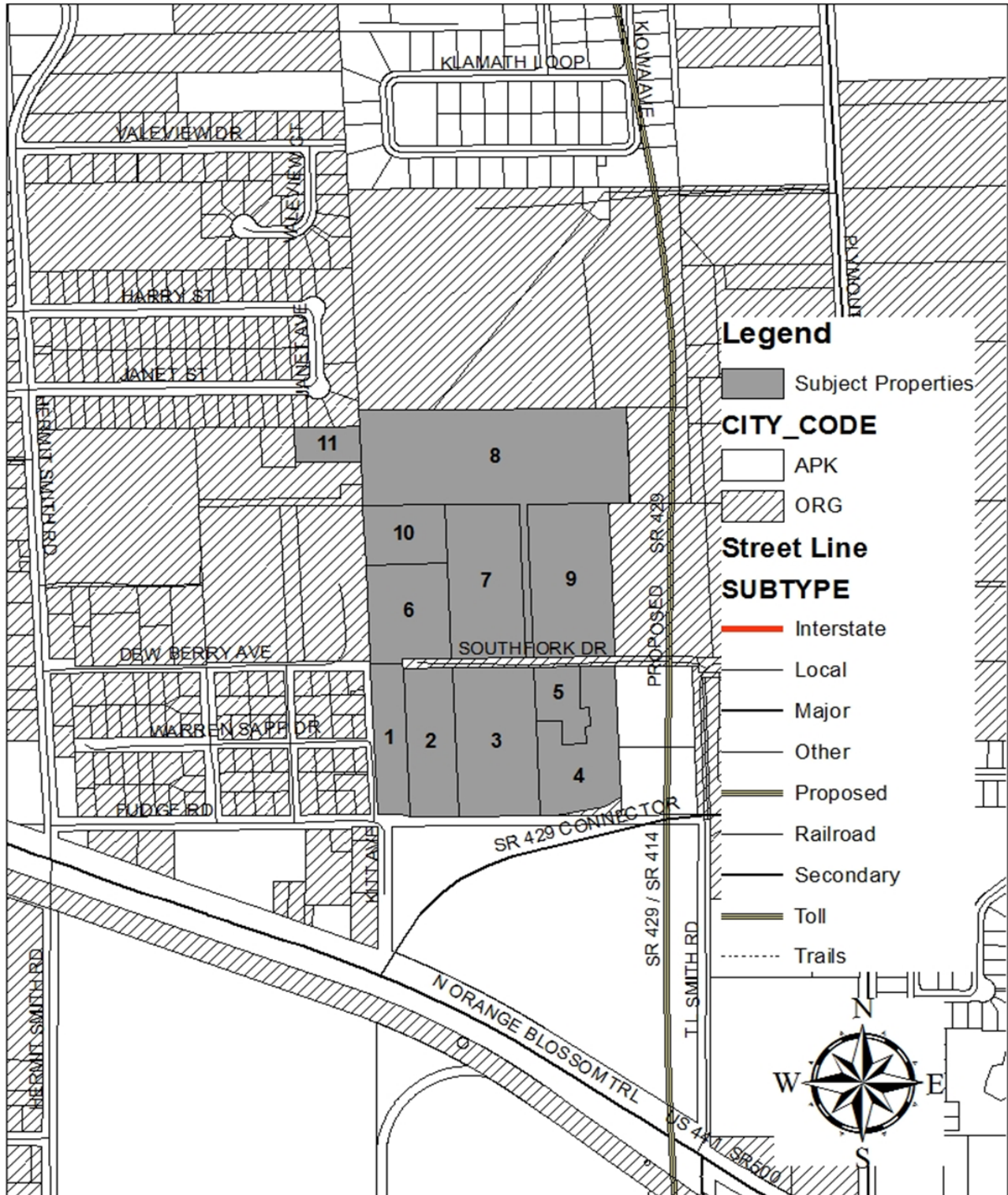
Item No.

1. MAP OF PLYMOUTH B/17 THE W 2/5 OF LOT 5 BLK P (LESS R/W FOR FUDGE RD ON S & LESS W 60 FT OF S 10 FT THEREOF FOR R/W) & (LESS PT TAKEN FOR R/W ON S PER 9852/5231) & S1/2 OF W 132 FT OF VAC ST RUNNING E & W THRU CTR BLK P 2897/83 SEE 2972/1671
2. MAP OF PLYMOUTH B/17 THE E 3/5 OF LOT 5 BLK P & AN INT PER 3157/702 IN VAC ST RUNNING E & W THROUGH CENTER OF BLK P DESC AS FROM SE COR 36-20-27 RUN N 642.77 FT FOR POB TH RUN N 32.78 FT W 20 FT N 7.11 FT W 1173.86 FT S 40 FT E 1193.08 FT TO POB PER 3157/0702
3. MAP OF PLYMOUTH B/17 LOT 6 BLK P & AN INT PER 3157/702 IN VAC ST RUNNING E & W THROUGH CENTER OF BLK P DESC AS FROM SE COR SEC 36- 20-27 RUN N 642.77 FT FOR POB TH RUN N 32.78 FT W 20 FT N 7.11 FT W 1173.86 FT S 40 FT E 1193.08 FT TO POB PER 3157/0702
4. (NOTE: AG PORTION OF THE FOLLOWING DESCRIBED PROPERTY) MAP OF PLYMOUTH B/17 LOT 7 BLK P & AN INT PER 3157/702 IN VAC ST RUNNING E & W THROUGH CENTER OF BLK P DESC AS FROM SE COR SEC 36- 20-27 RUN N 642.77 FT FOR POB TH RUN N 32.78 FT W 20 FT N 7.11 FT W 1173.86 FT S 40 FT E 1193.08 FT TO POB (LESS COMM SW COR OF SE1/4 OF SEC 36-20-27 TH N89-33-19E 1320.40 FT TH N89-32-59E 723.67 FT TH N00-27-01W 20 FT TO POB TH N79-37-53E 200.65 FT TH N56-40-36E 78.30 FT TH S02-19-26E 77.10 FT TH S89-32-59W 265.94FT TO POB) SEE 5118/3417
5. (NOTE: HOMESTEAD PORTION OF THE FOLLOWING DESCRIBED PROPERTY) MAP OF PLYMOUTH B/17 LOT 7 BLK P & AN INT PER 3157/702 IN VAC ST RUNNING E & W THROUGH CENTER OF BLK P DESC AS FROM SE COR SEC 36- 20-27 RUN N 642.77 FT FOR POB TH RUN N 32.78 FT W 20 FT N 7.11 FT W 1173.86 FT S 40 FT E 1193.08 FT TO POB SEE 5118/3417
6. (NOTE: AG PORTION OF THE FOLLOWING DESCRIBED PROPERTY) MAP OF PLYMOUTH B/17 LOT 4 BLK P & S 20 FT OF N 661.97 FT OF W 132 FT OF SE1/4 OF SE1/4 OF SEC 36-20-27 & AN INT PER 3157/702 IN VAC ST RUNNING E & W THRU CENTER OF BLK P DESC AS FROM SE COR OF SEC 36- 20-27 RUN N 642.77 FT FOR POB TH RUN N 32.78 FT W 20 FT N 7.11 FT W 1173.86 FT S 40 FT E 1193.08 FT TO POB SEE 3934/3359

EXHIBIT "A" (Continued):

7. MAP OF PLYMOUTH B/17 LOT 3 BLK P (LESS E 30 FT) & AN INT PER 3157/702 IN VAC ST RUNNING E & W THROUGH CENTER OF BLK P DESC AS FROM SE COR SEC 36-20-27 RUN N 642.77 FT FOR POB TH RUN N 32.78 FT W 20 FT N 7.11 FT W 1173.86 FT S 40 FT E 1193.08 FT TO POB PER 3157/0702
8. 9400/0226 RECORDED WITH OUT LEGAL-- S 400 FT OF NE1/4 OF SE1/4 (LESS COMM AT NE COR OF SE1/4 TH S02-14-21E 924.06 FT TO PT ON N LINE OF S 400 FT OF NE1/4 OF SE1/4 BEING POB TH CONT S02-14-21E 400.18 FT TO PT ON S LINE OF NE1/4 OF SE1/4 TH S89-29-17W 249.96 FT ALONG S LINE TO PT ON A CURV CONCV WLY HAVING A RAD OF 11,294.16 FT A CHORD BEARING OF N02-02-26W A CENTRAL ANGLE OF 02-01-48 & AN ARC DIST OF 40.16 FT TH N89-29-17E 248.57 FT TO POB PER 10764/0480) & E 30 FT OF LOT 3 BLK P MAP OF PLYMOUTH B/17 IN SEC 36-20-27
9. MAP OF PLYMOUTH B/17 LOT 2 BLK P & AN INT PER 3157/702 IN VAC ST RUNNING E & W THRU CENTER OF BLK P DESC AS FROM SE COR SEC 362027 RUN N 642.77 FT FOR POB TH RUN N 32.78 FT W 20 FT N 7.11 FT W 1173.36 FT S 40 FT E 1193.08 FT TO POB PER 3157/0702
10. (NOTE: HOMESTEAD PORTION OF THE FOLLOWING DESCRIBED PROPERTY) MAP OF PLYMOUTH B/17 LOT 4 BLK P & S 20 FT OF N 661.97 FT OF W 132 FT OF SE1/4 OF SE1/4 OF SEC 36-20-27 & AN INT PER 3157/702 IN VAC ST RUNNING E & W THRU CENTER OF BLK P DESC AS FROM SE COR OF SEC 36- 20-27 RUN N 642.77 FT FOR POB TH RUN N 32.78 FT W 20 FT N 7.11 FT W 1173.86 FT S 40 FT E 1193.08 FT TO POB SEE 3934/3359
11. N 148.5 FT OF E 264 FT OF S1/2 OF SE1/4 OF NW1/4 OF SE1/4 SEC 36-20-27 SEE 3069/701

EXHIBIT "B"



ORDINANCE NO. 2693

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY WILLIAMS FAMILY TRUST, AND BY JUDY BAIN AND WILLIAMS FAMILY TRUST AND LOCATED AS DEPICTED WITHIN EXHIBIT "A" OF SAID ORDINANCE, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Orange County Board of County Commissioners has requested that the City of Apopka, Florida, annex the property located North of North Orange Blossom Trail and West of State Route 429; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling **9.92 +/- acres**, and depicted in Exhibit "A" and further graphically depicted by Exhibit "B", are hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

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

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

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

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

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

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

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: November 21 and 28, 2018

EXHIBIT "A"

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-
2693	12	Williams Family Trust	3205 Dew Berry Ave.	36-20-27-0000-00-047	3.99
	13	Judy Bain & Williams Family Trust	3225 Dew Berry Ave.	36-20-27-0000-00-085	0.99
	14	Judy Bain & Williams Family Trust	3321 Dew Berry Ave.	36-20-27-0000-00-083	4.94

Property Descriptions

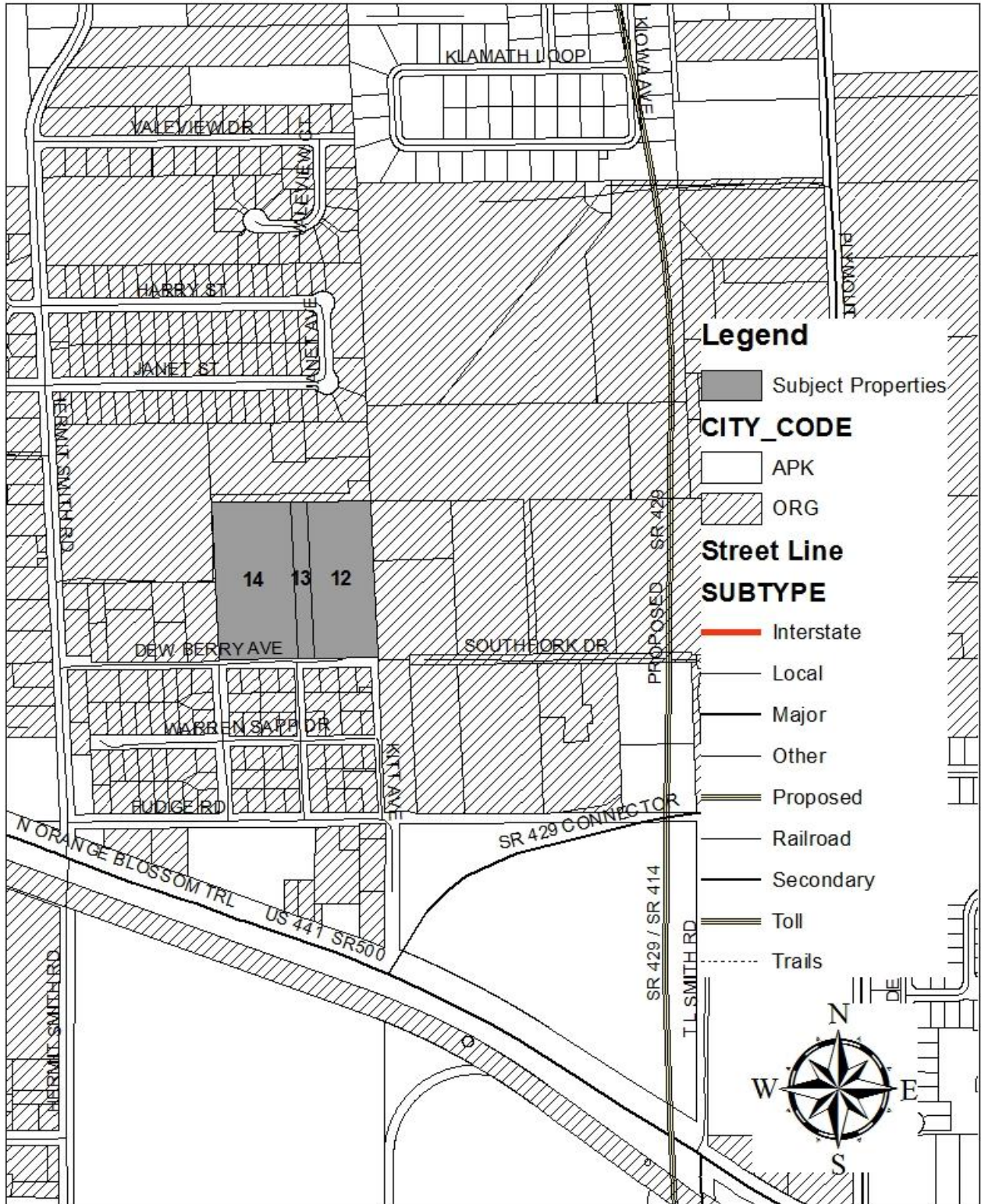
Item No.

- 12. NE1/4 OF SW1/4 OF SE1/4 (LESS W 396 FT THEREOF) & (LESS S 10.01 FT FOR R/W PER OR 4184/3110) SEC 36-20-27

- 13. BEG 330 FT E OF SW COR OF NE1/4 OF SW1/4 OF SE1/4 RUN E 66 FT N 660 FT W 66 FT S 660 FT TO POB (LESS S 10.01 FT FOR RD R/W PER OR 4175/4995) IN SEC 36-20-27

- 14. W1/2 OF NE1/4 OF SW1/4 OF SE1/4 (LESS S 10.01 FT FOR RD R/W PER OR 4175/4995) OF SEC 36-20-27

EXHIBIT "B"



ORDINANCE NO. 2694

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY BRUCE AND JEANNIE HATCHER; AND ROBERT AND CYNTHIA HENDERSON AND LOCATED AS DEPICTED WITHIN EXHIBIT "A" OF SAID ORDINANCE, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Orange County Board of County Commissioners has requested that the City of Apopka, Florida, annex the property located North of North Orange Blossom Trail and West of Plymouth Sorrento Road; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling 20.89 +/- acres, and depicted by Exhibit "A" and further graphically depicted by the attached Exhibit "B", are hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

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

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

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

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

ORDINANCE NO. 2694
PAGE 2

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

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

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: November 21 and 28, 2018

EXHIBIT “A”

ORD. NO.	ITEM NO.	OWNER’S NAME	LOCATION	PARCEL NUMBER	ACRES +/-
2694	15	Bruce & Jeannie Hatcher	1430 Plymouth Sorrento Rd.	36-20-27-0000-00-093	14.18
	16	Robert & Cynthia Henderson	1374 Plymouth Sorrento Rd.	36-20-27-0000-00-075	6.15
	17	Bruce & Jeannie Hatcher	1430 Plymouth Sorrento Rd.	36-20-27-0000-00-093	0.28
	18	Robert & Cynthia Henderson	1374 Plymouth Sorrento Rd.	36-20-27-0000-00-075	0.28

Property Descriptions

Item No.

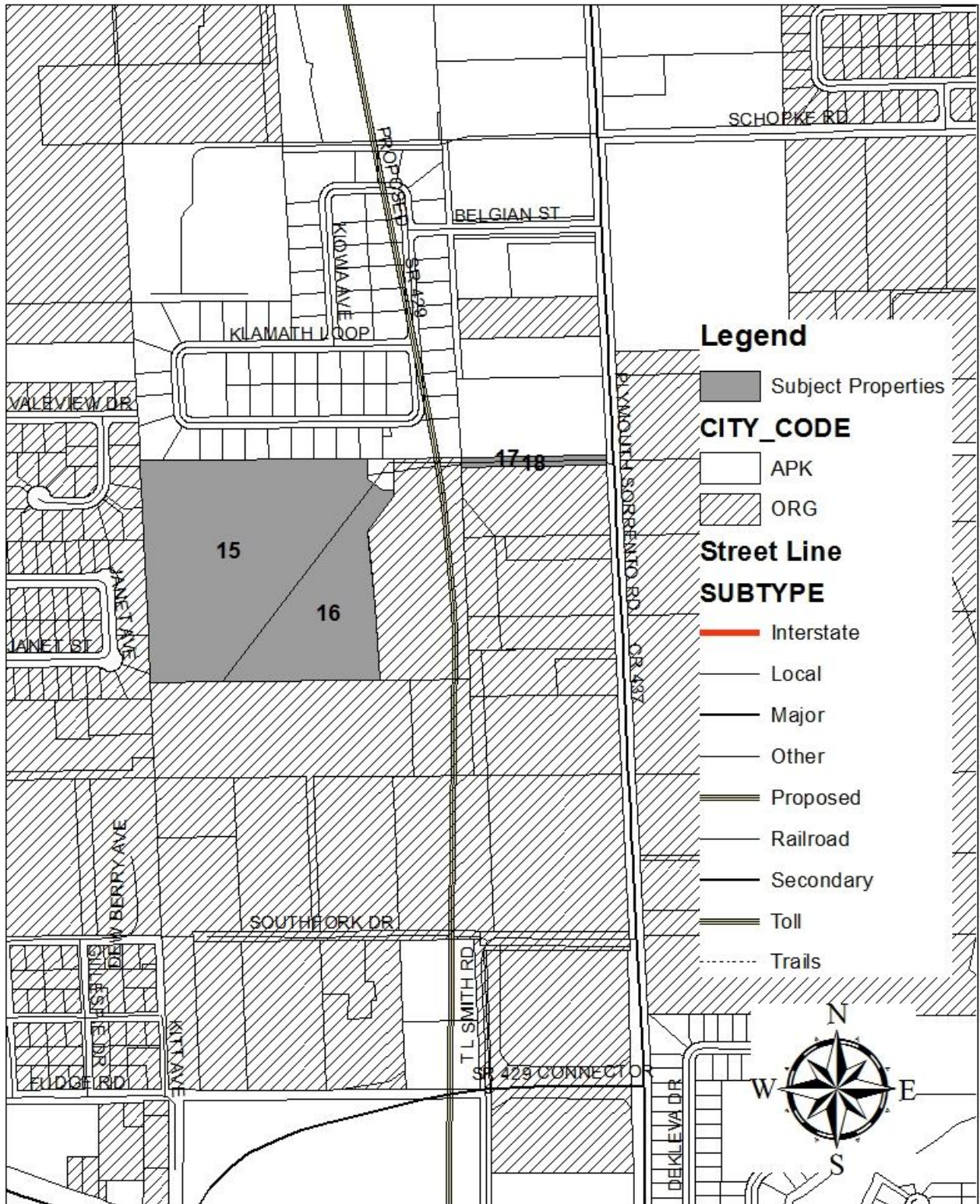
15. BEG 400 FT N OF SW COR OF NE1/4 OF SE1/4 RUN N TO N LINE OF SE1/4 TH E TO NE COR OF SE1/4 TH S 20 FT TH W 300 FT TH SWLY TO A POINT 300 FT E OF POB TH W 300 FT TO POB (LESS BEG AT NE COR OF SE1/4 RUN S02-14-21E 20.01 FT TO PT ON S LINE OF N 20 FT OF E 300 FT OF NE1/4 OF SE1/4 TH S89-27-24W 279.34 FT TH CONT S89-27-24W 20.58 FT TH S37-23-29W 106.13 FT TH N52-36-26W 29.99 FT TH N00-31-19W 85.41 FT TO PT ON N LINE OF SEC TH N89-28-38E 388.19 FT TO POB PER 10760/7046) IN SEC 36-20-27 & N 20 FT OF NW1/4 OF SW1/4 OF SEC 31-20-28 LYING W PLYMOUTH SORRENTO RD - BEING VAC R/W PER DB 596/467

16. BEG 400 FT N & 300 FT E OF SW COR OF NE 1/4 OF SE1/4 RUN E 1032.9 FT N 905.7 FT W 300 FT SWLY TO POB IN SEC 36-20-27 (LESS COMM AT NE COR OF SE1/4 PF SEC TH RUN S02-14-21E 20.01 FT TO PT ON S LINE OF N 20 FT OF E 300 FT OF NE1/4 OF SE1/4 AND POB TH CONT S 02-14-21E 904.05 FT TO PT ON N LINE OF S 400 FT OF NE1/4 OF SE1/4 TH S89-29-17W ALONG N LINE 373.7 FT TO PT ON CURV CONCV WLY HAVING A RAD OF 11,169.16 A CHORD BEARING OF N04-40-48W A CENTRAL ANGLE OF 03-11-30 & AN ARC DIST OF 622.17 FT TH N37-22-01E 182.75 FT TH N00-27-45W 24.57 FT TH S89-31-59W 46.6 FT TH N52-36-26W 49.54 FT TO PT ON WLY LINE OF LANDS DESC IN OR 8943/2342 TH N37-23-29E 106.13 FT TH N89-27-24E 300 FT TO POB PER 10705/6080) & N 20 FT LOT 2 BLK E PLYMOUTH PB B/17 & VAC R/W LYING W OF SAID N 20 FT OF LOT 2 PER DB 596/467

17. BEG 400 FT N OF SW COR OF NE1/4 OF SE1/4 RUN N TO N LINE OF SE1/4 TH E TO NE COR OF SE1/4 TH S 20 FT TH W 300 FT TH SWLY TO A POINT 300 FT E OF POB TH W 300 FT TO POB (LESS BEG AT NE COR OF SE1/4 RUN S02-14-21E 20.01 FT TO PT ON S LINE OF N 20 FT OF E 300 FT OF NE1/4 OF SE1/4 TH S89-27-24W 279.34 FT TH CONT S89-27-24W 20.58 FT TH S37-23-29W 106.13 FT TH N52-36-26W 29.99 FT TH N00-31-19W 85.41 FT TO PT ON N LINE OF SEC TH N89-28-38E 388.19 FT TO POB PER 10760/7046) IN SEC 36-20-27 & N 20 FT OF NW1/4 OF SW1/4 OF SEC 31-20-28 LYING W PLYMOUTH SORRENTO RD - BEING VAC R/W PER DB 596/467

18. BEG 400 FT N & 300 FT E OF SW COR OF NE 1/4 OF SE1/4 RUN E 1032.9 FT N 905.7 FT W 300 FT SWLY TO POB IN SEC 36-20-27 (LESS COMM AT NE COR OF SE1/4 PF SEC TH RUN S02-14-21E 20.01 FT TO PT ON S LINE OF N 20 FT OF E 300 FT OF NE1/4 OF SE1/4 AND POB TH CONT S 02-14-21E 904.05 FT TO PT ON N LINE OF S 400 FT OF NE1/4 OF SE1/4 TH S89-29-17W ALONG N LINE 373.7 FT TO PT ON CURV CONCV WLY HAVING A RAD OF 11,169.16 A CHORD BEARING OF N04-40-48W A CENTRAL ANGLE OF 03-11-30 & AN ARC DIST OF 622.17 FT TH N37-22-01E 182.75 FT TH N00-27-45W 24.57 FT TH S89-31-59W 46.6 FT TH N52-36-26W 49.54 FT TO PT ON WLY LINE OF LANDS DESC IN OR 8943/2342 TH N37-23-29E 106.13 FT TH N89-27-24E 300 FT TO POB PER 10705/6080) & N 20 FT LOT 2 BLK E PLYMOUTH PB B/17 & VAC R/W LYING W OF SAID N 20 FT OF LOT 2 PER DB 596/467

Exhibit "B"



ORDINANCE NO. 2695

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY EARL AND ADELAIDA WILSON, PATRICK CONNELLY, AND YONG SUN & BYUNG SOOK PAK; AND LOCATED AS DEPICTED WITHIN EXHIBIT “A” OF SAID ORDINANCE, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Orange County Board of County Commissioners has requested that the City of Apopka, Florida, annex the property located North of North Orange Blossom Trail and West of Plymouth Sorrento Road; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling 7.01 +/- acres, and depicted by Exhibit “A” and graphically depicted by Exhibit “B”, are hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

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

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

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

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

ORDINANCE NO. 2695

PAGE 2

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

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

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: November 21 and 28, 2018

EXHIBIT "A"

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-
2695	19	Earl & Adelaida Wilson	1118 Plymouth Sorrento Rd.	06-21-28-7172-04-062	0.86
	20	Patrick Connelly	1102 Plymouth Sorrento Rd.	06-21-28-7172-04-061	0.23
	21	Yong Sun & Byung Sook Pak	1058 Plymouth Sorrento Rd.	06-21-28-7172-04-060	5.92

Property Descriptions

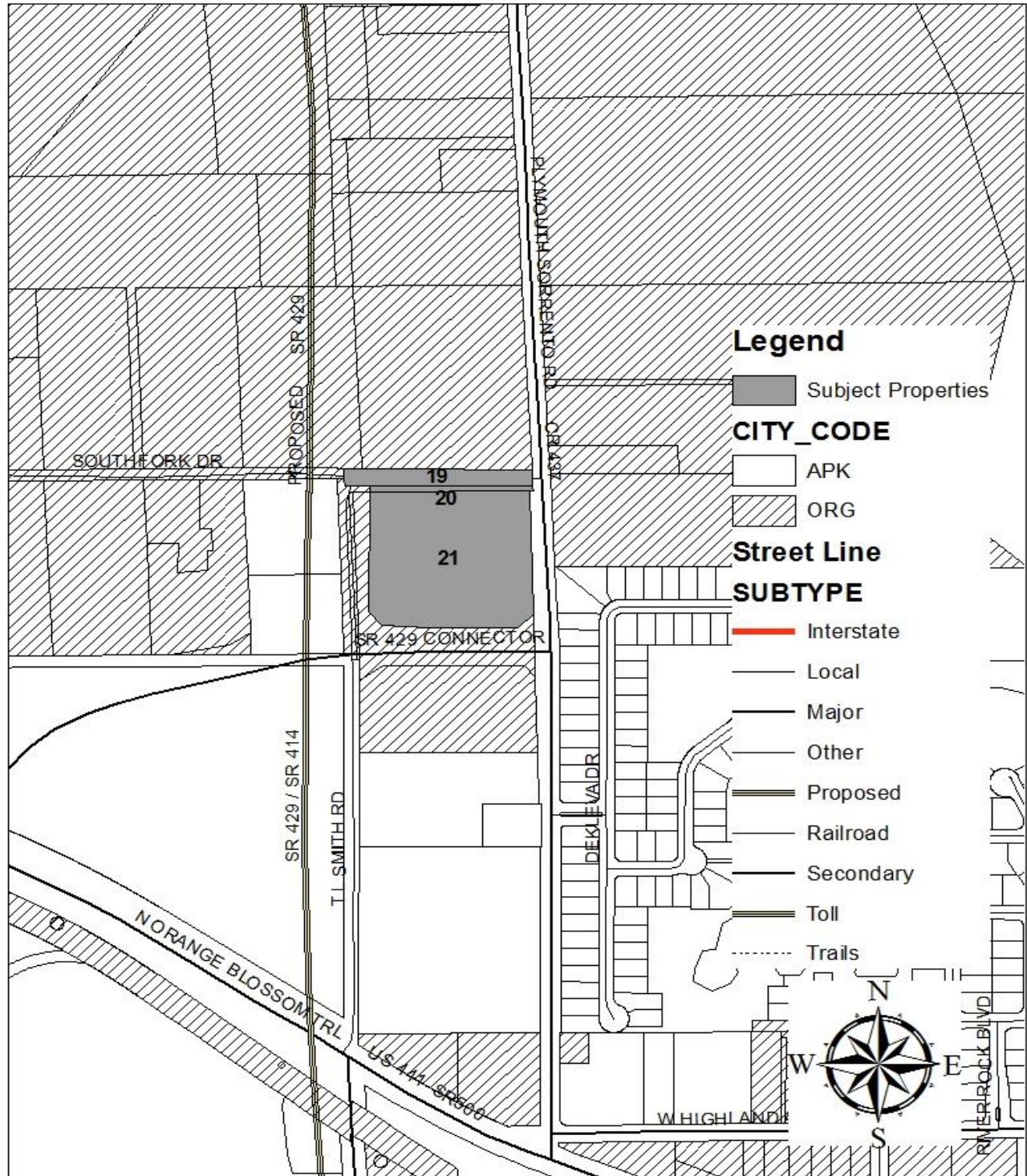
Item No.

19. MAP OF PLYMOUTH B/17 THE N 60 FT OF S 675.45 FT OF SW1/4 OF SEC 31-20-28 LYING W OF PLYMOUTH- SORRENTO RD (DB 385/509) BEING A PT OF LOTS 3 & 6 BLK D & VAC R/W ON W THEREOF PER DEED BOOK 596/467 SEE 3157/702, 3173/769, 5796/3509

20. MAP OF PLYMOUTH B/17 PT OF LOT 6 BLK D DESC AS: THE S 80 FT OF THE N 730 FT OF SW 1/4 OF THE SW 1/4 OF 31-20-28 LYING WEST OF RD LESS THE NORTH 60 FEET OF THE S 675.45 FEET OF THE SW 1/4 OF THE SW 1/4 OF 31-20-28 (LESS R/W ON E PER DB 385/509) & ALL THE VACATED 40 FOOT ROAD ON THE EAST SIDE OF BLOCK P PER DB 596/467 (LESS THE NORTH 650 FEET THEREOF) & (LESS THE ROAD RUNNING EAST AND WEST THROUGH THE CENTER OF BLOCK P) SEE 2972/1671-1674 & 3157/702 & (LESS BEG SECOR OF SE1/4 OF 36-20-27 TH N 20 FT S89-32-59W 25.01 FT TH N02-14-24W 642.43 FT TH N89-31-39E 25.01 FT TH S02-14-24E 26.46 FT TH S89-52.33E 82.02 FT TH 00-07-27W 20.73 FT TH S89-36-50W 66.13 FT TH S02-14-24E 594.64 FT TH N89-52-33W 15.01 TO POB) & (LESS COMM AT THE SW CORNER OF SEC 31-20-28 TH S89-54-05E 15.01 FT TO THE POB TH N02-14-21W 594.64 FT TH N89-36-47E 10.01 FT TH S02-14-21E 594.72 FT TH N89-54-05W 10.01 FT TO THE POB SEE 10813/1954)

21. MAP OF PLYMOUTH B/17 LOTS 2, 3, 6 & 7 (LESS N 730 FT) BLK D & PT OF VAC ST LYING S OF LOT 7 & VAC R/W ON W THEREOF PER DB 596/467 (LESS R/W ON E PER DB 385/509) & (LESS COMM AT SW COR OF SE1/4 OF 36-20-27 TH N89-33-19E 1320.40 FT TH N89-32-59E 1320.36 FT TH S89-52-33E 25.02 FT FOR POB TH N02-14-24W 594.73 FT N89-36-50E 56.13 FT TH S00-07-27W 427.02 FT S40-23-58E 63.85 FT TH S88-09-56E 162.60 FT TH S89-24-23E 287.78 FT TH N47-15-59E 71.94 FT TH S01-18-38E 160.94 FT N89-52-33W 580.13 FT TO POB)

EXHIBIT "B"





CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 19, 2018
 FROM: Community Development
 EXHIBITS: Ordinance No. 2696
 Annexation Case Table
 Vicinity Map
 Aerial Map

SUBJECT: ORDINANCE NO. 2696 - 2018 ANNEXATION – CYCLE 6

REQUEST: ORDINANCE NO. 2696 – SECOND READING AND ADOPTION – ANNEXATION OF PROPERTY OWNED BY CHS MANAGEMENT CORP, LOCATED AT PLYMOUTH SORRENTO ROAD.

SUMMARY:

OWNER: CHS Management Corp.

APPLICANT; Jonathan Huels

LOCATION: 3443 Plymouth Sorrento Road and Plymouth Sorrento Road

PARCEL ID NOS.: 19-20-28-0000-00-005 and 19-20-28-0000-00-031

EXISTING USE: Vacant

TRACT SIZE: 6.97 +/- acres (combined acreage of two parcels)

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: Abutting current boundaries of the City of Apopka, the subject site is consistent with Florida Statutes addressing annexation of unincorporated lands into a municipality. The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. Assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify Orange County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on November 9, 2018.

DULY ADVERTISED:

November 16, 2018

November 23, 2018

PUBLIC HEARING SCHEDULE:

December 5, 2018 (1:30 PM) - City Council 1st Reading

December 19, 2018 (7:00 PM) - City Council 2nd Reading and Adoption

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the annexation for property owned by CHS Management Corp.

The **City Council**, at its meeting on December 5, 2018, accepted the First Reading of Ordinance No. 2696 and held it over for Second Reading and Adoption on December 19, 2018.

Recommended Motion: Adopt Ordinance No. 2696.

CITY OF APOPKA
2018 ANNEXATION CYCLE # 6

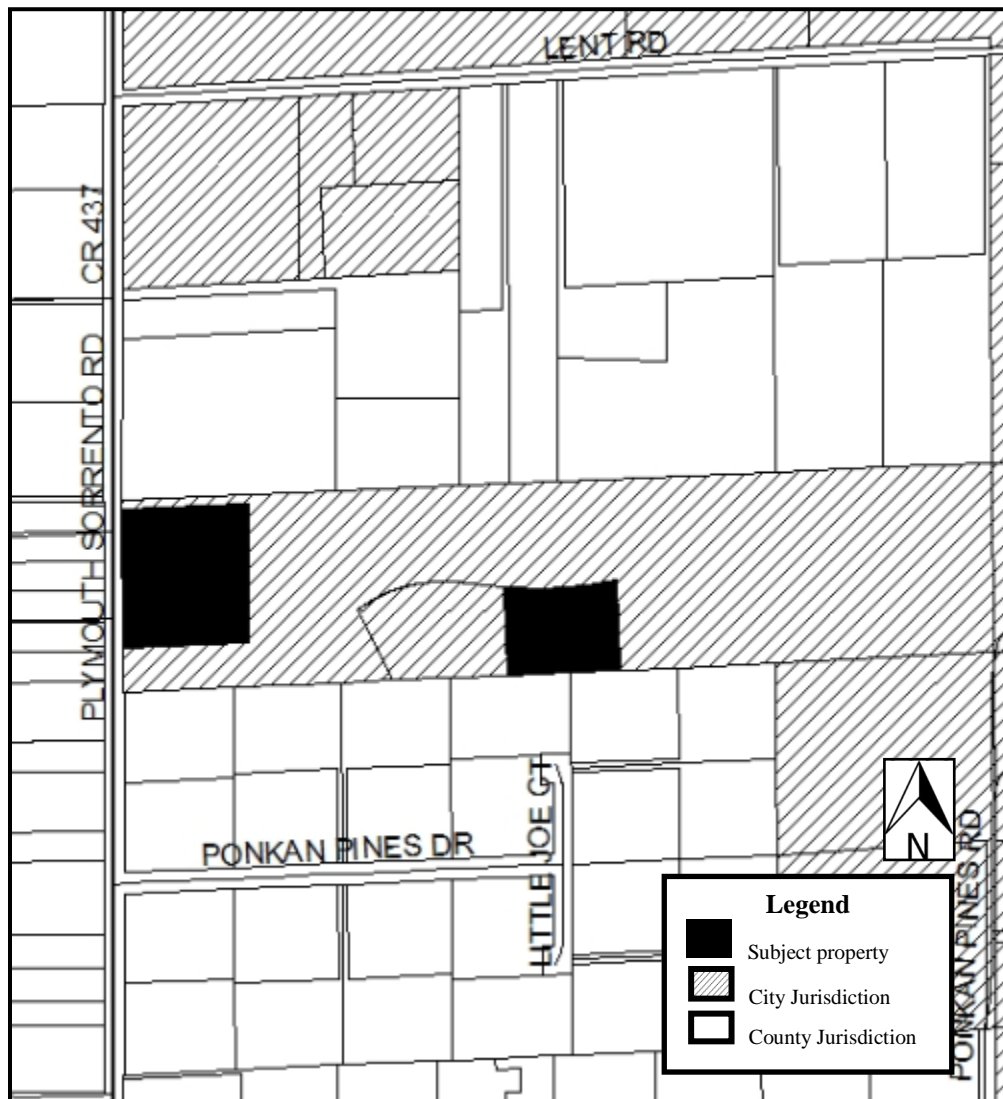
TOTAL ACRES: 6.97 +/-

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER(S)	ACRES +/-	EXISTING USE(S)	FUTURE LAND USE (COUNTY)
2696	1	CHS Management Corp	3443 Plymouth Sorrento Road and Plymouth Sorrento Road	19-20-28-0000-00-005; 19-20-28-0000-00-031	6.97	Single Family Residential; Vacant	Rural

ANNEXATION
CHS Management Corp
Plymouth Sorrento Road

Property Description: N1/2 OF S1/2 OF SE1/4 OF NE1/4 (LESS E 50 FT FOR R/W) SEC 28-20-28
Parcel ID Nos.: 19-20-28-0000-00-005 and 19-20-28-0000-00-031
Total Acres: 6.97 +/- (combined)

Vicinity Map



(THIS MAP IS FOR REFERENCE PURPOSES ONLY AND IS NOT TO SCALE)

Aerial Map



ORDINANCE NO. 2696

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CHS MANAGEMENT CORP. AND LOCATED AT PLYMOUTH SORRENTO ROAD, PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, CHS Management Corp., owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located at Plymouth Sorrento Road; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling **6.97 +/- acres**, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Property Descriptions:

S 460 FT OF N 490 FT OF W 450 FT OF NW1/4 OF SW1/4 OF SEC 19-20-28
Parcel ID No.: 19-20-28-0000-00-005

BEG 2025.24 FT N & 1315.03 FT E OF SW COR OF SW1/4 RUN N 296.7 FT E 45.04 FT NELY ALONG CURVE 236 FT N 81 DEG E 100.49 FT S 301.56 FT W 380 FT TO POB IN SEC 19-20-28
Parcel ID No.: 19-20-28-0000-00-031

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

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

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

ORDINANCE NO. 2696

PAGE 2

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

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

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

READ FIRST TIME: December 5, 2018

READ SECOND TIME
AND ADOPTED: December 19, 2018

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: November 16, 2018 and November 23, 2018

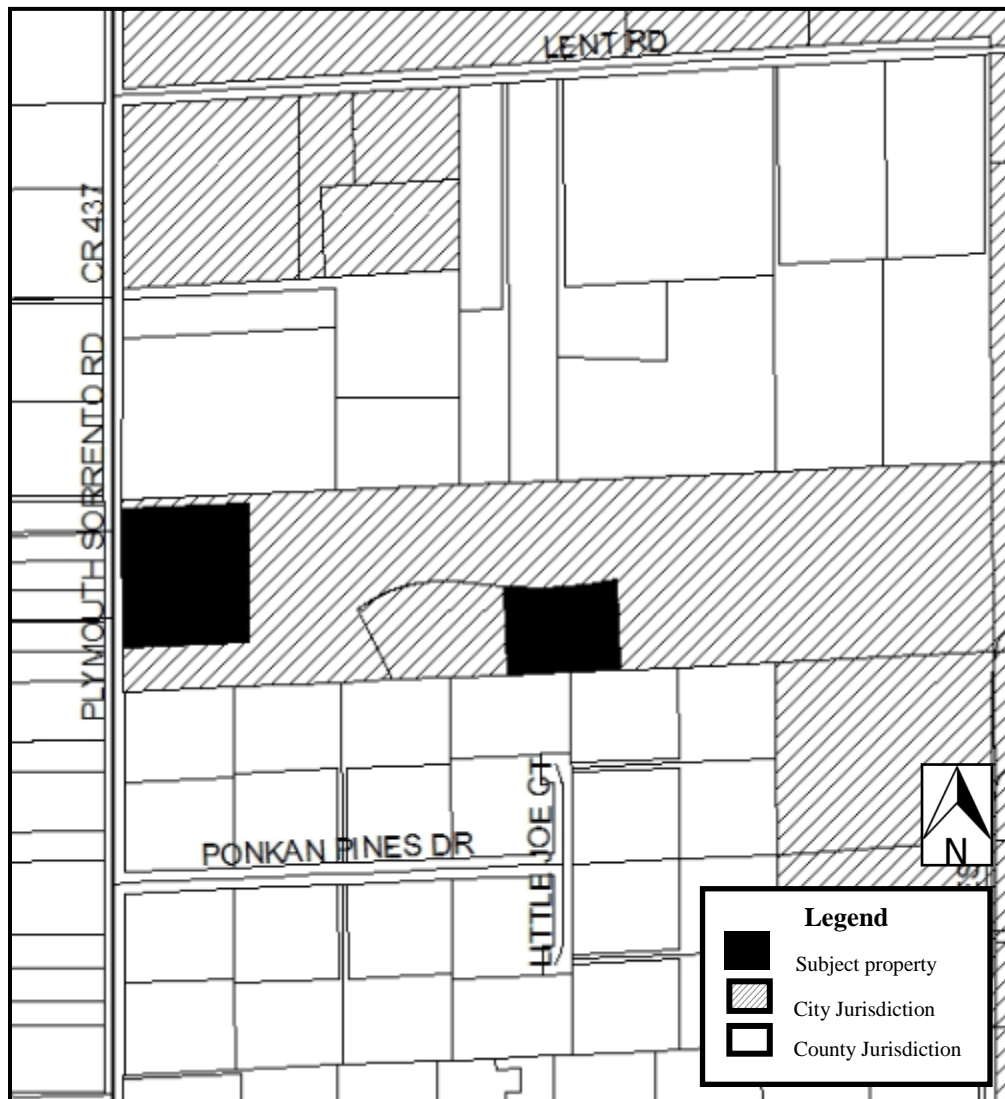
ANNEXATION
CHS Management Corp
Plymouth Sorrento Road

Property Description: N1/2 OF S1/2 OF SE1/4 OF NE1/4 (LESS E 50 FT FOR R/W) SEC 28-20-28

Parcel ID Nos.: 19-20-28-0000-00-005 and 19-20-28-0000-00-031

Total Acres: 6.97 +/-

Vicinity Map



(THIS MAP IS FOR REFERENCE PURPOSES ONLY AND IS NOT TO SCALE.)



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER:

MEETING OF: December 19, 2018
FROM: City Clerk
EXHIBITS: Ordinance No 2698

SUBJECT: ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF APOPKA

REQUEST: ADOPT ORDINANCE NO. 2698.

SUMMARY:

This new code constitutes a recodification of the general and permanent ordinances adopted by the City of Apopka City Council. Following a legal review by Municode, city staff reviewed sections of the code that they were directly involved. The legal review by Municode brought references of Florida Statutes and Laws within the code of ordinances up to date and in compliance.

The last recodification of the Code of Ordinances was in February 1994. Ordinances adopted after August 15, 2018 that amend or refer to ordinances that have been codified will be posted as NOW ordinances in Municode and a supplement will be done periodically as ordinances are adopted by City Council and codified.

A copy of the recodification is available in the City Clerk's office. Upon adoption, the Code of Ordinances will be available online at https://library.municode.com/fl/apopka/codes/code_of_ordinances

FUNDING SOURCE:

Approved in FY 16 Budget and carried forward.

RECOMMENDATION ACTION:

Adopt Ordinance No. 2698 approving the recodification of the Code of Ordinances.

DISTRIBUTION

Mayor Nelson
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

ORDINANCE NO. 2698

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF APOPKA, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AS FOLLOWS:

Section 1. The Code entitled "Code of Ordinances, City of Apopka, Florida" published by Municipal Code Corporation, consisting of chapters 1 through 86, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before August 15, 2018, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding \$500.00 or a term of imprisonment not exceeding 60 days.

Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may

pursue other remedies such as abatement of nuisances, administrative adjudication, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the city council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after August 15, 2018, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective immediately upon adoption.

Passed and adopted this 19th day of December, 2018.

Bryan Nelson, Mayor

ATTEST:

Linda F. Goff, City Clerk

APPROVED AS TO FORM AND LEGALITY FOR USE
AND RELIANCE BY THE CITY OF APOPKA, FLORIDA:

Cliff Shepard, City Attorney

1st Reading: December 5, 2018
2nd Reading and adoption: December 19, 2018

DULY ADVERTISED FOR PUBLIC HEARING: December 7, 2018

Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the City Council, held on the 19th day of December, 2018.

Linda F. Goff, City Clerk

The Apopka Chief

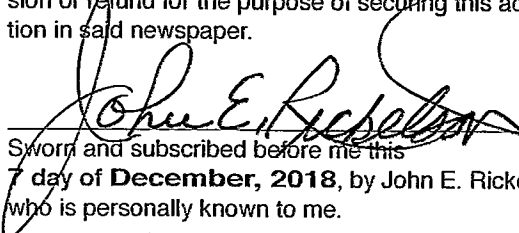
APOPKA, FLORIDA

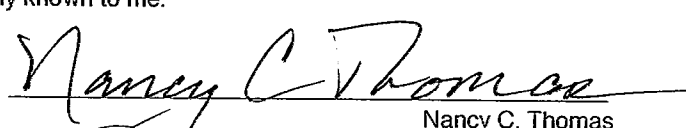
PUBLISHER'S AFFIDAVIT OF PUBLICATION

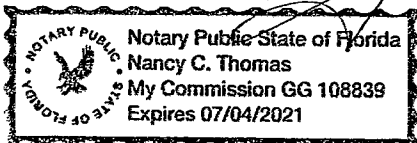
STATE OF FLORIDA
COUNTY OF ORANGE

Before the undersigned, personally appeared JOHN E. RICKETSON who is personally known to me and who on oath says he is PUBLISHER of THE APOPKA CHIEF, a weekly newspaper published at Apopka, in Orange County, Florida, that the attached copy of advertisement was published in said newspaper in the issues of: **December 7, 2018**, as well as being posted online at www.theapokkachief.com and www.floridapublicnotices.com

Affiant further says that the said APOPKA CHIEF is a newspaper published at Apopka, in said Orange County, Florida, and that said newspaper has heretofore been continuously published in said Orange County, Florida, each week and has been entered as periodical* class mail matter (*second class as renamed by USPS 7/1/96) at the post office in Apopka, in said Orange County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any discount, rebate commission or refund for the purpose of securing this advertisement for publication in said newspaper.


Sworn and subscribed before me this
7 day of **December, 2018**, by John E. Ricketson,
who is personally known to me.


Nancy C. Thomas
Notary Public, State of Florida
My Commission GG 108839
Expires July 04, 2021



CITY OF APOPKA PUBLIC HEARING NOTICE

The following ordinance will be read and considered for adoption at the City Council meeting in the Apopka City Hall Council Chambers on **Wednesday, December 19, 2018, at 7:00 p.m.**, or as soon thereafter as possible.

ORDINANCE NO. 2698

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF APOPKA, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

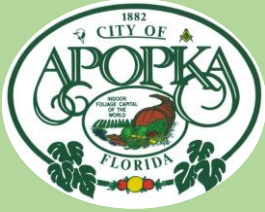
Interested parties may appear at this meeting and be heard with respect to the proposed ordinance. The proposed ordinance and code of ordinances is available in the City Clerk's office for inspection.

Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), persons with disabilities needing assistance 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.

Dated this 3rd day of December, 2018
Linda F. Goff, City Clerk
City of Apopka, Florida

December 7, 2018
Publish: The Apopka Chief

162105



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: December 19, 2018
FROM: Community Development
EXHIBIT(S): Ordinance No. 2697
Sketch/Legal Description
Vicinity Map
Aerial Map

SUBJECT: **ORDINANCE NO. 2697 – VACATING A PORTION OF A DRAINAGE EASEMENT LOCATED AT 2846 SAND OAK LOOP**

REQUEST: **ACCEPT THE FIRST READING OF ORDINANCE NO. 2697 – VACATE 5-FOOT WIDE PORTION OF 15-FOOT WIDE DRAINAGE EASEMENT AT REAR OF 2846 SAND OAK LOOP; AND HOLD OVER FOR SECOND READING AND ADOPTION.**

SUMMARY:

OWNER: Edward and Patricia Talia
LOCATION: 2846 Sand Oak Loop
PARCEL ID #: 18-20-28-6100-01-350
LAND USE: Residential Very Low Suburban
ZONING: R-1AAA (Residential Single-Family District)
EXISTING USE: Single Family Residential
TRACT SIZE: 0.38 +/- Acres

FUNDING SOURCE: N/A

DISTRIBUTION

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

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Residential Very Low Suburban (RVLS)	R-1AAA	Single Family Residential
East (City)	Residential Very Low Suburban (RVLS)	R-1AAA	Single Family Residential
South (City)	Residential Very Low Suburban (RVLS)	R-1AAA	Single Family Residential
West (City)	Residential Very Low Suburban (RVLS)	R-1AAA	Single Family Residential

ADDITIONAL COMMENTS: Applicants are seeking to vacate a 5-foot wide portion of a 15-foot wide drainage easement in the rear of the 2846 Sand Oak Loop. The intention is to extend the existing patio with a concrete slab and screen enclosure.

The Public Services Department has evaluated the request and has no objection to the 5-foot wide portion of the drainage easement being vacated. The City has letters on file from all utility providers indicating no objection to the proposed vacate.

PUBLIC HEARING SCHEDULE:

December 19, 2018 - City Council - 1st Reading (7:00 p.m.)
 January 2, 2018 - City Council - 2nd Reading (1:30 p.m.)

DULY ADVERTISED:

November 30, 2018 - Public Hearing Notice
 December 21, 2018 - Ordinance Heading Ad

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the request by the Edward and Patricia Talia to vacate a five-foot wide portion of the 15-foot wide drainage easement, as described in the legal description, subject to this staff report.

Accept the First Reading of Ordinance No. 2697 and hold it over for Second Reading and Adoption on January 2, 2019.

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

A PORTION OF
15' DRAINAGE EASEMENT
LOT 135, OAK RIDGE PHASE 2

LEGAL DESCRIPTION

A PORTION OF LOT 135, OAK RIDGE PHASE 2, AS RECORDED IN PLAT BOOK 87, PAGES 133 THROUGH 135 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 135, OAK RIDGE PHASE 2, AS RECORDED IN PLAT BOOK 87, PAGES 133 THROUGH 135 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S 01°18'16" E ALONG THE WEST LINE OF SAID LOT 135 A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE S 01°18'16" E, A DISTANCE OF 5.00 FEET; THENCE DEPARTING SAID WEST LINE RUN N 88°41'44" E, A DISTANCE OF 120.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 135; THENCE ALONG SAID EAST LINE RUN N 01°18'16" W, A DISTANCE OF 5.00 FEET; THENCE DEPARTING SAID EAST LINE RUN S 88°41'44" W, A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 600 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES

- 1) NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
- 3) BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 135, BEING S01°18'16"E PER THE RECORD PLAT.

SEE SHEET 2 FOR SKETCH
11/12/2018
SHEET 1 OF 2

PROJECT: 12016

PREPARED BY:

I CERTIFY THAT THIS MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472, FLORIDA STATUTES.

 11-12-18
DAVID M. McDERMOTT

FLORIDA REGISTERED SURVEYOR AND MAPPER CERTIFICATE No. 4779

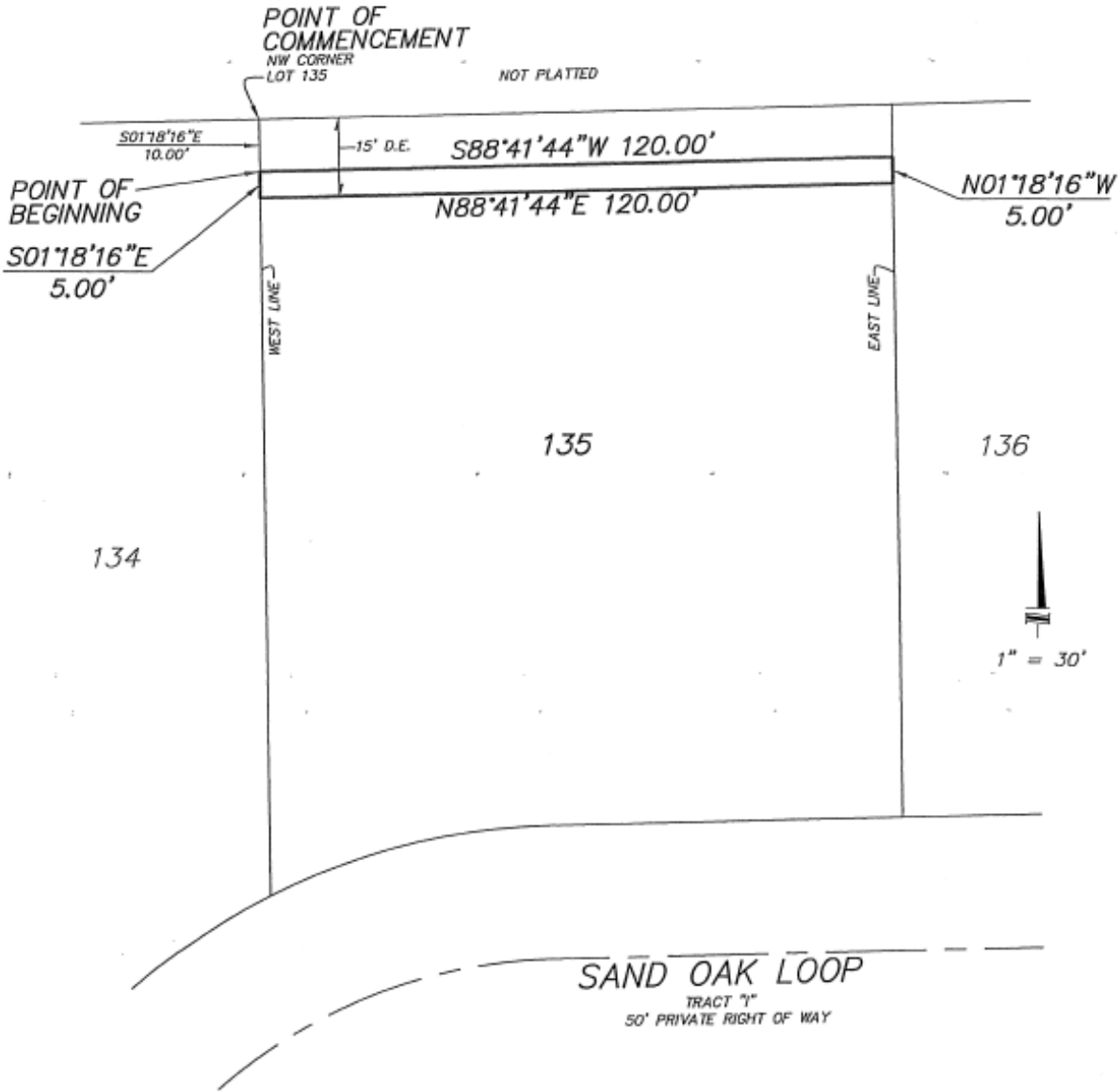
Associated Land Surveying & Mapping, Inc.

1681 POWELL STREET, LONGWOOD, FLORIDA 32750
PH (407) 869-5002, FAX (407) 869-8393
CERTIFICATE OF AUTHORIZATION # LB 6767

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

A PORTION OF
 15' DRAINAGE EASEMENT
 LOT 135, OAK RIDGE PHASE 2



PROJECT: 12016

SEE SHEET 1 FOR LEGAL

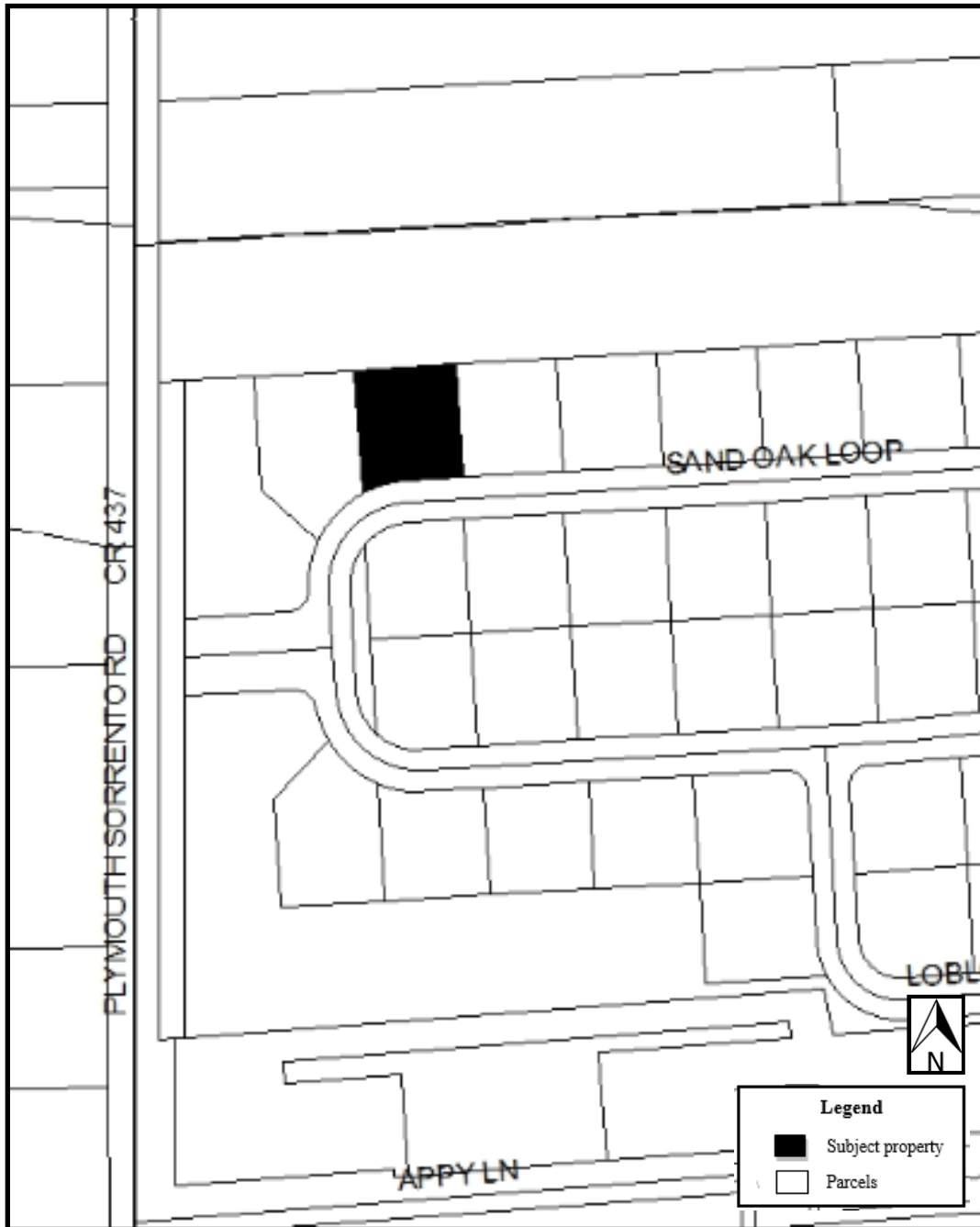
11/12/2018
 SHEET 2 OF 2

**Associated Land Surveying
 & Mapping, Inc.**

1681 POWELL STREET, LONGWOOD, FLORIDA 32750
 PH (407) 869-5002, FAX (407) 869-8393
 CERTIFICATE OF AUTHORIZATION # LB 6767

Owners/Applicants: Edward and Patricia Talia
Parcel I.D. No: 18-20-28-6100-01-350
Location: 2846 Sand Oak Loop
Total Acre(s): 0.38 +/- Acre

VICINITY MAP



AERIAL MAP



ORDINANCE NO. 2697

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A FIVE-FOOT WIDE PORTION OF A DRAINAGE EASEMENT LOCATED AT 2846 SAND OAK LOOP; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to provisions of Florida Statutes, Section 336.10, a Petition has been filed by Patricia and Edward Talia, to vacate, abandon, discontinue, renounce and disclaim a portion of an existing drainage easement located at 2846 Sand Oak Loop, as shown in Exhibit "A"; and

WHEREAS, CenturyLink (f/k/a Embarq), Duke Energy, Charter Spectrum Communications and Lake Apopka Natural Gas District have no objection to the abandonment of a portion of the existing utility easement; and

WHEREAS, the City Council has determined that under the proposed circumstances there exists no public need for this existing easement; and

WHEREAS, after public notice in accordance with Florida Statute 336.10, the City Council has determined that it is not contrary to public interest to vacate and abandon said existing easement.

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

Section 1. That the following lands, and graphically depicted by the attached Exhibit "A," shall be officially closed, discontinued, and vacated:

Legal Description:

A PORTION OF LOT 735, OAK RIDGE PHASE 2, AS RECORDED IN PLAT BOOK 87, PAGES 133 THROUGH 735 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 735, OAK RIDGE PHASE 2, AS RECORDED IN PLAT BOOK 87, PAGES 133 THROUGH 135 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S 07°18'76" E ALONG THE WEST LINE OF SAID LOT 135 A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE S 07°78'76" E, A DISTANCE OF 5.00 FEET; THENCE DEPARTING SAID WEST LINE RUN N 88°41'44" E, A DISTANCE OF 120.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 135; THENCE ALONG SAID EAST LINE RUN N 01°18'76" W, A DISTANCE OF 5.00 FEET; THENCE DEPARTING SAID EAST LINE RUN S 88°41'44" W, A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING..

CONTAINING 600 SQUARE FEET, MORE OR LESS

Section II. NOTICE. That notice of the adoption of this Ordinance be published and the Ordinance be filed with the Clerk of the Circuit Court of Orange County, Florida, and duly recorded among the Public Records of Orange County, Florida.

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

Section IV. CONFLICT. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section V. EFFECTIVE DATE. That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: December 19, 2018

READ SECOND TIME
AND ADOPTED: January 2, 2019

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: November 30, 2018 and December 10, 2018

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

A PORTION OF
15' DRAINAGE EASEMENT
LOT 135, OAK RIDGE PHASE 2

LEGAL DESCRIPTION

A PORTION OF LOT 135, OAK RIDGE PHASE 2, AS RECORDED IN PLAT BOOK 87, PAGES 133 THROUGH 135 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 135, OAK RIDGE PHASE 2, AS RECORDED IN PLAT BOOK 87, PAGES 133 THROUGH 135 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN S 01°18'16" E ALONG THE WEST LINE OF SAID LOT 135 A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE S 01°18'16" E, A DISTANCE OF 5.00 FEET; THENCE DEPARTING SAID WEST LINE RUN N 88°41'44" E, A DISTANCE OF 120.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 135; THENCE ALONG SAID EAST LINE RUN N 01°18'16" W, A DISTANCE OF 5.00 FEET; THENCE DEPARTING SAID EAST LINE RUN S 88°41'44" W, A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 600 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES

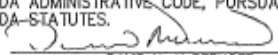
- 1) NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
- 3) BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 135, BEING S01°18'16"E PER THE RECORD PLAT.

SEE SHEET 2 FOR SKETCH
11/12/2018
SHEET 1 OF 2

PROJECT:12016

PREPARED BY:

I CERTIFY THAT THIS MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472, FLORIDA STATUTES.


DAVID M. McDERMOTT 11-12-18
FLORIDA REGISTERED SURVEYOR AND MAPPER CERTIFICATE No. 4779

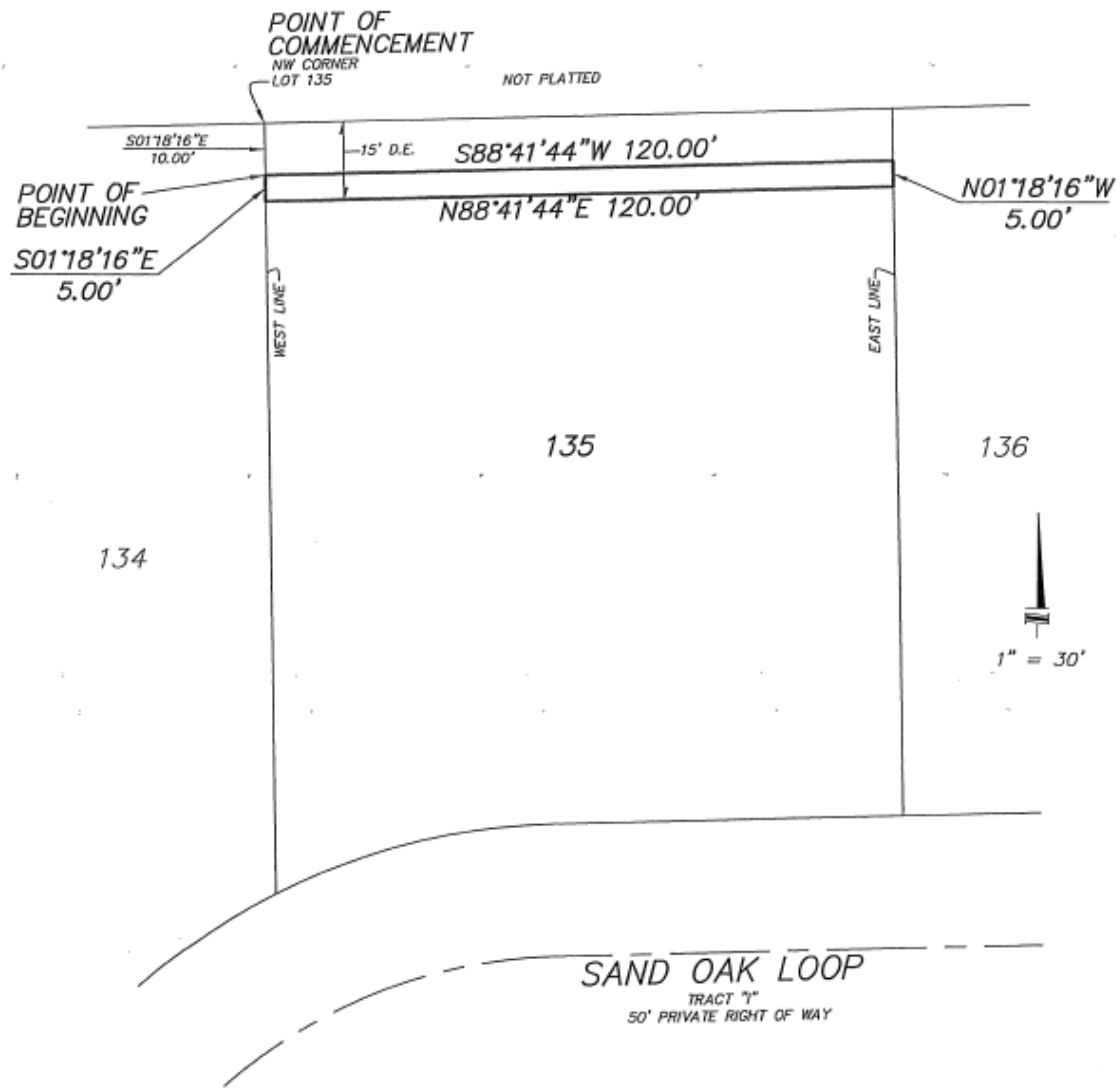
**Associated Land Surveying
& Mapping, Inc.**

1661 POWELL STREET, LONGWOOD, FLORIDA 32750
PH (407) 869-5002, FAX (407) 869-8393
CERTIFICATE OF AUTHORIZATION # LB 6767

SKETCH AND DESCRIPTION

(THIS IS NOT A SURVEY)

A PORTION OF
15' DRAINAGE EASEMENT
LOT 135, OAK RIDGE PHASE 2



PROJECT: 12016

SEE SHEET 1 FOR LEGAL

11/12/2018
SHEET 2 OF 2

**Associated Land Surveying
& Mapping, Inc.**

1681 POWELL STREET, LONGWOOD, FLORIDA 32750
PH (407) 869-5002, FAX (407) 869-8393
CERTIFICATE OF AUTHORIZATION # LB 6767



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 19, 2018
 FROM: Community Development
 EXHIBITS: Ordinance No. 2701
 Vicinity Map
 Aerial Map

SUBJECT: 2018 ANNEXATION – EMERSON POINT PHASE II, LLC - 1900 SOUTH HAWTHORNE AVENUE AND THE UNIMPROVED PUBLIC ROAD RIGHT-OF-WAY TO THE NORTH

REQUEST: ORDINANCE NO. 2701 – FIRST READING – ANNEXATION OF PROPERTY OWNED BY EMERSON POINT PHASE II, LLC, LOCATED AT 1900 SOUTH HAWTHORNE AVENUE AND THE UNIMPROVED PUBLIC ROAD RIGHT-OF-WAY TO THE NORTH, PARCEL IDENTIFICATION NUMBER 21-21-28-0000-00-008.

SUMMARY:

OWNER: Emerson Point Phase II, LLC
 APPLICANT: Appian Engineering c/o Luke Classon, P.E.
 LOCATION: 1900 South Hawthorne Avenue and Unimproved Public Right-of-Way to the North
 PARCEL ID NO.: 21-21-28-0000-00-008 and N/A
 EXISTING USE: Vacant and Public Right-of-Way
 TRACT SIZE: 1.93 +/- acres

FUNDING SOURCE: N/A

DISTRIBUTION

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

ADDITIONAL COMMENTS: Abutting current boundaries of the City of Apopka, the subject site is consistent with Florida Statutes addressing annexation of unincorporated lands into a municipality. The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. Assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify Orange County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on November 9, 2018.

DULY ADVERTISED:

November 30, 2018

December 7, 2018

PUBLIC HEARING SCHEDULE:

December 19, 2018 (7:00 PM) - City Council 1st Reading

January 2, 2019 (1:30 PM) - City Council 2nd Reading and Adoption

RECOMMENDATION ACTION:

The Development Review Committee recommends approval of the annexation for property owned by Emerson Point Phase II, LLC.

Accept the First Reading of Ordinance No. 2701, and Hold it Over for Second Reading and Adoption on January 2, 2019.

ANNEXATION
Emerson Point Phase II, LLC
1800 South Hawthorne Avenue and 30-Foot Wide Public Right-of-Way

Legal Descriptions: NORTH ONE-HALF OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA.

LESS AND EXCEPT:

THAT PORTION ACQUIRED BY THE ORLANDO/ORANGE COUNTY EXPRESSWAY AUTHORITY PURSUANT TO THE STIPULATED ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 8865, PAGE 3419; STIPULATED FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 8944, PAGE 723; AND AMENDED STIPULATED FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 9226, PAGE 2887, ALL OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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AND

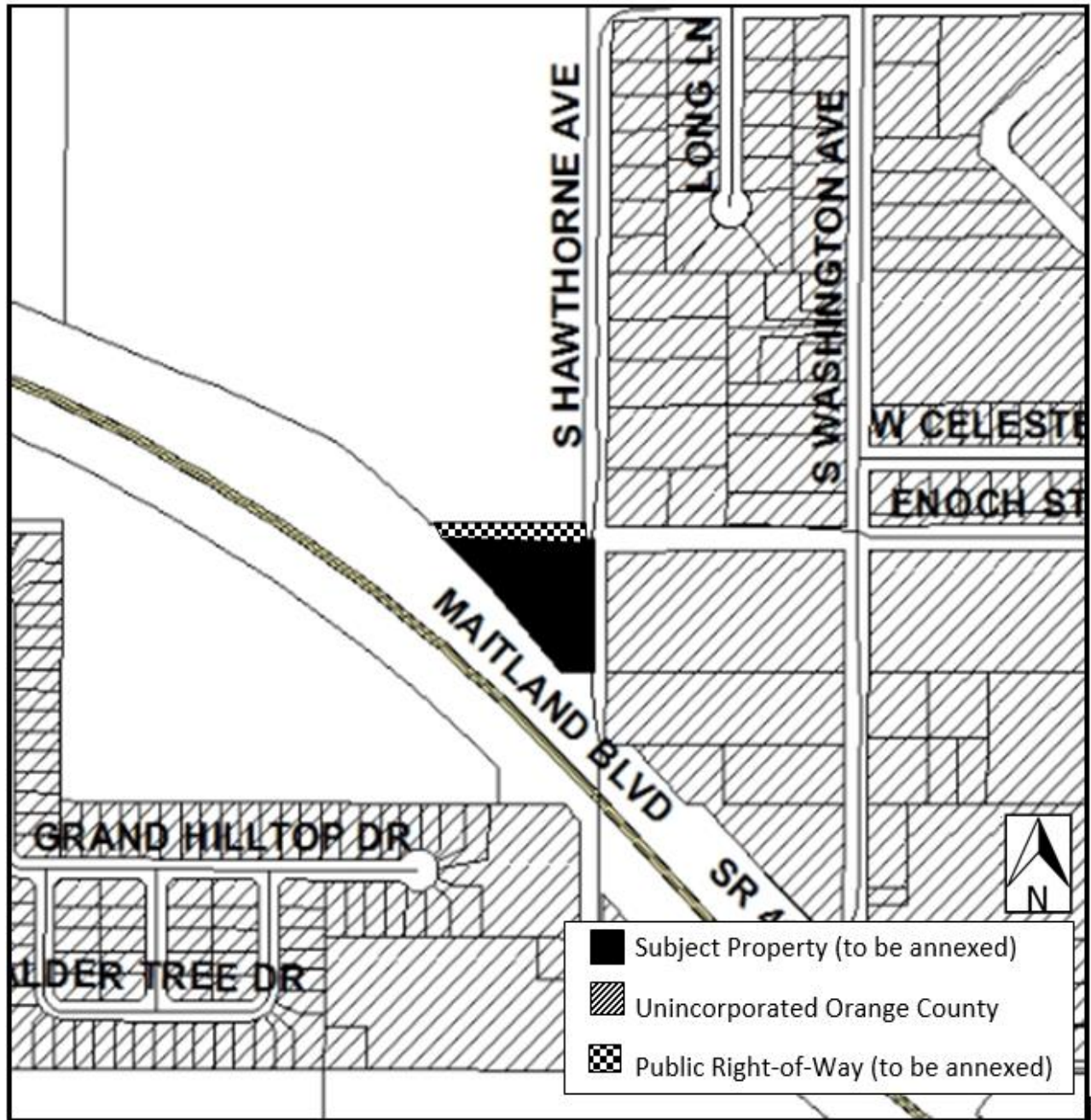
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CONTAINING 84,343 SQUARE FEET, MORE OR LESS.

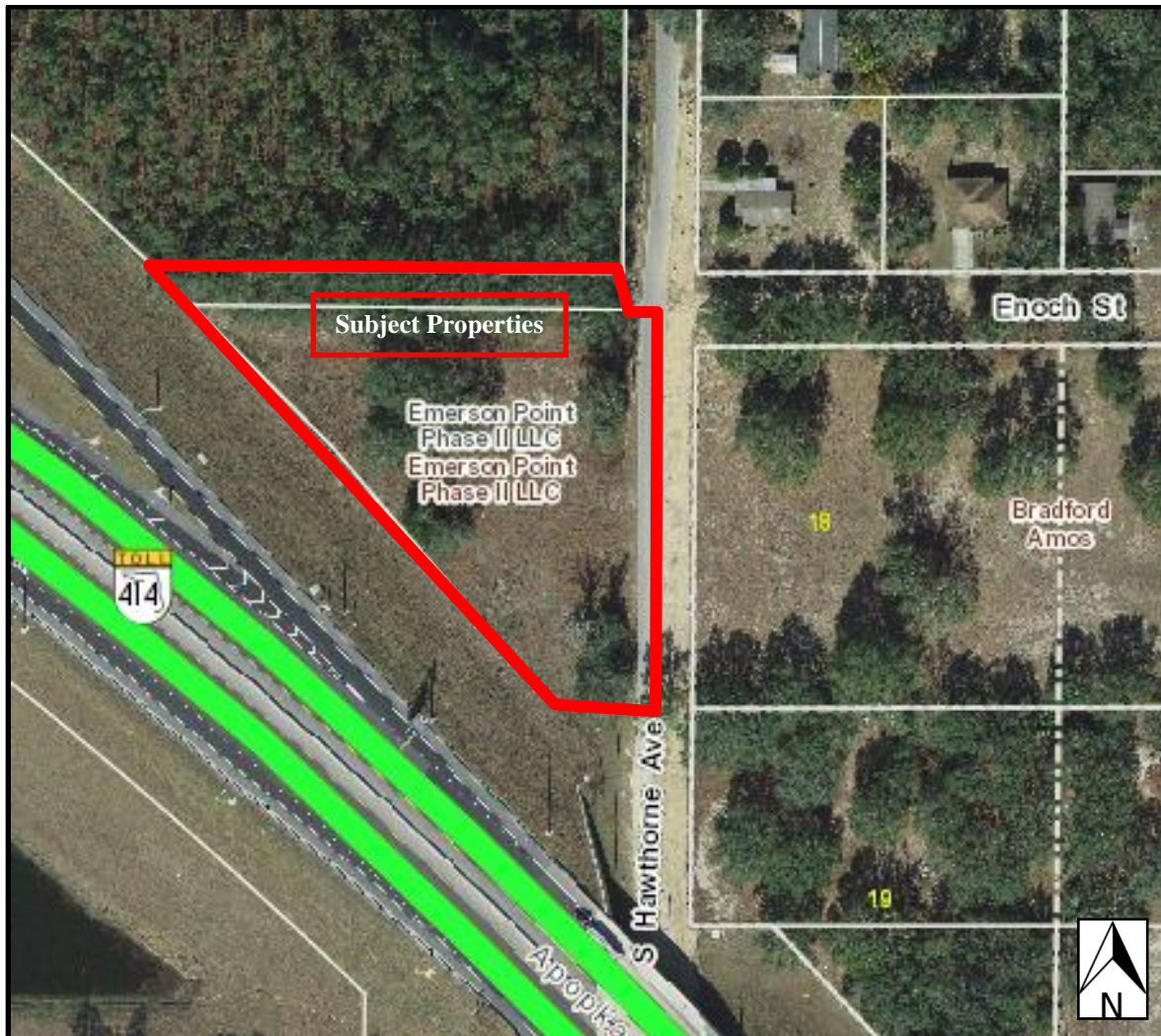
Parcel ID No.: 21-21-28-0000-00-008
Total Acres: 1.93 +/-

Vicinity Map



(THIS MAP IS FOR REFERENCE PURPOSES ONLY AND IS NOT TO SCALE)

Aerial Map



ORDINANCE NO. 2701

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY EMERSON POINT PHASE II, LLC, LOCATED AT 1900 SOUTH HAWTHORNE AVENUE; AND THE UNIMPROVED PUBLIC ROAD RIGHT-OF-WAY TO THE NORTH; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Emerson Point Phase II, LLC., owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located at 1900 South Hawthorne Avenue; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling 1.93 +/- acres, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Property Descriptions:

NORTH ONE-HALF OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA.

LESS AND EXCEPT:

THAT PORTION ACQUIRED BY THE ORLANDO/ORANGE COUNTY EXPRESSWAY AUTHORITY PURSUANT TO THE STIPULATED ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 8865, PAGE 3419; STIPULATED FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 8944, PAGE 723; AND AMENDED STIPULATED FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 9226, PAGE 2887, ALL OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND DESCRIBED AS FOLLOWS:

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Parcel ID No.: 21-21-28-0000-00-008

Acre(s): 1.68 +/-

AND

A PORTION OF A 30 FOOT WIDE RIGHT OF WAY AS DESCRIBED IN DEED BOOK 785, PAGE 113, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA LYING IN SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Parcel ID No.: N/A

Acre(s): 0.25 +/-

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

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

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

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

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

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

READ FIRST TIME: December 19, 2018

READ SECOND TIME
AND ADOPTED: January 2, 2019

Bryan Nelson, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: November 30, 2018 and December 7, 2018

ANNEXATION

Emerson Point Phase II, LLC

1800 South Hawthorne Avenue and 30-Foot Wide Public Right-of-Way

Legal Descriptions: NORTH ONE-HALF OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA.

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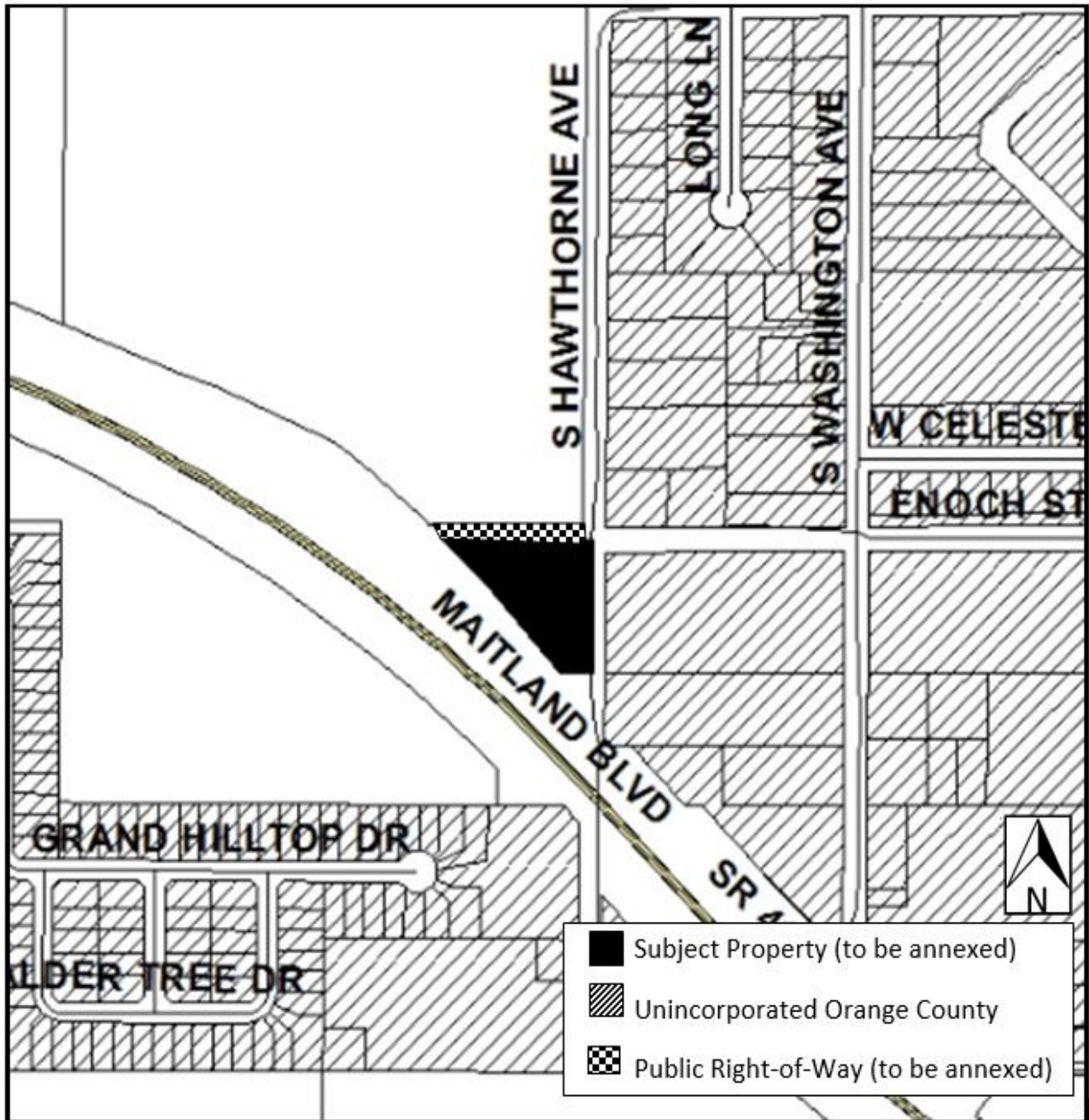
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CONTAINING 84,343 SQUARE FEET, MORE OR LESS.

Parcel ID No.: 21-21-28-0000-00-008
Total Acres: 1.93 +/-

Vicinity Map



(THIS MAP IS FOR REFERENCE PURPOSES ONLY AND IS NOT TO SCALE)



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Ordinance No. 2708

MEETING OF: December 19, 2018
FROM: Public Services
EXHIBITS: (see attached)

SUBJECT: ORDINANCE NO. 2708 – UPDATE OF THE UTILITIES DESIGN AND CONSTRUCTION STANDARDS MANUAL APOPKA LAND DEVELOPMENT CODE.

REQUEST: ACCEPT FIRST READING OF ORDINANCE NO. 2708, AND HOLD IT OVER FOR SECOND READING AND ADOPTION.

SUMMARY:

The Utilities Design and Construction Standards Manual sets forth engineering, design, development and material standards for projects constructed within the City of Apopka. The specifications incorporated in this document are incorporated by reference into the Land Development Code of the City of Apopka and are meant to protect the interests of the health, safety and welfare of its citizens and visitors. The manual was last modified and approved by City Council in April 20, 2016. This update of the Utilities Design and Construction Standards Manual continues to align the City’s requirements with more generally accepted standards such as the material and construction specifications of the Florida Department of Transportation (FDOT) and the environmental requirements from both the Florida Department of Environmental Protection (FDEP) and the St Johns River Water Management District (SJRWMD).

This document will be updated on the City’s website once approved. Staff’s intention is to provide annual updates in keeping with the industries standards and industry changes.

Staff recommends passage of Ordinance No. 2708 on First Reading and hold over for a Second Reading

FUNDING SOURCE:

N/A

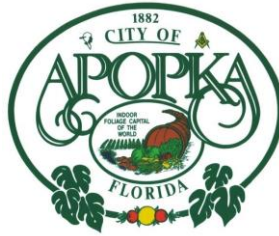
RECOMMENDATION ACTION:

Accept First Reading of Ordinance No. 2708 and hold over for a Second Reading.

DISTRIBUTION

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

City of Apopka
Utilities
Design and Construction Standards Manual



Appendix C

	Page
List of Approved Materials and Products – Potable Water	C-1
List of Approved Materials and Products – Sanitary Sewer	C-2
List of Approved Materials and Products – Reuse Water	C-3

List of Approved Materials and Products

Potable Water

Potable Water Category 1 of 6: Valves and Accessories		
Item Description	Manufacture	Part Number
Blow Off / Flushing Valve	1. Hydro Guard 2. Kufferle	Automatic Blow Off Automatic Flusher
Butterfly Valves 14-inch and Larger 8 mil Epoxy Coated and Lined (AWWA)	1. Clow 2. Derzurik 3. Kennedy 4. Mueller	Series 4500, 1450 BAW Series 4500, 1450 Linseal III
Gate Valves 12-inch and Smaller Resilient Seat Only	1. American Flow Control 2. Clow 3. Kennedy 4. M & H 5. Mueller	Series 2500 Series F-6100 Series 4571 Series 3067 Series 2360
Gate Valves 14-inch and Larger Resilient Seat Only	1. American Flow Control 2. Clow 3. Mueller 4. M & H	Series 2500 Series F-6100 Series A-2361 Series 4067
Tapping Valves Resilient Seat Only	1. American Flow Control 2. Clow 3. Kennedy 4. M & H 5. Mueller	Series 2500 Series F-6114 Series 4950 Series 4751 Series T-2360/ T-2361
Valve Boxes	1. American Flow Control 2. Sigma 3. Tyler 4. SIP Industries	Trench Adapter VB / SB Roadway Series 6850 Series 6000
Potable Water Category 2 of 6: Service Materials		
Item Description	Manufacture	Part Number
Corporation Stops Ball Type 1-inch – 2-inch with AWWA taper CC Threads only/pack joint outlet for CTS	1. Ford 2. McDonald 3. Mueller	FB1000-4 CC x CTS 4701B-22 P25008
Curb Stops Straight Valves Ball type, full port IP x IP 3/4-inch x 3/4-inch	1. Ford 2. McDonald 3. Mueller	B11-333W 6101W B-20200-R
Curb Stops Straight Valves Ball type compression, full port IP x IP 1-inch x 1-inch	1. Ford 2. McDonald 3. Mueller	B41-444W 6100W-22 P25146
Polyethylene Tubing Blue w/ UV protection 1-inch – 2-inch only	1. Endot 2. Charter Plastics	PE 3408 Endocore PE 3408 Blue Ice

List of Approved Materials and Products

Potable Water

Item Description	Manufacture	Part Number
Service Saddles Epoxy coated w/ stainless steel Type 304 straps, CC threads - 2-inch to be IP threads controlled OD saddles to be used on C900 and IPS OD PVC pipe	1. Ford 2. Mueller 3. Smith Blair	Series FC202 DR2S, DR2SOD Series 397
U Branch 1-inch x 3/4-inch x 7-1/2-inch	1. Ford 2. McDonald 3. Mueller	U-48-43 08U2M P15363
Meters (All sizes)	1. Sensus 2. McCrometer 3. Rosemount	Flex-Net AMR compatible Ultra Mag 8705 with 8732 Transmitter

Potable Water Category 3 of 6: Pipe Material

Item Description	Manufacture	Part Number
Casing Spacers (All Sizes) Stainless Steel with Vinyl Runners	1. Advance Products 2. Cascade 3. BWM 4. Power Seal	Series SS Series CCS/CCPS/AZ BWM-SS Model 4810
Casing End Seals	1. Advance Products 2. BWM 3. Link-Seal	Model AC and AW Wrap around end seal 400/500 Series
Ductile Iron/Cast Iron Cement Lined 4-inch – 12-inch = Class 350 14-inch – 24-inch = Class 250 30-inch – 64-inch = Class 200	1. American 2. Clow 3. Griffin 4. McWane 5. U.S. Pipe	
HDPE (Blue or Blue Striped) PE3408, DR11 PE2406 and PE3406, DR9	1. Chevron/Phillips 2. CSR 3. J.M. Manufacturing 4. ISCO	
PVC (Blue) AWWA C-900, 4-inch through 12-inch AWWA C-905, 14-inch through 64-inch	1. Certainteed 2. Diamond Plastic 3. Ipex 4. J-M Manufacturing 5. National Pipe 6. NAPCO	

Potable Water Category 4 of 6: Pipe Fittings

Item Description	Manufacture	Part Number
Expansion Joints	1. EBAA Iron 2. Mercer 3. Metraflex	

List of Approved Materials and Products

Potable Water

Item Description	Manufacture	Part Number
	4. Proco	
Fittings C153 SSB / C110 Flange Cement or fusion bonded epoxy lined	1. Assured Flow Sales 2. Nappco/Sigma 3. Star 4. Union/Tyler 5. SIP Industries	Gradelock
Restrained Joints – Ductile Iron Pipe	1. U.S. Pipe 2. EBAA Iron Inc. 3. Ford 4. Mueller 5. Sigma 6. Star 7. U.S. Pipe 8. SIP Industries	HP LOK Mega-Lug Series 1100, 1700, 3800 Series UFR 1400, 1300 C Aquagrip Restraint System ONE-LOK-SLD Star Grip Series 3000 All Grip Series 3600 Field Loc Gasket EZ Grips
Restrained Joints – PVC Pipe	1. EBAA Iron Inc. 2. Star 3. Ford 4. SIP Industries	Mega-Lug Series 1500, 1600, 2000 PV, RS 3800 Star Grip Series 1300 EZ Grips
Tapping Sleeves - Stainless Steel For all taps on IPS OD PVC pipe, including size on size; type 304 body, flange and bolts; flange to accept standard tapping sleeves	1. Ford 2. Mueller 3. Smith Blair 4. TPS	Series FT SS Series H-304 SS Series 633 SS Triple Tap
Tapping Sleeves - Fabricated Steel Epoxy coated AWWA C-213, 12 mils with stainless steel nuts and bolts for all taps except size on size	1. Ford 2. JCM 3. Smith Blair	FTSC Series 412, 422 Series 622
Tapping Sleeves Epoxy Coated Mechanical joint for all taps	1. American Flow Control 2. Clow 3. Mueller 4. U.S. Pipe	Series 2800 Series F-5205 Series H-615,H-616,H-619 Series T-9
Potable Water Category 5 of 6: HDPE Fittings (All Fittings are to be DIP Sizes)		
Item Description	Manufacture	Part Number
MJ Fused Adapters 4-inch – 12-inch	1. Central Plastics 2. Specified Fittings 3. Wager Company	PE3408
Fused Couplings 4-inch – 12-inch	1. Central Plastics 2. Friatec	PE3408 Frialen
Fused Fittings	1. Central Plastics	PE3408

List of Approved Materials and Products

Potable Water

Item Description	Manufacture	Part Number
4-inch – 12-inch; 22°, 45° and 90°	2. Friatec	Frialen
Fused Tapping Saddles 1-inch – 2-inch	1. Central Plastics	PE3408
Potable Water Category 6 of 6: Fire Hydrants		
Item Description	Manufacture	Part Number
Fire Hydrants	1. American Flow Controls 2. Clow 3. Kennedy 4. Mueller	B-84-B (6-inch) Medallion 2545 K81A Super Centurion 250

List of Approved Materials and Products

Sanitary Sewer

Sanitary Sewer Category 1 of 6: Valves and Accessories		
Item Description	Manufacture	Part Number
Air Release Valves 316 Stainless Steel or Nylon	1. ARI 2. Vent-O-Mat	D-025 RGXII
Air Release Valves Vault and Cover	1. U. S. Foundry	USF 7665-HH-HJ
Air Release Valve Service Saddles Epoxy coated w/ stainless steel Type 304 straps, CC threads - 2-inch to be IP threads controlled OD saddles to be used on C-900 and IPS OD PVC pipe	1. Ford 2. Mueller 3. Smith Blair	Series FC202 DR2S, DR2SOD Series 397
Plug Valves - MJ and Flanged 8-mil fusion bonded epoxy lined with stainless steel bolts; Gear operator to be sized for rated pressure of the valve	1. Clow 2. Dezurik 3. M & H 4. Milliken 5. Val-Matic	Series F-5412, F-5413 Series PEC Series 1820 Series 600 Series 5800, 5900
Tapping Sleeves - Stanless Steel For all taps on IPS OD PVC pipe, including size on size; type 304 body, flange and bolts; flange to accept standard tapping sleeves	1. Ford 2. Mueller 3. Smith Blair 4. TPS	Series FT SS Series H-304 SS Series 633 SS Triple Tap
Tapping Sleeves - Fabricated Steel Epoxy coated AWWA C-213, 12 mils with stainless steel nuts and bolts for all taps except size on size	1. Ford 2. JCM 3. Smith Blair	FTSC Series 412, 422 Series 622
Tapping Sleeves Epoxy Coated Mechanical joint for CI, DI, PVC and AC; All taps including size-on-size	1. American Flow Control 2. Clow 3. Mueller 4. U.S. Pipe	Series 2800 Series F-5205 Series H-615,H-616,H-619 Series T-9
Tapping Valves Resilient Seated Only	1. American Flow Control 2. Clow 3. Kennedy 4. M & H 5. Mueller	Series 2500 Series F-6114 Series 4950 Series 4751 Series T-2360/ T-2361
Valve Boxes	1. American Flow Control 2. Sigma 3. Tyler 4. SIP Industries	Trench Adapter VB / SB Roadway Series 6850 Series 6000
Sanitary Sewer Category 2 of 6: Pipe Material		
Item Description	Manufacture	Part Number
Corporation Stops Ball Type 1-inch – 2-inch with AWWA taper CC Threads only/pack joint outlet for CTS	1. Ford 2. McDonald 3. Mueller	FB1000-4 CC x CTS 4701B-22 P25008

List of Approved Materials and Products

Sanitary Sewer

Item Description	Manufacture	Part Number
Polyethylene Tubing Green w/ UV protection 1-inch – 2-inch only	1. Endot 2. Charter Plastics	PE 3408 Endocore PE 3408 Green
Casing Spacers (All Sizes) Stainless Steel with Vinyl Runners	1. Advance Products 2. Cascade 3. BWM 4. Power Seal	Series SS Series CCS/CCPS/AZ BWM-SS Model 4810
Casing End Seals	1. Advance Products 2. BWM 3. Link-Seal	Model AC and AW Wrap around end seal 400/500 Series
Ductile Iron Pipe for Valve Vaults Only 4-inch – 12-inch = Class 350 16-inch – 24-inch = Class 250 30-inch – 64-inch = Class 200	1. American 2. Griffin 3. U.S. Pipe	Protecto 401 Sewper Coat Protecto 401
PVC (Green) DR18, DR25, DR35 AWWA C900, 4-inch through 12-inch AWWA C905, 14-inch through 64-inch	1. Certainteed 2. Diamond Plastic 3. Ipex 4. J-M Manufacturing 5. National Pipe 6. NAPCO	
HDPE (Green or Green Striped) DR17 PE3408	1. Chevron/Phillips 2. CSR 3. J.M. 4. ISCO	
Sanitary Sewer Category 3 of 6: Pipe Fittings		
Item Description	Manufacture	Part Number
Expansion Joints	1. EBAA Iron 2. Mercer 3. Metraflex 4. Proco	
Ductile Iron Fittings C153 SSB / C110 Flange Lined with fusion bonded epoxy or Protecto 401	1. Assured Flow Sales 2. Nappco/Sigma 3. Star 4. Union/Tyler 5. U.S. Pipe 6. SIP Industries	
PVC Pipe Restrained Joints	1. EBAA Iron Inc. 2. Star 3. Ford 4. SIP Industries	Mega-Lug Series 1500, 1600, 2000 PV, RS 3800 Star Grip Series 1300 EZ Grip

List of Approved Materials and Products

Sanitary Sewer

Item Description	Manufacture	Part Number
HDPE MJ Fused Adapters 4-inch – 12-inch	1. Central Plastics 2. Specified Fittings 3. Wager Company	PE3408
HDPE Fused Couplings 4-inch – 12-inch	1. Central Plastics 2. Friatec	PE3408 Frialen
HDPE Fused Fittings 4-inch – 12-inch; 22°, 45° and 90°	1. Central Plastics 2. Friatec	PE3408 Frialen
HDPE Fused Tapping Saddles 1-inch – 2-inch	1. Central Plastics	PE3408
Sanitary Sewer Category 4 of 6: Manholes and Accessories		
Item Description	Manufacture	Part Number
Ring and Cover	1. U.S. Foundry	USF 225-AS
Adjusting Ring	1. Ladtech, Inc. 2. AP/M Permaform	Ladtech System I&I Barrier
Infiltration Protection	1. CCI Pipeline Sys	WrapidSeal
Jointing Material	1. K.T. Snyder Co., Inc. 2. Conseal 3. GSAC 4. Bidco Sealants	Ram-Nek CS102 Evergrip 990 C-56
Fiberglass Manholes	1. L. F. Manufacturing, Inc.	
Concrete Manholes	1. Allied Precast 2. Atlantic Precast 3. DURA Stress 4. Mack Precast 5. Standard Precast	Precast Precast Precast Precast Precast
Concrete Manhole Exterior Coatings	1. Carboline 2. Conseal 3. Con-Shield	Bitumastic 300M CS-55 Antimicrobial additive
Concrete Manhole Interior Lining Systems	1. AGRU Liner 2. Flowtite Liners 3. GU Liner 4. GSE Studliner 5. L. F. Manufacturing, Inc. 6. Lafarge Aluminities 7. Con-Shield 8. Con-Shield 9. Raven	HDPE Liner Fiberglass Liner Reinforced Plastic Liner HDPE Liner Fiberglass Liner Sewpercoat Antimicrobial additive Cor-guard Epoxy Epoxy
Wet Well and Valve Vault Pipe Seals	1. Link Seal	Model S-316 Link Seal Modular Seal

List of Approved Materials and Products

Sanitary Sewer

Item Description	Manufacture	Part Number
Manhole Pipe Seals	1. Atlantic Concrete 2. Hail Mary Rubber 3. IPS	A-Lok cast-in-place Star Seal cast-in-place Wedge style < 12"

List of Approved Materials and Products

Sanitary Sewer

Item Description	Manufacture	Part Number
	4. NPC 5. Press Seal Gasket	Kor-N-Seal Model WS < 12" PSX Direct Drive < 12"
Sanitary Sewer Category 5 of 6: Lift Station Control Panel / Electrical Materials		
Item Description	Manufacture	Part Number
Control Panel Manufacture	1. ITT Water and Sewer 2. Sta-Con Inc.	
Circuit Breakers – Control Power	1. Square D	QOU Class 720
Circuit Breakers – Main, Emergency and Motor	1. Square D	H Frame
Control Relays	1. Porter Brumfield 2. Square D	
Electrical Box Mounts	1. Uni Strut	Stainless Steel
Enclosure	1. Hoffman 2. Tanco	Single Door Type NEMA 3R
Float Control	1. Flygt 2. Roto-Float	
Flow Meters with Replaceable Sensors	1. McCrometer 2. Rosemount	Ultra Mag 8705 with 8732 Transmitter
Generators – Fixed / Dedicated Able to run station under full load conditions; 48-hour fuel capacity under full load	1. Caterpillar/Olympian 2. Generac 3. Onan (Cummins)	
Generator Transfer Switch	1. ASCO 2. Cutler Hammer	
Generator Receptacles	1. Crouse Hinds 2. Pyle National	AR2042-S22 460V/200A/3P/4W W/ GNAAJA1 Angle Adapter JRE-4100 230V/100A/3P/4W
Indicating Lights – ALL On-Off, Pump Run, Lead, Lag, etc.	1. Dialco 2. Littlefuse	Little Lite
Main Service Disconnect	1. Square D	
Motor Starter and Overload Heaters	1. Square D	Class 8536
Phase Monitor	1. Diversified 2. MPE	
Pressure Transducers – 0 to 15 psi Range	1. Blue Ribbon Ind.	Birdcage

List of Approved Materials and Products

Sanitary Sewer

Item Description	Manufacture	Part Number
Pump Automatic Alternator	1. Diversified 2. MPE	
Seal – Off	1. Crouse Hinds	EYSR
Selector Switches and Hand Controls – ALL Hand-Off-Auto, Alarm Silence button, etc.	1. Square D	
Shunt Trip Coil	1. Square D	S29386
Submersible Pumps with Enclosed Impellers	1. Flygt	
Surge Protection (TVSS)	1. Square D	6671 SDSA3650
Transformers – Main and Control Power	1. Square D	
Variable Frequency Drives	1. Siemens 2. TECO	
Variable Frequency Motors	1. Baldor 2. Dayton 3. Marathon 4. U.S. Motors	Rated for inverter duty only Rated for inverter duty only Rated for inverter duty only Rated for inverter duty only
Sanitary Sewer Category 6 of 6: Lift Station Wet Well / Valve Vault Materials		
Item Description	Manufacture	Part Number
Check Valves 4-inch and Larger 8 mil epoxy lined	1. American Flow Control 2. Clow 3. Kennedy 4. M & H 5. Milliken 6. Mueller	Series 600 or 50 line Series F 5382 Series 106 Series 159 Series 800, 801 Series 2600
Sluice Gates 316 Stainless Steel	1. BNW 2. Fontaine	Model 77 Model 20
Wet Well and Valve Vault Access Frames and Covers Aluminum / Stainless Steel	1. Bilco Company 2. Halliday Products	
Wet Well Lining Systems	1. AGRU Liner 2. Flowtite Liners 3. GU Liner 4. GSE Studliner 5. L. F. Manufacturing, Inc.	HDPE Liner Fiberglass Liner Reinforced Plastic Liner HDPE Liner Fiberglass Liner

List of Approved Materials and Products

Reuse Water

Reclaimed Water Category 1 of 5: Valves and Accessories		
Item Description	Manufacture	Part Number
Air Release Valves Epoxy Coated	1. ARI 2. Vent-O-Mat	D-040, D-060 Series RBXc
Blow Off / Flushing Valve	1. Hydro Guard	Automatic Blow Off
Butterfly Valves 14-inch and Larger 8 mil Epoxy Coated and Lined (AWWA)	1. Clow 2. Derzurik 3. Kennedy 4. Mueller	Series 4500, 1450 BAW Series 4500, 1450 Linseal III
Gate Valves 12-inch and Smaller Resilient Seated Only	1. American Flow Control 2. Clow 3. Kennedy 4. M & H 5. Mueller	Series 2500 Series F-6100 Series 4571 Series 3067 Series 2360
Gate Valves 14-inch and Larger Resilient Seated Only	1. American Flow Control 2. Clow 3. Mueller 4. M & H	Series 2500 Series F-6100 Series A-2361 Series 4067
Tapping Valves Resilient Seated Only	1. American Flow Control 2. Clow 3. Kennedy 4. M & H 5. Mueller	Series 2500 Series F-6114 Series 4950 Series 4751 Series T-2360/ T-2361
Valve Boxes	1. American Flow Control 2. Sigma 3. Tyler 4. SIP Industries	Trench Adapter VB / SB Roadway Series 6850 Series 6000
Reclaimed Water Category 2 of 5: Service Materials		
Item Description	Manufacture	Part Number
Corporation Stops Ball Type 1-inch – 2-inch with AWWA taper CC Threads only/pack joint outlet for CTS	1. Ford 2. McDonald 3. Mueller	FB1000-4 CC x CTS 4701B-22 P25008
Curb Stops Straight Valves Ball type, full port IP x IP 3/4-inch x 3/4-inch	1. Ford 2. McDonald 3. Mueller	B11-333W 6101W B-20200-R
Curb Stops Straight Valves Ball type compression, full port IP x IP 1-inch x 1-inch	1. Ford 2. McDonald 3. Mueller	B41-444W 6100W-22 P25146

List of Approved Materials and Products

Reuse Water

Item Description	Manufacture	Part Number
Polyethylene Tubing Purple w/ UV protection 1-inch – 2-inch only	1. Endot 2. Charter Plastics	PE 3408 Endocore PE 3408 Purple
Service Saddles Epoxy coated w/ stainless steel Type 304 straps, CC threads - 2-inch to be IP threads controlled OD saddles to be used on C900 and IPS OD PVC pipe	1. Ford 2. Mueller 3. Smith Blair	Series FC202 DR2S, DR2SOD Series 397
U Branch 1-inch x 3/4-inch x 7-1/2-inch	1. Ford 2. McDonald 3. Mueller	U-48-43 08U2M P15363
Meters (All sizes)	1. Sensus 2. McCrometer 3. Rosemount 4. Siemens	Flex-Net AMR compatible Ultra Mag 8705 with 8732 Transmitter Sitrans Mag

Reclaimed Water Category 3 of 5: Pipe Material

Item Description	Manufacture	Part Number
Casing Spacers (All Sizes) Stainless Steel with Vinyl Runners	1. Advance Products 2. Cascade 3. BWM 4. Power Seal	Series SS Series CCS/CCPS/AZ BWM-SS Model 4810
Casing End Seals	1. Advance Products 2. BWM 3. Link-Seal	Model AC and AW Wrap around end seal 400/500 Series
Ductile Iron/Cast Iron Cement Lined 4-inch – 12-inch = Class 350 16-inch – 24-inch = Class 250 30-inch – 64-inch = Class 200	1. American 2. Clow 3. Griffin 4. McWane 5. U.S. Pipe	
HDPE (Purple or Purple Striped) PE3408, DR11 PE2406 and PE3406, DR9	1. Chevron/Phillips 2. CSR 3. J-M Manufacturing 4. ISCO	
PVC (Purple) DR18 AWWA C-900, 4-inch through 12-inch AWWA C-905, 14-inch through 64-inch	1. Certainteed 2. Diamond Plastic 3. Ipex 4. J-M Manufacturing 5. National Pipe 6. NAPCO	

Reclaimed Water Category 4 of 5: Pipe Fittings

Item Description	Manufacture	Part Number
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List of Approved Materials and Products

Reuse Water

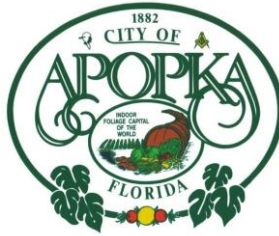
Item Description	Manufacture	Part Number
Expansion Joints	<ol style="list-style-type: none"> 1. EBAA Iron 2. Mercer 3. Metraflex 4. Proco 	
Fittings C153 SSB / C110 Flange Cement or fusion bonded epoxy lined	<ol style="list-style-type: none"> 1. Assured Flow Sales 2. Nappco/Sigma 3. Star 4. Union/Tyler 5. SIP Industries 	Gradelock
Restrained Joints – Ductile Iron Pipe	<ol style="list-style-type: none"> 1. U.S. Pipe 2. EBAA Iron Inc. 3. Ford 4. Mueller 5. Sigma 6. Star 7. U.S. Pipe 8. SIP Industries 	HP LOK Mega-Lug Series 1100, 1700, 3800 Series UFR 1400, 1300 C Aquagrip Restraint System ONE-LOK-SLD Star Grip Series 3000 All Grip Series 3600 Field Loc Gasket EZ Grips
Restrained Joints – PVC Pipe	<ol style="list-style-type: none"> 1. EBAA Iron Inc. 2. Star 3. Ford 4. SIP Industries 	Mega-Lug Series 1500, 1600, 2000 PV, RS 3800 Star Grip Series 1300 EZ Grips
Tapping Sleeves - Stainless Steel For all taps on IPS OD PVC pipe, including size on size; type 304 body, flange and bolts; flange to accept standard tapping sleeves	<ol style="list-style-type: none"> 1. Ford 2. Mueller 3. Smith Blair 4. TPS 	Series FT SS Series H-304 SS Series 633 SS Triple Tap
Tapping Sleeves - Fabricated Steel Epoxy coated AWWA C-213, 12 mils with stainless steel nuts and bolts for all taps except size on size	<ol style="list-style-type: none"> 1. Ford 2. JCM 3. Smith Blair 	FTSC Series 412, 422 Series 622
Tapping Sleeves Epoxy Coated Mechanical joint for all taps	<ol style="list-style-type: none"> 1. American Flow Control 2. Clow 3. Mueller 4. U.S. Pipe 	Series 2800 Series F-5205 Series H-615,H-616,H-619 Series T-9
Reclaimed Water Category 5 of 5: HDPE Fittings (All Fittings are to be DIP Sizes)		
Item Description	Manufacture	Part Number
MJ Fused Adapters 4-inch – 12-inch	<ol style="list-style-type: none"> 1. Central Plastics 2. Specified Fittings 3. Wager Company 	PE3408

List of Approved Materials and Products

Reuse Water

Item Description	Manufacture	Part Number
Fused Couplings 4-inch – 12-inch	1. Central Plastics 2. Friatec	PE3408 Frialen
Fused Fittings 4-inch – 12-inch; 22°, 45° and 90°	1. Central Plastics 2. Friatec	PE3408 Frialen
Fused Tapping Saddles 1-inch – 2-inch	1. Central Plastics	PE3408

City of Apopka
Utilities
Design and Construction Standards Manual



Chapter 4
Sanitary Sewer System

Section 40	Gravity
Section 41	Pipe Laying
Section 42	Manholes
Section 43	Sanitary Sewer Laterals
Section 44	Testing and Inspection
Section 45	Forcemains
Section 46	Wastewater Pump Stations
Section 47	Wastewater Pumps and Motors
Section 48	Pump Station Electrical Power and Control System

Section 40 - Gravity

40.1 General

Pipe used in the construction of sanitary sewer, gravity mains and laterals, shall be polyvinyl chloride (PVC) and green in color.

Where reference is made to an ASTM, ANSI, or AASHTO designation, it shall be the latest revision.

The CONTRACTOR shall be responsible for all materials furnished and storage of same, until the date of substantial completion. He shall replace at his expense all materials found to be defective or damaged in handling or storage. The CONTRACTOR shall, if requested by the CITY, furnish certificates, affidavits of compliance, test reports, or samples for check analysis for any of the materials specified herein. Sewer mains shall be cleaned, inspected, and tested in accordance with Section 44, of this MANUAL. All pipe delivered to project site for installation is subject to random testing for compliance with the designated SPECIFICATIONS.

40.2 Pipe Materials

40.2.1 PVC Pipe

PVC gravity sewer pipe (4 inch - 15 inch), ASTM D3034, SDR 35 - Uniform minimum "pipe stiffness" at five percent (5%) deflection shall be forty-six (46) psi. The joints shall be integral bell elastomeric gasket joints manufactured in accordance with ASTM D3212 and ASTM F477. Applicable UNI-Bell Plastic Pipe Association standard is UNI-B-4.

PVC gravity sewer pipe (18 inch - 24 inch), ASTM F679, SDR 35 - Uniform Minimum "pipe stiffness" at five percent (5%) deflection shall be forty-six (46) psi. The joints shall be integral bell elastomeric gasket joints manufactured in accordance with ASTM D3212 and ASTM F477. Applicable UNI-Bell Plastic Pipe Association standard is UNI-B-7.

All PVC pipe shall bear the NSF-DW seal and be green in overall color. The minimum standard length of pipe shall be thirteen (13) feet.

40.2.2 Ductile Iron Pipe

Ductile iron pipe is prohibited for sanitary sewer use unless prior written approval from the CITY is provided.

Ductile iron pipe shall conform to ANSI/AWWA A21.51/C151, class thickness designed per ANSI/AWWA A21.50/C150, with mechanical or push on joints. An interior protective lining of polyethylene shall be provided with a minimum thickness of 30 mils. Ductile iron gravity

sewers, where required by the CITY based on geotechnical investigations, shall be wrapped with polyethylene film, AWWA C105. See Appendix 'C'. The minimum standard length of pipe shall be eighteen (18) feet.

40.2.3 Pipe Markings

All pipe shall have a homing mark on the spigot provided by the manufacturer. On field cut pipe, the CONTRACTOR shall provide a homing mark on the spigot in accordance with manufacturer recommendations.

40.3 **Joint Materials**

40.3.1 PVC

PVC sewer pipe joints shall be flexible elastomeric seals per ASTM D 3212.

40.3.2 Ductile Iron Pipe

Ductile iron pipe and fitting joints shall be "push-on" or mechanical joints conforming to ANSI A21.11.

40.3.3 Joints for Dissimilar Pipe

Joints between pipes of different materials shall be made with a flexible mechanical compression coupling with No. 304 stainless steel bands. See approved manufacturer's list in Appendix "C".

40.4 **Fittings**

Unless otherwise specified, wye branches shall be provided in the gravity sewer main for service lateral connections. All material shall be six (6) inches in diameter, unless otherwise approved by the CITY. All fittings shall be of the same material as the pipe.

Plugs for stub outs shall be of the same material as the pipe, and gasketed with the same gasket material as the pipe joint, or be of material approved by the CITY. The plug shall be secured to withstand test pressures specified in Section 44 of this MANUAL.

40.5 **Inspection and Testing**

40.5.1 Pipe Identification

Each length of pipe shall bear the name or trademark of the

manufacturer, the location of the manufacturing plant and the class or strength classification of the pipe. The markings shall be plainly visible on the pipe barrel. Pipe, which is not clearly marked, is subject to rejection. The CONTRACTOR shall remove all rejected pipe from the project site within five (5) NORMAL WORKING DAYS.

40.5.2 Material Testing Requirements

1. If requested by the CITY, a sample of pipe to be tested shall be selected at random by the CITY or the testing laboratory hired by the CITY.
2. When the samples tested conform to applicable standards, all pipe represented by such samples shall be considered acceptable based on the test parameters measured. Copies of test reports shall be available before the pipe is installed on the project.
3. In the event that any of the test samples fail to meet the applicable standards, all pipe represented by such tests shall be subjected to rejection. The CONTRACTOR may furnish two additional test samples from the same shipment or delivery, for each sample that failed and the pipe will be considered acceptable if all of these additional samples meet the requirements of the applicable standards. All such retesting shall be at the CONTRACTOR'S expense.
4. Pipe that has been rejected by the CITY shall be removed from the site of the work by the CONTRACTOR and replaced with pipe that meets these specifications.

END OF SECTION

Section 41 – Pipe Laying

41.1 Survey Line and Grade

The CONTRACTOR shall set Temporary Bench Marks (TBM'S) at a maximum five-hundred (500) foot interval. The CONTRACTOR shall constantly check line and grade of the pipe by laser beam method. In the event line and grade do not meet specified limits described hereinafter, the WORK shall be immediately stopped, the CITY notified, and the cause remedied before proceeding with the WORK.

41.2 Pipe Preparation and Handling

All pipe and fittings shall be inspected by the CONTRACTOR prior to lowering into trench to insure no cracked, broken, or otherwise defective materials are being used. The CONTRACTOR shall clean ends of pipe thoroughly and remove foreign matter and dirt from inside of pipe and keep clean during and after laying.

Proper implements, tools, and facilities shall be used for the safe and proper protection of the WORK. Pipe shall be lowered into the trench in such a manner as to avoid any physical damage to the pipe. Pipe shall not be dropped or dumped into trenches under any circumstances.

41.3 Sewer Pipe Laying

Laying of sewer pipe shall be accomplished to line and grade in the trench only after it has been de-watered and the trench has been prepared in accordance with specifications outlined in this MANUAL. Refer to this Section of this MANUAL for additional bedding requirements. Mud, silt, gravel, and other foreign material shall be kept out of the pipe and off the jointing surface. All pipe laid shall be retained in position so as to maintain alignment and joint closure until sufficient backfill has been completed to adequately hold the pipe in place. All pipe shall be laid to conform to the line and grade shown on the PLANS.

Variance from established line and grade, at any point along the length of the pipe, shall not be greater than one thirty-second ($1/32$) of an inch per inch of pipe diameter and not to exceed one-half ($1/2$) inch, provided that any such variation does not result in a level or reverse sloping invert.

The sewer pipe, unless otherwise approved by the CITY, shall be laid up grade from point of connection on the existing sewer or from a designated starting point. The sewer pipe shall be installed with the bell end forward or upgrade. When pipe laying is not in progress the open end of the pipe shall be kept tightly closed with an approved temporary plug.

All PVC pipe shall be installed in accordance with the pipe manufacturer's written recommendations as approved by the CITY. Laying of ductile iron pipe shall conform to the specifications outlined in Section 51 of this MANUAL.

41.4 Trench Preparation and Pipe Bedding

41.4.1 Trench Excavation, De-watering, Bedding Material, Backfill, Compaction, Fill and Grading

Applicable provisions of Section 32, of this MANUAL shall apply. Also refer to STANDARD DETAILS.

41.4.2 Placement of Pipe Bedding Material

CONTRACTOR shall hand-grade bedding to proper grade ahead of pipe laying operation. Bedding shall provide a firm, unyielding support along the entire pipe length.

If without direction from the CITY, the trench has been excavated below the required depth for pipe bedding material placement, CONTRACTOR shall fill the excess depth with pipe bedding material to the proper grade.

CONTRACTOR shall excavate bell holes at each joint to permit proper assembly and inspection of the entire joint. No pipe shall bear upon the bell.

41.4.3 Depth of Bedding Material

CONTRACTOR shall provide pipe bedding material in accordance with the STANDARD DETAILS.

41.5 Gravity Sewer Pipe and Water Main Separation

Gravity sewers that are laid in the vicinity of pipe lines designated to carry potable water shall meet the conditions set forth in Section 51 of this MANUAL.

41.6 Plugs and Connections

Plugs for pipe branches, stubs, or other open ends which are not to be immediately connected shall be made of an approved material and shall be secured in place with a joint comparable to the main line joint.

41.7 Pipe Jointing

All pipe shall be installed to the homing mark on the spigot. The CITY shall be given an opportunity to check all joints in this manner before backfilling.

The Contractor shall give the City a minimum twenty-four (24) hours notification as to when pipe laying activity will take place.

Type of joint to be used will conform to the requirements of Section 40, of this MANUAL. All pipe and jointing for gravity sewers shall be subject to the tests specified in Section 44, of this MANUAL.

41.8 Location and Identification

All lettering shall appear legibly on the pipe and run the entire length and the color, "green", shall be correct for the intended use.

END OF SECTION

Section 42 - Manholes

42.1 General

Manholes shall be leak-tight and constructed of concrete equipped with a liner material manufactured of either fiberglass reinforced polyester (FRP), high density polyethylene (HDPE) or polyvinyl chloride resin (PVC) when intersected by a force main or warranted by conditions. Manholes constructed entirely of FRP are also acceptable.

42.2 Pre-Cast Concrete Sections

42.2.1 General

Pre-cast manholes shall conform to specifications for pre-cast reinforced concrete manhole sections, ASTM C478. FRP manholes shall conform to ASTM D3753. All manholes shall carry an AASHTO H-20 load rating.

42.2.2 Miscellaneous Requirements

The minimum wall thickness shall be five (5) inches. Pre-cast manholes shall be constructed with a pre-cast monolithic base structure as shown on the STANDARD DETAILS. The minimum base thickness shall be eight (8) inches.

Concrete for manholes shall be Type II, 4000 psi at twenty-eight (28) days. Barrel, top, and base sections shall have tongue and groove joints. All jointing material shall be cold adhesive preformed plastic gaskets, conforming to FDOT Article 942-2, and protected against infiltration. See Appendix "C" of this MANUAL.

The date of manufacture and the name or trademark of the manufacturer shall be clearly marked on each pre-cast section.

Sections shall be cured by an approved method for at least twenty-eight (28) days prior to applying protective coating and shall not be shipped until at least two (2) days after having been coated.

Pre-cast concrete top slabs shall be used where cover over the top of the pipe is less than four (4) feet. Lift rings or non-penetrating lift holes shall be provided for handling pre-cast manhole sections. Non-penetrating lift holes shall be filled with non-shrink grout after installation of the manhole sections.

Concrete surfaces shall have form oil, curing compounds, dust, dirt, and other interfering materials removed by brush or sand blasting and shall be fully cured prior to the application of any coatings.

Manhole pipe connections shall be KOR-N-SEAL boots, A-LOK. Manhole pipe connections shall meet ASTM C923.

42.2.3 Inspection

The quality of all materials, the process of manufacture, and the finished sections shall be subject to inspection and approval by the CITY. Such inspection may be made at the place of manufacture or at the site after delivery, or at both places, and the sections shall be subject to rejection at any time on account of failure to meet any of the specification requirements, even though sample sections may have been accepted as satisfactory at the place of manufacture. Sections rejected after delivery to the job shall be marked for identification and shall be removed from the job at once. All sections which have been damaged after delivery will be rejected and, if already installed, removed and replaced, entirely at the CONTRACTOR'S expense.

At the time of inspection, the sections will be carefully examined for compliance with the specified ASTM designation and with the approved manufacturer's drawings. All sections shall be inspected for general appearance, dimension, "scratch-strength", blisters, cracks, roughness, soundness, etc. The surface shall be dense and close-textured.

42.3 **Pre-Cast Fiberglass Reinforced Sections**

42.3.1 General

Pre-cast fiberglass reinforced manholes shall be a one piece unit consisting of a bottom with anti-flotation collar, barrel section, corbel or reducer section with a fiberglass neck that extends to the ring and cover.

The fiberglass manhole shall include all pipe connections and conform to specifications for Pre-cast Fiberglass Reinforced Manhole Sections, ASTM D-3753, or approved equal.

42.3.2 Miscellaneous Requirements

The wall thickness shall be dependent on the depth of the manhole; the minimum shall not be less than three-eighths (3/8) inch. Pre-cast fiberglass reinforced manholes shall be constructed with a commercial grade unsaturated polyester resin or other suitable polyester or vinyl ester resin.

The reinforcing materials shall be a commercial grade "E" type glass in the form of a continuous roving and chop roving, having a coupling agent that will provide a suitable bond between the glass reinforcement and the resin.

For a UV inhibitor the resin on the exterior surface shall be coated at the factory with a gray pigment. This coating shall be added with a minimum thickness of one-eighth (1/8) inch.

The manufacturer's name, factory location, serial number and product length shall be clearly marked on the inside and outside of each pre-cast fiberglass section.

Manhole pipe connections shall be KOR-N-SEAL boots, A-LOK or approved equal. The pipe connections shall be factory installed using a PVC or fiberglass pipe stub-out as a sealing surface. Manhole pipe connections shall meet ASTM C923.

42.4 Polyvinyl Chloride (PVC) Manhole Liner

42.4.1 General

PVC liner shall be vacuum formed semi-rigid liner for use in wastewater. The liner plate and assembly shall be uninterrupted and free of defects, voids or pinholes in the vertical joints and walls of the structures.

42.4.2 Miscellaneous Requirements

1. The liner panels shall have a minimum wall thickness of one-sixteenth (1/16) inch. A combination of standing ribs and mechanical dovetails shall be used to secure the liner panels to the wall of the structure and shall be spaced a maximum of six (6) inches apart.
2. Liner with locking extensions shall be able to withstand a test pull of one-hundred (100) pounds per linear inch applied perpendicular to the concrete surface for a period of sixty (60) seconds.
3. Liner panels shall be formed to the correct radius to assure a true diameter match between joined pre-cast sections when assembled.
4. Liner panels shall be formed with a continuous PVC return into the joint for a minimum of half (1/2) inch.
5. Panel sections shall be custom formed to a specific height not to exceed eight (8) feet \pm three-quarters (3/4) inch in overall length.
6. Field installation of all lined pre-cast sections shall be done in accordance with the manufacturer's recommendations.

7. Pipe penetrations through the lined wall shall be protected by applying one-eighth (1/8) inch of cement corrosion resistant material to the unlined exposed areas within the openings and shall overlap the liner with a minimum of one-and-a-half (1-1/2) inches.
8. Corrosion protection between the lined concrete and the ring and cover shall be accomplished through the use of either a telescoping PVC connector or a one piece liner cover manufactured with a semi rigid PVC.

42.5 High Density Polyethylene (HDPE) Manhole Liner

42.5.1 General

HDPE liner shall be manufactured of high density polyethylene with a minimum thickness of two (2) mm.

42.5.2 Miscellaneous Requirements

1. All HDPE liner sheets shall be extruded with anchoring studs manufactured during the extension process in one piece with the sheet so there is no welding or mechanical finishing work to attach the stud to the sheet. The liner shall have a minimum pull out of one-hundred-twelve-and-a-half (112-1/2) lbs. /anchoring stud. Minimum distance between studs shall be less than two-and-quarter (2-1/4) inches. Stud height shall be no less than nine-sixteenths (9/16) inch.
2. Flat liner sheet, non-anchored, used for overlapping joints, shall have a minimum thickness of three (3) mm. All joints shall be sealed by means of thermal welding.
3. HDPE grade rings shall be used for HDPE lined manholes. Butyl sealant shall be used between each ring. The first grade ring shall be welded to the liner.
4. All welding shall be performed in accordance with the manufacturer's procedures. Welders shall be certified by the manufacturer.

The following welding techniques are acceptable:

- A. Extrusion Welding: Used to seal all seams inside structure.
- B. Butt Welding: Used to fuse flat sheets together to form a one piece table.
- C. Hot Air Welding: Used as a tack weld or only in triple pass method where extrusion welding is not possible.

42.6 Castings

Gray iron castings for manhole frames, covers, adjustment rings, and other items shall conform to the ASTM Designation A 48, Class 30. Castings shall be true to pattern in form and dimensions and free of pouring faults and other defects which would impair their strength or otherwise make them unfit for the service intended. The seating surfaces between frames and covers shall be machined to fit true. No plugging or filling will be allowed.

Lifting or "pick" holes shall be provided, but shall not penetrate the cover. Casting patterns shall conform to those shown or indicated on the STANDARD DETAILS. All manhole frames and covers shall be traffic bearing to meet AASHTO H-20 loadings. Frames shall be suitable for the future addition of a cast iron ring for upward adjustment of top elevation. In certain locations, such as in flood prone areas, bolt down covers and gasketed covers shall be located as shown on the DRAWINGS.

42.7 Construction

42.7.1 Bedding

Base sections shall be placed on bedding rock conforming to the requirements in Section 32. The bedding rock shall be firmly tamped, made smooth and level to assure uniform contact and support of the pre-cast element. Refer to Section 32, of this MANUAL, for density requirements. Refer to the STANDARD DETAILS for additional bedding details.

42.7.2 Cast-In-Place Bases

Cast in place bases shall be utilized only when specifically approved by the CITY. Unless otherwise specified, cast-in-place bases shall be at least eight (8) inches in thickness and shall extend at least six (6) inches radially outside of the outside dimension of the manholes section. Reinforcement and connection to the riser sections shall be designed by the DEVELOPER'S ENGINEER and submitted to the CITY for approval.

42.7.3 Pre-cast Manholes

A pre-cast base section shall be carefully placed on the prepared bedding so as to be fully and uniformly supported in true alignment and to insure that all entering pipes can be inserted on proper grade.

Pre-cast manhole sections shall be handled by lift rings or non-penetrating lift holes. Such holes shall be filled with non-shrink grout after installation of the manhole. The first pre-cast section shall be placed and carefully adjusted to true grade and alignment.

All inlet pipes shall be properly installed so as to form an integral watertight unit. The sections shall be uniformly supported by the base structure and shall not bear directly on any of the pipes. Pre-cast sections shall be placed and aligned to provide vertical alignment with a quarter (1/4) inch maximum tolerance per five (5) feet of depth. The completed manhole shall be rigid, true to dimensions, and watertight.

42.7.4 Excavation and Backfilling

Requirements of Section 32, of this MANUAL shall apply.

42.7.5 Placing Castings

Casting shall be fully bedded in mortar with adjustment brick courses placed between the frame and manhole. Brick courses shall be a minimum of two (2) and a maximum of four (4). Mortar shall conform to ASTM C-270, Type M. Bricks shall be made of clay and conform to ASTM C-216, grade SW, and sized 3 1/2 inches (w) x 8 inches (l) x 2 1/4 inches (h).

Top of manhole castings located in pavement, shouldered areas, and sidewalks shall be set flush with grade. Top of manhole castings located outside these areas shall be placed two (2) inches above grade prior to sodding.

42.7.6 Channels

Manhole flow channels shall be as shown in the STANDARD DETAILS, with smooth and carefully shaped bottoms, built up sides, and benching constructed using cement mortar and brick with no voids. Channels shall conform to the dimension of the adjacent pipe and provide changes in size, grade, and alignment evenly. Cement shall be Portland Cement Type II only.

42.7.7 Pipe Connections

Special care shall be taken to assure that the openings through which pipes enter the structure are provided with watertight connections. For ductile iron and PVC pipe, connections shall conform to ASTM C 923, "Standard Specifications for Resilient Connectors Between Reinforced Concrete Manhole Structures and Pipes."

42.7.8 Drop Manhole Connections

Drop manhole connections shall conform in all respects to details shown on the STANDARD DETAILS or DRAWINGS. Internal drop manhole connections shall not be permitted, except in extreme cases and only with the specific written approval of the DIRECTOR.

42.7.9 Doghouse Manholes

Doghouse type manholes shall be manufactured in accordance with Section 42, of this MANUAL. Voids between the existing pipe and the structure shall be completely sealed by non-shrink cement grout.

42.8 **Cleaning**

All newly constructed manholes shall be cleaned of any accumulation of silt, debris, or foreign matter of any kind, and shall be free from such accumulations at the time of final inspection.

42.9 **Inspection**

No visible leakage in the manhole or at pipe connections will be permitted. All manholes shall be inspected by the CITY prior to acceptance. All manholes failing to meet the specification set forth in Section 42 of this MANUAL above shall be reconstructed or replaced by the CONTRACTOR to comply with these specifications. Pressure grouting of manholes for repair shall not be accepted.

END OF SECTION

Section 43 – Sanitary Sewer Laterals

43.1 General

The sanitary sewer lateral is a branch gravity sewer constructed from the main gravity sewer to the right-of-way line or to a point established by the CITY. The building service runs from the right-of-way clean-out to the building.

The general requirements for construction of gravity sewers in Section 40 and 41, of this MANUAL shall apply to laterals unless they are inconsistent with the provisions of this Section. Laterals shall be less than fifty (50) feet in length and connect to the system along pipe sections, not at manholes, unless otherwise specifically approved by the CITY.

Laterals and fittings shall be a minimum of six (6) inches for all installations. Services and fittings shall be a minimum of four (4) inches in diameter for residential and six (6) inches in diameter for non-residential installations.

43.2 Materials

Pipe, fittings, and joints shall be PVC pipe and shall conform to the requirement for gravity sewer construction in Section 40, of this MANUAL.

Laterals shall be connected to the wye, provided in the gravity sewer where such is available, utilizing approved fittings or adapters.

On existing mains where no wye is provided or available, connection shall be made by a suitable saddle, or a cast-in-place manhole as referenced in Section 20, of this MANUAL.

43.3 Construction

43.3.1 General

Service and lateral connections shall conform to these specifications and STANDARD DETAILS. All necessary approvals for service and lateral construction shall be obtained prior to beginning the work.

43.3.2 Excavation and Backfill

Excavation and backfilling for services and laterals shall conform to the requirements of Section 32 and 41 of this MANUAL, except that no backfill in excess of that required to hold the pipe in true alignment shall be placed prior to inspection.

43.3.3 Pipe Laying and Jointing

Pipe laying and jointing, except as hereinafter provided, shall in general conform to the requirements of Section 41, of this MANUAL. During the pipe laying and jointing, the services and laterals shall be kept free of any water, dirt, or objectionable matter.

43.3.4 Line and Grade

Laterals shall be laid with a minimum grade of one (1) foot per one-hundred (100) feet. The CONTRACTOR shall establish such alignment and grade control as is necessary to properly install the lateral. Pipe shall be laid in a straight line at a uniform grade between fittings.

43.4 **Termination of Service Laterals**

Laterals shall terminate just outside the right-of-way line at a maximum depth of five (5) feet below finish grade. Watertight factory made plug(s) shall be installed at the end of each lateral and service branch.

Clean-outs on the building service branch shall be installed at the time of building construction by the individual site's CONTRACTOR in accordance with the STANDARD DETAILS.

43.5 **Inspection**

Laterals shall meet the inspection requirements specified in Section 40, of this MANUAL.

43.6 **Restoration, Finishing and Clean-up**

The CONTRACTOR shall restore all paved surfaces, curbing, sidewalks, or other surfaces to their original condition in such manner as to meet the requirements established in this MANUAL. All surplus material and temporary structures, as well as all excess excavation shall be removed. The entire site shall be left in a neat and clean condition.

43.7 **Location**

The exact location of the termination point of each installed service shall be marked by etching or cutting an "S" in the concrete curb and painting that location green. Where no curb exists, locations shall be adequately marked by a method approved by the CITY.

END OF SECTION

Section 44 – Testing and Inspection

44.1 General

Gravity sewer systems shall be tested for alignment, deflection, and integrity prior to acceptance by the CITY. All testing, procedures, and video inspections shall be performed by the CONTRACTOR in the presence of CITY inspection personnel and certified by the DEVELOPER'S ENGINEER. The CONTRACTOR shall be responsible for furnishing all necessary labor and equipment for all such testing and inspections.

44.2 Testing

44.2.1 Type of Test

Gravity sewer systems shall be required to pass one of the following leakage tests and a lamping procedure before acceptance by the CITY.

1. Low-Pressure Air Leakage Test

Testing shall be conducted in accordance with the procedure for "Recommended Practice For Low Pressure Air Testing of Installed Sewer Pipe" as established by the Uni-Bell PVC Pipe Association. Passing this test shall be presumed to establish leakage test limits of fifty (50) gallons per day, per inch, of diameter, per mile of sewer.

2. Infiltration and Exfiltration Leakage Test

Flows shall not exceed one-hundred-fifty (150) gallons per day, per inch, of nominal pipe diameter per mile, as measured between adjacent manholes over a two (2) hour testing period.

When the lamping procedure is performed, each test section of pipe with a full circle showing shall be considered to be acceptable to the CITY.

44.2.2 Selection of Test Sections

Each test section shall not exceed four-hundred (400) feet in length and be conducted between adjacent manholes.

44.2.3 Preparation and Coordination of Testing

The CONTRACTOR shall flush all sewers with water sufficient in volume to obtain free flow through each line. Flushing water and debris shall not enter any pump station wet well. Water will be pumped from the sewer system during flushing to an acceptable discharge location. A visual inspection shall be made and all obstructions removed.

The CONTRACTOR shall notify the CITY forty-eight (48) hours prior to performing any leakage testing.

The results of all leakage tests shall be neat, legible, and certified by the DEVELOPER'S ENGINEER when presented to the CITY. The results shall be formatted and adequately labeled so that they are easily understandable.

44.3 Video Inspection

An internal video inspection for all gravity sewers shall be performed by the CONTRACTOR to check for alignment and deflection. Video inspection shall be used to check for cracked, broken, or otherwise defective pipe.

The CONTRACTOR shall provide the CITY with a copy of the video inspection for staff review in a format acceptable to the CITY. The CITY shall respond back to the CONTRACTOR within five (5) working days after the receipt of acceptable tapes.

Prior to video inspection, the CONTRACTOR shall flush all sewers with water sufficient in volume to obtain free flow through each line. Flushing water and debris shall not enter any pump station wet well. Water will be pumped from the sewer system during flushing to an acceptable discharge location. A visual inspection shall be made and all obstructions removed.

If elected by the CONTRACTOR or when required by the CITY, the video inspection shall be conducted within thirty (30) days after substantial completion of the gravity sewer system, provided the road base is in place and the manhole rings and covers are to grade.

The requirement of the road base being in place shall be waived if the top of the sewer is twelve (12) feet below the finished grade. In such cases, the video inspection shall be performed once the trench has been compacted up to the road base.

A final inspection of the gravity sewer system shall be conducted by the CITY prior to the end of the one (1) year warranty period.

If any inspection reveals cracked, broken, defective, or misaligned pipe resulting in vertical sags in excess of one-and-a-half (1-1/2) inches and in the case of PVC pipe a ring deflection in excess of five (5) percent, the CONTRACTOR shall be required to repair or replace the pipeline. The CITY reserves the right to pass a mandrel through the PVC pipe to confirm ring deflection. The cost associated with passing a mandrel through the PVC pipe shall be the responsibility of the CONTRACTOR.

Successful passage of the lamping procedure and leakage tests, or the video inspection if used as a substitute, is required before the system can be accepted by the CITY.

Prior to repair or replacement of any failed sewer pipe, the method of repair or replacement shall be submitted to the CITY for approval. Pressure grouting of pipe or manholes shall not be considered as an acceptable method of repair.

END OF SECTION

Section 45 – Force mains

45.1 General

These specifications cover the pipe, fittings, and accessory items used for wastewater force main systems.

Pipe used in wastewater force main systems shall be either Polyvinyl Chloride (PVC) or High Density Polyethylene (HDPE).

The CONTRACTOR shall be responsible for all materials furnished and storage of same, until the date of project completion. He shall replace at his expense all materials found to be defective or damaged in handling or storage. The CONTRACTOR shall, if requested by the CITY, furnish certificates, affidavits of compliance, test reports, or samples for check analysis for any of the materials specified herein. All pipe delivered to the project site for installation is subject to random testing for compliance with the designated specifications.

45.2 Inspection and Testing

Requirements specified in Section 40, of this MANUAL shall apply.

45.3 Polyvinyl Chloride (PVC) Pipe and Fittings

45.3.1 PVC Pipe

PVC pipe of nominal diameter four (4) inches through twelve (12) inches shall be manufactured in accordance with AWWA Standard C900. Pipe of nominal diameter fourteen (14) inches and larger shall be manufactured in accordance with AWWA Standard C905. The PVC pipe shall have a minimum working pressure rating of one-hundred (100) psi or higher and a dimension ratio (DR) of eighteen (18), or twenty-five (25) as based on the system's design requirements. The pipe shall be green in color.

45.3.2 Joints

PVC pipe shall have integral bell push on type joints conforming to ASTM D3139.

45.3.3 Fittings

Fittings shall be restrained mechanical joint ductile iron or gray iron conforming to ANSI/AWWA A21.10/C110, three-hundred-fifty (350) psi minimum pressure rating for sizes 24 inches and smaller and two-hundred-fifty (250) psi minimum pressure rating for sizes larger than 24 inches, or ductile iron compact fittings in accordance with ANSI/AWWA

A21.53/C153. Interior and exterior coatings of ductile iron pipe fittings shall be as specified in Appendix 'C', of this MANUAL.

45.4 Ductile Iron Pipe and Fittings

45.4.1 Ductile Iron Pipe

Ductile iron pipe is prohibited unless prior written approval from the DIRECTOR is provided. Ductile iron pipe shall conform to ANSI/AWWA C151/A21.51 and have a minimum two-hundred-fifty (250) psi pressure class rating. All ductile iron pipe shall have an interior protective lining polyethylene with a minimum dry thickness of thirty (30) mils applied by the pipe manufacturer. Polyethylene lining material shall comply with ASTM D-1248 and shall be fused to the interior of the pipe by heat forming a tightly bonded lining.

45.4.2 Fittings

Fittings shall be ductile iron compact fittings in accordance with ANSI/AWWA A21.53/C153 and have a minimum three-hundred-fifty (350) psi minimum pressure rating for sizes 24 inches and smaller and two-hundred-fifty (250) psi minimum pressure rating for sizes larger than 24 inches. All ductile iron fittings shall have an interior protective lining polyethylene with a minimum dry thickness of thirty (30) mils applied by the pipe manufacturer. Polyethylene lining material shall comply with ASTM D-1248 and shall be fused to the interior of the pipe by heat forming a tightly bonded lining.

45.4.3 Joints

Joints for ductile iron pipe and fittings shall be push-on or mechanical joints conforming to ANSI/AWWA A21.11/C111, unless otherwise called for on the DRAWINGS. Where called for on the DRAWINGS, restrained or flanged joints shall be provided. Flanged joints shall conform to ANSI Standard B16.1-125 LB. Restrained joints shall conform to Section 35, of this MANUAL.

45.4.4 Coatings and Linings

Where ductile iron pipe and fittings are to be above ground, pipe, fittings, and valves shall be thoroughly cleaned and given one field coat (minimum 1.5 mils dry thickness) of rust inhibitor primer. Intermediate and finished field coats of oil based paint shall also be applied by the CONTRACTOR (minimum 1.5 mils dry thickness each coat). Primer and field coats shall be compatible and shall be applied in accordance with the manufacturer's recommendations. See approved manufacturers' list

in Appendix 'C' of this MANUAL. Final field coat color shall be green.

All ductile iron pipe and fittings shall have an interior protective lining polyethylene with a minimum dry thickness of thirty (30) mils applied by the pipe manufacturer. Polyethylene lining material shall comply with ASTM D-1248 and shall be fused to the interior of the pipe by heat forming a tightly bonded lining. See approved manufacturers' list in Appendix 'C' of this MANUAL.

45.4.5 Polyethylene Encasement

The pipe shall be polyethylene encased (8 mil) where shown on the DRAWINGS or required by the CITY in accordance with ANSI/AWWA A21.51/C105.

45.5 **High Density Polyethylene (HDPE) Pipe and Fittings**

45.5.1 HDPE Pipe

Materials used for the manufacture of high-density polyethylene pipe and fittings shall comply with all requirements of ASTM D1248 and Plastic Pipe Institute (PPI) designation PE3408. Manufacturer shall be a member in good standing of the Plastic Pipe Institute. HDPE pipe and fittings shall comply or exceed AWWA Standards C901/C906, ASTM D2513, ASTM D3035 and ASTM F714. The manufacturer shall supply a letter of certification stating compliance to all the above standards prior to shipping any material to project site. The HDPE material shall have required ultraviolet inhibitors to resist degradation by direct and prolonged sunlight. The design of HDPE materials shall be based on the hydrostatic design basis (HDB) of 1,600 psi at 73.4 degrees Fahrenheit. Pipe shall be designed and produced to ductile iron diameters and to a maximum dimension ratio (DR) of seventeen (17).

45.5.2 Fittings

Fittings shall be HDPE molded and shall be made, at a minimum, to the same pressure rating as the pipe. All fabricated HDPE fittings shall be manufactured to a maximum thickness of DR 13.5. Ductile iron pipe fittings, with mechanical joint adapters, may be used when required for special connections but must be supplied by a pre-approved manufacturer. Manufacturers of the electrofusion coupling and fittings shall be an ISO 9001 certified company with product having Canada Standards Association (CSA) certification.

Additional requirements specified in Section 33, of this MANUAL shall apply.

45.6 Joints of Dissimilar Pipe

The joining of dissimilar sanitary sewer pipe shall conform to the following table:

Joints for Dissimilar Pipe Table

Type of Line	Material	Material	Use
Gravity	C900	SDR-35	PVC Adapter
Force Main	PVC	Ductile Iron	Poly Lined and Restrained MJ Sleeve
Force Main	PVC	HDPE	Poly Lined and Restrained MJ Sleeve to Fused HDPE Adapter
Force Main	Ductile Iron	HDPE	Poly Lined and Restrained MJ Sleeve to Fused HDPE Adapter

45.7 Pipe Handling

All types of pipe shall be handled in such manner as will prevent damage to the pipe or coating. Accidental damage to pipe or coating shall be repaired to the satisfaction of the CITY or be removed from the job. When not being handled, the pipe shall be supported on timber cradles or on properly prepared ground, graded to eliminate all rock points and to provide uniform support along the full length. When being transported, the pipe shall be supported at all times in a manner which will not permit distortion or damage to the lining or coating. Any unit of pipe that is damaged beyond repair by the CONTRACTOR, in the judgment of the CITY, shall be removed from the work site and replaced with another unit.

Joint gaskets shall be stored in a clean, dark, and dry location until immediately before use.

Dirt or other foreign material shall be prevented from entering the pipe or pipe joint during handling or laying operations. Any pipe or fitting that has been installed with dirt or foreign material in it shall be removed, cleaned, and re-laid. At times when pipe laying is not in progress, the open ends of the pipe shall be closed by a water-tight plug or by other means approved by the CITY to ensure absolute cleanliness inside the pipe.

45.8 Air and Vacuum Release Valves

45.8.1 General

Wastewater force mains shall be equipped with either air or air/vacuum release valves located as shown on the DRAWINGS. Valves shall be located in an enclosure as detailed on the STANDARD DETAILS.

45.8.2 Wastewater Air/Vacuum Valve

The valve shall be suitable for one-hundred-fifty (150) psi working pressure. Valve shall have standard two (2) inch NPT inlets and outlet ports unless otherwise shown on the DRAWINGS. Provisions shall be made for back-flushing the valve with clean water.

45.8.3 Wastewater Air Release Valve

The inlet opening shall be standard two (2) inch NPT screwed connection, unless otherwise shown on the DRAWINGS. The valve shall include a flush-out feature for periodic cleaning of the internal mechanism. The overall height of the valve body shall not exceed twenty-one (21) inches, unless otherwise shown on the DRAWINGS.

45.9 Notification and Connection to Existing Mains

All connections to existing mains shall be made by the CONTRACTOR only after the connection procedure and his work scheduling has been reviewed and approved by the CITY. The CONTRACTOR shall submit a written request to the CITY a minimum of five (5) working days prior to scheduling of the connection, unless otherwise agreed upon at a CITY attended pre-construction conference. The request shall outline the following:

1. Points of Connection, fittings to be used, and method of flushing and disinfection if applicable.
2. Estimated construction time needed to make the connections.

The CITY shall review the submittal within three (3) working days after receiving it and inform the CONTRACTOR regarding approval or denial of the request. If the request is rejected by the CITY, the CONTRACTOR shall resubmit the request modifying it in a manner acceptable to the CITY.

All connections shall only be made on the agreed upon date and time. If the CONTRACTOR does not initiate and complete the connection work in the agreed upon manner, he shall be required to reschedule the connection by following the procedure outlined above.

The CONTRACTOR shall not operate any valves in the CITY systems.

45.10 Plug Valves

45.10.1 General

All plug valves shall be installed so that the direction of flow through the valve is in accordance with the manufacturer's recommendations.

45.10.2 Valve Construction

Valves shall be of the non-lubricated eccentric type with resilient faced plugs and shall be furnished with end connections as shown on the plans, unless otherwise approved by the DIRECTOR. Flanged valves shall be faced and drilled to the ANSI 125/150 lb. standard. Mechanical joint ends shall meet AWWA C111, Class B.

Valve bodies shall be of ASTM A126, Class B Semi-steel, 31,000 psi tensile strength minimum in compliance with AWWA C507 and C504. All exposed nuts, bolts, springs, washers, etc. shall be zinc or cadmium plated. Resilient plug facings shall be of Hycar or Neoprene.

Port areas for valves four (4) inches through twenty (20) inches shall be eighty percent (80%) nominal pipe diameter. Valves twenty-four (24) inches and larger shall have a minimum port area of seventy percent (70%) of nominal pipe diameter. All exposed nuts, bolts, springs, washers, etc., shall be zinc or cadmium plated. Resilient plug facings shall be of Hycar or Neoprene.

Valves shall be furnished with permanently lubricated stainless steel or oil-impregnated bronze upper and lower plug stem bushings. These bearings shall comply with AWWA C507 and C504.

Seats in four (4) inches and larger valves shall have a welded-in overlay of high nickel content on all surfaces contacting the plug face which comply with AWWA C507 and C504.

Valve shaft seals shall be adjustable and comply with AWWA C507.

45.10.3 Valve Testing

Plug valves shall be tested in accordance with AWWA C504. Each valve shall meet the performance, leakage, and hydrostatic tests described in AWWA C504. The leakage test shall be applied to the face of the plug tending to unseat the valve. The manufacturer shall furnish certified copies of reports covering proof of design testing as described in AWWA C504.

45.10.4 Actuators

Manual valves shall have lever or gear actuators, tee wrenches, extension stems, floor-stands, etc. as indicated on the plans. All valves six (6) inch and larger shall be equipped with gear actuators. All gearing shall be enclosed in a semi-steel housing and be suitable for running in a lubricant with seals provided on all shafts to prevent entry of dirt and water into the actuator.

All actuator shafts shall be supported on permanently lubricated bronze bearings. Actuators shall clearly indicate valve position and an adjustable stop shall be provided to set closing torque. All exposed nuts, bolts, and washers shall be zinc or cadmium plated. Valve packing adjustment shall be accessible without disassembly of the actuator.

45.11 Valve Boxes

Mains less than six (6) feet in depth shall have cast-iron three-piece valve boxes. Valve boxes shall be provided with suitable heavy bonnets and shall extend to such elevation at or slightly above the finished grade surface as directed by the CITY. The barrel shall be screw type only, having five-and-a-quarter (5-1/4) inch shaft. The upper section shall have a flange at the bottom having sufficient bearing area to prevent settling and shall be complete with cast-iron covers. Covers shall have "SEWER" cast into the top for all wastewater mains.

An operating nut extension box shall be used for mains with an operating nut six (6) feet below finished grade. Valve boxes shall be one complete assembled unit composed of the valve box and extension stem. All moving parts of the extension stem shall be enclosed in a housing to prevent contact with the soil. Valve box assembly shall be adjustable to accommodate variable trench depths six (6) foot and greater.

The stem assembly shall be of a telescoping design that allows for variable adjustment length. The material shall be galvanized square steel tubing. The stem assembly shall have a built-in device that prevents the stem assembly from disengaging at its fully extended length. The extension stem must be capable of surviving a torque test to one-thousand (1000) ft-lb without failure.

Each valve collar shall utilize a test station box made into the valve collar for placement of locating wire as shown in the DRAWINGS.

45.12 Separation of Force Mains and Water Mains

45.12.1 General

The table below meets separation requirements as described by FDEP in the Florida Administrative Code. These requirements shall apply between newly proposed utility lines and existing or proposed utility

lines.

All separation distances are from outside-of-pipe to outside-of-pipe.

PROPOSED UTILITY	HORIZONTAL & VERTICAL SEPARATION REQUIREMENTS									
	POTABLE WATER		RECLAIMED WATER*		SANITARY SEWER FORCE MAIN		SANITARY SEWER GRAVITY MAIN		STORM SEWER	
	HORIZ.	VERT.	HORIZ.	VERT.	HORIZ.	VERT.	HORIZ.	VERT.	HORIZ.	VERT.
POTABLE WATER	-	-	3'	12"	6'	12"	6'	6" ABOVE 12" BELOW	3'	6"
RECLAIMED* WATER	3'	12"	-	-	3'	12"	3'	12"	-	-
SANITARY SEWER FORCE MAIN	6'	12"	3'	12"	-	-	-	-	-	-
SANITARY SEWER GRAVITY MAIN	6'	6" ABOVE 12" BELOW	3'	12"	-	-	-	-	-	-

45.12.2 Horizontal Variances Sanitary Sewer

Any horizontal variance shall require the prior approval of the CITY.

If horizontal separation is not attainable for new installations of potable water and sanitary sewer, the pipes will be installed in separate trenches. The bottom of the potable water main shall be at a minimum twelve (12) inches higher than the top of the sanitary sewer while still maintaining the required cover. This type of case shall require the sanitary sewer main, whether gravity or force main, to be upgraded to DR eighteen (18).

45.12.3 Vertical Variances Sanitary Sewer

Any vertical variance shall require the prior approval of the CITY.

Where installation of a new potable water main is in conflict with existing sanitary sewer it is preferred that the water main cross twelve (12) inches above the sanitary sewer with sufficient coverage. If this is not possible the water main may cross twelve (12) inches below the sanitary sewer and shall be upgraded to ductile iron pipe and centered at crossing.

45.12.4 Structures

No water main or service shall pass through or come in contact with any part of a sanitary sewer or storm water manhole or structure.

45.13 Force Main Construction

Requirements specified in Section 51, of this MANUAL shall apply.

45.14 Hydrostatic Tests

Requirements specified in Section 52, of this MANUAL shall apply with the exception that the test pressure shall be one-hundred (100) psi.

45.15 Final Cleaning

Prior to final inspection and acceptance of the force main by the CITY, CONTRACTOR shall flush and clean all parts of the system. Flushing and cleaning shall include the removal of all accumulated construction debris, rocks, gravel, sand, silt, and other foreign material from the sewer system at or near the downstream end.

Upon the CITY'S final inspection of the pressure pipe systems, if any foreign matter is still present in the system, CONTRACTOR shall clean the sections and portions of the lines as required.

45.16 Location and Identification

All manufactures lettering shall be legible and the colors correct for the intended use.

END OF SECTION

Section 46 – Wastewater Pump Stations

46.1 General

This Section includes the specifications for equipment, materials, site work, fences, and appurtenances for the installation of wastewater pump stations, submersible.

46.2 Wet Well Liners

46.2.1 Fiberglass Liner

Fiberglass reinforced polyester wet well liner shall be manufactured from commercial grade polyester resin or vinyl ester resin with fiberglass reinforcements. The resin system shall be suitable for atmospheres containing hydrogen sulfide and dilute sulfuric acid, as well as other gases associated with the wastewater collection systems. The wet well liner shall be a one-piece unit manufactured in accordance with the requirements of ASTM D3753. All inserts and sleeves for piping shall be in accordance with the liner manufacturer's recommendations and shall result in complete coverage of all pre-cast sections and be capable of passing a spark test.

46.2.2 HDPE Liner

The HDPE embedment sheeting shall be mechanically bonded to the concrete by integral studs. The liner shall be cast in place by the precast manufacturer and the CONTRACTOR shall field weld the joints. Minimum thickness of liner is eighty (80) mils. All inserts and sleeves for piping shall be in accordance with the liner manufacturer's recommendations and shall result in complete coverage of all pre-cast sections and be capable of passing a spark test.

46.3 Valve Vault

Compression type wall seal shall be used for all force mains discharging from wet well and through valve vault. The size of the valve vault for a four (4) inch check valve and piping assembly requires a minimum fifty-six (56) inches by seventy-two (72) inches vault and a six (6) inch check valve and piping assembly requires a minimum seventy-two (72) inches by ninety-six (96) inches vault. Valve vault shall be sealed to prevent ground water infiltration. Surface of vault shall be cleaned prior to application of approved coating inside and outside of vault.

46.4 Access Frames and Covers

Both the wet well and the valve vault shall be furnished with an access frame and door(s). Equipment furnished shall include the necessary aluminum access frames, complete with hinged and slide bar equipped doors, stainless steel upper guide holder and level sensor cable holder. Doors shall be of aluminum diamond plate, coated as per Figure 301, Note 1, and capable of being locked. The wet well doors shall be sized according to pump manufacturer's recommendations. The access frame and door(s) shall have stainless steel hardware. The valve vault access doors size shall be a minimum of inside to inside wall dimensions with a load rating of three-hundred (300) pounds per square foot. The support beam for load rating shall be mounted on the door.

46.5 Pumps and Controls

Pumps and miscellaneous accessories shall be as specified in Section 47, of this MANUAL. Controls and miscellaneous accessories shall be as specified in Section 48, of this MANUAL.

46.6 Piping, Valves and Accessories

46.6.1 Piping

Influent piping to the wet well shall meet the requirements of Section 40 and 45, of this MANUAL. All pipe inside the wet well are to be HDPE with a maximum dimensional ratio of seventeen (17). The valve vault shall be as shown on the STANDARD DETAILS.

46.6.2 Plug Valves

Plug valves shall meet the requirements of Section 45, of this MANUAL.

46.6.3 Check Valves

Check valves for ductile iron pipelines shall be the swing type and shall meet the material requirements of AWWA C500. The valves shall be iron body, bronze mounted, single disc, one-hundred-fifty (150) psi working water pressure, non-shock, and hydrostatically tested at three-hundred (300) psi. Ends shall be one-hundred-twenty-five (125) pound ANSI B16.1 flanges.

When there is no flow through the line, the disc shall hang lightly against its seat in practically a vertical position. When open, the disc shall swing clear of the waterway.

Check valves shall have a bronze seat and body rings, extended bronze hinge pins, and stainless steel nuts on the bolts of bolted covers.

Valves shall be so constructed that disc and body seats may easily be removed and replaced without removing the valve from the line. Valves shall be fitted with an extended hinge arm with outside lever and weight. If pump shut off head exceeds seventy-seven (77) foot lbs., then an air cushioned assembly shall be installed.

46.6.4 Pressure Gauges

Pressure gauges shall be installed on each discharge pipe as indicated on the STANDARD DETAILS. Each pressure gauge shall be direct mounted, stainless steel case, stainless steel sensing element, liquid filled, with a four-and-a-half (4-1/2) inch diameter dial, furnished with a clear glass crystal window, and a quarter (1/4) inch shut-off (damper) valve.

All gauges shall be weatherproofed. The face dial shall be white finished aluminum with jet black graduations and figures. The face dial shall indicate the units of pressure measured in psi, with a 0-100 psi range.

Pressure gauges shall not be installed until after the substantial completion date unless otherwise requested by the CITY.

46.7 **Standby Power Generator System**

46.7.1 General

A standby power generator system shall be installed at pump stations as required by Section 22, of this MANUAL for electrical power during the loss of normal power.

46.7.2 Generator Set

46.7.2.1 General

The generator set shall consist of a diesel engine directly coupled to an electric generator, together with the necessary controls and accessories to provide continuous electric power to the lift station for the minimum duration of a forty-eight (48) hour failure of the normal power supply.

A complete engine generator system shall be furnished and installed with fuel transfer pump, fuel day tank, battery, battery charger, muffler, radiator, control panel, remotely mounted automatic transfer switch (if set is installed on-site), and all other accessories required for an operational system.

All materials and parts of the generator set shall be new and

unused. Each component shall be of current manufacture from a firm regularly engaged in the production of such equipment.

The set shall be of a standard model in regular production at the manufacturer's place of business. Units and components offered under the Specifications shall be covered by the manufacturer's standard warranty on new machines.

46.7.2.2 Requirements

The emergency generator set and accessories shall be of a type that complies with the latest edition of the National Electrical Code and all applicable state and local building codes.

The manufacture of this equipment shall be of the highest quality consistent with the current for like equipment and shall be manufactured in such a manner so as to conform to the latest applicable IEEE, ANSI, ISA, and NEMA Standards.

The equipment supplier shall be liable for any latent defects due to faulty materials or workmanship in the equipment which may appear within one (1) year from the date of equipment start-up. The DEVELOPER shall also post a one (1) year maintenance bond in accordance with Section 11, of this MANUAL.

46.7.2.3 Tests

Equipment shall be completely assembled and tested at the factory prior to shipment. Certified copies of the data obtained during these tests shall be submitted to the CITY.

Final tests shall be conducted at the site, after installation has been completed, in the presence of the CITY'S representative. The emergency generator manufacturer shall furnish a service representative to operate the engine during the tests, to check all details of the installation, and to instruct the CITY'S representatives in proper equipment operation.

Field tests may include operating the diesel generating set for eight (8) hours while carrying normal pump station loads. The CONTRACTOR shall refill the main fuel tank at the completion of the tests.

46.7.2.4 Ratings

The rating of the generator shall be as shown on the DRAWINGS. These ratings must be substantiated by the manufacturer's standard published curves. Special ratings shall not be acceptable. The set shall be capable of supplying the specified usable kW for operating all pumps simultaneously for the specified duration, including pump start-up, without exceeding the safe operating temperature.

46.7.2.5 Engine

The engine shall be water cooled four stroke cycle, compression ignition, and diesel. It shall meet specifications when operating on No. 2 domestic burner oil. The engine shall be equipped with fuel, lube oil and intake air filters, lube oil coolers, fuel transfer and priming pumps, and gear-driven water pump.

The engine and generator shall be torsionally compatible to prevent damage to either engine or generator.

An engine instrument panel shall be installed on the generator set in an approved location. The panel shall include oil and fuel pressure and water temperature gauges. A mechanically driven engine hour meter shall also be provided.

The engine governor shall be of the isochronous electronic type. Frequency regulation shall not exceed plus/minus 0.25 percent under steady state conditions. The engine shall start and assume its rated load within ten (10) seconds, including transfer time, if the set is installed on-site.

46.7.2.6 Generator

The generator shall be three-phase, 60 hertz, single bearing, synchronous type, and built to NEMA Standards. Epoxy impregnated Class F insulation shall be used on the stator and the rotor.

The excitation system shall employ generator-mounted volts per hertz, type regulator. Voltage regulation shall be plus/minus two (2) percent from no load to full load. Readily accessible voltage drop, voltage level, and voltage gain controls shall be provided. Voltage level adjustment shall be a minimum of plus or minus five (5) percent.

46.7.2.7 Engine Generator Control Panel

A generator mounted NEMA 3R Type 304, vibration isolated, 14 gauge stainless steel control panel shall be provided. Panel shall contain, but not be limited to, the following equipment:

1. Control Equipment: Control equipment shall consist of all necessary exciter control equipment, generator voltage regulators, voltage adjusting rheostat, speed control equipment, and automatic starting controls, as required to satisfactorily control the engine/generator set.
2. In addition, an automatic safety shut down shall be provided for low oil pressure and/or high temperature conditions in the engine and over-crank conditions. An emergency shut-down lever switch shall be provided on the air intake.
3. Metering Equipment: Metering equipment shall include 3-1/2-inch meters (dial or digital type frequency meter, two (2) percent accuracy voltmeter, and ammeter and ammeter-voltmeter phase selector switch). The control panel shall also include the engine water temperature, lube oil pressure, and hour meters.
4. Fault Indicators: Individual press-to-test fault indicator lights for low oil pressure, high water temperature, low water level, over-speed, over-crank, and for the day tank, high and low fuel level shall be provided.
5. Function Switch: A four (4) position function switch marked "Auto", "Manual", "Off/Reset", and "Stop" shall be provided.

46.7.2.8 Battery Charger

The battery charger shall be so designed that it shall not be damaged, trip its circuit protective device during engine cranking, or it shall be automatically disconnected from battery during cranking period.

The charger shall be mounted in the emergency generator control panel. The charger shall have a 7-day/24-hour timer control. The CONTRACTOR shall provide the CITY with a fifty (50) foot commercial grade electrical extension cord capable of connecting the charger to a 120 volt source.

46.7.2.9 Battery

The battery shall be lead-acid type with sufficient capacity to provide ninety (90) seconds total cranking time without recharging. The battery shall be adequately rated for the specific generator set. The battery shall be encased in hard rubber or plastic, shall be furnished with proper cables and connectors, rack, and standard maintenance accessories. The battery shall be provided with a forty-eight (48) month warranty for the replacement of the battery, if found to be defective.

46.7.2.10 Base and Mounting

A suitable number of spring-type vibration isolators with a noise isolation pad shall be provided to support the set and appurtenances.

46.7.2.11 Utility Connections

All connections to the generator set shall be flexible.

46.7.2.12 Cooling System

The generator set shall be equipped with an engine mounted radiator sized to maintain safe operation at a maximum ambient temperature of 110° F. A blower type fan shall be used directing the air flow from the engine through the radiator. The entire cooling system shall be filled with 50 percent glycol-water solution.

46.7.2.13 Fuel System

Fuel system shall be sized to operate the generator system under anticipated full load for a minimum period of two (2) days.

For on-site installations, an above ground main fuel storage tank with float switch and fuel level indication shall be furnished and installed by the CONTRACTOR.

The emergency system shall include low fuel level contacts for remote alarm. A check valve shall be mounted on the pump intake. The emergency system shall include a float switch, fuel level gauge, and standard control panel. Size shall be determined in accordance with Section 46, of this MANUAL

For on-site installations the use of a Florida Department of Environmental Protection (FDEP) approved double wall tank design shall be used as a minimum design standard. Fuel oil piping, including mounting of any required fuel tanks, shall be furnished and installed by the CONTRACTOR.

46.7.2.14 Exhaust System

The generator set supplier shall provide a critical-type silencer, with flexible exhaust fittings, properly sized and installed, according to the manufacturer's recommendation. The silencer shall be mounted so that its weight is not supported by the engine.

Exhaust pipe size shall be sufficient to ensure that measured exhaust back pressure does not exceed the maximum limitations specified by the generator set manufacturer. The exhaust system shall include a flexible, seamless, stainless steel connection between the engine exhaust outlet and the rest of the exhaust system. The exhaust system shall be a part of generator enclosure.

46.7.2.15 Weather Proof Enclosure

Provide an enclosure to completely enclose the engine-generator, radiator, control panel, battery box, battery charger, day tank, fuel level indicating instrument, heaters, and other equipment as shown. Mount the engine silencer above the enclosure, with a structural support for the silencer.

Design the enclosure to prohibit the entrance of rodents, birds, and rain. The design shall permit the continuous full load operation of the engine-generator with all access doors closed.

Air intake louvers shall be side-wall mounted, with the majority of the opening located two (2) feet or more above the concrete pad to prevent the blockage by leaves or debris.

Louvers shall be steel, with 1/2 inch bird screen on the inlet air louvers and stainless-steel ball bearing louver pivot joints in cadmium-plated steel bearing races.

Construct enclosure of formed 0.125 inch aluminum, and

securely bolt to the engine-generator base.

Provide at least two sides (each side) and one rear gasketed, pan type doors, with a minimum width of twenty-eight (28) inches each for easy access to all the control and service items. Doors shall have vertical piano hinges with a minimum 1/4 inch stainless-steel pins, three point locking bar, and tumbler flanges or lifting eyes shall be provided in each end of the base to permit four-point lifting.

The roof shall be reinforced and rigid enough to support the exhaust system. A lockable, sealed cap shall be provided for radiator fill access. Oil and coolant drain lines shall terminate outside the enclosure.

The entire unit, enclosure, and other equipment shall be completely installed wired and plumbed by the engine supplier prior to shipment to the installation site.

Insulate the interior enclosure walls and top with two (2) inch sound absorbing urethane foam insulation with a protective vinyl cover.

46.7.2.16 Automatic Transfer Switch

The automatic transfer switch shall be part of the control panel for on-site installed generator sets described in Section 48, of this MANUAL.

The transfer switch shall be provided with the following features:

1. Complete protection, close differential voltage sensing relays monitoring all three phases (pick-up set for 95 percent of nominal voltage, drop-out set for 85 percent nominal voltage).
2. Voltage sensing relay on emergency source (pick-up set for 95 percent of nominal frequency).
3. Time delay on engine starting--adjustable from 1 second to 300 seconds (factory set at 3 seconds).
4. Time delay normal to emergency transfer--adjustable from zero second to 300 seconds (factory set at 1 second). The CONTRACTOR shall request time delay settings in accordance with the priority rating or their respective loads.

5. Time delay emergency to normal transfer--adjustable 30 seconds to 30 minutes (factory set at 5 minutes), and time delay bypass switch shall be provided on door of the switch cabinet.
6. Unload running time delay for emergency engine generator cooling down-adjustable from 0 to 5 minutes (factory set at 5 minutes) unless the engine generator control panel includes the cool down timer.

46.7.2.17 Warranty

Products shall be guaranteed to be free from defects in material and workmanship under normal use and service for a period of two (2) years after start-up.

46.8 Flow Monitoring System

46.8.1 General

When indicated on the DRAWINGS or as required by Section 22, of this MANUAL, a flow monitoring system capable of indicating, recording, and totalizing wastewater flows shall be provided for lift station of 1000 GPM and larger. The system shall include magnetic flowmeter and transmitter, electronic recording receiver, and miscellaneous related accessories as specified herein. It shall be the CONTRACTOR's responsibility to provide and install such equipment resulting in a completely operational flow monitoring system.

46.8.2 Magnetic Flowmeter/Transmitter

The magnetic flowmeter shall be of the low frequency electromagnetic induction type and shall produce a DC pulsed signal directly proportional and linear to the liquid flowrate. The meter shall be designed for operation on 120 VAC \pm 10 percent, 60 Hz \pm 5 percent with a power consumption of less than 20 watts for sizes through twelve (12) inches.

The metering tubes shall be constructed of stainless steel. All magnetic flowmeters shall be designed to mount directly in the pipe between ANSI Class 150 flanges and shall consist of a flanged pipe spool piece with a laying length as recommended by the manufacturer. Meters shall have polyurethane liners with stainless steel electrodes.

The electronics portion of the magnetic flowmeter shall include both a magnet driver to power the magnet coils and a signal converter. The signal converter shall be integrally mounted. The converter shall include

a separate customer connection section to isolate the electronics compartment and protect the electronics from the environment. A separate terminal strip for power connection shall be supplied.

The electronics shall be of the solid state, feedback type and utilize integrated circuitry. The input span of the signal converter shall be continuously adjustable between 0-1 and 0-31 fps for both analog and frequency outputs.

The converter shall not be affected by quadrature noise nor shall it require zero adjustment or special tools for start-up. It must be designed to mount directly in the pipe between the ANSI Class 150 flanges and shall consist of a flanged pipe spool piece with a laying length as recommended by the manufacturer. Meters shall have polyurethane liners with stainless steel electrodes.

The electronics portion of the magnetic flowmeter shall include both a magnet driver to power the magnet coils and a signal converter. The signal converter shall be integrally mounted. The converter shall include a separate customer connection section to isolate the electronics compartment and protect the electronics from the environment.

A separate terminal strip for power connection shall be supplied. The electronics shall be of the solid state, feedback type and utilize integrated circuitry.

The input span of the signal converter shall be continuously adjustable between 0-1 and 0-31 fps for both analog and frequency outputs. The converter shall not be affected by quadrature noise nor shall it require zero adjustment or special tools for start-up.

Input and output signals shall be fully isolated. The converter output shall be 4 to 20 mA DC into 0 to 800 ohms.

Meter shall be suitable for outdoor installation and shall be furnished complete with grounding rings and installation hardware including studs, nuts, gaskets, and flange adapter hardware.

The converter shall include an integral zero return to provide a constant zero output signal in response to an external dry contact closure.

Converter shall also include digital type switches for direct adjustment of scaling factor in engineering units along with integral calibration self-test feature to verify proper operation of the electronics.

The meter shall be hydraulically calibrated at a facility located in the United States and the calibration shall be traceable to the National

Bureau of Standards. A computer printout of the actual calibration data giving indicated versus actual flows at a minimum of three (3) flow rates shall be provided with the meter.

A certification letter shall accompany the computer printout of the calibration data for each meter referencing the meter's serial number. The accuracy of the metering system shall be 1 percent of rate, from 10 to 100 percent of flow for maximum flow velocities, of 3 to 31 feet per second.

Complete zero stability shall be an inherent characteristic of the meter system to eliminate the need to zero adjust the system with a full pipe at zero flow.

The meter housing shall be splash-proof and weather resistant design. The meter shall be capable of accidental submergence in up to thirty (30) feet of water for up to forty-eight (48) hours without damage to the electronics or interruption of the flow measurement.

46.8.3 Electronic Recording Receiver

The electronic recording receiver shall be of the solid state, null-balance, servo operated potentiometer type.

The instrument shall contain a differential amplifier, a TORQ-ER driving motor to position the pen, and a Flux Bridge contact less solid state position feedback device for balancing. The instrument shall be capable of receiving one process variable input. Inputs shall be provided with electrical isolation.

The instrument shall accept an input signal of 4 to 20 mA DC. Electrical zero and span adjustments shall be provided. Power requirements shall be 120 VAC \pm 10 percent, 60 Hz. A power supply shall be provided for two-wire transmitters. Accuracy shall be \pm 0.5 percent of span, with repeatability of \pm 0.2 percent of span.

The receiver shall be provided with an indicating five (5) inch segmental scale.

The electronic recording receiver shall be housed in a cast aluminum case suitable for panel mounting. The case shall have a gasketed door with glass window. A twelve (12) inch circular chart shall be provided, with seven (7) day/rev. and chart rotation. An eight (8) digit electronic totalizing counter shall also be provided.

46.8.4 Warranty and Service

Products shall be guaranteed to be free from defects in material and workmanship under normal use and service for a period of two (2) years after start-up.

Service shall be available for repair of the products. Manufacturer's repair personnel shall be based in Florida to insure a reasonable response time of not more than two (2) working days.

46.9 **Decorative Fencing**

46.9.1 General

The CONTRACTOR shall furnish and erect decorative fence and gates in accordance with these specifications and in conformity with the lines, grades, notes, and typical sections as shown on the DRAWINGS and the STANDARD DETAILS.

46.9.2 Materials

Decorative fences shall be a minimum of six (6) feet in height and made of aluminum, metal, wrought iron, masonry wall with brick or stone finish, or equal as approved by the DIRECTOR. The engineer of record shall provide details and design data of such fence or brick wall. All fences shall comply with the local and state building codes and shall require the proper permits prior to construction. All fences shall have their finished side facing outward. These specifications shall also apply to gates.

46.9.3 Design and Installation

The design of a decorative fence shall be provided to the Community Development Department for review and shall require a plan and complete cross section of the intended design. Installation shall be in accordance with the CITY'S rules and regulations.

Swing gates shall be two six (6) feet minimum width double hung gates as indicated on the STANDARD DETAILS and hinged to swing through 180° degrees from closed to open and shall be complete with latches, locking device, stops keeper, hinges, and braces. Gates shall be the same height as the fence.

46.10 **Required Submittals**

Submittals shall be provided to the CITY, if not contained within the STANDARD DETAILS, of the following:

1. Shop and erection drawings showing all important details of construction, dimensions, and anchor bolt locations.
2. Descriptive literature, bulletins, and/or catalogs of the equipment, including valves, fittings, wet well construction, etc.
3. Data on the characteristics and performance of each pump. Data shall include guaranteed performance curves, based on actual shop tests of similar units, which show that they meet the specified requirements for head, capacity, efficiency, NPSHR, submergence, and horsepower.

Curves shall be submitted on eight and one-half (8-1/2) inch by eleven (11) inch sheets, at as large a scale as is practical. Curves shall be plotted from no flow at shut off head to maximum manufacturer recommended pump capacity. Catalog sheets showing a family of curves will not be acceptable.

4. Complete layouts, wiring diagrams, and elementary or control schematics, including coordination with other electrical control devices operating in conjunction with the pump control system. Suitable outline drawings shall be furnished for approval before proceeding with manufacture of any equipment. Standard preprinted sheets or drawings simply marked to indicate applicability will not be acceptable.
5. A drawing showing the layout of the pump control panel shall be furnished. The layout shall indicate and completely identify all devices mounted on the door and in the panel.
6. The weight of each pump.
7. Three (3) sets each of Operation and Maintenance Manuals for the pump station, generator set, and other related equipment to be submitted thirty (30) days prior to start-up.
8. Complete motor data shall be submitted including:
 1. Nameplate identification
 2. No-load current
 3. Full load current
 4. Full load efficiency
 5. Locked rotor current
 6. High potential test data
 7. Bearing Inspection report

46.11 Electrical Grounding System

46.11.1 General

A grounding system shall be installed as per National Electrical Code, Local Codes and Ordinances. The DRAWINGS shall clearly show the Electrical Grounding System. An underground perimeter cable grounding system shall be installed with connections to at least the following equipment:

1. Wet Well Cover
2. Valve Vault Cover
3. Control Panels
4. Generator (as applicable)
5. Utility Company Transformer
6. Main Disconnect Switch
7. Fence

46.11.2 Material and Installation

The DRAWINGS shall show details of material and installation to construct a completely functional and operational Electrical Grounding System.

46.12 Inspection and Testing

A factory representative knowledgeable in pump operation and maintenance shall inspect and supervise a test run at the pumping station covered by this MANUAL. Additional test run time made necessary by faulty or incomplete WORK or equipment malfunctions shall be taken so that the requirements of this MANUAL are met at no additional cost to the CITY. Upon satisfactory completion of the test run, the factory representative shall issue the required manufacturer's certificate.

The test run shall demonstrate that all items of the MANUAL have been met by the equipment as installed and shall include, but not be limited to, the following tests:

1. That all units have been properly installed.
2. That the units operate without overheating or overloading any parts and without objectionable vibration.
3. That there are no mechanical defects in any of the parts.
4. That the pumps can deliver the specified pressure and quantity.
5. That the pumps are capable of pumping the specified material.
6. That the pump controls perform satisfactorily. The CONTRACTOR shall

furnish the water for the test run either through the use of a fire hydrant meter or water truck.

46.13 Weed Control

A sixty (60) mil thick geo-fabric shall be installed for weed control. The fabric shall be a heat bonded, non-woven, polypropylene, which is inert to biological degradation and resistant to naturally encountered chemicals, alkalis and acids. The fabric shall provide passage of air and liquids.

END OF SECTION

Section 47 – Wastewater Pumps and Motors

47.1 General

The equipment covered by these specifications is intended to be standard submersible or above ground pumping equipment of proven ability as manufactured by a reputable firm having at least five (5) years' experience in the production of such equipment. The equipment furnished shall be designed, constructed, and installed in accordance with the best practices and methods, and shall operate satisfactorily when installed as shown on the DRAWINGS.

All parts shall be so designed and proportioned as to have liberal strength, stiffness, and to be especially adapted for the work to be done. Ample space shall be provided for inspection, repairs, and adjustment. All necessary foundation bolts, plates, nuts, and washers shall be furnished by the equipment manufacturer and be of Type 304 stainless steel. Brass or stainless steel nameplates giving the name of the manufacturer, voltage, phase, rated horsepower, speed, and any other pertinent data shall be attached to each pump with stainless steel rivets. The nameplate rating of the motors shall not be exceeded.

The pumps shall be capable of handling raw unscreened domestic wastewater and minimum three (3) inch diameter solid spheres. Pump operation shall be controlled automatically by means of float-type liquid level sensors in the wet well. Submersible pumps shall be mounted in the wet well as shown on the STANDARD DETAILS.

47.2 Pump Construction

47.2.1 Shaft

The pump shaft shall be of Series 300 or 400 stainless steel or carbon steel. When a carbon steel shaft is provided, the manufacturer shall demonstrate that any part of the shaft which will normally come in contact with the wastewater has proven to be corrosion resistant in this application. The shaft and bearings shall be adequately designed to meet the maximum torque required for any start-up or operating condition and to minimize vibration and shaft deflection.

As a minimum, the pump shaft shall rotate on two (2) permanently lubricated bearings. The upper bearing shall be a single row ball bearing. The lower bearing shall be a two row angular contact ball bearing, if required to minimize vibration and provide maximum bearing life.

47.2.2 Impeller

The impeller shall be constructed of bronze or stainless steel. All external bolts and nuts shall be of Type 304 stainless steel. Each pump shall be provided with a replaceable metallic wear ring system to

maintain pump efficiency. As a minimum one stationary wear ring provided in the pump volute or one rotating wear ring provided on the pump impeller shall be required. A two-part system is acceptable.

47.2.3 Mechanical Seal

Each pump shall be provided with a tandem double mechanical seal running in an oil reservoir, composed of two separate lapped face seals, each consisting of one stationary and one rotating tungsten carbide ring with each pair held in contact by a separate spring, so that the outside pressure assists spring compression in preventing the seal faces from opening. The compression spring shall be protected against exposure to the pumped liquid. Silicon carbide may be used in place of tungsten carbide for the lower seal. The pumped liquid shall be sealed from the oil reservoir by one face seal and the oil reservoir from the air-filled motor chamber by the other. The seals shall require neither maintenance nor adjustment and shall be easily replaced. Conventional double mechanical seals with a single spring between the rotating faces requiring constant differential pressure to effect sealing, which are subject to opening and penetration by pumping forces, shall not be considered equal to tandem seal specified and required.

47.2.4 Guides for Submersible Pumps

A sliding guide bracket for submersible pumps shall be an integral part of the pump casing. Said bracket shall have a machined connecting flange to connect with the cast iron discharge connection, which shall be bolted to the floor of the wet well with stainless steel anchor bolts and so designed as to receive the pump discharge flange without the need of any bolts or nuts.

Sealing of the pumps to the discharge connection shall be accomplished by a simple linear downward motion of the pump with the entire weight of the pumping unit guided by no less than two (2) Type 316 seamless tubular stainless steel guides which will press it tightly against the discharge connection. No portion of the pump shall bear directly on the floor of the wet well and no rotary motion of the pump shall be required for sealing. Sealing at the discharge connection by means of a diaphragm or similar method of sealing will not be accepted as an equal to a metal to metal contact of the pump discharge and mating discharge connection. Approved pump manufacturers, if necessary to meet the above specification, shall provide a sliding guide bracket adapter.

The design shall be such that the pumps shall be automatically connected to the discharge piping when lowered into place on the discharge connection. The pumps shall be easily removable for inspection or service, requiring no bolts, nuts, or fastenings to be removed for this purpose. Said installation shall not require personnel to enter the wet well. Each pump shall be fitted with a Type 304 stainless

steel three-quarter (3/4) inch lifting chain of adequate strength. A quarter (1/4) inch stainless steel cable, aircraft rating, shall be provided between the cable holder and the lifting chain.

47.3 Motors

47.3.1 General Requirements

All motors shall be built in accordance with latest NEMA, IEEE, ANSI, and AFBMA Standards where applicable. Pump motors shall be housed in an air-filled, water-tight casing, and have Class F insulated windings which shall be moisture resistant. Motors shall be NEMA Design B rated at 155° degrees Celsius maximum. Pump motors shall have cooling characteristics suitable to permit continuous operation, in a totally, partially, or non-submerged condition as required for the individual pump type. Submersible pumps shall be capable of running continuously in a non-submerged condition under full load without damage for extended periods. The motor shall be capable of a minimum of eighteen (18) starts per hour. If required by the CITY, before final acceptance, a field running test demonstrating this ability, with twenty-four (24) hours of continuous operation under the above conditions, shall be performed for all pumps being supplied. Motors twenty-five (25) horsepower and below shall be rated 230/460 volt, 3 phase. Motors greater than twenty-five (25) horsepower shall be 460 volt, 3 phase.

47.3.2 Heat and Moisture Sensors

Each motor shall incorporate a minimum of one ambient temperature compensated overheat sensing device and one moisture sensing device. These protective devices shall be wired into the pump controls in such a way that if excessive temperature or moisture is detected the pump will shut down. These devices shall be self-resetting.

47.3.3 Cables

Cables shall be designed specifically for submersible or above ground pump applications, as required, and shall be properly sealed. A type CGB water-tight connector with a neoprene gland shall be furnished with each pump to seal the cable entry at the control panel.

The pump cable entry seal design shall preclude specific torque requirements to insure a water-tight and submersible seal. The cable entry shall be comprised of a single cylindrical elastomer grommet, flanked by washers, all having a close tolerance fit against the cable outside diameter and the entry inside diameter and compressed by the entry body containing a strain relief function, separate from the function of sealing the cable.

The assembly shall bear against a shoulder in the pump top. The cable entry junction chamber and motor shall be separated by a stator lead sealing gland or terminal board, which shall isolate the motor interior from foreign material gaining access through the pump top.

Secondary sealing systems utilizing epoxy potting compounds may be used. When this type of sealing system is used, the manufacturer shall supply a cable cap as part of the spare parts for each pump. All cables shall be continuous, without splices from the motor to the control panel. The junction chamber, containing the terminal board, shall be completely leak proof.

47.4 Shop Painting

Before exposure to weather and prior to shop painting, all surfaces shall be thoroughly cleaned, dry, and free from all mill-scale, rust, grease, dirt and other foreign matter. All pumps and motors shall be shop coated with a corrosion resistant paint proven to withstand an environment of raw wastewater. All nameplates shall be properly protected during painting.

Gears, bearing surfaces, and other similar surfaces obviously not intended to be painted shall be given a heavy shop coat of grease or other suitable rust-resistant coating.

This coating shall be maintained as necessary to prevent corrosion during periods of storage and erection and shall be satisfactory to the CITY up to the time of the final acceptance test.

47.5 Handling

All parts and equipment shall be properly protected so that no damage or deterioration will occur during a prolonged delay from the time of shipment until installation is completed and the units and equipment are ready for operation.

Finished surfaces of all exposed pump openings shall be protected by wooded planks, strongly built, and securely bolted thereto. Finished iron or steel surfaces not painted shall be properly protected to prevent rust and corrosion.

47.6 Warranty

The pump manufacturer shall warrant the units being supplied to the CITY against defects in workmanship and material for a period of five (5) years or ten-thousand (10,000) hours.

END OF SECTION

Section 48 – Pump Station Electrical Power and Control System

48.1 General

This Section specifies the electrical power and control system requirements for wastewater pump stations. These requirements apply to duplex pump panels. Similar requirements shall apply when more than two (2) pumps are involved, except for the quantity of control equipment and panel size shall be increased accordingly.

The manufacturer of the control panel shall provide data to indicate that the manufacturer has a minimum of five (5) years' experience in the building of pump control panels.

A pump station control panel shall be provided for each wastewater pump station. See approved manufacturers' list in Appendix 'C' of this MANUAL. The control panel shall respond to liquid level float switches to automatically start and stop pumps as well as sound an alarm upon high or low wet well levels. The control panel shall operate two (2) electrical submersible pumps at the power characteristics stipulated.

The control function shall provide for the operation of the lead pump under normal conditions. If the incoming flow exceeds the pumping capacity of the lead pump, the lag pump shall automatically start to handle this increased flow. As the flow decreases, pumps shall be cut off at elevation as shown on the DRAWINGS.

Pumps shall alternate positions as lead pump at the end of each cycle. A failure of the alternator shall not disable the pumping system. The alternator shall include a safe and convenient method of manual alternation with provisions to prevent automatic alternation without disturbing any wiring. Should the "pump off" regulator fail, the system shall keep the station in operation and provide a visual indication of the regulator failure.

The control panel shall consist of main circuit breakers and generator breaker with mechanical interlock, an emergency power receptacle, a circuit breaker and magnetic starter for each pump motor, and a minimum 15 ampere, 120 volt circuit breakers as required. All pump control operations shall be accomplished by a float type liquid level control system with all control components mounted in one common enclosure.

Control switches shall provide means to operate each pump manually or automatically. When operated in the automatic mode, the control assembly shall provide means to manually select or automatically alternate the position of the "lead" and "lag" pumps after each pumping cycle. A float type liquid level control system shall continuously monitor the wet well liquid level and control operation of the low-level cutoff for the pumps while operating off a 24 volt circuit.

48.2 Panel Construction

The duplex pump panel shall be housed in a NEMA 4X, Type 304, 14 Gauge stainless steel enclosure, with thirty percent extra mounting space for additional equipment. The enclosure shall have provisions for padlocking the door and a dead front inner door unit for mounting controls. All exterior hardware and hinges shall be stainless steel.

There shall be permanently affixed to the interior side of the exterior enclosure door a nameplate, the control panel schematic and a 10 inch x 12 inch pocket for log sheet storage. The nameplate shall contain the following information, voltage, phase, rated horsepower, speed, and date manufactured. Also contained shall be the pump and control panel manufacturer's name, address, and telephone number, pump data, including impeller data, operating point and head, kilowatt input, amps at the operating point, and at least two other points on the pump curve.

The control panel enclosure shall be Underwriters Laboratories (UL) 50 Type 4X listed.

48.3 Power Supply and Main Disconnect

Power supply to the control panel shall be 240 volt, 3 phase, 4 wire or 480 volt, 3 phase, 4 wire. Minimum service shall be 100 AMP. Single phase power shall not be accepted unless specifically approved in writing by the DIRECTOR. The main disconnect box shall be made of either aluminum or stainless steel.

Non-fusible safety service main disconnects shall be installed at all stations. In all 240 volt systems, disconnects should be installed between the meter and the panel. On all 480 volt systems, disconnect should be installed ahead of the meter, or as directed by the electric supply company. LED power available indicators shall be supplied on all legs.

48.4 Circuit Breakers

48.4.1 Main Breakers

The panel shall have an interlock system between the normal power main breaker and the emergency breaker to ensure only one breaker is in the "on" position at a time. Both breakers shall be equal in size and of the same model and manufacture.

48.4.2 Circuit Breakers

All circuit breakers shall be heavy duty molded case breakers. The handle on the circuit breakers shall be operational through the inner door.

48.5 Motor Circuit Breakers

Each pump motor shall be protected by a 3-pole motor circuit protector. The motor circuit protector shall be operated by a toggle-type handle and have a quick-make, quick-break over-center switching mechanism that is mechanically trip-free from the handle so that the contacts cannot be held closed against a short circuit and abnormal currents which cause the motor circuit protection to trip.

Tripping shall be clearly indicated by the handle automatically assuming a position midway between the normal ON and OFF positions. All latch surfaces shall be ground and polished. All poles shall be so constructed that they open, close, and trip simultaneously. Motor circuit protector shall be completely enclosed in a high-strength glass polyester molded case.

Ampere ratings shall be clearly visible. Contacts shall be of non-welding silver alloy. Arc extinction shall be accomplished by means of arc chutes. A manual push-to-trip button shall be provided for manual exercising of the trip mechanism. Each pole of these motor circuit protectors shall provide instantaneous short circuit protection by means of an adjustable magnetic-only element.

48.6 Motor Starter and Selector Switches

The panel shall contain a motor starter for each motor. The motor starter shall be across the line non reversing magnetic starter with individual mechanical overload protection on each power leg with reset installed through the dead front inner door unit. Provide solid-state soft start overloads for motors greater than 50 horsepower.

Selector switches shall be installed on the face of the inner dead front door unit. Selector switch shall be a heavy-duty oil tight "Hand-Off-Auto" three-position switch to control the operation mode of each pump motor starter.

48.7 Pump Alternator

An eleven (11) pin plug-in solid state alternator shall be provided to change the pump starting sequence on each pumping cycle. A three position alternator test switch shall be provided to control the alternation operation. Switch positions to include the "Auto" to provide normal automatic sequence, "Off" position to disable alternator, and "test" position with a spring return to allow the alternating of the pump sequence to check alternator operation.

48.8 Lights and Alarms

48.8.1 Indicator Lights

There shall be installed on the face of the dead front inner door, heavy-duty oil-tight indicator lights as shown on the STANDARD DETAILS.

48.8.2 High Level Alarm

A vapor proof red light and horn shall be mounted on the side of the panel for high-level alarm. Also, there shall be an alarm silence pushbutton on the dead front inner door and a silence relay which will silence the horn and automatically reset when these signals are restored to normal. The pushbutton shall be heavy-duty oil tight.

48.9 Emergency Power Receptacles

Emergency power receptacles shall be required on stations that do not have a permanent standby generator system. The panel shall have external mounted generator receptacle of the required size.

48.10 Additional Requirements

48.10.1 Wiring

All power wires shall be THWN 75°C insulated stranded copper conductors and appropriately sized for the given load application. All control circuit wire shall be type THWN. All wiring within the enclosure shall be neatly routed by the use of slotted type wiring duct with snap on type covers. Wiring on the rear of the inner door shall be neatly bundled with nylon ties and include sufficient loop across the hinges to prevent wire damage, with each end of conductor permanently identified with terminal number, Color: red, 24 volt; white, neutral; and black, 120 volts.

48.10.2 Terminal Points

Terminal points of all terminal strips shall be permanently identified. All terminal numbers and identifying nomenclature shall correspond to and be shown on electrical diagrams. All wiring shall be permanently shown on electrical schematic diagrams.

48.10.3 Engraved Name Plates

All circuit breakers, control switches, indicator pilot lights and other control devices shall be identified with permanently affixed legend plates and lamicoid-type engraved nameplates where applicable.

48.10.4 Surge Protector

A surge protector shall be included and wired to protect motors and control equipment from lightning induced line surges. All surge protectors shall be U.L. approved, installed, and attached to the main disconnects per respective power company requirements and manufacturer's specifications.

48.10.5 Elapsed Time Meters

Elapsed time meters shall be 115 volt non-reset type totalizing pump run times in hours and tenths of hours to 99999.9 hours.

48.10.6 Convenience Receptacle

On the face of the inner door unit, there shall be installed a 20 ampere 120 volt, duplex convenience receptacle, GFCI protected. It shall be provided with its own single pole 15 ampere circuit breaker for protection.

48.10.7 Control Terminal Blocks

Control terminal blocks shall be of the clamp screw type rated for 600 volts. Amperage rating shall accommodate the control circuit amperage. An additional 30 space terminal strip shall be installed in the cabinet for future use, with RTU equipment.

48.10.8 Control Power Transformers

There shall be a control power transformer with a minimum size of 2.5 kVA to provide 120 volt power to the coils for starters, 20 ampere duplex receptacle, indicator pilot lights, pump alternator, elapsed time meters, etc. The secondary side shall have one leg fused and the other grounded. This control power transformer is required only on 480 volt control panels.

A 24 volt control power transformer shall provide power to those float switches not operated by 12 volt DC.

48.10.9 Control Relays

The control relays shall be the enclosed (“ice-cube”) plug-in 8 or 11 pin type screw terminal sockets.

48.10.10 Electrical Schematic

There shall be permanently affixed to the interior side of the exterior enclosure door an electrical schematic diagram. The schematic diagram shall include the rated amperage and voltage for all components and a component description with manufacturer’s name and catalog number.

48.10.11 Phase Monitor

For all 240 volt stations, an eleven (11) pin plug-in type phase monitor shall be provided for protection of electrical components due to phase loss. Adequate dummy pin protection shall be provided to prevent accidental interchanging of the phase monitor with the alternator. All 480 volt stations shall have surface mount type phase monitors.

END OF SECTION

ORDINANCE NO. 2708

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF APOPKA, FLORIDA, UPDATE
OF THE UTILITIES DESIGN AND
CONSTRUCTION STANDARDS MANUAL,
PROVIDING FOR SEVERABILITY,
CONFLICTS, AND AN EFFECTIVE DATE.**

WHEREAS, Section 166 of the Florida Statutes, grants municipalities the proprietary powers to undertake all municipal functions; and

WHEREAS, the City of Apopka desires the adoption of an updated Utilities Design and Construction Standards Manual is in the best interest of the City.; and

WHEREAS, the City of Apopka desires to amend and update the Utilities Design and Construction Standards Manual to reflect the current practices done by the City.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL, OF THE CITY OF APOPKA, FLORIDA; that:

SECTION I: The attached document entitled “The Utilities Design and Construction Standards Manual” is hereby made part of this ordinance and adopted by reference.

SECTION II: The Utilities Design and Construction Standards Manual shall apply to all development activity within the City.

SECTION III: Severability. Should any provision or section of this ordinance or the Utilities Design and Construction Standards Manual adopted by reference and attached to this ordinance be held by a court of competent jurisdiction to be unconstitutional and invalid, such decision shall not affect the validity of this ordinance or the Utilities Design and Construction Standards Manual as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION IV. Conflict. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION V. Effective Date. This ordinance shall be effective immediately upon adoption.

First Reading: December 19, 2018
Second Reading: January 2, 2019
and Adoption

Bryan Nelson, Mayor

ATTEST:

Linda F. Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: December , 2018

CITY OF APOPKA
ORDINANCE NO. 2612

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA; AMENDING CERTAIN SECTIONS OF CHAPTER 6, "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES OF THE CITY OF APOPKA, PROVIDING FOR CITY ADMINISTRATOR APPROVAL OF CONSUMPTION OF ALCOHOLIC BEVERAGES FOR EVENTS ON CITY OWNED PROPERTY WHERE A LEASE OR RENTAL AGREEMENT HAS BEEN AUTHORIZED BY CITY COUNCIL FOR SUCH PROPERTY; AMENDING DISTANCE RESTRICTIONS ON THE SALE OF ALCOHOLIC BEVERAGES IN PROXIMITY TO SCHOOLS; ELIMINATING DISTANCE REQUIREMENTS ON THE SALE OF ALCOHOLIC BEVERAGES IN PROXIMITY TO GOVERNMENT BUILDINGS AND CHURCHES; ELIMINATING DISTANCE RESTRICTIONS BETWEEN ESTABLISHMENTS FOR THE SALE OF ALCOHOLIC BEVERAGES; PROVIDING FOR LOCATION OF SALES ON CITY-OWNED PROPERTY; AMENDING RESTRICTIONS REGARDING THE HOURS THAT ALCOHOLIC BEVERAGES CAN BE SOLD; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Section 166.021(3), *Florida Statutes*, provides, in pertinent part, that "[t]he Legislature recognizes that pursuant to the grant of powers set forth in Section 2(b), Art. VIII of the State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act" except for certain very limited matters; and

WHEREAS, Chapter 6, City of Apopka Code of Ordinances, Florida, regulates the sale and consumption of alcoholic beverages; and

WHEREAS, the City Council of the City of Apopka, Florida, wishes to amend restrictions on the sale and consumption of alcoholic beverages within the City in accordance with the requirements of this ordinance; and

WHEREAS, the City of Apopka wishes to conform the requirements regarding the hours that alcoholic beverages may be sold with the requirements of Orange County, Florida; and

WHEREAS, the City Council of the City of Apopka, Florida, has determined that the continued protection of the health, safety, and welfare of its citizens requires that Chapter 6, of the Apopka Code of Ordinances be amended accordingly.

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

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

SECTION 1. Chapter 6, Alcoholic Beverages of the Code of Ordinances of the City of Apopka, Florida, is hereby amended as follows:

Sec. 6-2. - Definitions.

Restaurant means a business advertised and held out to the public to be a place where full-course meals are prepared, in a full service kitchen with a commercial stove, refrigerator and oven, and served on a regular basis from a prepared menu, which facility provides seating for at least 25 patrons with standard height dining room tables or booths of adequate size to accommodate the service of full-course meals in accordance with the number of chairs found at the table, with such seating exclusive of seating at bars, counters or cocktail tables. The primary operation of the restaurant shall be for the serving of full-course meals. ~~As required in the state alcoholic beverage and cigarette laws, a~~ A restaurant must derive at least 51 percent of its gross revenue from the sale of food and nonalcoholic beverages. Records ~~provided to the state~~ shall be provided to the city, upon written request, for determination of percentage requirements. No person shall attempt to circumvent the intent of this subsection by an artifice or scheme, such as the serving of stock meals. The term "stock meals" as used in this subsection, includes but is not limited to the serving of cold plates, snacks, hors d'oeuvres, microwave oven heated foods or previously prepared sandwiches.

School means a ~~facility used for education or instruction in any branch of knowledge, public or private elementary, middle and~~ or high schools, ~~colleges, community colleges and universities. The term "school" shall also include properly licensed day nurseries and other child care centers.~~

Sec. 6-3. Possession or consumption in public place.

(a) Prohibition and exceptions.

- (1) It is unlawful for any person to use, possess, consume, or carry in any cup, glass, can, or other open or unsealed container, any alcoholic beverage or any mixture containing an alcoholic beverage in any public park or governmental property or on the public right-of-way, inclusive of streets, sidewalks or alleys, within the Municipal Corporate Limits of the City of Apopka Florida except as otherwise permitted under section 6-3(a)(4), ~~or~~ 6-3(a)(5), or 6-3)a(6).

- (2) It is unlawful for any person to consume alcoholic beverages or carry in any cup, glass, can or other open or unsealed container any alcoholic beverage or any mixture containing an alcoholic beverage in or upon any parking area open to public use or in or upon any private property without the consent of the owner, tenant or other person lawfully in possession of said property except as otherwise permitted under section 6-3(a)(4), ~~or 6-3(a)(5), or 6-3(a)(6).~~

- (4) The City Council may permit consumption and carrying of alcoholic beverages on streets, sidewalks alleys and right-of-way within the Municipal Corporate Limits of the City of Apopka, Florida and ~~or~~ on city-owned property subject to such terms and conditions as the City Council may impose for the protection of the public health, safety and welfare through approval of a special event permit, use agreement, or other official action.

- (5) The City Administrator may permit alcohol consumption by official action for events on city-owned property where a lease or rental agreement has been authorized by city council for such property, and alcoholic beverage sales and/or service takes place subject to such terms and conditions as the city administrator or his/her designee may impose for the protection of the public health, safety, and welfare and all other requirements of law.

- ~~(5)~~ (6) Any individual, corporation, association or organization which has received permission from the City Council to engage in a public or private event is further authorized to provide alcoholic beverages for consumption at the particular event or program, given such authorization is expressly approved by the City Council pursuant to the requirements of this Section and subject to all other requirements of law through the approval of special event permit, use agreement, or other official action.

Sec. 6-7. - Location of sales.

- ~~(a) Location restrictions for sale of alcoholic beverages are as follows:~~

- ~~(1) The provisions of this subsection (a) shall not apply to supermarkets, convenience stores, drugstores or similar establishments which sell alcoholic beverages in house or as an accessory use, in sealed containers, for consumption off the premises.~~

- ~~(2) No person shall sell any intoxicating beverage within 750 feet of any established church, school, government property or building, or public park.~~

- ~~a. This subsection 6-7(a)(2) shall not apply to:~~

- ~~1. City owned property for which a lease or rental agreement has been authorized by city council, and alcoholic beverage sales take place subject to such terms and conditions as the city council may impose for the protection of the public health, safety and subject to all other requirements of law.~~

- ~~2. A special event permit or other similar official action approved by city council for an event or program on streets, sidewalks, alleys and right of way within the municipal corporate limits of the City of Apopka, Florida and/or on city-owned property subject to such terms and conditions as the city council may impose for the protection of the public health, safety and welfare.~~
- ~~(3) Bars and lounges and any establishment for consumption on the premises or package stores licensed by the city, county or state must be at least 750 feet apart. This subsection does not govern restaurants serving the public with a full service kitchen providing full course meals. This subsection shall not apply if one or both of the two establishments is:~~
- ~~a. An establishment incidental to and within a portion of a building used for a bona fide restaurant.~~
- ~~b. An establishment incidental to and within a building used as a hotel or motel with at least 50 rental sleeping rooms. Such incidental use must follow the restaurant requirements as defined in section 6-1.~~
- ~~c. An establishment incidental to and within a bona fide nonprofit private club where only members and their guests are served or sold alcoholic beverages.~~
- ~~(4) If the proposed establishment is to be located within a shopping center or group of commercial stores within a single structure, the required distances shall be measured from the primary entrance of that proposed establishment rather than the nearest wall of the building or structure in which alcoholic beverages are to be sold or consumed.~~
- ~~(5) The distance between establishments for the sale or consumption of alcoholic beverages and churches, schools, government property or buildings and public parks, regardless of jurisdictional boundaries, shall be determined with a certified survey from a land surveyor registered in the state. The survey shall be provided by the applicant when distance clarification is required, at the discretion of the community development department. The survey shall indicate the distance between any such uses or properties. The survey shall indicate the shortest distance, as measured by following a straight line from the nearest property line in which the alcoholic beverages are sold or consumed to the nearest point of the other property line or other use. In cases where there are no churches, schools, public property or public parks or existing alcoholic beverage establishments within 750 feet, the survey shall so certify.~~
- ~~(b) In order to qualify for the exemptions and modifications provided for separation of alcoholic beverage establishments in subsection (a) of this section, the establishments in hotels or motels, restaurants, nonprofit private clubs and commercial amusements shall not display any bar, cocktail, beer, wine, liquor or similar alcoholic beverage sign visible from any exterior areas or interior areas within five feet of any windows or doors which are visible from the exterior of the building.~~
- ~~(c) Where an establishment for the sale or consumption of alcoholic beverages is located in conformity with the provisions of this section, the subsequent location of a church, school, government property or public park in the proximity of such existing establishment shall not be construed to cause such establishment to be in violation of this chapter, provided the establishment maintains a current occupational license.~~

- (a) No person shall sell any alcoholic beverage within 500 feet of any established school, which distance shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of such place of business to the nearest point of the school grounds in use as part of the school facilities.
- (b) Where an establishment for the sale or consumption of alcoholic beverages is located in conformity with subsection (a), the subsequent location of a school, in the proximity of such existing establishment shall not be construed to cause such establishment to be in violation of this chapter, provided the establishment maintains a current occupational license.
- (c) The restrictions of subsection (a) shall not apply to:
- (1) Supermarkets, convenience stores, drugstores or similar establishments which sell alcoholic beverages in-house or as an accessory use, in sealed containers, for consumption off the premises.
- (2) Bars and Lounges which:
- i. limit the sale of alcoholic beverages to wine and/or beer only in accordance with a license issued by the Florida Division of Alcoholic Beverages and Tobacco where wine and/or beer is served only on the premises and/or sold only in sealed containers for consumption off the premises; and
 - ii. are located within both a) the Community Redevelopment Area of the Apopka Community Redevelopment Agency as designated by the Community Redevelopment Plan and b) the Downtown Development Overlay District. The Community Redevelopment Area and Downtown Development Overlay District share the common area herein described as those lands within the following boundaries: Highland Avenue to Sheeler Avenue and 10th Street to 1st Street.
- (3) Restaurants which:
- i. limit the sale of alcoholic beverages to wine and/or beer only in accordance with a license issued by the Florida Division of Alcoholic Beverages and Tobacco where wine and/or beer is served only on the premises and/or sold only in sealed containers for consumption off the premises; and
 - ii. are located within both a) the Community Redevelopment Area of the Apopka Community Redevelopment Agency as designated by the Community Redevelopment Plan and b) the Downtown Development Overlay District. The Community Redevelopment Area and Downtown Development Overlay District share the common area herein described as those lands within the following boundaries: Highland Avenue to Sheeler Avenue and 10th Street to 1st Street.

- (4) Non-profit private clubs are that located within both a) the Community Redevelopment Area of the Apopka Community Redevelopment Agency as designated by the Community Redevelopment Plan and b) the Downtown Development Overlay District. The Community Redevelopment Area and Downtown Development Overlay District share the common area herein described as those lands within the following boundaries: Highland Avenue to Sheeler Avenue and 10th Street to 1st Street.
- (5) City-owned property for which a lease or rental agreement has been authorized by city council, and alcoholic beverage sales and/or service takes place subject to such terms and conditions as the city administrator or his/her designee may impose for the protection of the public health, safety and subject to all other requirements of law.
- (6) A special event permit, use agreement, or other similar official action approved by the City for an event on streets, sidewalks, alleys and right-of-way, and/or city property within the municipal corporate limits of the City of Apopka, Florida subject to such terms and conditions as the city council may impose for the protection of the public health, safety and welfare.

Sec. 6-8. - Existing establishments.

- (a) The provisions of this chapter shall not be construed to be retroactive, and any existing establishment for the sale of alcoholic beverages which conforms to the regulations in effect when such establishment was established shall not be rendered illegal or in violation through the adoption of these regulations. If any nonconforming or grandfathered use ceases operation, for any reason, for a period of more than 180 days, the nonconforming or grandfathered use shall be deemed abandoned and shall not thereafter be permitted to continue.
- ~~(b) As of the adoption of the ordinance from which this chapter is derived, existing establishments for off-premises sales or on-premises consumption for restaurants that are conforming uses which sell alcoholic beverages, and subsequently close, may reopen within a 24-month period, regardless if another new establishment opens within 750 feet, according to this chapter. An extension beyond the initial 24 months may only be applied for, in writing, to the city council, prior to the expiration of the 24-month period.~~

Sec. 6-9. - Hours of sale; closing hours.

~~(a) *On-premises; hours of operation.*~~

- ~~(1) Alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed, in any place holding a license under the Division of Alcoholic Beverages and Tobacco, State Department of Business and Professional Regulations, which license permits the consumption of beverages on the premises of the licensee, only between the hours of 9:00 a.m. and 12:00 a.m. (midnight) each day of the week except Sunday whereas the hours shall be 12:00 p. m. (noon) through 12:00 a.m. (midnight) alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a license under the Division of Alcoholic Beverages and Tobacco State~~

~~Department of Business and Professional Regulation which license permits the consumption of alcoholic beverages on the premises of the licensee, between the hours of 9:00 a.m. on December 31 and such hours of operation to sell alcoholic beverages by any establishment licensed to sell alcoholic beverages, are extended from 12:00 a.m. (midnight) to 3:00 a.m. of the following day.~~

- ~~(2) Any established and open business annexed into the city after the effective date of this ordinance may continue to operate under the rules and ordinances in place under the jurisdiction annexed from until such time the business use is changed, sold, or transferred.~~

~~(b) *Package sale, off premises.*~~

- ~~(1) Alcoholic beverages may be sold in any place holding a license under the Division of Beverage and Tobacco State Department of Business Regulation, which license permits package sale of alcoholic beverages by the licensee for consumption off the premises of the licensee only between the hours of 9:00 a.m. and 12:00 a.m. (midnight) of the following day, each day of the week, except Sunday whereas the hours shall be 12:00 p.m. (noon) through 12:00 a.m. (midnight). Alcoholic beverages may be sold in any place holding a license under the Division of Beverage, State Department of Business Regulation, which license permits package sale of alcoholic beverages by the licensee for consumption off the premises of the licensee between the hours of 9:00 a.m. on December 31, and such hours of operation to sell alcoholic beverages by any establishment licensed to sell alcoholic beverages, are extended from 12:00 a.m. (midnight) to 3:00 a.m. of the following day.~~

- ~~(2) Any established and open business annexed into the city after the effective date of this ordinance may continue to operate under the rules and ordinances in place under the jurisdiction annexed from until such time the business use is changed, sold, or transferred.~~

(a) On-premises; catered events; hours of operation.

- (1) Except as provided by subsections 6-9(a)(1)(i-iv) below, alcoholic beverages may be sold, consumed, served or permitted to be served or consumed, in any place holding a license issued by the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, which license permits the consumption of alcoholic beverages on the premises of the licensee, only between the hours of 11:00 a.m. and 2:00 a.m. of the following day, each day of the week, except that alcoholic beverages may be sold, consumed, served or permitted to be served or consumed, in any place holding such a license, between the hours of 11:00 a.m. on December 31, and 3 a.m. of the following day.

(i) At any golf course holding a license, the hours of sale, consumption or service may begin at 7:00 a.m. and end at sundown of the same day.

(ii) At any private function at a banquet hall or convention facility holding a license, the hours of sale, consumption or service may begin at 7:00 a.m. and end at 3:00 a.m. of the following day, provided the hall or facility has a minimum square footage of ten thousand (10,000) square feet available for the private function.

(iii) At any hotel or motel (as the terms are defined by state statute) holding a license, the hours of sale, consumption or service may begin at 7:00 a.m. and end at 2:00 a.m. of the following day, except that at any private guest room the hours of sale or service may end at 3:00 a.m. of the following day.

(iv) At any restaurant the hours of sale, consumption or service may begin at 7:00 a.m. and end at 2:00 a.m. of the following day.

(2) Alcoholic beverages may be sold or served at a catered event by a caterer licensed by the Division of Alcoholic Beverages and Tobacco and the Division of Hotels and Restaurants, only between the hours of 9:00 a.m. and 2:00 a.m. of the following day.

(3) For those licensed under the Beverage Law to sell alcoholic beverages for consumption on the vendor's licensed premises and whose principal business is the sale of alcoholic beverages and for those licensed under the Beverage Law as caterers, the "hours of operation" or "hours of business" at a premises shall be restricted to the hours of sale, consumption or service set forth in subsections 4-3(a) and (b) above.

(b) Package sale, off-premises.

Alcoholic beverages may be sold in any place holding a license under the division of beverage, state department of business regulation, which license permits package sale of alcoholic beverages by the licensee for consumption off the premises of the licensee, only between the hours of 7:00 a.m. and 2:00 a.m. of the following day, each day of the week, except that alcoholic beverages may be sold in any place holding a license under the division of beverage, state department of business regulation, which license permits package sale of alcoholic beverages by the licensee for consumption off the premises of the licensee between the hours of 7:00 a.m. on December thirty-first and 3 a.m. of the following day.

SECTION 3. CODIFICATION. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

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

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

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

READ FIRST TIME: December 6, 2017

READ SECOND TIME
AND ADOPTED: December 20, 2017




Joseph E. Kilsheimer, Mayor

ATTEST:



Linda F. Goff, City Clerk

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



Clifford B. Shepard, City Attorney
Patrick Buckner's Assistant

DULY ADVERTISED FOR PUBLIC HEARING: November 24, 2017
December 8, 2017