



APOPKA CITY COUNCIL AGENDA
August 03, 2016 1:30 PM
APOPKA CITY HALL COUNCIL CHAMBERS
Agendas are subject to amendment through
5:00pm on the day prior to City Council Meetings

CALL TO ORDER

INVOCATION - Reverend Ariel Lopez of Victory Church
PLEDGE

APPROVAL OF MINUTES:

1. City Council meeting July 20, 2016.

PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT

Proclamations:

1. Autumn Rae Shannon Day Proclamation presented to Autumn Rae Shannon.

Mayor Kilsheimer

Employee Recognition:

- ❖ Five Year Service Award – Curtis Johnson – Public Services/Utility Maintenance
- ❖ Five Year Service Award – Randy Johnson – Public Services/Waste Water Maintenance
- ❖ Five Year Service Award – Danielle Saslo – Police/Field Services
- ❖ Ten Year Service Award – Daniel Criswell – Fire Department/EMS
- ❖ Ten Year Service Award – Robert Mark, Jr – Police Department/Support Services
- ❖ Fifteen Year Service Award – Christopher Hanstein – Police/Field Services
- ❖ Fifteen Year Service Award – Edward Mueller – Community Development/Building
- ❖ Fifteen Year Service Award – Rojelio Vasquez – Public Services/Utility Construction

Presentations:

1. Announcement of newly sworn in police officers.
2. Presentation of check to Boy Scout Troop 211 for Parking Services at Fourth of July Event.
3. Presentation of check to Christian Lamphere's Eagle Scout Project by AHA Players.

Mayor Kilsheimer

Mayor Kilsheimer

Jim Meadows

Appropriations/Donations/Grants

1. Acceptance & presentation of check to the City Council for a Duke Energy Foundation Grant Award.
2. Acceptance & presentation of check to the City Council for two FRDAP Grant Awards.
3. Acceptance of a grant award from Firehouse Subs Public Safety Foundation.
4. Acceptance of a grant award from the Department of Homeland Security.

Debbie Clements

Robert Charles Brooks

Sean Wylam

Sean Wylam

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. Authorize staff to contract with CPH to perform a site plan of Edwards Field.
2. Authorize Form Based Code Consultant Funding.

Glenn A. Irby

Mark Reggentin

BUSINESS (Action Item)

1. Development Review Fees Update.

Mark Reggentin

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

- [1.](#) Ordinance No. 2507 – Second Reading – Change of Zoning - Quasi-Judicial
- [2.](#) Ordinance No. 2508 – Second Reading – Change of Zoning - Quasi-Judicial
- [3.](#) Ordinance No. 2512 – First Reading – Vacate – Harmon Road Right of Way – Quasi-Judicial
- [4.](#) Resolution 2016-18 - Non-exclusive franchise for roll-off container collection and disposal of waste.
- [5.](#) Resolution 2016-19 - Amending the budget for FY October 1, 2015 - September 30, 2016.
- [6.](#) Resolution 2016-20 - Modification to the Personnel Rules regarding Coaches.

David Moon
 David Moon
 Rogers Beckett
 Jay Davoll
 Pam Barclay
 Chief McKinley

MAYOR'S REPORT**CITY COUNCIL REPORTS****NOT REQUIRING ACTION**

- [1.](#) CAFR apology letter received by Moore Stephens Lovelace CPAs & Advisors.

ADJOURNMENT**MEETINGS AND UPCOMING EVENTS**

DATE	TIME	EVENT
August 4, 2016	5:30pm – 9:00pm	Food Truck Round Up
August 9, 2016	5:30pm – 6:00pm	Planning Commission Meeting
August 17, 2016	7:00pm –	Council Meeting
August 22, 2016	10:00am – 11:00am	Lake Apopka Natural Gas District Board Meeting: Winter Garden
September 1, 2016	5:30pm – 9:00pm	Food Truck Round Up
September 7, 2016	1:30pm –	Council Meeting
September 9, 2016	Dusk	Movie in the Park – Northwest Recreation Complex
September 13, 2016	5:30pm – 6:00pm	Planning Commission Meeting
September 21, 2016	7:00pm –	Council Meeting
September 26, 2016	10:00am – 11:00am	Lake Apopka Natural Gas District Board Meeting: Winter Garden

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

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

Backup material for agenda item:

1. City Council meeting July 20, 2016.

CITY OF APOPKA

Minutes of the regular City Council meeting held on July 20, 2016, at 7:00 p.m., in the City of Apopka Council Chambers.

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

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

INVOCATION: Mayor Kilsheimer introduced Pastor Kevin Willis of Grace Pointe Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on July 20, 1969, the lunar module of Apollo 11 touched down on the Moon's surface, carrying Neil Armstrong, Michael Collins, and Buzz Aldrin. The entire nation watched in awe as Neil Armstrong stepped out of the lunar module to become the first human to walk on the moon and he spoke those famous words, "That's one small step for man, one giant leap for mankind." The Apollo 11 mission fulfilled President John F. Kennedy's 1961 call to the nation to land a man on the moon and bring him back safely to the earth before the end of the decade. He asked everyone to remember the sacrifices and bravery of the men and women of our space program as he led in the Pledge of Allegiance.

APPROVAL OF MINUTES:

1. City Council meeting July 6, 2016.

MOTION by Commissioner Velazquez and seconded by Commissioner Becker, to approve the July 6, 2016, City Council minutes. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT

Mayor Kilsheimer explained the Council changed the policy on public comments and tonight the new policy begins. He asked everyone to turn off or silence their cell phones. He advised if anyone wishes to address the City Council, they should fill out an intent to speak form and present it to the City Clerk. Comments are to be addressed to the City Council.

Neil Lauritsen said he was denied the opportunity of being a coach for his daughter's softball team. He and his wife became foster parents and adopted three children. He inquired how to proceed to have this changed. Mayor Kilsheimer referred Mr. Lauritsen to Chief McKinley.

Gene Knight expressed concern regarding recycling and the truck he followed taking the recycling to the dump. Mayor Kilsheimer affirmed the City needs to redouble efforts in educating the public and referred Mr. Knight to Jay Davoll, Public Services Director.

Linda Laurendeau called attention to a scrivener's error on Consent Agenda Item No. 5, pointing out the body of the memorandum has the address as 208 McGee rather than 508.

Susie O'Keefe spoke regarding the summer camp program run this summer by the Fire and Police Departments for youth and said this was a wonderful program. She stated she has had a child in every camp and they were having a great time. She said the Fire Department has an awesome Explorers program and suggested the Police Department have a similar program.

Richard Kluesener spoke regarding the parking ordinance and stated having three sons of driving age, his family has five vehicles. Two vehicles are parked in the garage, one in the driveway and two are parked on the street. He received notice from his HOA informing them Apopka was going to start enforcing no parking on the street. His son received a \$40 dollar ticket for parking on the street in front of their house. He requested the parking ordinance be amended for parking on one side of the street.

Mayor Kilsheimer advised the Police Chief has convened a Parking Committee of citizens concerned about the parking ordinance. Their next meeting will be on August 1, 2016, at 6:00 p.m. in the Council Chambers.

Ray Shackelford said he was referencing Item No. 4 on the Consent Agenda, stating he was opposed to special treatment of one organization over others. He stated if having policies, they need to be fair to all organizations and all people.

CONSENT (Action Item)

1. Approve the Disbursement Report for the month of June, 2016.
2. Approval for the sale of alcohol for the Fall Festival.
3. Approval for the sale of alcohol for the Apopka Fair.
4. Approval of a Facility Use Agreement with the AHA Players.
5. Authorization to demolish property at 508 S. McGee Ave.
6. Authorize the purchase of a service vehicle for the Fire Department.
7. Award a contract for a security fence and gate at the Apopka Communication Tower.
8. Award a contract for Asphalt Street Resurfacing and a reallocation of funds.
9. Award a contract for roadway improvements at Yothers Road.
10. Authorize the contract renewal for the leasing of Lift Station Vapor Phase Odor Control Systems.

In response to Commissioner Bankson regarding Item No. 4 and finding equity for all groups, Mr. Irby advised two things are done with regards to the facilities. The city will negotiate a contract, such as what was done with the AHA Players for a percentage of their ticket fee. If there is a single event, there is a fee schedule for non-profits and for-profit events. He affirmed this fee was set to cover the actual cost.

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

CITY COUNCIL RECESSED AT 7:29 P.M. TO CONVENE THE COMMUNITY REDEVELOPMENT AGENCY (CRA) MEETING *See minutes for the CRA meeting.*

CITY COUNCIL RECONVENED AT 8:47 P.M.

BUSINESS

1. City Center Development Agreement

MOTION by Commissioner Becker, and seconded by Commissioner Velazquez to approve the City Center Development Agreement with Taurus. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

2. Preliminary Development Plan – Binion Reserve Subdivision

MOTION by Commissioner Bankson, and seconded by Commissioner Dean to postpone the Preliminary Development Plan for Binion Reserve Subdivision to the August 3, 2016 City Council meeting. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

3. Council – No business.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2491 – Second Reading – Large Scale Future Land Use Amendment. The City Clerk read the title as follows:

ORDINANCE NO. 2491

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 MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL (MAX. 0.25 FAR) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF S.R. 414 AND

EAST OF MARDEN ROAD, COMPRISING 51.88 ACRES, MORE OR LESS AND OWNED BY EMERSON POINT PHASE II, LLC; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Michael Wright, Developer, said they read the report and support staff's recommendation. He stated this is reaching the end of a very long process that embodies the vision as contemplated in the small area study for this area.

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

MOTION by Commissioner Becker and seconded by Commissioner Velazquez, to adopt Ordinance No. 2491. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

2. Ordinance No. 2507 – First Reading – Change of Zoning. The City Clerk read the title as follows:

ORDINANCE NO. 2507

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM R-3 (RESIDENTIAL) TO C-1 (RETAIL COMMERCIAL (0.25 FAR) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF MARDEN ROAD, NORTH OF STATE ROAD 414, COMPRISING 51.88 ACRES MORE OR LESS, AND OWNED BY EMERSON POINT PHASE II, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

David Moon, Planning Manager, gave a brief lead-in stating that through Ordinance 2491, just adopted by City Council, a future land use designation was assigned of commercial to the same property for which this ordinance requests C-1 Commercial. He pointed out in the presentation material that this is the same property and the compatibility information provided with the future land use designation applies with the zoning. Planning Commission recommends approval of the C-1 zoning to this property.

Michael Wright reiterated this is in the small area study area and he supports staff's recommendation.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson to adopt Ordinance No. 2507 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

3. Ordinance No. 2500 – Second Reading – Small Scale Future Land Use Amendment. The City Clerk read the title as follows:

ORDINANCE NO. 2500

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” COMMERCIAL (MAX. 3.0 FAR) TO “CITY” COMMERCIAL (MAX 0.25), FOR CERTAIN REAL PROPERTY LOCATED AT 312 OLD DIXIE HIGHWAY, COMPRISING 0.26 ACRES MORE OR LESS, AND OWNED BY SBKP LLC; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION by Commissioner Dean, and seconded by Commissioner Velazquez, to adopt Ordinance No. 2500. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

4. Ordinance No. 2501 – Second Reading – Change of Zoning. The City Clerk read the title as follows:

ORDINANCE NO. 2501

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-1 (ZIP) TO “CITY” C-1 (RETAIL COMMERCIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED AT 312 OLD DIXIE HIGHWAY, COMPRISING 0.26 ACRES MORE OR LESS, AND OWNED BY SBKP LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR,, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

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

MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez, to adopt Ordinance No. 2501. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

5. Ordinance No. 2502 – Second Reading – Land Development Code – Development Design Guidelines. The City Clerk read the title as follows:

ORDINANCE 2502

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE APOPKA CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE VI – “DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS” TO CREATE A NEW SECTION 6.09.00 ENTITLED “DEVELOPMENT DESIGN GUIDELINES;” PROVIDING FOR DIRECTIONS TO THE CITY CLERK; SEVERABILITY; CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Becker, and seconded by Commissioner Dean, to adopt Ordinance No. 2502. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

6. Ordinance No. 2505 – Second Reading – Vacate – Utility Easement. The City Clerk read the title as follows:

ORDINANCE NO. 2505

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A UTILITY EASEMENT LOCATED AT 815 EAST SEMORAN BOULEVARD; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer 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 Dean, to adopt Ordinance No. 2505. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

7. Ordinance No. 2506 – Second Reading – Change of Zoning. The City Clerk read the title as follows:

ORDINANCE NO. 2506

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE SANDPIPER ROAD PLANNED UNIT DEVELOPMENT ZONING AND MASTER PLAN FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF SANDPIPER STREET, WEST OF NORTH THOMPSON ROAD, EAST OF USTLER ROAD, COMPRISING 58.23 ACRES, MORE OR LESS AND OWNED BY FLORIDA LAND TRUST #111 – ZDA AT SANDPIPER, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

Commissioner Becker said there was a slight change from the last meeting, stating there was indication there would be a west bound turn lane into the subdivision.

Alan Goldberg, Trustee for Florida Land Trust #111, apologized and said there was an error made from their team with a comment made about a left turn lane going into the subdivision. He advised this was not required by the traffic study.

Commissioner Becker said when there was such high traffic on two lane roadways, it was a smart design option to create turn lanes into our neighborhoods to prevent accidents and better flow of traffic.

In response to Commissioner Velazquez, Mr. Davoll affirmed this was a county road.

Mayor Kilsheimer opened the meeting to a public hearing.

Mary Smothers spoke against the project expressing her concerns regarding the lot size, stating 37 lots out of the 49 lots are under one half acre.

No others wishing to speak, Mayor Kilsheimer closed the public hearing.

MOTION by Commissioner Velazquez, and seconded by Commissioner Dean, to adopt Ordinance No. 2506. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

8. Ordinance No. 2508 – First Reading – Change of Zoning. The City Clerk read the title as follows:

ORDINANCE NO. 2508

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM MIXED-CC AND R-1A TO PLANNED UNIT DEVELOPMENT (PUD\MIXED-CC\RESIDENTIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF ORANGE BLOSSOM TRAIL AND SOUTH OF CHANDLER ESTATES DRIVE, COMPRISING 67.73 ACRES, MORE OR LESS AND OWNED BY CARTER-ORANGE 67 HWY 441 LAND TRUST (APOPKA FARMS); PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

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

David Moon, Planning Manager, gave a brief lead-in stating the request is to rezone a property from Mixed-CC and R-1A to Planned Unit Development (PUD) to provide a mixed use community of residential development of 101 single family lots and approximately 10-acres of neighborhood commercial. He pointed out the location on the map stating it is on the east side of SR 441 across from the Orlando Apopka Airport, and south and east of Chandler Estates. The request is compatible and consistent with character of the surrounding area. He pointed out a roadway cut from Chandler Estates that is already in place and approved with Chandler Estates. He advised for a community of this size, our code promotes two access points for emergency response in case one entrance-way is blocked. It also allows for traffic to be dispersed within that development to different roadways. DRC and Planning Commission recommend approval. A copy of the staff report is on file in the Clerk's office.

Commissioner Velazquez expressed concern regarding two access roads and the ability of being able to drive through Chandler Estates and this community.

Javier Omana, Applicant, thanked staff for helping them through this process. He pointed out that this property was approved approximately ten years ago as a subdivision and the property went back to the bank at that time. He stated they concur with staff's recommendation of approval and welcomed the Planning Commission's decision on the project. He stated with regards to the access road, they are required to have two access points due to the size of the project. There is access from SR 441 and there is a connection to the public right of way to the north.

Mayor Kilsheimer 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 Becker, to approve Ordinance No. 2508 at First Reading and carry it over for a Second Reading. Motion carried 4-1 with Mayor Kilsheimer, and Commissioners Dean, Bankson and Becker voting aye, and Commissioner Velazquez voting nay.

MAYOR'S REPORT – No report

NOT REQUIRING ACTION

1. Thank you letter to Mayor Kilsheimer from Orange County Mayor Jacobs.

ADJOURNMENT – There being no further business the meeting adjourned at 9:20 p.m.

ATTEST:

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk

Backup material for agenda item:

1. Acceptance & presentation of check to the City Council for a Duke Energy Foundation Grant Award.

Debbie Clements



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
X OTHER: Appropriations/Donations/Grants

MEETING OF: August 3, 2016
FROM: Administration
EXHIBITS: Duke Energy Letter

SUBJECT: GRANT AWARD FROM DUKE ENERGY FOUNDATION

REQUEST: ACCEPTANCE OF GRANT AWARD FROM DUKE ENERGY FOUNDATION

SUMMARY:

The City of Apopka was awarded a grant from Duke Energy Foundation in the amount of \$9,500. The funds will be used to facilitate the Mayor's Education Initiative, "Apopka Begins and Ends with A".

"Apopka Begins and ends with "A", is a community-wide initiative that serves to lift the perception of Apopka schools and complements local and regional efforts to advance the economic development of Apopka. The initiative is a focused and concentrated community-wide initiative-led by the City of Apopka in partnership with Orange County Public Schools. The objective is to help Apopka schools improve student outcomes and school grades awarded by the State of Florida.

The program uses the City of Life's Community Action Team (CAT) model to implement the educational initiative, "Apopka Begins and Ends with A". The CAT model uses facilitated discussion to aid project management, and assign responsibility. Each CAT consists of a group of stakeholders assigned to a singular mission. Membership in a CAT can include, but is not limited to: Appropriate district representatives, administrators, teachers, parents, business leaders, faith-based leaders, students, and others as appropriate. CATs meet monthly or as needed, to discuss challenges identified by the schools. The CAT's mission is to identify, secure and deploy resources that help schools overcome the obstacles that prevent them from achieving an "A".

During the 2015-2016 school year, Community Action Teams (CATs) were launched at Lovell and Rock Springs Elementary. CATs work in conjunction with school staff and City of Life to identify and address needs. CATs do not supplant the efforts of the Orange County School district; however, they do work to minimize the burden on schools administrators and teachers. Next school year, CATs will be deployed in an additional five schools in the Apopka area.

FUNDING SOURCE:

Duke Energy Foundation Grant.

RECOMMENDATION ACTION:

Acceptance of the grant award, in the amount of \$9,500 from the Duke Energy Foundation.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief



Check No. 3047

07/05/2016

CITY OF APOPKA
PO BOX 1229
120 EAST MAIN STREET
APOPKA, FL 32704-1229

Dear Community Partner,

It's an honor to be a part of the many programs and organizations that make our community such a vibrant place to live and work. At Duke Energy, we know that the investment we make today can make a difference for years to come. We are proud to inform you that your organization has been awarded a grant from The Duke Energy Foundation.

Enclosed please find a check in the amount of \$9500. This is a restricted contribution for purposes outlined in your grant application (Request ID:28566967). Any funds not used or committed for the specified purpose of the grant or not used or committed within any time limit specified in the grant request must be returned to the Foundation. The Duke Energy Foundation or Duke Energy may not receive goods or services in exchange for this funding.

Duke Energy recognizes that the organization may like to promote the grant. The following link has been provided for your convenience to assist in obtaining the Duke Energy logo:

www.duke-energy.com/LogoRequest

We wish you much success in the execution of the project you will be supporting through this grant.

Sincerely,

President, Duke Energy Foundation



The Duke Energy Foundation **Wells Fargo, N.A.**
P.O. Box 1007 67-776-532
Charlotte, NC 28202

11-24
1210

3047

VOID AFTER 180 DAYS

Date: 07/05/2016

Amount: \$9,500.00

PAY NINE THOUSAND FIVE HUNDRED AND XX/100 DOLLARS

**TO THE
ORDER
OF** CITY OF APOPKA

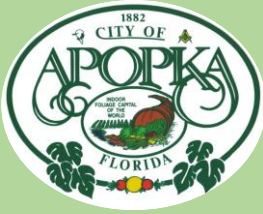
AUTHORIZED SIGNATURE

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Backup material for agenda item:

2. Acceptance & presentation of check to the City Council for two FRDAP Grant Awards. Robert Charles Brooks



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
X OTHER: Appropriations/Donations/Grants

MEETING OF: August 3, 2016
FROM: Administration
EXHIBITS:

SUBJECT: FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT

REQUEST: ACCEPTANCE OF TWO GRANT AWARDS FROM FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)

SUMMARY:

The FRDAP is a competitive grant program, providing funds for the acquisition or development of land for outdoor public recreation. It is administered by FDEP and available to municipalities, counties and other entities with the legal responsibility of providing public outdoor recreation. With the City Council's approval, two grant applications were submitted to FDEP in August, 2015 for evaluation and were assigned scores. Based on those scores a priority list was prepared and submitted to the Florida Legislature for funding consideration. Subsequently the City of Apopka has been awarded two no-match FRDAP grants in the total amount of \$100,000 (\$50,000 each). The funds will be used to develop new playground and picnic facilities in addition to renovating the existing facilities at Alonzo Williams (\$50,000) and Kit Land Nelson (\$50,000) Parks. The following renovations and construction would apply at the two Parks:

Alonzo Williams Park (AWP)		Kit Land Nelson Park (KLN)	
AWP Renovations		KLN Renovations	
Playground: Additional Surface Materials	\$1,000	Playground: Additional Surface Materials	\$2,500
Basketball Court: Resurfacing	\$20,000	Tennis Court: Net	\$1,000
Baseball Field: Irrigation	\$3,000	Drinking Fountain: Replace Existing	\$2,000
Drinking Fountain: Replace Existing	\$2,000	Picnic Facilities	\$2,000
Picnic Facilities: Table/Barbeque Grill	\$2,000		
<i>Renovation Cost Total</i>	<i>\$28,000</i>	<i>Renovation Cost Total</i>	<i>\$7,500</i>
AWP New Construction		KLN New Construction	
Playground: Additional Equipment	\$10,000	Playground: Additional Equipment	\$30,000
Security Lighting	\$10,000	Bike Rack	\$2,500
Picnic Facilities	\$2,000	Picnic Facilities	\$10,000
<i>Construction Cost Total</i>	<i>\$22,000</i>	<i>Total Construction Cost</i>	<i>\$42,500</i>
Total Cost (covered by grant)	\$50,000	Total Cost (covered by grant)	\$50,000

FUNDING SOURCE:

FRDAP Grant

RECOMMENDATION ACTION:

Acceptance of two grant awards from FDEP, totaling \$100,000 (\$50,000 for Alonzo Williams Park & \$50,000 for Kit Land Nelson Park).

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

Backup material for agenda item:

3. Acceptance of a grant award from Firehouse Subs Public Safety Foundation.

Sean Wylam



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
X OTHER: Appropriations/Donations/Grants

MEETING OF: August 3, 2016
FROM: Fire Department
EXHIBITS: Award Email

SUBJECT: GRANT AWARD FROM FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION

REQUEST: ACCEPTANCE OF GRANT AWARD FROM FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION

SUMMARY:

The Fire Department has been awarded a grant from the Firehouse Subs Public Safety Foundation in the amount of \$4,401.42. These funds will be used to purchase special extrication equipment used in vehicle emergencies. The equipment includes vehicle extrication struts which can support thousands of pounds of weight from lifted vehicles and failing structures, as well as heavy duty cribbing devices for the stabilization of vehicles during an extrication call.

FUNDING SOURCE:

Firehouse Subs Public Safety Foundation Grant.

RECOMMENDATION ACTION:

Acceptance of the grant award, in the amount of \$4,401.42, from the Firehouse Subs Public Safety Foundation.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

Sean Wylam

From: Firehouse Subs Public Safety Foundation <foundation@firehousesubs.com>
Sent: Tuesday, July 05, 2016 12:40 PM
To: Sean Wylam
Cc: foundationteam; Ty Lowry; Walt Bertlaney; Mike Kelly; Richard Taylor
Subject: APPROVED: Firehouse Subs Public Safety Foundation Grant
Attachments: Foundation Logo.jpg-RGB.jpg; Foundation Logo-VectorCMYK.ai; Foundation Logo-VectorCMYK.eps

Dear Sean,

We are pleased to announce that the Firehouse subs Public Safety Foundation has awarded the **Apopka Fire Department** the requested **Rescue 42 Truck Kit (extrication strut system)** and **Four rescue 42 'Shark' (collapsible step cribbing for extrication)** valued at up to \$4,401.42.

Please print this email to review instructions of the grant fulfillment process.

The fulfillment of your grant award will be executed by one of the two options below:

OPTION 1) Our Foundation Team will purchase directly based on your submitted quote

- The vendor will ship the equipment directly to your organization
- **PROOF OF DELIVERY REQUIRED-VERY IMPORTANT:** upon delivery, you will be required to send a signed & dated copy of the packing slip to our Foundation via e-mail (procurementfoundation@firehousesubs.com) or fax (904) 886-2111 (Please note: our accounting department requires this documentation prior to paying invoices) .

OPTION 2) Our Foundation Team will draft a Memo of Understanding (MOU) for both parties to sign. Once signed and returned, the Foundation will then send your organization a check directly.

- **PROOF OF DELIVERY/PAYMENT REQUIRED-VERY IMPORTANT:** Once you purchase the items, you will be required to send us all invoice copies, signed and dated to document delivery for auditing purposes. Email (Foundation@firehousesubs.com) or fax (904) 886-2111.

The Foundation will determine which fulfillment option Foundation will be contacting you **(within 10 weeks)** to begin the procurement/fulfillment process. If you do not hear from our team within 10 weeks, please email procurementfoundation@firehousesubs.com.

ADDITIONAL NOTES:

- Any immediate media announcements from your organization regarding the grant award must be approved by our Foundation. Please draft a media announcement and send it to Firehousesubs@zimmerman.com cc: Foundation@firehousesubs.com for approval.

- We request that your organization acknowledges the grant by displaying our Foundation logo on granted items/equipment whenever possible. Our Foundation logo is attached for your convenience. Please note that the final artwork will need to be approved by our Foundation team before being displayed.

We are very excited about being able to assist your organization and ultimately improve the life-saving capabilities of your community. We'll be in touch as we go through this process.

Warmest Regards,

**Robin, Brady, Gina, Jackie, Meghan & Nancy
Firehouse Subs Public Safety Foundation**

Follow us on Twitter: @SavingLives

foundation@firehousesubs.com | FirehouseSubs.com/Foundation
p) 904.886.8300

3400-8 Kori Road
Jacksonville, FL 32257

Facebook: [Facebook.com/FirehouseSubsFoundation](https://www.facebook.com/FirehouseSubsFoundation)

Twitter: [Twitter.com/savinglives](https://twitter.com/savinglives)

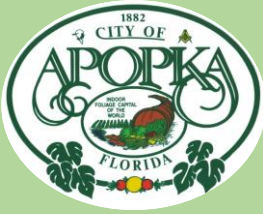
The Firehouse Subs Public Safety Foundation is dedicated to improving the life-saving capabilities and the lives of local heroes and their communities.

CONFIDENTIALITY NOTICE: The information and attachments contained in this electronic communication are confidential and intended only for the use of the intended recipients. If you are not an intended recipient, you are hereby notified that any review, use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately of the error by return e-mail and please permanently remove any copies of this message from your system and do not retain any copies, whether in electronic or physical form or otherwise.

Backup material for agenda item:

4. Acceptance of a grant award from the Department of Homeland Security.

Sean Wylam



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
X OTHER: Appropriations/Donations/Grants

MEETING OF: August 3, 2016
FROM: Administration
EXHIBITS: Award Notification

SUBJECT: ASSISTANCE TO FIREFIGHTERS GRANT (AFG)

REQUEST: ACCEPTANCE OF AFG & A REQUIRED \$1,000 COST MATCH.

SUMMARY:

The Fire Department has been awarded a \$10,000 grant from the Department of Homeland Security to purchase respiratory fit testing equipment.

The respiratory fit testing equipment includes the respirator testing system, fit test card laminator, mask adapter diaphragms for 81 firefighters, fit test adapter, power cord, and a printer. This equipment uses controlled negative pressure in a OSHA-approved 5-step Redon Protocol to record accurate qualitative and quantitative measurements to ensure that firefighter's self-contained breathing apparatus mask create the need to seal to keep them safe from high risk environments. This equipment will be used to keep AFD compliant with several standards including Occupational Safety and Health Administration (OSHA) 29 CFR 1910.134 Respiratory Protection Standard, American National Standards Institute (ANSI) Z88.2-1992 Respiratory Protection with ANSI Z88.10-2001 Respirator Fit Test Methods, and National Fire Protection Association 1500-2007 Fire Department Occupational Safety and Health Program and 1404-2006 Standard for Self Contained Breathing Apparatus Program.

FUNDING SOURCE:

Assistance to Firefighters Grant \$10,000 & \$1,000 from the Operating Fire Suppression line in the FY15/16 budget.

RECOMMENDATION ACTION:

Acceptance of the grant award, in the amount of \$10,000 from the Department of Homeland Security and the required cost matching of \$1,000.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

U.S. Department of Homeland Security
Washington, D.C. 20472



FEMA

Dr. Shakenya Harris-Jackson
City of Apopka
120 E. Main St.
Apopka, Florida 32703-5346

Re: Award No.EMW-2015-FO-03539

Dear Dr. Harris-Jackson:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2015 Assistance to Firefighters Grant has been approved in the amount of \$10,000.00. As a condition of this award, you are required to contribute a cost match in the amount of \$1,000.00 of non-Federal funds, or 10 percent of the Federal contribution of \$10,000.00.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2015 Assistance to Firefighters Grant Notice of Funding Opportunity.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov). As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your period of performance has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

Step 2: If you accept your award, you will see a link on the left side of the screen that says "Update 1199A" in the Action column. Click this link. This link will take you to the SF-1199A, Direct Deposit Sign-up Form. Please complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and take it to your bank to have the bottom portion completed. Make sure your application number is on the form. After your bank has filled out their portion of the form, you must fax a copy of the form to FEMA's SF-1199 Processing Staff at 301-998-8699. You should keep the original form in your grant files. After the faxed version of your SF 1199A has been reviewed you will receive an email indicating the form is approved. Once approved you will be able to request payments online. If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

Sincerely,

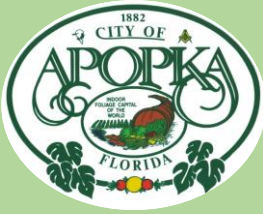


Brian E. Kamoie
Assistant Administrator for Grant Programs

Backup material for agenda item:

1. Authorize staff to contract with CPH to perform a site plan of Edwards Field.

Glenn A. Irby



CITY OF APOPKA CITY COUNCIL

☒ CONSENT AGENDA
☐ PUBLIC HEARING
☐ SPECIAL REPORTS
☐ OTHER:

MEETING OF: August 3, 2016
FROM: Administration
EXHIBITS: Agreement with CPH

SUBJECT: SITE PLAN FOR AQUATIC FACILITY TO INCLUDE AN OLYMPIC SIZE POOL, GYM AND OUTDOOR SPLASH PAD – EDWARDS FIELD

REQUEST: DIRECT STAFF TO CONTRACT WITH CPH TO PERFORM A SITE PLAN

SUMMARY:

Currently, the 2017 Operating Budget for the City of Apopka has funding for both a Splash Pad and Skate Park. Finding both a proper site needs to be done soon if these facilities are to be constructed in the new year. Many citizens have expressed an interest in having a community pool as well and Edwards Field seems to be a very good location for all of this. To know if all the listed amenities will fit on this land, a site plan is necessary.

The City has under continuing contract CPH, Inc., an engineering firm from Sanford. CPH has architects on staff that the City may use. CPH has experience designing Splash Pads and providing site plans such as the one needed for these projects.

The plan would include parking lots, lighting, restrooms and playground and picnic facilities. All amenities would not be constructed at once; however, having such would allow design of the Splash Pad and Skate Park to proceed shortly after the new calendar year. It is possible to have both these projects ready for use by the beginning of summer 2017.

FUNDING SOURCE:

General Fund – Parks and Recreation Operating Budget [2016]

RECOMMENDATION ACTION:

Direct staff to contract with CPH to develop a site plan as described above.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

**AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN**



**CPH, INC.
AND
CITY OF APOPKA
FOR
CONCEPTUAL SITE PLAN STUDIES
AT
EDWARDS FIELD**

08/01/2016 Revised

Owner-Consultant Agreement * Limited Scope of Design Services

City of Apopka, 120 E. Main Street, Apopka, Florida

Location: Edwards Field located at 10 N. Highland Ave., Apopka, Florida

Project Description: Project involves a site plan study.

- A) Project involves conceptual site plan to develop a Gym and Aquatic Facility that will include an indoor Olympic size pool also an outdoor splash pad facility, Skateboard Park and a playground with pavilions at Edwards Field.

Scope of Work: The plans will be basically a combination of site improvements including parking lots, driveways, pathways, landscape suggestions and floor plan of building improvements. Preliminary options will be reviewed with your staff prior to completing the final schematic plans. It is understood these plans will be used for general work shop sessions with City staff and council. The plans will be illustrated in color.

Basis of Billing: Lump Sum Fee: \$4,000.00

Reimbursables: Printing

Should additional work be required in any of these areas, or areas not previously described, CPH will prepare a proposal or amendment, at the CLIENT's request, that contains the Scope of Services, fee, and schedule required to complete the additional work item.

CPH, INC. AUTHORIZATION

By:

John Baer, AIA
Vice President / Associate

CLIENT AUTHORIZATION

It is understood that fees for the subject project, including but not limited to, application fees, impact fees, utility connection fees, review fees, permit fees etc., will be paid directly by the CLIENT.

Payment for services rendered will be due within thirty (30) days of invoicing. Should the CLIENT choose to not complete the project at any phase of the project, CPH will be due any fees for services up to the time the CLIENT informs CPH in writing to stop work. Payment for services up to the time of the CLIENT'S notice will be due within thirty (30) days of the final invoice. Invoice payments must be kept current for services to continue. In event that the work is suspended or terminated as a result of non-payment, CLIENT agrees that CPH will not be responsible for CLIENT's failure to meet project deadlines imposed by governments, lenders, or other third parties. Neither is CPH responsible for other adverse consequences as a result of termination or suspension of work for nonpayment of the invoices.

This proposal is void if not executed and returned to CPH within 30 days of CPH's execution of the proposal.

The above fees, terms, conditions, and specifications are satisfactory and are hereby accepted. CPH is authorized to do the work as specified and payment will be made as outlined above.

By signing this agreement, I acknowledge that I have the legal authority to enter into this agreement and agree to be bound by the terms contained herein including the Limitation of Liability, which are the general terms of the engagement for this contract.

Limitation of Liability: Design and Other Professional Services

OWNER/CLIENT acknowledges that CPH's services pursuant to this Agreement are to assist the client and are for the scope of services as outlined in the attached contract. In order to allocate the relative risks and benefits of the project between the parties, the OWNER/CLIENT agrees to limit the liability of CPH and CPH's officers, directors, and employees for any and all claims arising from CPH's or CPH's officers', directors', and employees' professional acts, negligence, errors, omissions, breach of this contract, or indemnity, such that the total aggregate liability of CPH and CPH's officers, directors, and employees to the OWNER/CLIENT shall not exceed the fee paid by OWNER/CLIENT to CPH under this Agreement or \$6,000, whichever is greater.

PURSUANT TO FLORIDA STATUTE 558.0035, DESIGN PROFESSIONALS; CONTRACTUAL LIMITATION ON LIABILITY - AN INDIVIDUAL EMPLOYEE OR AGENT MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE


By:

Signature

Printed Name

Title:

Date:


JOHN FAER
VP
8/1/2014

Backup material for agenda item:

2. Authorize Form Based Code Consultant Funding.

Mark Reggentin



CITY OF APOPKA CITY COUNCIL

☒ CONSENT AGENDA
☐ PUBLIC HEARING
☐ SPECIAL REPORTS
☐ OTHER:

MEETING OF: August 3, 2016
FROM: Community Development
EXHIBITS: Consultant Agreement
WPI Vision Plan Area Map

SUBJECT: PROFESSIONAL SERVICES AGREEMENT FOR A FORM-BASED CODE AFFECTING THE WEKIVA PARKWAY INTERCHANGE VISION PLAN AREA.

REQUEST: APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH LITTLEJOHN ENGINEERING ASSOCIATES TO PREPARE AND COMPLETE A FORM-BASE CODE FOR THE WEKIVA PARKWAY INTERCHANGE VISION PLAN AREA.

SUMMARY:

In 2010 the City was required by the Wekiva Parkway and Protection Act [Florida Statute 369.321(1)] to adopt an interchange land use plan for the proposed interchange at Kelly Park Road interchange at the Wekiva Parkway. The Protection Act also required the City's comprehensive plan "to establish land use strategies that optimize open space and promote a pattern of development on a jurisdiction-wide basis that protects the most effective recharge areas, karst features, and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub." During the process of amending the Comprehensive Plan to address the Protection Act, input from the then Florida Department of Community Affairs (now known as the Florida Department of Economic Opportunity) as well as pressure from environmental groups such as the Florida Audubon Society, an emphasis was placed on concentrating higher development intensities closer to the interchange and keeping areas further from the interchange a lower development intensities. To accommodate this planning approach, a decision was made to utilize *Formed-Base Code* land development regulations to encourage higher development intensities within a general one-mile radius from the interchange at Kelly Park Road.

Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another and the street, and the scale and types of streets and blocks. The regulations and standards in form-based codes are presented in both words and clearly drawn diagrams and other visuals. They are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development, rather than only distinctions in land-use types.

According to the Formed-Base Code Institute, "A form-based code is a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law."

Based on the 2010 amendments to the City's Comprehensive Plan to comply with the Wekiva Parkway and Protection Act, the City is bound to prepare and adopt a Form-Based Code for the one-mile radius around the Kelly Park Road interchange. First, the City prepared the Wekiva Parkway Interchange Plan (September 2010)

2015) with assistance from a planning consulting firm (Land Design Innovation) to develop a land use plan and a form-based code approach. Second, the City prepared a draft Form-Based Code, again with assistance from a planning consulting firm (Littlejohn Engineering Associates), which proceeded as far as a Planning Commission meeting agenda but was tabled by the city administration in place at that time. Policies of the Future Land Use Element of the Comprehensive Plan (Objective 18 and 20 and Policies 20.1 through 20.31 but particularly Policy 20.10 and 20.12.)

A draft Form-Based Code was prepared by the consulting firm Littlejohn Engineering Associates in 2011. City staff is recommending a new contract with this firm to carry the draft Form-Based Code through a staff review and public participation process. Although the current draft is substantially complete, five years have passed since its initial preparation, likely generating a need to update the draft code and to garner input from property owners and interested parties. The Form-Based Code will apply to the area delineated in the map provide with the exhibits.

FUNDING SOURCE:

Community Development Department FY 2015/16 Budget in the amount of \$24,985.

RECOMMENDATION ACTION:

Accept the Professional Services Agreement with Littlejohn Engineering Associates for professional planning and urban design services to complete preparation of a Form-Based Code and authorize the Mayor or City Administrator to execute the Agreement.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief



May 20, 2016

David Moon
Planning Manager
120 E. Main Street
Apopka, Florida 32704

Sent Via Email: dmoon@apopka.net

**RE: Proposal for Wekiva Interchange Form-Based Code
Apopka, FL**

Dear Mr. Moon:

Littlejohn Engineering Associates, Inc. (Littlejohn), and S&ME Company, appreciates the opportunity to submit this proposal for planning services for the above referenced project. In 2011, the City hired Littlejohn to prepare a Form-Based Code for the Wekiva Interchange area as directed by Policy 18.2 of the Comprehensive Plan. Littlejohn prepared a first draft and submitted it to the City for review. A few weeks later, the project was put on hold by the City. We understand that the City is now ready to go back to reviewing and finishing that draft form-based code and taking it through public review and adoption as detailed below.

Scope of Work

Based on the above description and our professional experience, we have identified the following scope of services.

Task 1. Review of Current Draft/Revisions

- Littlejohn staff will review the previously prepared draft.
- Littlejohn will hold one (1) conference call with staff to go over any comments regarding that previous draft and any necessary changes identified by staff.
- Littlejohn will conduct one (1) set of revisions based on the two previous items.

Task 2. Community Meetings/Revisions

- Littlejohn will prepare PowerPoint presentations to present at public workshops.
- Littlejohn staff will facilitate one (1) workshop with the community to explain the process of preparing the form-based code, review the State requirements for the Wekiva interchange area, and to describe the regulations that have been proposed so far.
- A second workshop will be held to continue the discussion of proposed regulations with the public. Alternatively, this second workshop may be replaced with a stake-holders round table to go over the revised draft.
- City staff will be responsible for reserving meeting facilities, sending invitations to the public, and posting public notices.
- Littlejohn will hold two (2) conference calls with staff to go over the public comments received.

- Littlejohn will conduct one (1) set of revisions based on public input and will submit the revised draft to staff for distribution to the Planning Commission prior to the hearings.

Task 3. Adoption/Final Draft

- Littlejohn staff will attend up to four (4) hearings with the Planning Commission and City Council to present the form-based code.
- Littlejohn will prepare PowerPoints to present at each hearing.
- City staff will be responsible for scheduling the meetings and posting public notices.
- Littlejohn will conduct up to two (2) sets of revisions during this phase, including the final document as adopted.

Schedule

The work described in this proposal shall be completed within five (5) months of the effective date of this proposal letter, unless extended by agreement by both parties.

Professional Services Fee

Our professional fee for the above-described services shall be a lump sum of \$24,985, including direct expenses.

Additional Services

Services that may be required, which Littlejohn can provide, but are not part of this proposal include the following.

- Additional meetings and workshops.
- Preparing invitations to workshops.
- Advertising meetings.
- Additional sets of revisions.
- Preparing ordinances.
- Rezoning of properties.
- Transfer of Development Rights Ordinance.
- Comprehensive Plan Amendments.

These services may be provided at the request from staff and will be billed on an hourly basis with an estimated budget according to the hourly rate schedule attached as Exhibit B.

Standard Terms and Conditions

Unless otherwise indicated, we will provide our services according to the Terms and Conditions/Exhibit "A" (Attached).

Again, thank you for the opportunity to submit this proposal. We look forward to working with you on this exciting project. If this proposal is acceptable, please return a signed copy to our office.

Sincerely,
LITTLEJOHN ENGINEERING ASSOCIATES, INC.



Patricia A. Tyjeski, AICP
Project Manager

AGREED BY:

Name

Date

Title

Jurisdiction

EXHIBIT A

LITTLEJOHN ENGINEERING ASSOCIATES, INC. TERMS AND CONDITIONS

ARTICLE 1. CONSULTANT'S RESPONSIBILITIES:

- 1.1 Perform its services in a professional manner, using that degree of care and skill ordinarily exercised by and consistent with the standards of competent consultants practicing in the same or similar locality of the PROJECT site. No other warranty, expressed or implied, is made.
- 1.2 Rely upon the accuracy and completeness of information and services furnished by CLIENT and/or the CLIENT'S consultants and contractors. The CONSULTANT shall not be held responsible for any errors or omissions that may arise as a result of erroneous or incomplete information provided by the CLIENT and/or the CLIENT'S consultant and contractors.
- 1.3 Consider all prepared documents to be confidential, and distribute copies of same only to those persons or agencies specifically designated by CLIENT or his authorized representative.
- 1.4 Maintain, in a reasonably accessible manner, electronic versions of the final documents relating to the services performed for a period not less than four (4) years following submission of prepared documents.

ARTICLE 2. CLIENT'S RESPONSIBILITIES:

- 2.1 Provide CONSULTANT with necessary PROJECT information in a timely manner regarding the requirements for and limitations of the PROJECT which is available to or reasonably obtainable by the CLIENT.
- 2.2 Furnish right-of-entry onto the PROJECT site in order for CONSULTANT to perform work associated with the PROJECT. CONSULTANT will endeavor to preserve the land but makes no guarantee to restore the site to its original condition.
- 2.3 Designate PROJECT representative to coordinate with the CONSULTANT.
- 2.4 Guarantee to CONSULTANT that he has the legal capacity to enter into this contract, and that sufficient monies are available to fund CONSULTANT'S compensation.
- 2.5 Provide prompt written notice to CONSULTANT if CLIENT becomes aware of any fault or defect in the PROJECT, including any errors or omissions in CONSULTANT'S work.

ARTICLE 3. GENERAL CONDITIONS:

- 3.1 CONSULTANT, by the performance of services covered hereunder, does not in any way assume, abridge or abrogate any of those duties, responsibilities or authorities customarily vested in other professionals or agencies participating in the PROJECT.
- 3.2 CONSULTANT shall not be responsible for acts or omissions of any party involved in concurrent or subsequent phases of the PROJECT acting upon written or verbal recommendation issued by CONSULTANT except for specific design specifications.
- 3.3 If Construction Observation services are in the CONSULTANT'S scope of services, said services shall be performed in general conformance with customary services as described in Article 1.1 and will include site visits at intervals appropriate to the various stages of construction as the CONSULTANT deems necessary to determine if the work is proceeding in general accordance with the Contract Documents. CONSULTANT shall not be required, nor expected, to make exhaustive or continuous onsite inspections to check the quality or quantity of the work, and CONSULTANT shall be required to report to CLIENT only those defects in the work which CONSULTANT actually observes. CONSULTANT shall not be liable for any defects or deficiencies, and CLIENT hereby releases CONSULTANT from all damages resulting from said defects or deficiencies. The CONSULTANT shall not supervise, direct, or have control over the Contractor's work nor have any responsibility for the construction means, methods, techniques, sequences or procedures selected by the Contractor nor the Contractor's safety precautions or programs in connection with the Work.
- 3.4 This Agreement may be terminated by either party upon seven (7) days written notice in the event of failure by the other party to perform in accordance with the terms hereof. In the event of termination of this Agreement, the CLIENT shall, within fifteen (15) calendar days of termination, pay the CONSULTANT for all services rendered and all reimbursable costs incurred by the CONSULTANT up to the day of termination. In the event of any termination that is not the fault of the CONSULTANT, the CLIENT shall pay the CONSULTANT, in addition to payment for services

rendered and reimbursable costs incurred, for all expenses reasonably incurred by the CONSULTANT in connection with the orderly termination of this Agreement, including but not limited to demobilization, reassignment of personnel, associates overhead costs and all other expenses directly resulting from the termination.

- 3.5 Neither CLIENT nor CONSULTANT may assign, transfer, or sublet any rights or duties under or interest in this Agreement, including but not limited to monies that are due or monies that may be due, without the prior written consent of the other party. Subcontracting to sub-consultants, normally contemplated by the CONSULTANT as a generally accepted business practice, shall not be considered an assignment for the purposes of this Agreement.
- 3.6 The CLIENT acknowledges the risks to the CONSULTANT inherent in undertaking this specific type project and the disparity between the CONSULTANT'S fee and the CONSULTANT'S potential liability for problems or alleged problems with such projects. In consideration of the substantial risks to the CONSULTANT in rendering professional services in connection with this PROJECT, the CLIENT agrees to the fullest extent permitted by law, to limit the liability of the CONSULTANT and CONSULTANT'S officers, directors, partners, employees, shareholders, owners and sub-consultants for any and all claims, losses, costs, and damages of any nature whatsoever or claims expenses from any cause or causes, including attorneys' fees and costs and expert witness fees and costs, so that the total aggregate liability of the CONSULTANT and its sub-consultants to all those named shall not exceed \$50,000 or the amount of the CONSULTANT'S total charges for services rendered on project, whichever is greater. Such claims and causes include, but are not limited to, negligence, professional negligence, strict liability, or breach of contract.
- 3.7 If a dispute arises out of or relates to this contract, or the breach thereof, the parties will attempt to settle the matter through amicable discussion. If no agreement can be reached, the parties agree to use non-binding mediation before resorting to a judicial forum. The cost of a third party mediator will be shared equally by the parties. In the event of litigation, reasonable costs and attorneys' fees will be awarded to the prevailing party. All questions as to the interpretation or enforceability of this Agreement shall be governed in accordance with the laws of Tennessee. In the event of any litigation involving this Agreement or the performance by the parties thereto, such actions shall be brought in a court of competent jurisdiction in Tennessee.
- 3.8 The CLIENT agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless the CONSULTANT, its officers, directors, employees, and sub-consultants (collectively, CONSULTANT) from and against all claims, damages, liabilities or costs, including reasonable attorney's fees and defense costs, arising out of or in any way related to the services performed under this Agreement, except to the extent such claims, damages, liabilities or costs result from CONSULTANT'S sole negligence or willful misconduct.
- 3.9 The CLIENT and the CONSULTANT waive consequential damages for claims, disputes or other matters in question arising out of or relating to this Agreement, and the CONSULTANT and the CLIENT release each other from any and all such consequential damages. This mutual waiver is applicable, without limitation, to all consequential damages including but not limited to, consequential damages arising out of either party's termination in accordance with Section 3.4.
- 3.10 Nothing contained in this Agreement shall create a contractual relationship with or cause of action in favor of a third party against either the CLIENT or the CONSULTANT. The CONSULTANT'S services under this Agreement are being performed solely for the CLIENT'S benefit, and no other party or entity shall have any claim against the CONSULTANT because of this Agreement or the performance or nonperformance of services hereunder.
- 3.11 The CLIENT and CONSULTANT agree that notices may be sent in writing or by electronic means as outlined in the Uniform Electronic Transaction Act and that electronic signatures are as equally binding as manual signatures.
- 3.12 The CLIENT is aware that differences may exist between the electronic files delivered and the printed hard-copy construction documents. In the event of a conflict between the signed construction documents prepared by the CONSULTANT and electronic files, the signed or sealed hard-copy (or pdf files of said hard copies) shall govern. In accepting and utilizing any drawings, reports and data on any form of electronic media generated and furnished by the CONSULTANT, the CLIENT agrees that all such electronic files are instruments of service of the CONSULTANT who shall be deemed the author, and shall retain all common law, statutory law and other rights, without limitation, including copyrights. The CLIENT agrees not to reuse these electronic files, in whole or in part, for any purpose other than for the PROJECT. The CLIENT agrees not to transfer these electronic files to others without the prior written consent of the CONSULTANT. The CLIENT further agrees that CONSULTANT shall have no responsibility or liability to CLIENT or others for any changes made by anyone other than the CONSULTANT or for any reuse of the electronic files without the prior written consent of the CONSULTANT. Under no circumstances shall delivery of electronic files for use by the CLIENT be deemed a sale by the CONSULTANT, and the CONSULTANT makes no warranties, either expressed or implied, of merchantability and fitness for any particular purpose. In no event shall the CONSULTANT

be liable for indirect or consequential damages as a result of the CLIENT'S unauthorized use or reuse of the electronic files.

ARTICLE 4. OWNERSHIP OF DOCUMENTS:

- 4.1 All reports, drawings, specifications, computer files, field data, notes, and other documents and instruments prepared by the CONSULTANT as instruments of service shall remain the property of the CONSULTANT. The CONSULTANT shall retain all common law, statutory any other reserved rights, including, without limitation, the copyrights thereto. CONSULTANT will furnish reproducible media upon CLIENT'S request from drawings which were paid for.
- 4.2 CLIENT agrees that all prepared documents which are not paid for will be returned upon CONSULTANT'S demand and will not be used by the CLIENT for any purpose whatsoever.

ARTICLE 5. PAYMENT:

- 5.1 Billing for contracts shall be on a monthly basis. Invoices are due upon receipt. Payment not received within thirty (30) days of invoice date will be subject to a service charge in the amount of one and one-half percent (1.5%) per month. If account is not paid per the terms of this agreement, CONSULTANT is entitled to recover any and all reasonable attorneys' fees related to the collection from the CLIENT. In addition, CONSULTANT reserves the right to suspend all work in any case where invoices remain unpaid more than sixty (60) days from issue.
- 5.2 CONSULTANT reserves the right to renegotiate contract fees if work is not completed within two years of the original date of this contract.

ARTICLE 6. EXTENT OF AGREEMENT:

- 6.1 These terms and conditions, along with the proposal, represent the entire Agreement between CLIENT and CONSULTANT and supersedes all prior negotiations, representations or agreements, written or oral. The Agreement may be amended only by written instrument signed by CLIENT and CONSULTANT.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS, CITY CLERK LINDA GOFF AT (407)703-1704, lgoff@apopka.net and 120 EAST MAIN STREET, APOPKA, FL 32704-1229.

Exhibit B

SCHEDULE OF HOURLY RATES

2016 - 2017

<u>Classification</u>	<u>Hourly Rates</u>
Senior Consultant	\$ 285.00
Principal/Sr. Project Manager/Project Manager/Design Manager	\$ 135.00 to \$285.00
Assistant Project Manager	\$ 115.00 to \$ 155.00
Professional Engineer/Landscape Architect/ Planner	\$ 90.00 to \$ 155.00
Intern Engineer/Landscape Architect/Planner	\$ 90.00 to \$ 120.00
Registered Land Surveyor/Survey Manager	\$ 105.00 to \$ 190.00
Survey Coordinator	\$ 95.00 to \$ 130.00
One Man Survey Crew *	\$ 130.00 to \$150.00
Two Man Survey Crew *	\$ 140.00 to \$185.00
Three Man Survey Crew *	\$ 175.00 to \$220.00
CAD or GIS Technician / Survey Technician	\$ 65.00 to \$ 145.00
Administrative	\$ 55.00 to \$ 115.00

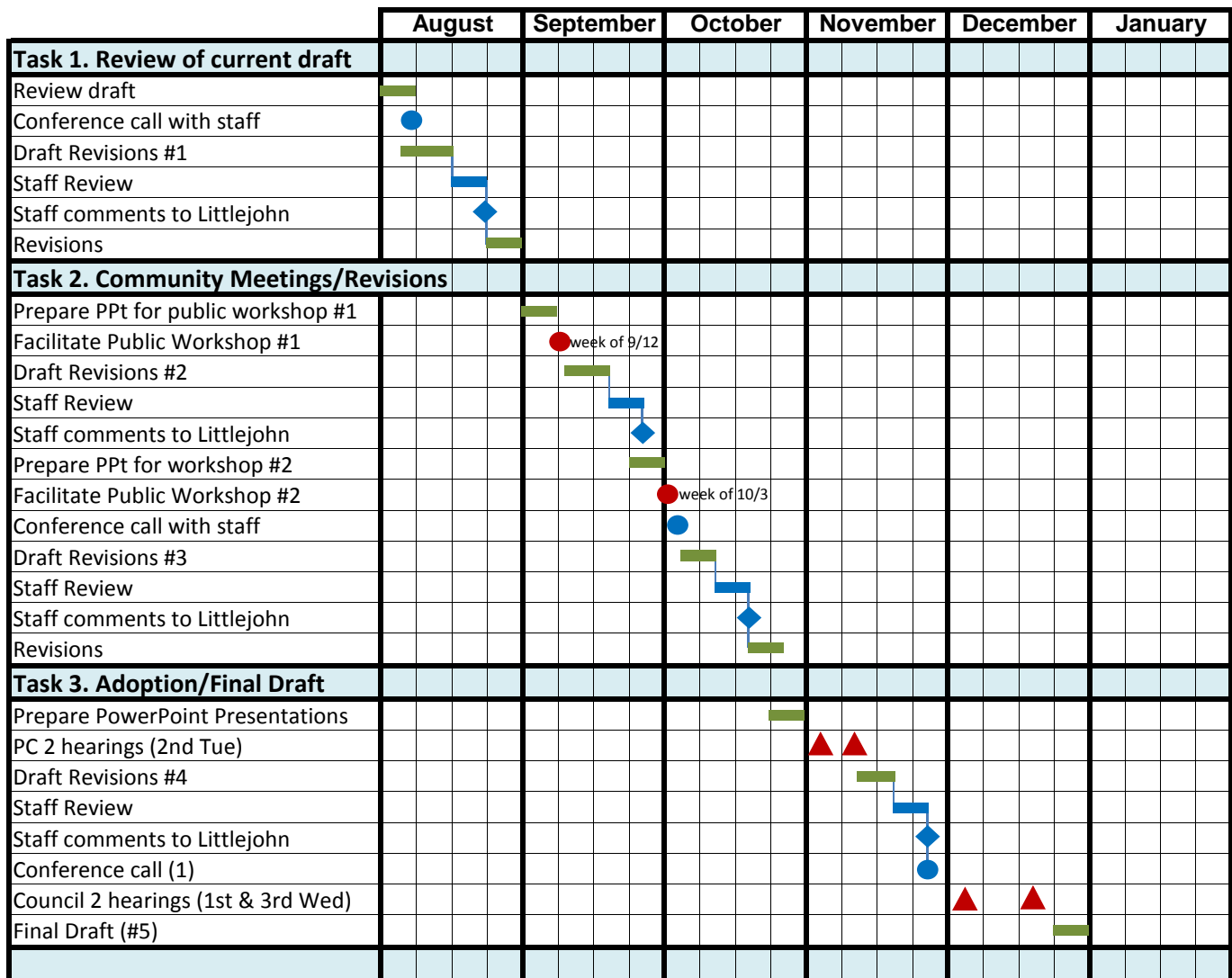
Hourly Rate Schedule is Effective March 27, 2016 through March, 2017

** Rates vary with personnel and location*

Exhibit C

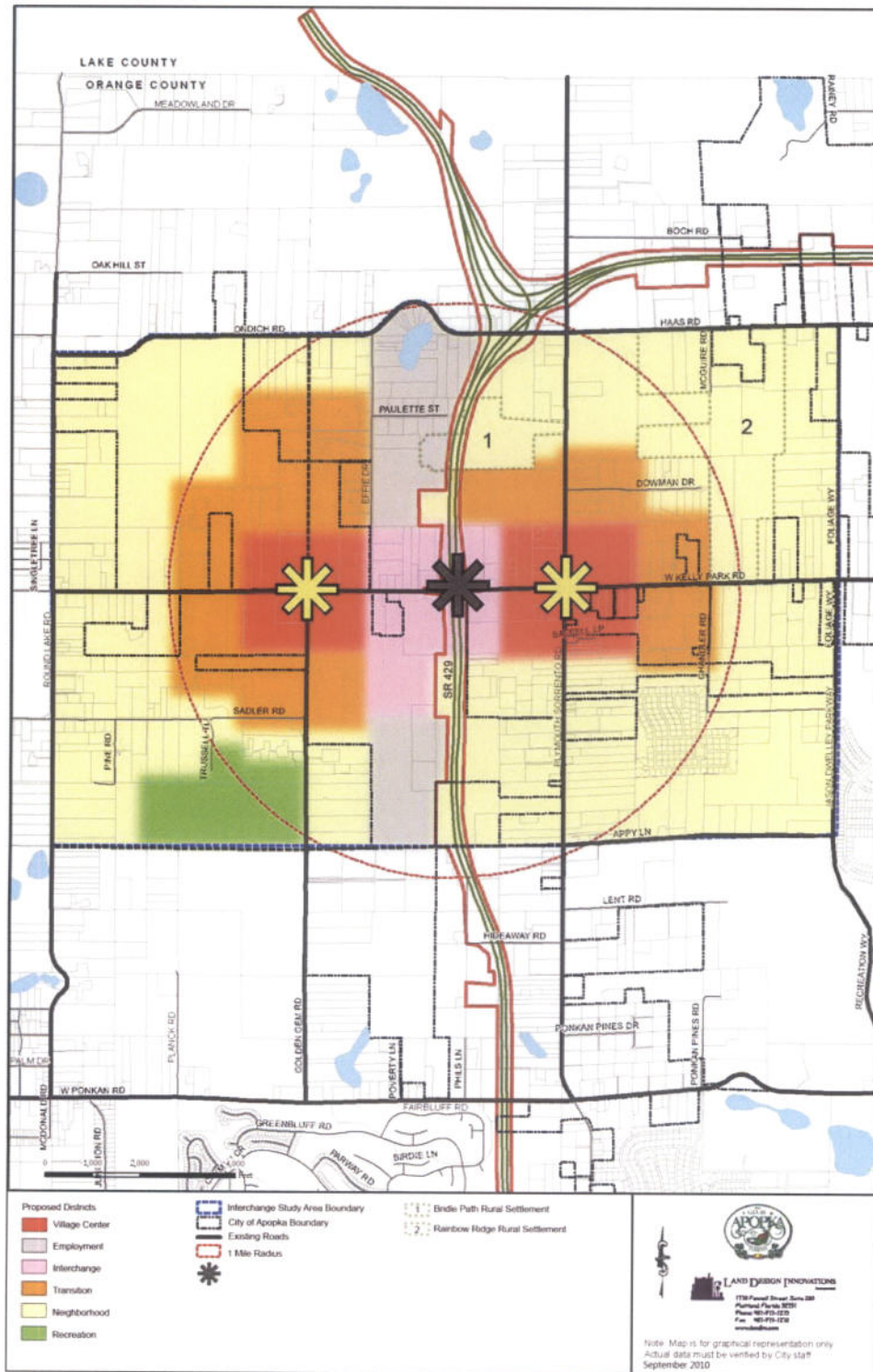
Form-Based Code

Schedule



Planning Commission: 2nd Tuesday of month
City Council: 1st and 3rd Wednesday of month

WEKIVA PARKWAY INTERCHANGE VISION PLAN



Character district boundaries are Illustrative only. See Policy 20.5 for additional information.

Backup material for agenda item:

1. Development Review Fees Update.

Mark Reggentin



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
X OTHER: BUSINESS

MEETING OF: August 3, 2016
FROM: Community Development
EXHIBITS: Fee Schedule

SUBJECT: DEVELOPMENT REVIEW FEES

REQUEST: REQUEST DIRECTION TO REVIEW AND UPDATE FEE STRUCTURE

SUMMARY:

As part of an overall review of the development review process it was discovered that fees have not been reviewed since 1993. The fees do not begin to cover the true cost of the service. If this process is to be revenue neutral with little or no burden to the tax payer, changes are necessary. However, without knowledge of the philosophy behind development fees, guidance will be needed. There are typically two approaches regarding the fee structure. One is to keep it unusually low as an incentive to encourage development. The other is to charge fees in line with the cost of providing the service so taxpayers are not subsidizing the cost of development review. The latter is the preferred method to ensure overall equity in the system. Very few business and development decisions are made based upon the cost of an application.

If we are to recoup the cost of development review, it is a fairly straight forward process that could be implemented expeditiously.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Staff recommends updating the fee structure to more accurately reflect the cost of providing the service.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

ORDINANCE NO. 725

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA PROVIDING THAT THE CODE OF ORDINANCES, CITY OF APOPKA, FLORIDA BE AMENDED SO AS TO REVISE SECTION 2.3 (A) LAND DEVELOPMENT FEES AND (B) PUBLICATION FEES; (C), (D), AND (E); PROVIDING FOR FEES FOR LAND DEVELOPMENT AND MISCELLANEOUS DOCUMENTS AND SERVICES; PROVIDING FOR PENALTY; FOR SEVERABILITY; CONFLICTS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the objective of the City of Apopka to assure a living environment of the highest quality possible for the general health, safety, and welfare of the public. In order to accomplish this objective, all land development plans are scrutinized by the Development Review Committee to assure that all rules and regulations are complied with and that the principles of good planning and design are applied, and

WHEREAS, due to rising cost, the Finance Department has asked the existing fees be increased and certain new fees be established; and

WHEREAS, development fees are assessed to assure a uniform and equal treatment of plan reviews by the City's Development Review Committee. Fees are also assessed to pay for legal advertising of public hearings and notices which are required by State law.

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

SECTION I. That Section 2.3 of the Code of Ordinances is hereby amended to read as follows:

(A) Land Development Fees:

- (1) Application for annexation of property into city limits (land use and zoning included).....\$700.00
- (2) Application for annexation Planned Unit Development(PUD).....850.00
- (3) Application for annexation single lot owner.....300.00
- (4) Application for zoning change [except Planned Unit Development (PUD)].....500.00
- (5) Application for Planned Unit Development (PUD) Zoning change.....750.00
- (6) Application for Comprehensive Plan change (Land Use).....700.00
- (7) Amendment to Planned Unit Development (PUD)..400.00
- (8) Developer's Agreement.....250.00
- (9) Amendment of Conditions of Approval or Developer's Agreement.....150.00
- (10) Planning Commission:
Application for Special Exception.....250.00
- (11) Zoning Board of Appeals application for Variance:
Single Family residential lot.....150.00
All others.....300.00
- (12) Application for Appeal to City Council.....150.00

(13) Application for abandonment (plat, easement, public right-of-way, street, alley, etc).....200.00

(14) Development Plans:

- (a) Concept Plan.....NONE
- (b) Preliminary Development Plan.....500.00
- (c) Final Development Plan and Final Plat or Replat.....400.00
Plus per lot.....15.00
- (d) Revision to approved Development Plan...100.00
- (e) Resubmittal of Development Plans:
One-half (1/2) original fee per submittal after three (3) submittals
- (f) Development Plan - unplatted residential.....200.00
Plus per unit.....15.00
- (g) Minor Development Plan (non-residential less than 10,000 square feet).....250.00
- (h) Major Development Plan (non-residential 10,000 square feet or more).....400.00
- (i) Redevelopment Plan:
Minor Redevelopment Plan (non-residential less than 10,000 sq. ft.).....100.00
Major Redevelopment Plan (non-residential 10,000 sq. ft. or more).....200.00
- (j) Resubmittal of Redevelopment Plans:
One-half (1/2) original fee per submittal after three (3) submittals

- NOTE:
- 1. Costs incurred in addition to established fees for advertising, City Attorney, postage or consultant expenses must be paid to the City.
 - 2. Cancellation of public hearing by applicant will necessitate applicant paying all re-advertising costs.
 - 3. Plans which require resubmittal and are not submitted within sixty (60) days of review date will be considered expired.
 - 4. There will be no refund of any fees once the application has been submitted to the City for processing.

(15) City Engineer review of utility plans for County subdivision or site plans:

- (a) Residential, per unit.....10.00
- (b) Commercial, per unit.....100.00

(16) City Engineer review and consultation of specific projects (other than subdivision and site plan review) will be charged to the developer on an hourly basis after the first hour. Costs incurred will be calculated utilizing personnel costs times a multiplier of 2.2 (contact City Engineer).

(17) Engineering inspection fees will be based on the following percentage of the construction costs of public improvements for each subdivision project:

ORDINANCE NO. 725
PAGE 3

- (a) 0 to \$300,000.00-1%
- (b) \$300,001.00 and over-0.8%

Any and all other projects including commercial-1% of construction costs of work inspected.

Any required oversizing amounts will be subtracted before the above calculation is made.

(18) Residential driveway inspection.....20.00

(19) Residential sidewalk inspection.....25.00

- (a) Costs incurred in addition to established fees for advertising, city attorney, postage or consultant expenses must be paid to the City.
- (b) Cancellation of public hearing by applicant will necessitate applicant paying all readvertising costs.
- (c) Plans which require resubmittal and are not submitted within sixty (60) days of review date will be considered expired.
- (d) There will be no refund of any fees once the application has been submitted to the City for processing.

(20) Right-of-way permit fee. Permit fee in the amount of one hundred dollars (\$100.00) shall accompany the permit application. A check made payable to the City of Apopka shall be the means by which the fee is paid.

(21) Arbor Permit

- (a) Specimen or historic tree removal...\$5.00/tree
- (b) Protected tree removal other than specimen or historic.....Free
- (c) Commercial Specimen or historic tree trimming.....1.00
- (d) Land clearing
 - (1) Single family residence.....5.00
 - (2) All other land clearing.....20.00 plus \$ 5.00 per acre, or fraction thereof, up to a maximum of \$250.00
- (e) Shorelineclearing.....\$15 per 500 lineal feet, or increment thereof, measured at the normal water height up to a maximum of \$250.00

(22) Concurrency Management Fees

- (a) Concurrency Verification Letter.....\$ 25.00 (Certification of de minimus statues)
- (b) Concurrency Encumbrance Letter.....250.00
- (c) Capacity Reservation Certificate.....percentage of impact fee
- (d) Concurrency Resolution Fee.....250.00
- (e) Capacity Waiting List Application Fee..150.00
- (f) Appeal of CMO Determination.....150.00
- (g) Vested Rights Determination Fee.....50.00*
plus
attorney's fees

*City may require an amount be held in escrow

(23) Excavation Permit fee.....10.00

Section 2.3 (B); (C), Fees for Miscellaneous Documents and Services; (D); and (E) shall be revised as follows:

(B) Publication Fees:

- (1) Apopka Municipal Code.....\$ 50.00
- (2) Comprehensive Plan.....125.00
- (3) Land Development Code.....50.00
- (4) Construction Design Standards Manual.....10.00
- (5) Document Retention Fee.....2.00/page

NOTE: Copies of tax appraiser's maps, recorded plats and development plans cannot be reproduced or distributed by the City. Applicable copies must be obtained from Orange County.

(C) Copies of documents not provided for elsewhere in schedule:

Items easily accessible:

- (1) One-sided copies not more than 14 inches by 8 1/2 inches (per one-sided copy).....0.15
- (2) Two-sided copies (for each second side).....0.05
- (3) Certified copies (per copy).....1.00
- (4) All other copies.....Actual cost of duplication

If the nature or volume of public records requested is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance of the City, in addition to the actual cost of duplication a special service charge will be imposed in accordance with Chapter 119.07 of Florida Statutes.

(D) Standard Notary public service

- (1) Notary signature and seal.....\$ 3.00
- (2) Attachment of New Notary Statement.....5.00
- (3) Notarizations requiring extended time and paperwork by Notary.....7.00 to 10.00

NOTE: Fees are per document, additional signers on a document will be charged accordingly based on the above fees.

(E) Illegal Signs Fees:

- (1) Illegal signs removed from right-of-way by City and redeemed by owner will be assessed at a rate of one-dollar (\$1.00) per square feet or portion thereof.
- (2) Signs not redeemed within thirty (30) days of removal will be disposed of at the City's discretion.

SECTION II. PENALTY: Violations of this Ordinance shall be prosecuted in the manner provided by general law and the Apopka Code of Ordinances.

ORDINANCE NO. 725
PAGE 5

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 a section of subsection or part of this ordinance.

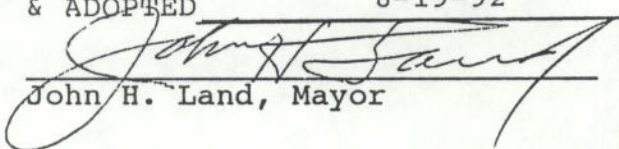
SECTION IV. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION V. This Ordinance shall become effective immediately upon adoption.


READ FIRST TIME 7-15-92

READ SECOND TIME 8-5-92

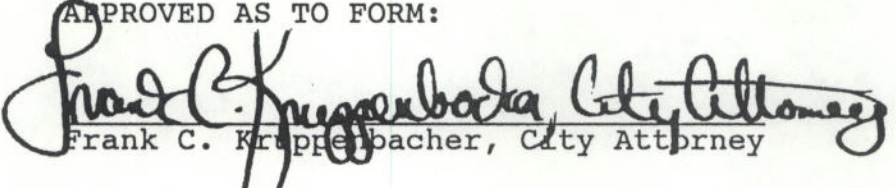
READ THIRD TIME
& ADOPTED 8-19-92


John H. Land, Mayor

ATTEST:


Connie Major, City Clerk

APPROVED AS TO FORM:


Frank C. Kruppenbacher, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 24, 1992

Backup material for agenda item:

1. Ordinance No. 2507 – Second Reading – Change of Zoning - Quasi-Judicial
David Moon



CITY OF APOPKA CITY COUNCIL

☐ CONSENT AGENDA
☒ PUBLIC HEARING
☐ SPECIAL REPORTS
☒ OTHER: Ordinance

MEETING OF: August 3, 2016
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Adjacent Zoning Map
Adjacent Uses Map
Existing Uses
Small Area Study Map
Ordinance No. 2507

SUBJECT: CHANGE OF ZONING FOR EMERSON POINT PHASE II, LLC TO C-1 (RETAIL COMMERCIAL)

REQUEST: SECOND READING AND ADOPTION OF ORDINANCE NO. 2507 – CHANGE OF ZONING FOR EMERSON POINT PHASE II, LLC FROM R-3 (RESIDENTIAL) TO C-1 (RETAIL COMMERCIAL). (PARCEL ID NOS.: 21-21-28-0000-00-001 (PARTIAL); 21-21-28-0000-00-002)

SUMMARY:

OWNER/APPLICANT: Emerson Point Phase II LLC

LOCATION: East of Marden Road, north of State Road 414

EXISTING USE: Vacant

PROPOSED
FLUM DESIGNATION: Commercial (Max. 0.25 FAR) (NOTE: This change of zoning application is being processed in conjunction with a large scale FLUM amendment requesting Commercial (Max. 0.25 FAR).

CURRENT ZONING: R-3 (Residential)

PROPOSED
DEVELOPMENT: Retail commercial development

TRACT SIZE: 51.88 +/- acres

MAXIMUM ALLOWABLE
DEVELOPMENT: EXISTING: 518 Units
PROPOSED: 564,973 sq. ft.

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: The subject parcels were annexed into the City of Apopka on December 30, 1991 through Ordinance 694.

Applicant is requesting the City to assign a zoning classification of C-1 (Retail Commercial) to the property, consistent with the proposed Commercial (Max. 0.25 FAR) future land use designation.

A request to assign a change of zoning to C-1 (Retail) is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The property owner is requesting the C-1 (Retail Commercial) zoning classification to accommodate the use of the property a retail commercial development. The subject properties abut a limited access highway (S.R. 414) with a planned interchange at Marden Road. City staff supports this change of zoning request subject to the construction of a highway interchange for S.R. 414 at Marden Road. This change of zoning application is being processed in conjunction with a large scale future land use amendment for Commercial (Max. 0.25 FAR). The proposed use is consistent with the proposed future land use, proposed zoning district and compatible with the general character of surrounding zoning and uses. A commercial retail zoning assigned to the subject property is consistent with recommendations within the Ocoee Apopka Road Small Area Study.

The change of zoning application covers approximately 51.88 acres.

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

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Commercial (Max. 0.25 FAR) Future Land Use designation and the City's proposed C-1 (Retail Commercial) Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The request is for a non-residential zoning classification; therefore, a school capacity enhancement agreement is not required.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on June 13, 2016.

PUBLIC HEARING SCHEDULE:

July 12, 2016 - Planning Commission (5:30 pm)

July 20, 2016 - City Council (7:00 pm) - 1st Reading

August 3, 2016 – City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:

June 24, 2016 – Public Notice and Notification

July 22, 2016 – Ordinance Heading ¼ Page w/Map Ad

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends approval of the change in zoning from R-3 (Residential) to C-1 (Retail Commercial) for the property owned by Emerson Point Phase II LLC.

The **Planning Commission**, at its meeting on July 12, 2016, found the change of zoning to C-1 (Retail Commercial) consistent with the Comprehensive Plan and Land Development Code and unanimously recommended approval subject to adoption of the Proposed Future Land Use Designation.

The **City Council**, at its meeting on July 20, 2016, accepted the First Reading of Ordinance No. 2507 and held it over for second reading and adoption on August 3, 2016.

Adopt Ordinance No. 2507.

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 (0-4 du/ac) & Low Medium Density Residential (0-10 du/ac)	R-2, R-3	Marden Gardens Apartments; Single family residential neighborhood
East (County)	Low Density Residential (0-4 du/ac)	R-1A, R-3	Single-family residential
South (City)	Mixed Use	Mixed-EC	S.R. 414 and vacant lands
West (City)	Commercial & High Density Residential	C-1 & R-3	Vacant Commercial & Multi-family residential

LAND USE & TRAFFIC COMPATIBILITY:

The subject property fronts and is accessed by a local roadway (Marden Road) and will have access to S.R. 414 once an interchange at Marden Road is constructed.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed C-1 (Retail Commercial) zoning is consistent with the City's Commercial (Max. 0.25 FAR) Future Land Use designation and with the character of the surrounding area and future proposed development. The C-1 (Retail Commercial) zoning classification is one of the acceptable zoning categories allowed within the proposed Commercial Future Land Use Designation. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

C-1 DISTRICT REQUIREMENTS:

Minimum Living Area:	NA
Minimum Site Area:	10,000 sq. ft.
Minimum Lot Width	100 ft.
Setbacks:	
Front:	10 ft. (From property line)
Rear:	10 ft. (30 ft. from residential)
Side:	10 ft.
Corner	15 ft.

Based on the above zoning standards, the subject parcels comply with code requirements for the C-1 (Retail Commercial) district.

BUFFERYARD REQUIREMENTS:

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

3. Areas adjacent to nonresidential uses or districts shall provide a minimum five-foot landscaped bufferyard.

**ALLOWABLE
USES:**

Any nonresidential permitted use in the PO/I or CN districts. Retail establishments, banks, savings and loan and other financial institutions. Bowling alleys, skating rinks, billiard parlors and similar amusement centers, provided such activities and facilities are enclosed within a sound-proof building. Churches and schools, day nurseries, kindergartens and other child care centers. Restaurants, hotels/motels, bed and breakfast facilities and other uses which are similar and compatible to the uses permitted herein which adhere to the intents of the district and which are not prohibited.

Emerson Point Phase II, LLC
Property Owner
51.88 +/- Acres
Proposed Large Scale Future Land Use Amendment:
From: Medium Density Residential (0 – 10 du/ac)
To: Commercial (max 0.25 FAR)
Proposed Change of Zoning:
From: R-3
To: C-1



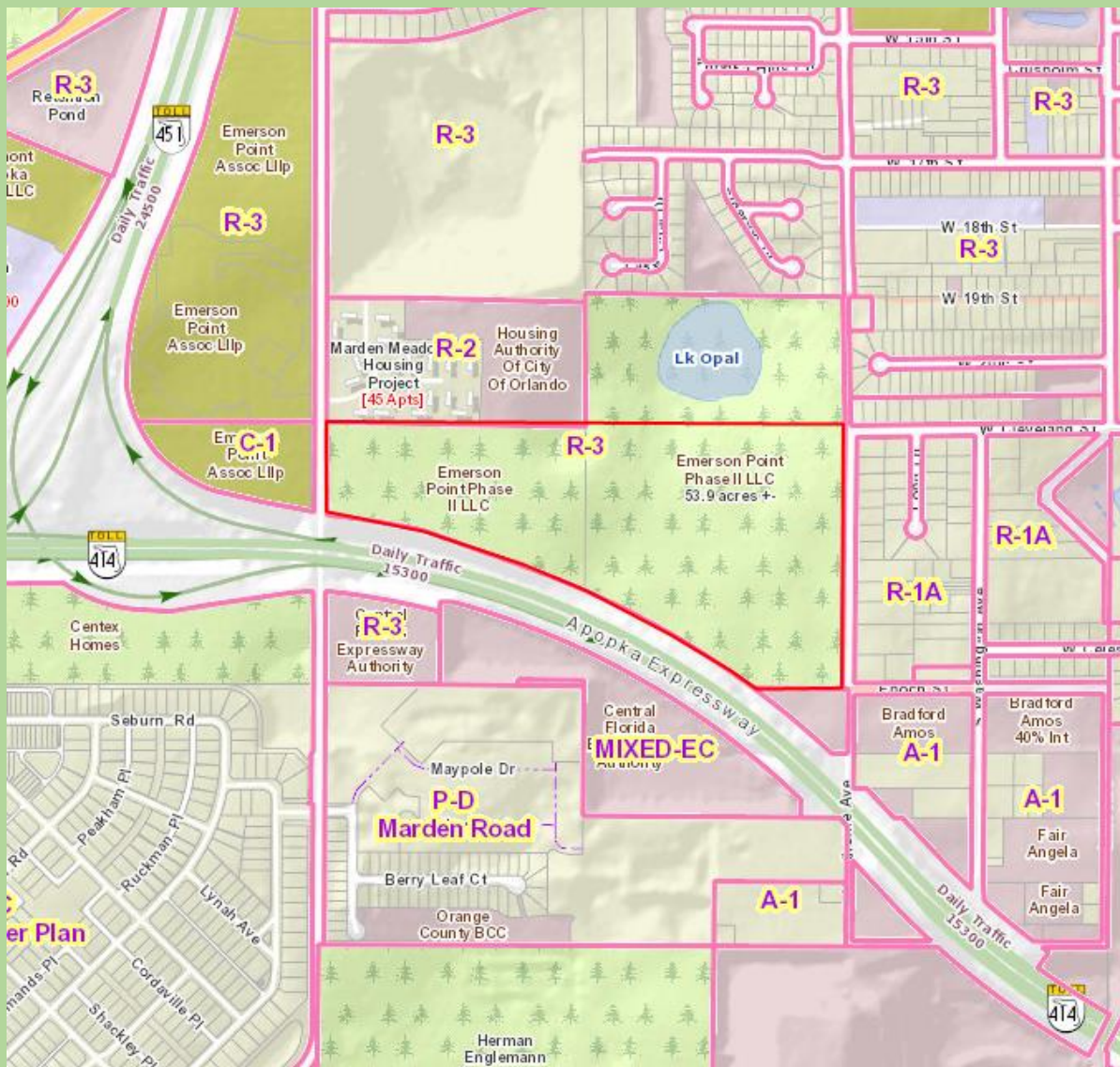
Parcel ID #s: 21-21-28-0000-00-001 (Portion) & 21-21-28-0000-00-002

VICINITY MAP



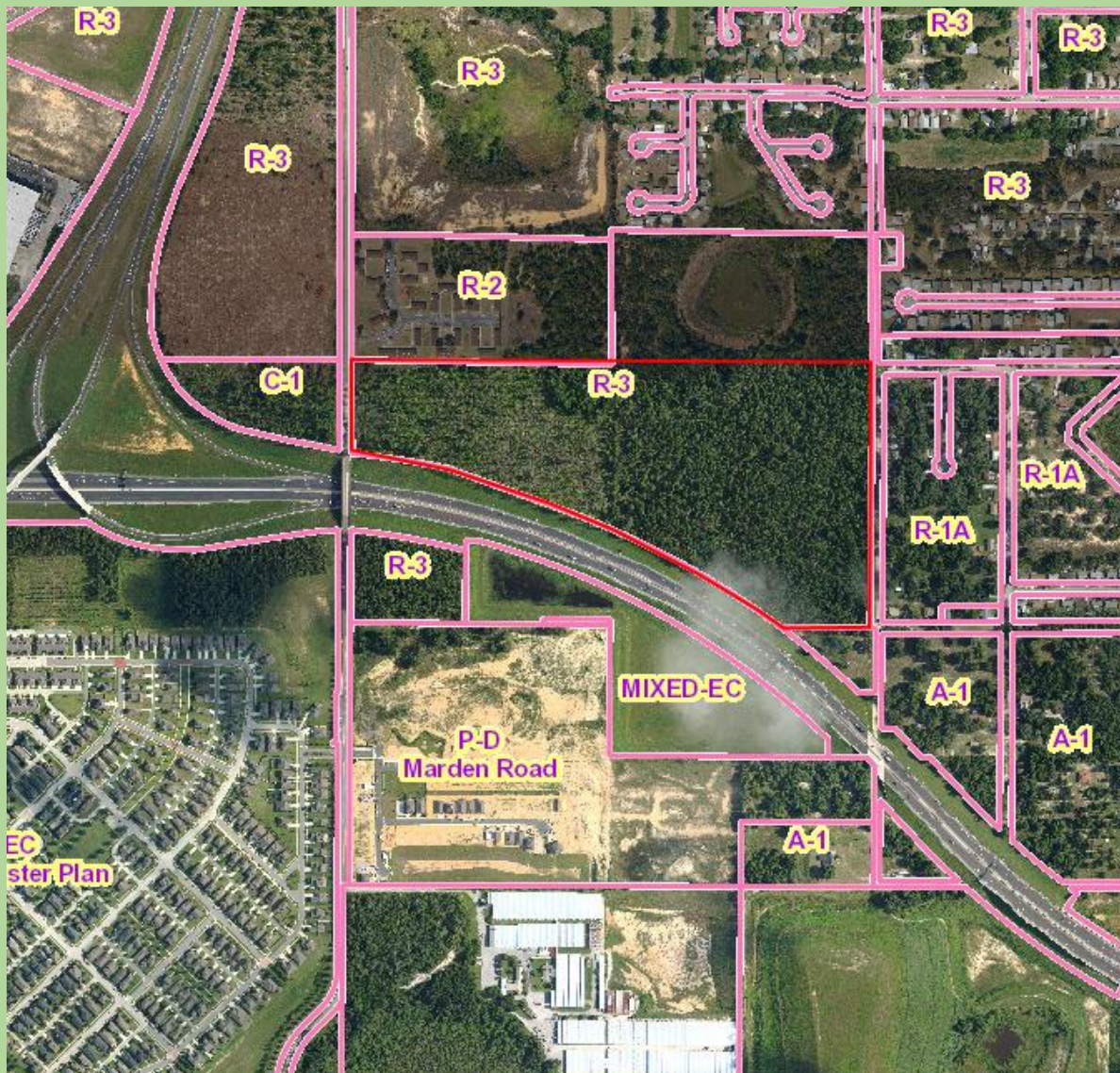


ADJACENT ZONING





ADJACENT USES



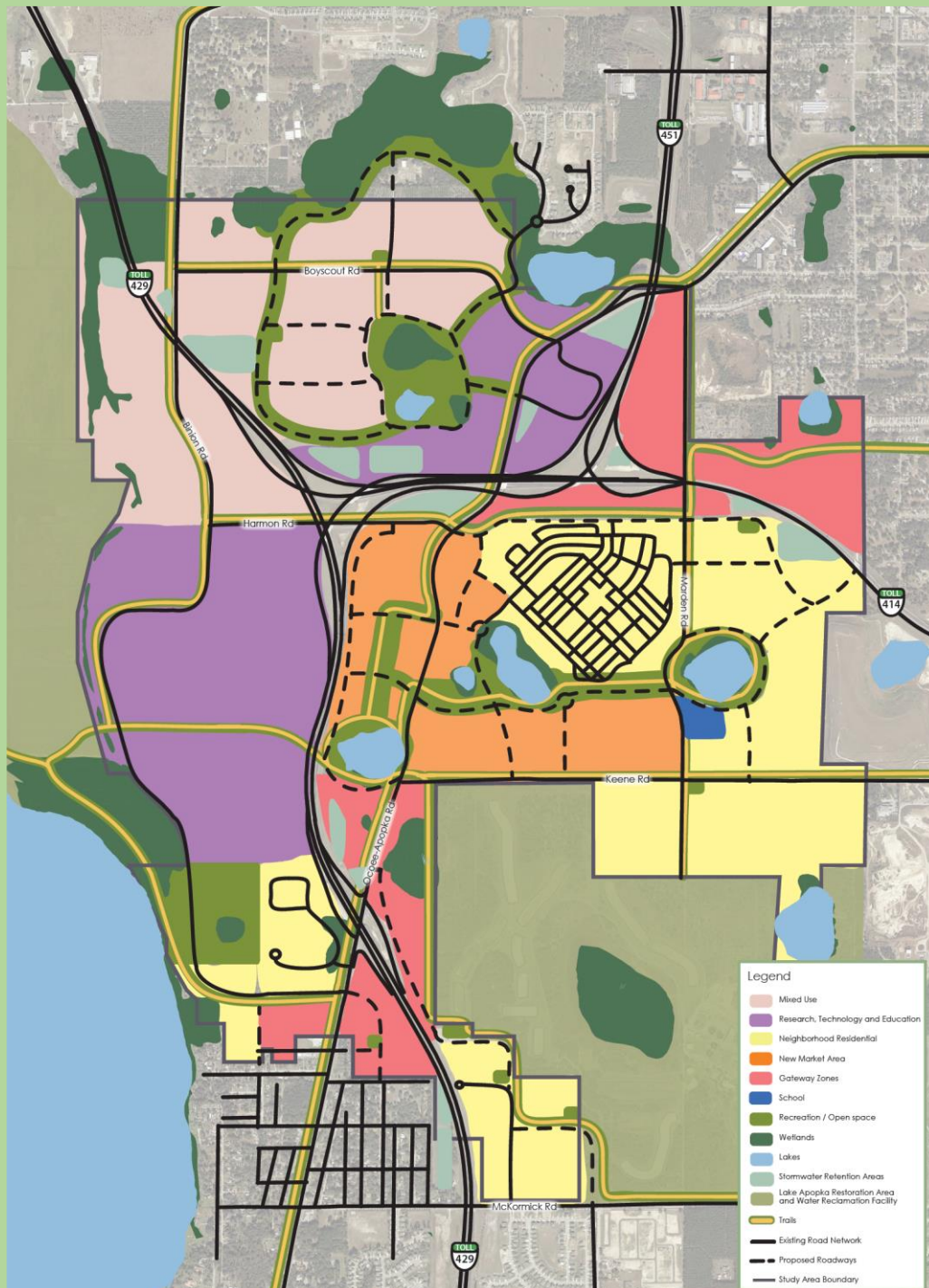


EXISTING USES





OCOOE APOPKA ROAD SMALL AREA STUDY CONCEPTUAL LAND USE MAP



ORDINANCE NO. 2507

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM R-3 (RESIDENTIAL) TO C-1 (RETAIL COMMERCIAL) (0.25 FAR) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF MARDEN ROAD, NORTH OF STATE ROAD 414, COMPRISING 51.88 ACRES MORE OR LESS, AND OWNED BY EMERSON POINT PHASE II, LLC; 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

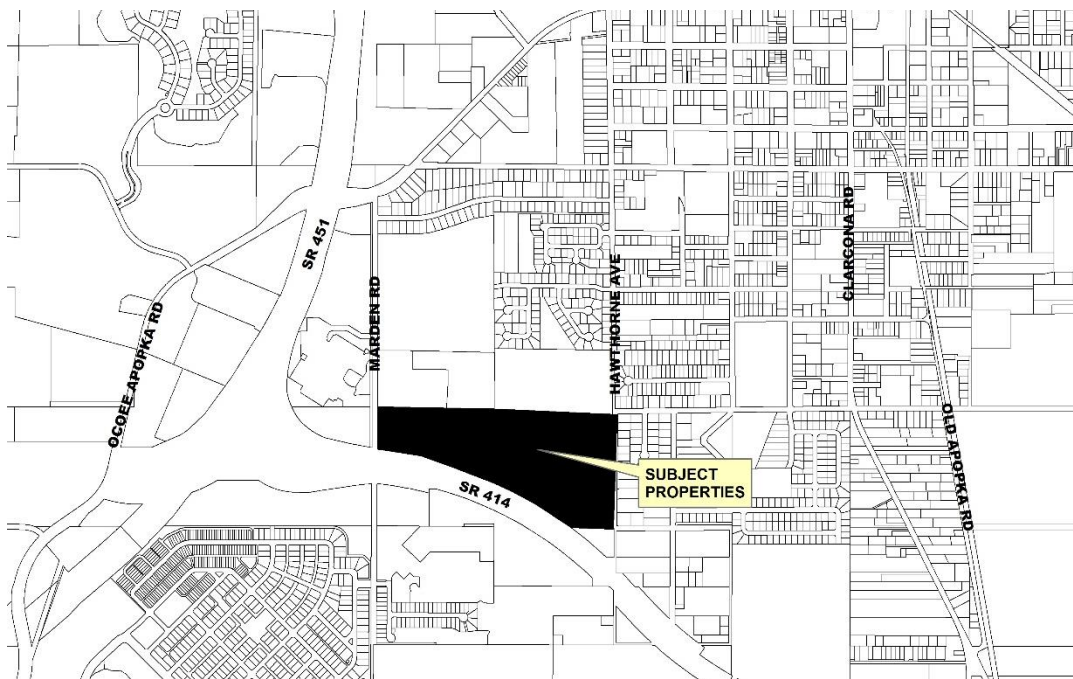
WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed C-1 (Retail Commercial) (0.25 FAR) 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, being situated in the City of Apopka, Florida, is hereby C-1 (Retail Commercial) (0.25 FAR), as defined in the Apopka Land Development Code.

Legal Description:



Parcel I.D.s: 21-21-28-0000-00-001 (Portion); 21-21-28-0000-00-002

Contains: 51.88 +/- Acres

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. That this Ordinance shall take effect upon the effective date of adoption of Ordinance No. 2491.

READ FIRST TIME: July 20, 2016

READ SECOND TIME
AND ADOPTED: August 3, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: June 24, 2016
 July 22, 2016

Backup material for agenda item:

2. Ordinance No. 2508 – Second Reading – Change of Zoning - Quasi-Judicial
David Moon



CITY OF APOPKA CITY COUNCIL

 CONSENT AGENDA
 X PUBLIC HEARING
 SPECIAL REPORTS
 X OTHER: Ordinance

MEETING OF: August 3, 2016
FROM: Community Development
EXHIBITS: A: Zoning Report
 B: Vicinity Map
 C: Adjacent Zoning Map
 D: Adjacent Uses Map
 E: Existing Use Map
 F: Ordinance No. 2508
 G: Ord. 2508 Master Plan
 H: Master Plan Sheet 4
 I: Landscape/Wall Plans
 J: Development Standards
 K: Park Amenities

SUBJECT: CHANGE OF ZONING FOR CARTER-ORANGE 67 HWY 441 LAND TRUST (APOPKA FARMS) TO PLANNING UNIT DEVELOPMENT (PUD/MIXED-CC/RESIDENTIAL)

REQUEST: SECOND READING AND ADOPTION OF ORDINANCE NO. 2508 – CHANGE OF ZONING FOR CARTER-ORANGE 67 HWY 441 LAND TRUST (APOPKA FARMS) FROM MIXED-CC AND R-1A TO PLANNED UNIT DEVELOPMENT (PUD/MIXED-CC/RESIDENTIAL); APPROVAL OF THE MASTER PLAN\PRELIMINARY DEVELOPMENT PLAN; AND HOLD OVER FOR SECOND READING AND ADOPTION. (PARCEL ID NUMBERS: 35-20-27-0000-00-020; 35-20-27-0000-00-053; & 36-20-27-0000-00-006)

SUMMARY:

OWNER/APPLICANT: Carter-Orange 67 Hwy 441 Land Trust (Apopka Farms)
LOCATION: East of North Orange Blossom Trail, south of Chandler Estates Drive
EXISTING USE: Vacant
FLUM DESIGNATION: Mixed Use
CURRENT ZONING: Mixed-CC & R-1A
PROPOSED DEVELOPMENT: Commercial and single-family residential development
PROPOSED ZONING: Planned Unit Development (PUD – Mixed Use Commercial/Residential)
TRACT SIZE: 67.73 +/- acres
MAXIMUM PROPOSED DEVELOPMENT: Up to 45,345 sq. ft. of neighborhood commercial development and 101 single-family units.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

SUMMARY: The proposed change of zoning is being requested by the owner. The subject properties were annexed into the City via Ordinance 1651 on December 18, 2002.

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

The applicant proposes to develop the property for a commercial and single-family residential development.

The proposed zoning and use is compatible with adjacent zoning districts and the general character of the surrounding area. Parcels abutting to the north are single-family residential. Properties to the south and west are industrial in nature, with the current use as the Apopka Airport. Properties to the northwest of the subject properties have commercial land uses.

PROJECT DESCRIPTION: Apopka Farms is a mixed-use development with 101 single family residential lots on 61 acres and two neighborhood commercial sites within a 2.14 acre and 1.33 acre parcel. The residential phase is buffered from the commercial phase by a 100 to 125 buffer tract. Residential lots have a minimum lot width of 70 feet and a minimum lot size of 9,800 sq. ft. Minimum livable area for a house is 1,600 sq. ft. except for lots abutting Chandler Estates (Lots 31 to 47), which have a minimum livable area of 2,200 sq. ft., and Lots 4 through 17 at the southern entrance of the residential community, which have a minimum livable area of 2,000 sq. ft. For the commercial tracts, uses are limited to neighborhood commercial uses set forth with Sheet 8 of the Master Plan\PDP.

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

The PUD development conditions and standards, in addition to those listed in the PUD Master Plan, are:

- 1) Additional traffic calming devices shall be incorporated along internal road right-of-ways at the Final Development Plan and subject to approval by the city engineer.
- 2) Landscaping and trees located within the landscape islands placed within the road right-of-way must be approved by the City.
- 3) The HOA Code, Covenants, and Restrictions shall include disclosure statement regarding proximity of the residential community to an airport.

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Mixed Use Future Land Use designation and the City's proposed Planned Unit Development (PUD – Mixed Use Commercial/Residential) Zoning classifications. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: A school capacity determination review with OCPS is required at the time of final plat.

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 March 11, 2016.

PUBLIC HEARING SCHEDULE:

July 12, 2016 - Planning Commission (5:30 pm)

July 20, 2016 - City Council (7:00 pm) - 1st Reading

August 3, 2016 – City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:

June 24, 2016 – Public Notice and Notification

July 22, 2016 – ¼ Page w/Map Ordinance Heading Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in zoning from Mixed-CC & R-1A to Planned Unit Development – Mixed Use Commercial/Residential to the PUD zoning and developments standards for the property owned by Carter-Orange 67 Hwy 441 Land Trust.

The **Planning Commission**, at its meeting on July 12, 2016, unanimously recommended approval of the change of zoning from Mixed-CC and R-1A to Planning Unit Development – Mixed Use Commercial/Residential and to approve the Master Plan/Preliminary Development Plan subject to the PUD conditions set forth in the staff report.

The **City Council**, at its meeting on July 20, 2016, accepted the First Reading of Ordinance No. 2508 and held it over for Second Reading and Adoption on August 3, 2016.

Adopt Ordinance No. 2508.

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.

EXHIBIT “A” ZONING REPORT**RELATIONSHIP TO ADJACENT PROPERTIES:**

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County & City)	“County” Rural (0-1 du/10 ac) and “City” Residential Low Suburban (0-3.5 du ac)	A-1 & R-1A	Vacant & single-family residential (Chandler Estates subdivision)
East (County & City)	“County” Rural (0-1 du/10 ac) & “City” Residential Low Suburban (0-3.5 du/ac)	A-1 & R-1A	Vacant & container nursery
South (City)	Mixed Use & Industrial	Mixed-CC & A-1 (ZIP)	Vacant, Apopka Airport & R-O-W
West (City)	Industrial (max 0.60 FAR)	A-1 (ZIP)	Apopka Airport

LAND USE &**TRAFFIC COMPATIBILITY:**

The property has access to a Major Arterial roadway (Orange Blossom Trail). Internal roads connect with Orange Blossom Trail and to Chandler Estates Drive. Future land use designations and zoning categories assigned to properties to the north, south, east, and west is predominantly industrial and residential.

COMPREHENSIVE**PLAN COMPLIANCE:**

The proposed PUD – Mixed Use Commercial/Residential zoning is compatible with policies set forth in the Comprehensive Plan.

ALLOWABLE**USES:**

Single-family residential and neighborhood commercial uses as set forth within the Planned Unit Development Master Plan.

Exhibit “B”

Apopka Farms
67.73 +/- Acres

Proposed Zoning Maximum Allowable Development: 45,345 sq. Commercial & 101 S.F.
Residential Units

Proposed Zoning Change
From: Mixed-CC & R-1A

To: PUD – Mixed Use Commercial/Residential

Parcel ID #: 35-20-27-0000-00-020; 35-20-27-0000-00-053 & 35-20-27-0000-00-060



VICINITY MAP

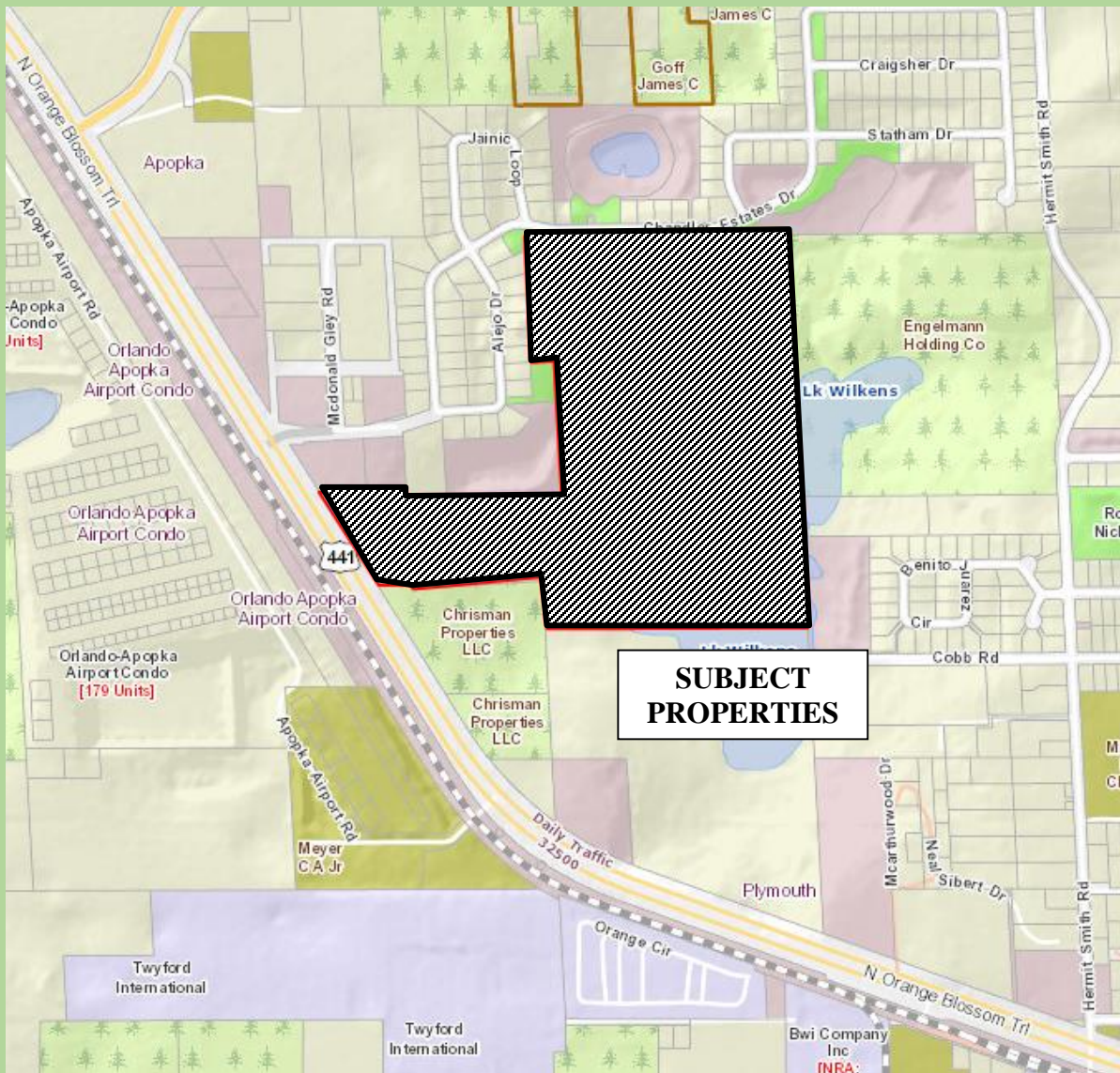




EXHIBIT “C”

ADJACENT ZONING

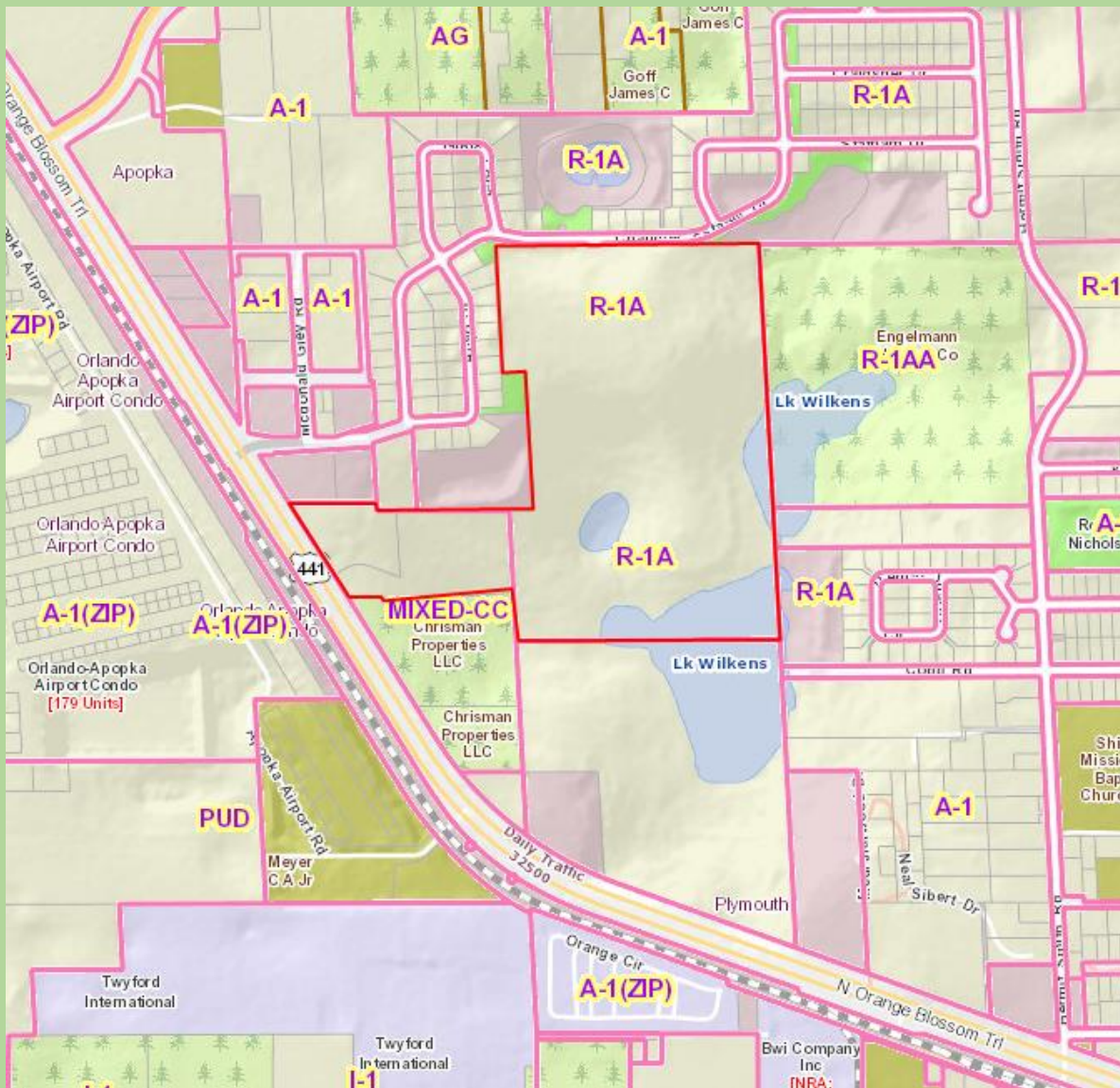




EXHIBIT “D”

ADJACENT USES





EXHIBIT “E”

EXISTING USES



ORDINANCE NO. 2508

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM MIXED-CC AND R-1A TO PLANNED UNIT DEVELOPMENT (PUD\MIXED-CC\COMMERCIAL\RESIDENTIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF ORANGE BLOSSOM TRAIL AND SOUTH OF CHANDLER ESTATES DRIVE, COMPRISING 67.73 ACRES, MORE OR LESS AND OWNED BY CARTER-ORANGE 67 HWY 441 LAND TRUST (APOPKA FARMS); 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 Planned Unit Development (PUD/Mixed Use Commercial/Residential) 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 Planned Unit Development (PUD/Mixed Use Commercial/Residential), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

- A. The uses permitted within the PUD district shall be: single family homes and associated accessory uses or structures consistent with land use and development standards established for the R-1A zoning category and Neighborhood Commercial, except where otherwise addressed in this ordinance.
- B. Development of the property shall occur consistent with the Master Site Plan set forth in Exhibit "A". If a development standard or zoning regulation is not addressed within Exhibit "A", development shall comply with the R-1A zoning standards set forth in the Land Development Code. Where any development standard conflicts between the Apopka Farms Master Plan\Preliminary Development Plan and the Land Development Code, the Master Plan\Preliminary Development Plan shall preside. Any proposed revision to the Master Plan shall be evaluated and processed pursuant to Section 2.02.18.N. (Master plan revision), LDC.
- C. If a Final Development Plan associated with the PUD district has not been approved by the City within three years after approval of these Master Plan provisions, the approval of the Master Plan\Preliminary Development Plan provisions will expire. At such time, the City Council may:
 - 1. Permit a single six-month extension for submittal of the required Final Development Plan;
 - 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Site Plan provisions and any conditions of approval; or
 - 3. Rezone the property to a more appropriate zoning classification.

ORDINANCE NO. 2508

PAGE 2

Section II. That the zoning classification of the following described property, being situated in the City of Apopka, Florida, is hereby Planned Unit Development (PUD/R-1A) as defined in the Apopka Land Development Code.

Legal Description:

PARCEL 1:

The North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 36, Township 20 South, Range 27 East, Orange County, Florida.

AND

The Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 36, Township 20 South, Range 27 East, Orange County, Florida, Less and Except the South 689 feet of the West 125 feet of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 36.

More particularly described as:

Beginning at the Southwest corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 36, Township 20 South, Range 27 East, Orange County, Florida said point being the Point of Beginning; thence run North 89 degrees 27 Minutes 12 seconds East, along the South line of the South 689 feet of the West 125 feet of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 125.15; thence North 03 degrees 21 minutes 25 seconds West, along the East line of Said South 689 feet of the West 125 feet, a distance of 689.83 feet to the Northeast corner of said South 689 feet of the West 125 feet; thence South 89 degrees 27 minutes 12 seconds West, along the North line of said South 689 feet of the West 125 feet, a distance of 125.15 feet; thence North 03 degrees 21 minutes 25 seconds West, along the West line of the aforesaid Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 632.58 feet to the Northwest corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; thence North 89 degrees 27 minutes 11 seconds East, along the North line of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 1,324.49 feet to the Northeast corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; thence South 03 degrees 07 minutes 47 seconds East, along the East line of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 1,322.18 feet to the Southeast corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; thence South 02 degrees 57 minutes 34 seconds East, along the East line of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the aforesaid Section 36, a distance of 657.81 feet to the Southeast corner of said North $\frac{1}{2}$; thence South 89 degrees 37 minutes 08 seconds West, along the South line of said North $\frac{1}{2}$, a distance of 1,318.75 feet to the Southwest corner of said North $\frac{1}{2}$; thence North 03 degrees 01 minute 02 seconds West, along the West line of Said North $\frac{1}{2}$, a distance of 654.03 feet to the Point of Beginning.

PARCEL 2:

The West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 35, Township 20 South, Range 27 East, Orange County, Florida, lying North and East of the Seaboard Air Line Railroad Less and Except the South 2 $\frac{1}{2}$ acres Thereof. Also, less and except that portion of the above lands conveyed to the State Road Department of the State of Florida by virtue of Quit Claim Deed recorded in Deed Book 589, Page 426, Public Records of Orange County, Florida.

AND

Begin at the Northeast corner of the Southeast $\frac{1}{4}$ of Section 35, Township 20 South, Range 27 East, Orange County, Florida, thence run West 10 chains thence run South 448.89 feet

ORDINANCE NO. 2508

PAGE 3

thence run Northeasterly to a point on the East line of said Section 411.84 feet South of the Point of Beginning; thence run North to the Point of Beginning.

AND

The South 40.00 feet of the Southeast ¼ of the Northeast ¼ of Section 35, Township 20 South, Range 27 East, Orange County, Florida Less and Except the East 660.00 fee thereof Also, Less and Except any portion of the Subject property lying within the road right-of-way for West Orange Blossom Trail(State Road 500, US Highway 441)on West.

Parcel ID Nos.: 35-20-27-0000-00-020; 35-20-27-0000-00-053 & 35-20-27-0000-00-060
Combined Acreage 67.73 +/- Acres

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

Section IV. 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 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 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 the date of adoption.

READ FIRST TIME: July 20, 2016

READ SECOND TIME
AND ADOPTED: August 3, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: June 24, 2016
July 22, 2016



APOPKA FARMS

Apopka, Florida

Master Plan/Preliminary Development Plan (PDP)

FEBRUARY 1, 2016
REVISED: APRIL 21, 2016
REVISED: MAY 31, 2016

OWNER

CARTER - ORANGE 67 HWY 441 LAND TRUST
P.O. BOX 568821
ORLANDO, FLORIDA 32856-8821
CONTACT: DARYL M. CARTER
EMAIL: DCARTER@MAURYCARTER.COM
PHONE: (407) 581-6205

APPLICANT/ LAND PLANNER

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CPH, Inc.
1117 EAST ROBINSON STREET
ORLANDO, FLORIDA 32801
EMAIL: JOMANA@CPHCORP.COM
PHONE: (407) 425-0452
FAX: (407) 648-1036

ENGINEER

ALLEN C. LANE, P.E.
CPH, Inc.
1117 EAST ROBINSON STREET
ORLANDO, FLORIDA 32801
EMAIL: ALANE@CPHCORP.COM
PHONE: (407) 425-0452
FAX: (407) 648-1036

SURVEYOR

LAND TECH SURVEYING AND MAPPING CORP.
350 SOUTH CENTRAL AVENUE
OVIEDO, FLORIDA 32765
EMAIL: MANAGER@SURVEYMAP.NET
PHONE: (407) 365-1036
FAX: (407) 365-1838

UTILITIES

WATER: CITY OF APOPKA
SEWER: CITY OF APOPKA
CABLE: BRIGHTHOUSE NETWORKS
PHONE: CENTURY LINK
ELECTRIC: DUKE ENERGY
GAS: LAKE APOPKA NATURAL GAS
GARBAGE COLLECTION: WASTEPRO



KEY MAP / FUTURE LAND USE

N.T.S.



VICINITY MAP

N.T.S.

PROJECT DESCRIPTION

THE SUBJECT PARCEL IS APPROXIMATELY 67.73 ACRES ON THE NORTHEAST SIDE OF US 441.
THE CURRENT ZONING IS MIXED-CC / R-1A AND THE CURRENT FUTURE LAND USE IS MIXED USE / RESIDENTIAL LOW SUBURBAN.
THE SUBJECT PARCEL PROPOSED ZONING IS PUD (PLANNED UNIT DEVELOPMENT).

LEGAL DESCRIPTION

PARCEL 1:
THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LESS THE SOUTH 66% OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 36.
More particularly described as:
LEGAL DESCRIPTION (Revised by Surveyor)
Beginning at the SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, said point being the POINT OF BEGINNING, thence run N. 89° 27' 17" E., along the South line of the SOUTH 1/2 of the WEST 1/2 of SAID SOUTHWEST 1/4, OF THE NORTHWEST 1/4, a distance of 125.15 feet, thence S. 85° 12' 37" W., along the East line of said South 1/2 of the West 1/2, a distance of 645.63 feet, to the NORTHEAST CORNER of said South 1/2 of the West 1/2, thence S. 85° 12' 37" W., along the North line of said South 1/2 of the West 1/2, a distance of 125.15 feet, thence N. 85° 12' 37" W., along the West line of the aforesaid SOUTHWEST 1/4 OF THE NORTHWEST 1/4, a distance of 426.86 feet to the NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, thence N. 89° 27' 17" E., along the North line of said SOUTHWEST 1/4 OF THE NORTHWEST 1/4, a distance of 1,324.46 feet to the NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, thence S. 85° 12' 37" W., along the East line of said SOUTHWEST 1/4 OF THE NORTHWEST 1/4, a distance of 1,322.79 feet, to the SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, thence S. 85° 12' 37" W., along the East line of the North 1/2 of the NORTHWEST 1/4 OF THE SOUTHWEST 1/4, a distance of 657.81 feet, to the SOUTHWEST CORNER OF SAID NORTH 1/2, thence S. 89° 27' 17" E., along the South line of said North 1/2, a distance of 1,316.75 feet, to the SOUTHWEST CORNER OF SAID NORTH 1/2, thence N. 89° 27' 17" E., along the West line of SAID NORTH 1/2, a distance of 656.61 feet to the POINT OF BEGINNING.
Containing 67.8 acres, more or less.

PARCEL 2 (REMARKS):
TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY, AS CREATED BY THE INGRESS AND EGRESS EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 7167, PAGE 1599:
THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LYING NORTH AND EAST OF THE SEABOARD AIRLINE RAILROAD, LESS AND EXCEPT THE SOUTH 1/2 1/2 ACRES THEREOF, AND ALSO LESS AND EXCEPT THAT PORTION OF THE ABOVE LANDS CEDED TO THE STATE ROAD DEPARTMENT OF THE STATE OF FLORIDA, BY VIRTUE OF DEED CLAUSE DEED RECORDED IN DEED BOOK 583, PAGE 401, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
TOGETHER WITH:
BEGIN AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, THENCE RUN WEST 15 CHAINS, THENCE RUN SOUTH 48.88 FEET, THENCE RUN NORTHEASTERLY TO A POINT ON THE EAST LINE OF SAID SECTION 41.84 FEET SOUTH OF THE POINT OF BEGINNING, THENCE RUN NORTH TO THE POINT OF BEGINNING.
TOGETHER WITH:
THE SOUTH 42.00 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 86.00 FEET THEREOF, AND ALSO LESS AND EXCEPT ANY PORTION OF THE SUBJECT PROPERTY LYING WITHIN THE ROAD RIGHT OF WAY FOR WEST ORANGE BLOSSOM TRAIL, STATE ROAD 1588A (HIGHWAY 441) ON WEST.

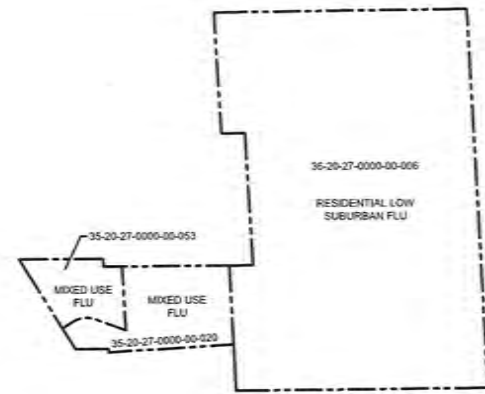
SHEET INDEX

- 1 COVER SHEET
- 2 EXISTING CONDITIONS
- 3 PUD REZONE - MASTER PLAN
- 4 CONCEPT TRACT MAP
- 5-7 PRELIMINARY DEVELOPMENT PLAN (UTILITIES/DRAINAGE)
- 8 DEVELOPMENT DESIGN STANDARDS
- 9-15 BOUNDARY SURVEY AND LEGAL DESCRIPTION
- LA-1 PRELIMINARY LANDSCAPE PLAN
- LA-2 PRELIMINARY LANDSCAPE PLAN
- LA-3 LANDSCAPE DETAILS
- LA-4 LANDSCAPE DETAILS



"NOTICE"
THIS SET OF PLANS IS NOT VALID FOR CONSTRUCTION PURPOSES WITHOUT BEING FIRST APPROVED FOR CONSTRUCTION BY THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS. ANY CHANGES TO THESE PLANS MUST BE SUBMITTED TO THE BOARD OF COUNTY COMMISSIONERS FOR APPROVAL. THESE PLANS HAVE BEEN SUBMITTED TO THE BOARD OF COUNTY COMMISSIONERS FOR APPROVAL. THESE PLANS HAVE BEEN SUBMITTED TO THE BOARD OF COUNTY COMMISSIONERS FOR APPROVAL.

ACTIVITY	NAME	DATE	NO.	DATE	REVISION	APPV.	SCALE	SHEET NO.
DESIGNED BY:	PM	2/1/16		4/21/2016	REVISE PER 2/10/16 DRC COMMENTS		SCALE: NONE	
DRAWN BY:	PM	2/1/16		5/31/2016	REVISE PER 4/27/16 DRC COMMENTS		DATE: MARCH 14, 2016	
CHECKED BY:	JEO	2/1/16					JOB NO.: M17801	
APPROVED BY:	JEO	2/1/16					FILE: COVER	
BY A								
SCALE								
DATE								
NO.								
DATE								
REVISION								
APPV.								



KEY MAP / FUTURE LAND USE

N.T.S.

PROJECT NOTES

PARCEL ID #S: 35-20-27-0000-00-005; 35-20-27-0000-00-006
 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 (DUPLEX RESIDENTIAL UNITS ARE NOT PERMITTED)
 TOTAL SITE AREA: 67.73 AC.

LEGEND

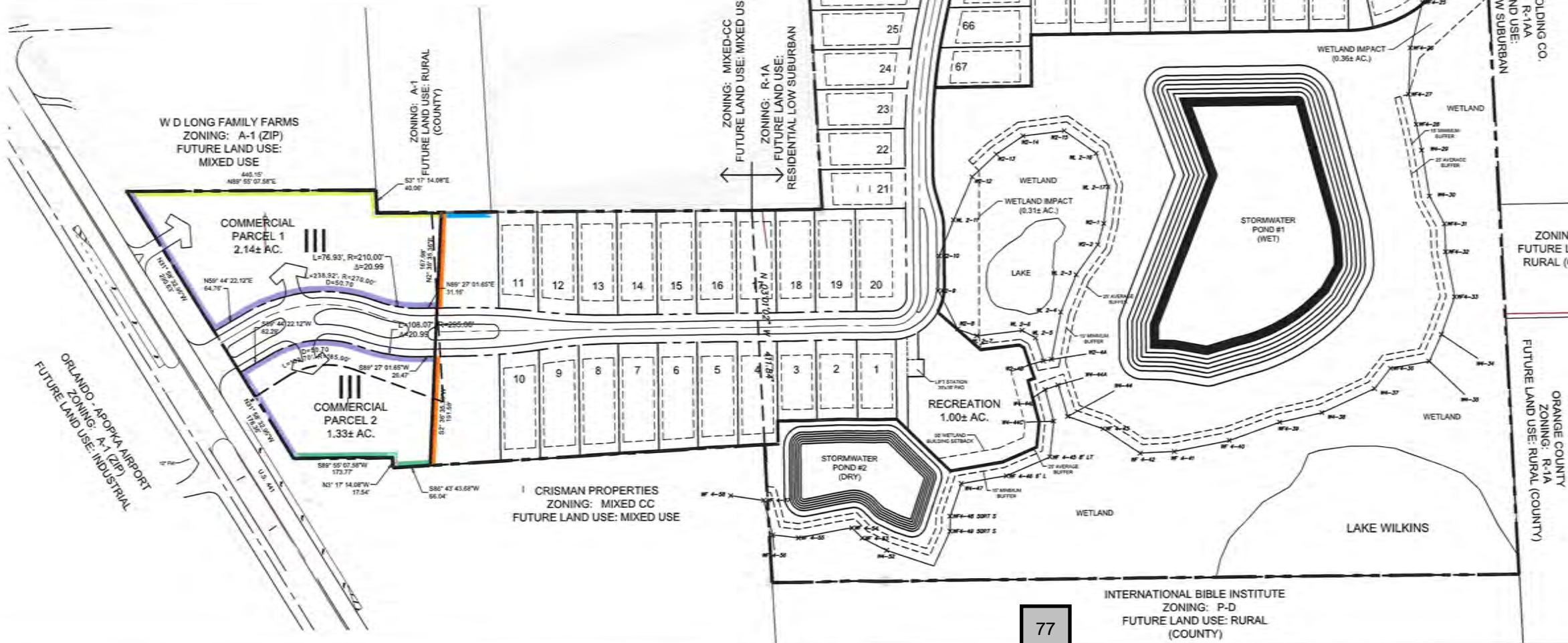
- 10' MIN. LANDSCAPE BUFFERYARD, 1 TREE/25 LF, PAVED AREAS SHALL PROVIDE A CONTINUOUS HEDGE OR BERM OR COMBINATION THEREOF.
- 10' MIN. LANDSCAPE BUFFERYARD WITH 6' HIGH MASONRY WALL
- 5' MIN. LANDSCAPE BUFFERYARD
- 5' MIN. LANDSCAPE BUFFERYARD WITH 6' HIGH BRICK, STONE OR DECORATIVE BLOCK WALL
- 10' 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	18.53	65 Units
III	Commercial	Mixed CC	PUD	3.67	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.

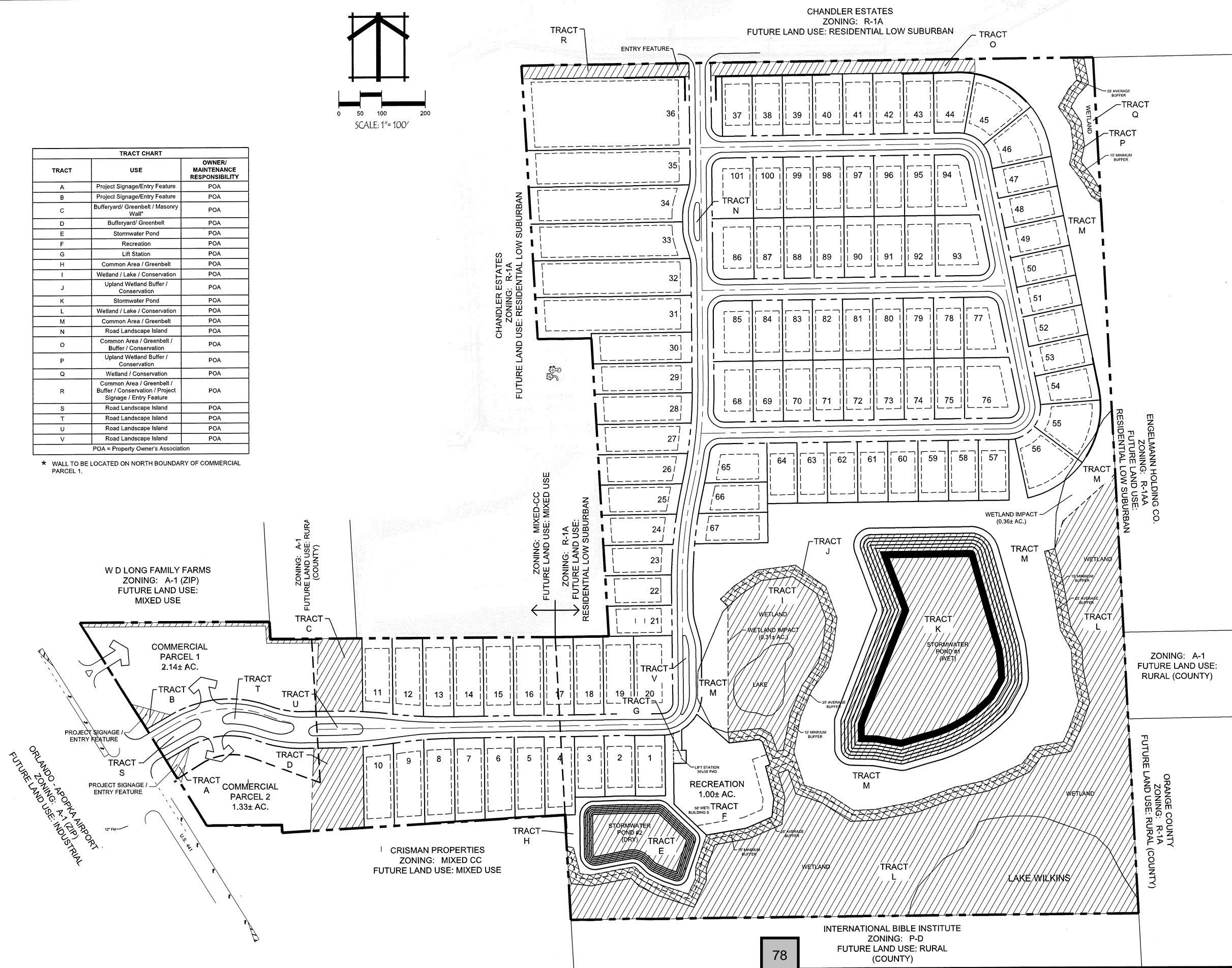


By	JE	Comments	Revision	Date
		REVISED PER 4-27-16 DRC COMMENTS		
		REVISED PER 2-10-16 DRC COMMENTS		

Designed by:	Drawn by:	Checked by:	Approved by:	Scale:	Date:	Job No.:
FNI	FNI	JEO	JEO	1" = 100'	2-1-16	MT7801

Plans Prepared By:
CPH, Inc.
 1117 E. Robinson St.
 Orlando, FL 32801
 Ph: 407.425.0432
 License#s:
 Eng. C.D.A. No. 3215
 Survey L.S. No. 7143
 Arch. Lic. No. AA2890026
 Landsc. Lic. No. LC0960239

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

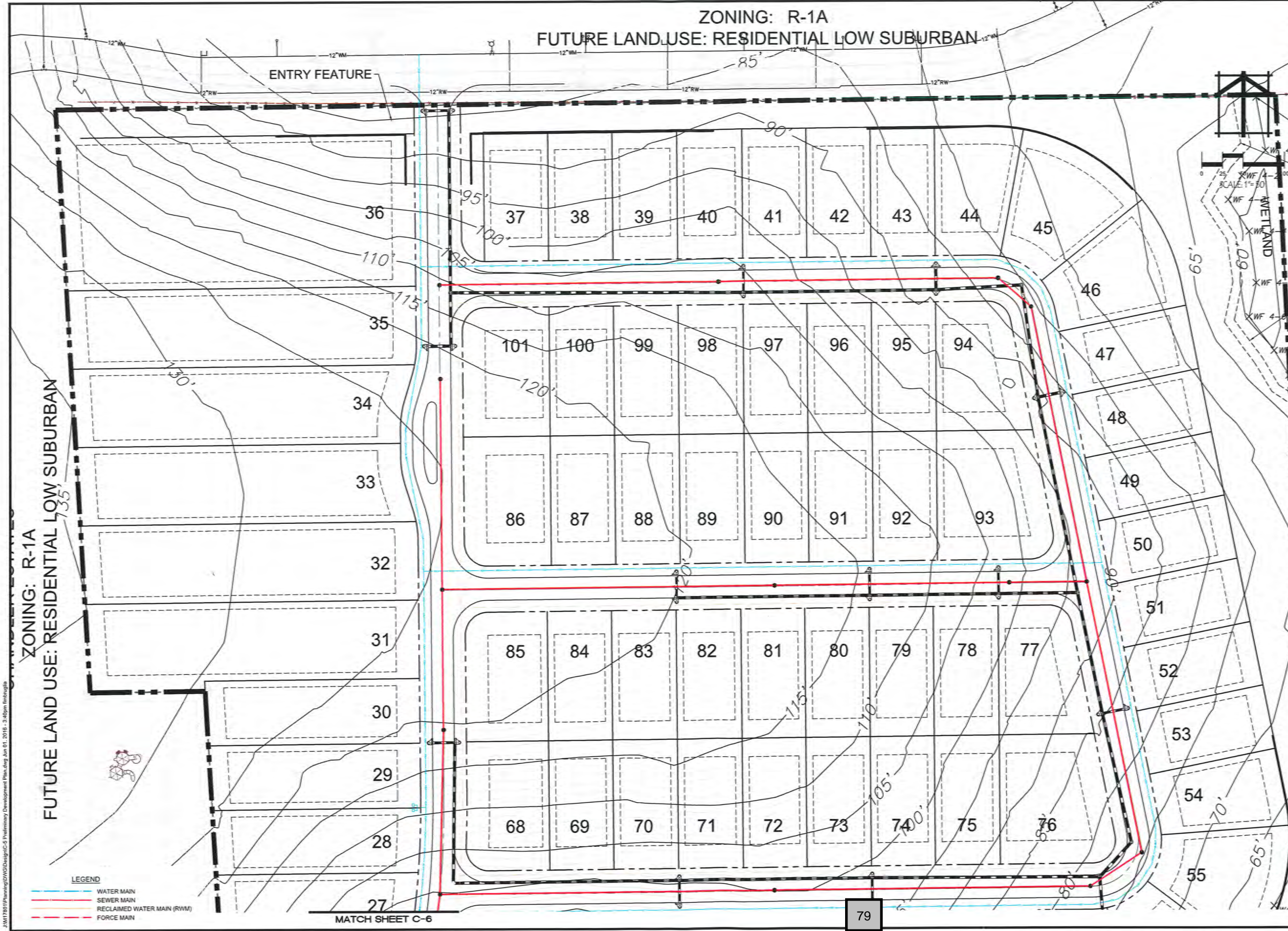


TRACT CHART		
TRACT	USE	OWNER/ MAINTENANCE RESPONSIBILITY
A	Project Signage/Entry Feature	POA
B	Project Signage/Entry Feature	POA
C	Bufferyard/ Greenbelt / Masonry Wall'	POA
D	Bufferyard/ Greenbelt	POA
E	Stormwater Pond	POA
F	Recreation	POA
G	Lift Station	POA
H	Common Area / Greenbelt	POA
I	Wetland / Lake / Conservation	POA
J	Upland Wetland Buffer / Conservation	POA
K	Stormwater Pond	POA
L	Wetland / Lake / Conservation	POA
M	Common Area / Greenbelt	POA
N	Road Landscape Island	POA
O	Common Area / Greenbelt / Buffer / Conservation	POA
P	Upland Wetland Buffer / Conservation	POA
Q	Wetland / Conservation	POA
R	Common Area / Greenbelt / Buffer / Conservation / Project Signage / Entry Feature	POA
S	Road Landscape Island	POA
T	Road Landscape Island	POA
U	Road Landscape Island	POA
V	Road Landscape Island	POA

POA = Property Owner's Association

* WALL TO BE LOCATED ON NORTH BOUNDARY OF COMMERCIAL
PARCEL 1

[illegible]



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Surveyors
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• Florida
• Puerto Rico
• Connecticut
• Maryland
• Texas

REGISTERED P.E.
REG.#

DESIGNED BY: FNI
DRAWN BY: FNI
CHECKED BY: JEO
APPROVED BY: JEO
SCALE: 1" = 100'
DATE: 2-1-16
JOB NO.: M7801
© 2016

PLANS PREPARED BY:
CPH, Inc.
1117 E. Robinson St.
Orlando, FL 32801
Ph: 407.425.5452
Licenses:
Eng. C.D.A. No. 3215
Survey L.B. No. 7143
Arch. Lic. No. AA2600926
Landscape Lic. No. LC0000298

PRELIMINARY DEVELOPMENT PLAN
UTILITIES / DRAINAGE

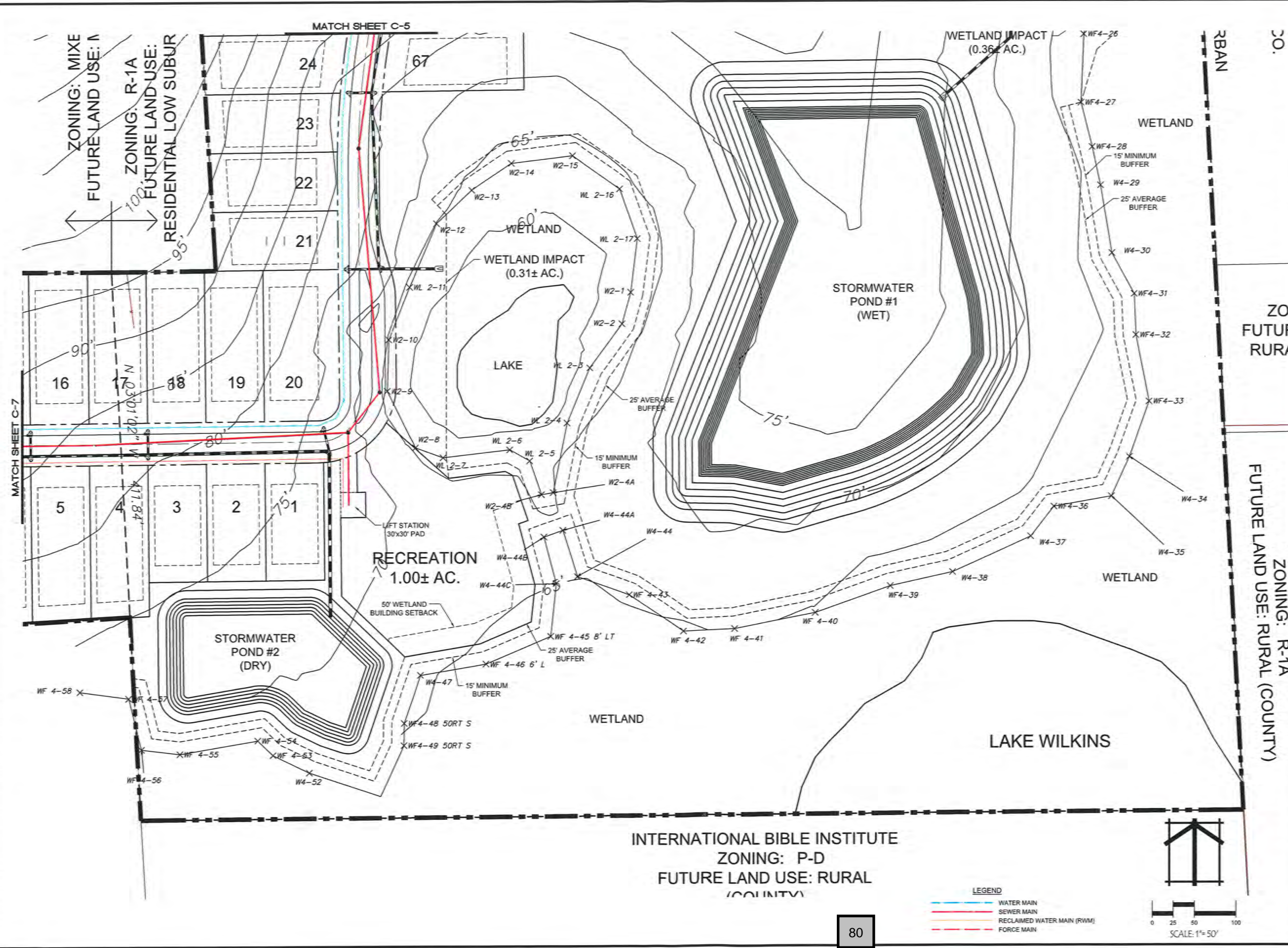
APOPKA FARMS
M.L. CARTER PROPERTY
APOPKA, FLORIDA

Sheet No.
5

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

J:\M7801\Planning\DWG\Design\CD-6 Preliminary Development Plan.dwg Jun 01, 2016 - 3:48pm fmlrjgla

J:\M1701\Planning\DWG\Design\CS-5 Preliminary Development Plan.dwg Jun 01, 2016 - 3:40pm fmbtngla



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• Connecticut
• Maryland
• Texas

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

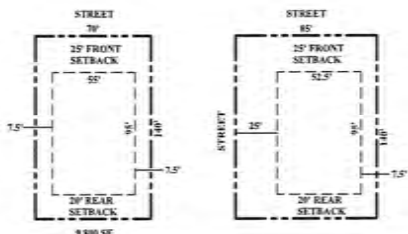
Designed by: PNI
Drawn by: FNI
Checked by: JEO
Approved by: JEO
Scale: 1" = 100'
Date: 2-1-16
Job No.: M17001
© 2016

Plans Prepared By:
CPH, Inc.
1117 E. Robinson St.
Orlando, FL 32801
Ph: 407.425.5452
Licenses:
Eng. C.D.A. No. 2215
Survey L.B. No. 7143
Arch. Lic. No. AA260926
Landscape Lic. No. LC0000259

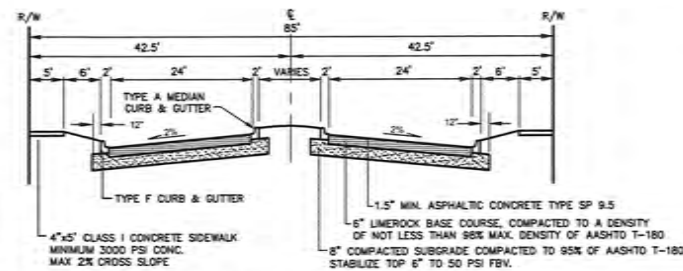
**PRELIMINARY DEVELOPMENT PLAN
UTILITIES / DRAINAGE**

APOKA FARMS
M.L. CARTER PROPERTY
APOKA, FLORIDA

Sheet No.
6

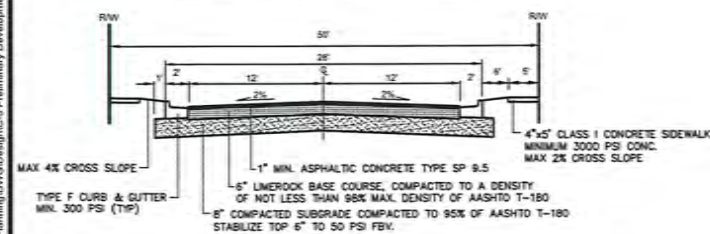


TYPICAL LOT DETAILS
NOT TO SCALE



TYPICAL ENTRANCE ROAD SECTION
NOT TO SCALE

NOTES:
1. SIDEWALKS NEXT TO NON-LOT AREAS TO BE INSTALLED AT TIME OF ROADWAY CONSTRUCTION BY THE SITE CONTRACTOR. SIDEWALKS WITHIN RESIDENTIAL LOTS TO BE CONSTRUCTED AT INDIVIDUAL LOT DEVELOPMENT BY HOMEOWNER'S BUILDER.



TYPICAL ROAD SECTION
NOT TO SCALE

ZONING: A-1
FUTURE LAND USE: RURAL
(COUNTY)

COMMERCIAL
PARCEL 1
2.14± AC.

COMMERCIAL
PARCEL 2
1.33± AC.

CRISMAN PROPERTIES
ZONING: MIXED CC
FUTURE LAND USE: MIXED USE

ENGINEER, P.E.
REG.#

Desig'n'd by:	FNI	△			
Draw'n by:	FNI	△			
Check'd by:	JEO	△			
Approved by:	JEO	△			
Scale:	1" = 100'	△			
Date:	2-1-16	△	5-31-16	REVISED PER 4-27-16 DRC COMMENTS	
Job No.:	M17801	△	4-21-16	REVISED PER 2-10-16 DRC COMMENTS	JEO
© 2016			No.	Revision	By

Plans Prepared By:
CPH, 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. AA2800925
Lndscp. Lic. No. LC0000298

PRELIMINARY DEVELOPMENT PLAN
UTILITIES / DRAINAGE

APOPKA FARMS
M.L. CARTER PROPERTY
APOPKA, FLORIDA

Sheet No.

7

Lot No.	Lot Size in SF	Lot Size in Ac	Frontage of Lot
52	9,800	0.22	70 LF
53	9,800	0.22	70 LF
54	9,800	0.22	70 LF
55	14,517	0.34	53 LF
56	14,517	0.33	53 LF
57	9,800	0.22	70 LF
58	9,800	0.22	70 LF
59	9,800	0.22	70 LF
60	9,800	0.22	70 LF
61	9,800	0.22	70 LF
62	9,800	0.22	70 LF
63	9,800	0.22	70 LF
64	9,800	0.22	70 LF
65	12,170	0.33	90 LF
66	10,665	0.29	70 LF
67	11,538	0.31	70 LF
68	12,531	0.29	90 LF
69	9,800	0.22	70 LF
70	9,800	0.22	70 LF
71	9,800	0.22	70 LF
72	9,800	0.22	70 LF
73	9,800	0.22	70 LF
74	9,800	0.22	70 LF
75	9,800	0.22	70 LF
76	16,219	0.37	125 LF
77	12,501	0.28	80 LF
78	9,800	0.22	70 LF
79	9,800	0.22	70 LF
80	9,800	0.22	70 LF
81	9,800	0.22	70 LF
82	9,800	0.22	70 LF
83	9,800	0.22	70 LF
84	9,800	0.22	70 LF
85	12,465	0.29	90 LF
86	13,165	0.3	90 LF
87	9,800	0.22	70 LF
88	9,800	0.22	70 LF
89	9,800	0.22	70 LF
90	9,800	0.22	70 LF
91	9,800	0.22	70 LF
92	9,800	0.22	70 LF
93	16,262	0.37	125 LF
94	12,544	0.29	80 LF
95	9,800	0.22	70 LF
96	9,800	0.22	70 LF
97	9,800	0.22	70 LF
98	9,800	0.22	70 LF
99	9,800	0.22	70 LF
100	9,800	0.22	70 LF
101	13,165	0.3	90 LF

PROJECT DESIGN GUIDELINES

- ## II. UTILITIES AND INFRASTRUCTURE

- A. LANDSCAPE AND IRRIGATION PLANS SHALL

- | RECREATION | |
|------------|--|
| REQUIRED | 3.6 acres per 1,000 projected population |
| | 2.6 persons per household |
| | 101 households x 2.6 persons per household = 263 persons |
| | 263 persons/1,000 proj pop x 3.6 acres = .95 ACRE |
| PROVIDED | 1.0 ACRE |

FUTURE LAND USE / ZONING / ACREAGE / DWELLING UNITS					
PARCEL ID	FUTURE LAND USE	CURRENT ZONING	PROPOSED ZONING	ACREAGE / SF	DWELLING UNITS
35-20-27-0000-00-053	Mixed Use	Mixed CC	PUD	3.28 / 142,876.8	N/A
35-20-27-0000-00-020	Mixed Use	Mixed CC	PUD	6.54 / 284,882.4	13*
35-20-27-0000-00-006	Residential Low Suburban	R1-A	PUD	57.91 / 2,522,559.6	86*
TOTAL				67.73 / 2,950,318.8	101

*The parcel line bisects lots 4 and 17. Each half was combined to equal one (1) lot.

ADJACENT FUTURE LAND USE & ZONING ¹		
	FUTURE LAND USE	ZONING
NORTH	Mixed Use/ Rural (County)/ Residential Low Suburban	A-1 /A-1 (County)/ R-1A
EAST	Residential Low Suburban/ Rural (County)	R-1AA/A-1 (County)/ R-1A (County)
SOUTH	Mixed Use/ Rural (County)	Mixed CC/PD Rural (County)
WEST	Industrial	A-1

Note:
¹ Based on overall site.

RECREATION	
REQUIRED	3.6 acres per 1,000 projected population
	2.6 persons per household
	101 households x 2.6 persons per household = 263 persons
	263 persons/1,000 proj pop x 3.6 acres = .95 ACRE
PROVIDED	1.0 ACRE

NORTH 1/4 CORNER OF SECTION 35-20-27
SE CORNER OF THE SW 1/4 OF SECTION 35-20-27
RECOVERED RAILROAD SPIKE
PER RIGHT OF WAY MAP
(SEE NOTE 8)

NORTH 1/4 CORNER OF SECTION 36-20-27
RECOVERED ROUND CONCRETE
MONUMENT NO NUMBER
PER COR #47892

GRAPHIC SCALE



LEGAL DESCRIPTION: (PER DEED)

PARCEL 1:
THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST,
ORANGE COUNTY, FLORIDA.
AND
THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY,
FLORIDA, LESS THE SOUTH 689' OF THE WEST 125' OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 36.

More particularly described as:

LEGAL DESCRIPTION (Written by Surveyor)

Beginning at the SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, SECTION 36, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, said point being the POINT OF BEGINNING; thence run N.89°27'12"E., along the South line of the SOUTH 689' OF THE WEST 125' OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, a distance of 125.15 feet; thence N.03°21'25"W., along the East line of said South 689' of the West 125', a distance of 689.83 feet, to the NORTHEAST CORNER of said South 689' of the West 125'; thence S.89°27'12"W., along the North line of said South 689' of the West 125', a distance of 125.15 feet; thence N.03°21'25"W., along the West line of the aforesaid SOUTHWEST 1/4 OF THE NORTHWEST 1/4, a distance of 632.58 feet to the NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4; thence N.89°27'12"E., along the North line of said SOUTHWEST 1/4 OF THE NORTHWEST 1/4, a distance of 1,324.49 feet to the NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4; thence S.03°07'47"E., along the East line of said SOUTHWEST 1/4 OF THE NORTHWEST 1/4, a distance of 1,322.18 feet, to the SOUTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4; thence S.02°57'34"E., along the East line of the North 1/2 of the SOUTHWEST 1/4 OF THE NORTHWEST 1/4 of the aforesaid SECTION 36, a distance of 657.81 feet, to the SOUTHEAST CORNER OF SAID NORTH 1/2; thence S.89°37'08"W., along the SOUTH LINE OF SAID NORTH 1/2, a distance of 1,318.75 feet, to the SOUTHWEST CORNER OF SAID NORTH 1/2; thence N.03°01'02"W., along the WEST LINE OF SAID NORTH 1/2, a distance of 654.03 feet to the POINT OF BEGINNING.

PARCEL 2 (EASEMENT):
TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY, AS CREATED BY THE INGRESS AND EGRESS EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 7167, PAGE 1399:
THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LYING NORTH AND EAST OF THE SEABOARD AIR LINE RAILROAD, LESS AND EXCEPT THE SOUTH 2 1/2 ACRES THEREOF; AND ALSO LESS AND EXCEPT THAT PORTION OF THE ABOVE LANDS DEEDED TO THE STATE ROAD DEPARTMENT OF THE STATE OF FLORIDA, BY VIRTUE OF QUIT CLAIM DEED RECORDED IN DEED BOOK 589, PAGE 426, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
TOGETHER WITH:
BEGIN AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN WEST 10 CHAINS; THENCE RUN SOUTH 448.89 FEET; THENCE RUN NORTHEASTERLY TO A POINT ON THE EAST LINE OF SAID SECTION 411.84 FEET SOUTH OF THE POINT OF BEGINNING; THENCE RUN NORTH TO THE POINT OF BEGINNING.
TOGETHER WITH:
THE SOUTH 40.00 FEET OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 86.00 FEET THEREOF, AND ALSO LESS AND EXCEPT ANY PORTION OF THE SUBJECT PROPERTY LYING WITHIN THE ROAD RIGHT OF WAY FOR WEST ORANGE BLOSSOM TRAIL (STATE ROAD 500M US HIGHWAY 441) ON WEST.

LEGEND

- P.O.B. = POINT OF BEGINNING
CCR = CERTIFIED CORNER RECORD
(D) = PER DEED
INV = INVERT ELEVATION
NCP = NON-REINFORCED CONCRETE PIPE
CMP = CORRUGATED METAL PIPE
D-I = DRAINAGE STRUCTURE IDENTIFICATION
CUL = UTILITY POLE
-B = GUY WIRE
-M = METER END SECTION
-W = WATER METER
-F = FIRE HYDRANT
-V = WATER VALVE
-S = S.W.
-T = TELEPHONE RISER
-E = ELECTRIC RISER
X 120.73 = SPOT ELEVATION
X 8251 = TREE NUMBER
-O/A = OVER HEAD UTILITY LINE
-U/O = UNDER GROUND UTILITY LINE
-U/T = UNDER GROUND TELEPHONE LINE
-U/W = UNDER GROUND WATER LINE
-S/S = UNDER GROUND SANITARY SEWER LINE
-X = WIRE FENCE

UNLESS NOTED OTHERWISE

SHEET INDEX

SHEET 1 OF 7 BOUNDARY INFORMATION
SHEET 2 OF 7 TOPOGRAPHY INFORMATION & BOUNDARY DETAIL
SHEET 3 OF 7 TREE SURVEY
SHEET 4 OF 7 TREE SURVEY DETAIL
SHEET 5 OF 7 TREE TABLE
SHEET 6 AND 7 OF 7 STATE ROAD 441 DATA

LINE	BEARING	LENGTH
L21	S. 89°27'12" W.	125.15
L22	N. 89°27'12" E.	125.15
L23	N. 03°21'25" W.	40.06
L24	N. 89°25'08" E.	173.77
L25	S. 03°17'14" E.	17.54

SURVEYOR'S REPORT:

- 1) Bearings are based on the North Line of the Northwest 1/4 of Section 36, being N. 89°27'09" E. The bearing of this survey was determined by a high precision GPS survey using a Leica Promark 2 receiver differentially corrected and processed using Leica Solution Software Version 2.50.
- 2) Vertical datum is based on: NOAA Benchmark Station #429 and PD 483336 elevation being 144.84' (NAVD 83), per ACS Data Sheet. All contours and elevations depicted herein are based on NAVD 83. The benchmark elevation was converted from NAVD 83 to NGVD 29 utilizing Corposon Software.
- 3) The Surveyor has not disturbed the lands shown herein for easements and/or rights of way of record.
- 4) No underground installations, foundation footings, or improvements have been located except as noted.
- 5) There may be additional restrictions that are not recorded on this survey that may be found in the public records of this county.
- 6) There is no evidence on the ground of use of the property which might suggest a possible claim of easement other than those shown on the survey.
- 7) Improvements within their specific easements have not been located as a part of this survey.
- 8) Right of way map for Section No. 7290-107 for Road No. 200, Orange County, Florida, with approved dates 4-24-97 was utilized to identify the North 1/4 corner of Section 35-20-27 depicted herein.
- 9) Drawings have been related to the bearings referenced herein. (see note 1).
- 10) The descriptions of the trees shown herein are based on the common knowledge of survey field personnel. Only basic common names are provided. In most cases, trees that appeared dead were not located. The true identifications shown herein are not warranted nor guaranteed. Any discrepancies should be referred to a professional specifically trained in the field of botany.
- 11) The topography depicted herein is per a previous survey prepared by this firm circa 2002. The topography with the boundary limits have been field verified on February 2007. The contours outside the boundary limits are per previous survey due to the fact that the neighboring property on the north and west of subject property are under construction as of date.

CERTIFICATION:

I hereby certify that the survey represented on this map was made under my direction on the date shown based on the information furnished to me as noted and conforms to the minimum technical standards for land surveying and mapping in the State of Florida in accordance with Chapter 46, Florida Administrative Code.

LAND TECH
SURVEYING & MAPPING CORP.
350 S. Central Ave., Ocala, FL 32763
P.O. Box 631992, Ocala, FL 32763
Voice (407) 365-1006
Fax (407) 365-1635
Licensed Business No. 5777

BOUNDARY & TOPOGRAPHIC SURVEY

INSITE DEVELOPERS, INC.
APOKA FARMS, LLC
ZIMMERMAN, KISER & SUTCLIFFE, P.A.
FLORIDA BANK OF COMMERCE

DATE OF FIELD WORK: 12/17/02
JOB NO: 02096
SCALE: 1" = 200'

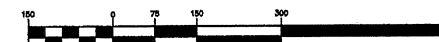
DATE OF FIELD WORK: 12/17/02
JOB NO: 02096
SCALE: 1" = 200'

REVISION: SEE REVISION BLOCK

7	2/23/07	UPDATED BOUNDARY, VERIFIED TOPOGRAPHY ADDED RIGHT OF WAY ELEVATION & LOCATION	AR
6	3/26/05	REVISED SURVEYOR'S ERROR IN LEGAL REARRANGED LEGALS AND ADDED DATE	PRB
5	3/25/05	REVISED CERTIFICATION ADDED MEETS AND BOUNDS	RUE
4	3/10/05	REVISED TO REFLECT CHANGES IN AMENDED & RESTATED TITLE COMMITMENT	DAR
3	11/15/04	ADDED STRUCTURES & FENCE EASEMENT PARCEL 2	AR
2	11/01/04	ORIGINAL DATE OF SURVEY EASEMENT PARCEL 2	AR
1	12/17/02	DATE OF ORIGINAL SURVEY PARCEL 1	AR
NO.	DATE	DESCRIPTION	BY

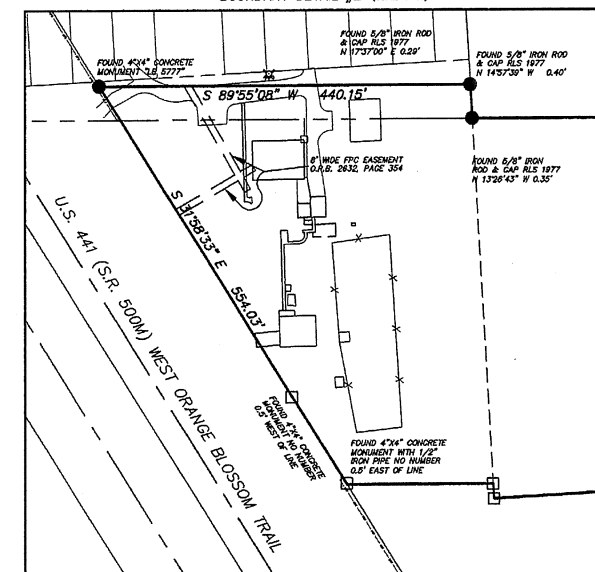


GRAPHIC SCALE



(IN FEET)
1 inch = 150 ft

BOUNDARY DETAIL #2 (SCALE 1:100)



NOT PLATTED

LEGEND

- P.O.B. = POINT OF BEGINNING
C.C.R. = CERTIFIED CORNER RECORD
(D) = PER DEED
INV = INVERT ELEVATION
RCP = REINFORCED CONCRETE PIPE
CMP = CORRUGATED METAL PIPE
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UT = UTILITY POLE
GW = GUY WIRE
M.E.S. = MITERED END SECTION
WM = WATER METER
FH = FIRE HYDRANT
SW = SLOW
WV = WATER VALVE
SI = SINK
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EL = ELECTRIC RISER
X 120.73 = SPOT ELEVATION
X 8251 = TREE NUMBER
UFO = OVER HEAD UTILITY LINE
UGFO = UNDER GROUND FIBER OPTIC
UGT = UNDER GROUND TELEPHONE LINE
WL = UNDER GROUND WATER LINE
SS = UNDER GROUND SANITARY SEWER LINE
WF = WIRE FENCE
UNLESS NOTED OTHERWISE

SURVEYOR'S REPORT:

- 1) Bearings are based on the North Line of the Northwest 1/4 of Section 36, being N 85°27'09" E. The bearing of this survey was determined by a high precision GPS survey using Jantech Promark 2 receivers differentially corrected and processed using Realtek Solution Software Version 2.55.
- 2) Vertical Datum is based on: NOAA Benchmark Designation N 438 and PIN 465305 elevation being 144.84' (NAVD 83), per HSS Data Sheet. All contours and elevations depicted herein are based on NAVD 83. The benchmark elevation was converted from NAVD 83 to NGVD 29 utilizing Copson Software.
- 3) The Surveyor has not obstructed the lands shown herein for easements and/or rights of way of record.
- 4) No underground installations, foundation footings, or improvements have been located except as noted.
- 5) There may be additional restrictions that are not shown on this survey that may be found in the public records of this county.
- 6) There is no evidence on the ground of use of the property which might suggest a possible claim of easement other than those shown on the survey.
- 7) Improvements within their specific easements have not been located as a part of this survey.
- 8) Right of way map for Section No. 35-20-37 for Road No. 800, Orange County, Florida, with approved date 4-24-57 was utilized to identify the North 1/4 corner of Section 35-20-37 depicted herein.
- 9) Structures have been related to the bearings referenced herein. (see note 1).
- 10) The descriptions of the trees shown herein are based on the common knowledge of survey field personnel. Only basic common names are provided. In most cases, trees that appeared dead were not located. The tree identifications shown herein are not warranted nor guaranteed. Any discrepancies should be referred to a professional specifically trained in the field of botany.
- 11) The topography depicted herein is per a previous survey prepared by this firm circa 2002. The topography within the boundary limits have been field verified on February 2007. The contours outside the boundary limits are per previous survey due to the fact that the neighboring property on the north and west of subject property are under construction as of date.

CERTIFICATION:

I hereby certify that the survey represented on this map was made under my direction on the date shown based on the information furnished to me as noted and conforms to the minimum technical standards for land boundaries and shown on the STATE OF FLORIDA in accordance with Chapter 119, Florida Statutes.

LAND TECH
SURVEYING & MAPPING CORP.
320 S. Central Ave., Ocala, FL 32765
P.O. Box 821892, Ocala, FL 32762
Voice (407) 305-1028
Fax (407) 305-1838
Licensed Surveyor No. 5777

BOUNDARY & TOPOGRAPHIC SURVEY

INSITE DEVELOPERS, INC.
APOPKA FARMS, LLC
ZIMMERMAN, KISER & SUTCLIFFE, P.A.
FLORIDA BANK OF COMMERCE

DATE OF FIELD SURVEY: 12/17/02
JOB NO.: 02096
FIELD BY: RB/ER
CHECKED BY: PRB
SCALE: 1" = 150'
DRAWN BY: AR

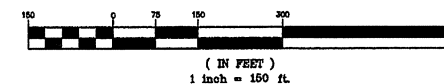
P.L. (H&A) 11/11
Professional Land Surveyor, Florida Registration No. 4702
Not valid without the signature and the original right seal of a Florida Licensed Surveyor and Mapper

7	2/23/07	UPDATED BOUNDARY, VERIFIED TOPOGRAPHY, ADDED RIGHT OF WAY, ELEVATION & LOCATION	AR
6	3/26/05	REVISED SURVEYED ERROR IN LEGAL, REARRANGED LEGALS AND ADDED DATE	PRB
5	3/25/05	ADDED MEETS AND BOUNDS	RJE
4	3/10/05	REVISED TO REFLECT CHANGES IN AMENDED & REVISED TITLE COMMITMENT	DAR
3	11/15/04	ADDED STRUCTURES & FENCE EASEMENT PARCEL 2	AR
2	11/01/04	ORIGINAL DATE OF SURVEY EASEMENT PARCEL 2	AR
1	12/17/02	DATE OF ORIGINAL SURVEY PARCEL 1	AR
NO.	DATE	DESCRIPTION	BY

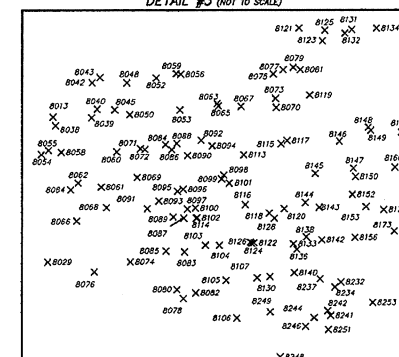
TREE SURVEY



GRAPHIC SCALE



DETAIL #3 (NOT TO SCALE)



LEGEND

- P.O.B. = POINT OF BEGINNING
C.C.R. = CENTER CORNER RECORD
(D) = DEED
INV. = INVERT ELEVATION
R.C.P. = REINFORCED CONCRETE PIPE
C.M.P. = CORRUGATED METAL PIPE
D-I = DRAINAGE STRUCTURE IDENTIFICATION
U.P. = UTILITY POLE
C.W. = CULVERT
M.E.S. = MITERED END SECTION
W.M. = WATER METER
F.H. = FIRE HYDRANT
W.V. = WATER VALVE
G.V. = GUY WIRE
P.H. = TELEPHONE RISER
E.R. = ELECTRIC RISER
X 120.73 = SPOT ELEVATION
X 8251 = TREE NUMBER
— 6" — = OVER HEAD UTILITY LINE
— LTD — = UNDER GROUND RIBS (OPTIC)
— UOT — = UNDER GROUND TELEPHONE LINE
— WL — = UNDER GROUND WATER LINE
— SS — = UNDER GROUND SANITARY SEWER LINE
— X — = WIRE FENCE

UNLESS NOTED OTHERWISE

SURVEYOR'S REPORT:

- 1) Bearings are based on the North Line of the Northeast 1/4 of Section 36, T8N R27E S10E. The bearing of this survey was determined by a high precision GPS survey using Trimble Promark 2 receivers differentially corrected and processed using AutoCAD Software Version 2.55.
- 2) Vertical Datum is based on: NAD83 Benchmark Designation H 426 and PIP ASS306 elevation being 144.84' (NAVD 83), per NGS Data Sheet. All contours and elevations depicted herein are based on NAD83. The benchmark elevation was converted from NAVD 83 to NGVD 29 utilizing Copcon Software.
- 3) The Surveyor has not conducted the joint survey herein for easements and/or rights of way of record.
- 4) No underground installations, foundation footings, or improvements have been located except as noted.
- 5) There may be additional restrictions that are not recorded on this survey that may be found in the public records of this county.
- 6) There is no evidence on the ground of use of the property which might suggest a possible claim of easement other than those shown on the survey.
- 7) Improvements within that specific easement have not been located as a part of this survey.
- 8) Right of way map for Section No. 35-20-27 for Road No. 300, Orange County, Florida, with approved date 4-24-97 was utilized to identify the North 1/4 corner of Section 35-20-27 depicted herein.
- 9) Drawings have been related to the bearings referenced herein. (see note 1).
- 10) The descriptions of the trees shown herein are based on the common knowledge of survey field personnel. Only basic common names are provided. In most cases, trees that appeared dead were not located. The tree identifications shown herein are not warranted nor guaranteed. Any discrepancies should be referred to a professional dendrologist trained in the field of botany.
- 11) The topography depicted herein is per a previous survey prepared by this firm circa 2002. The topography within the boundary limits have been field verified on February, 2007. The contours outside the boundary limits are per previous survey due to the fact that the neighboring property on the north and west of subject property are under construction as of date.

CERTIFICATION:
I hereby certify that the survey represented on this map was made under my direction on the date shown based on the information furnished to me as noted and conforms to the MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING AND MAPPING IN THE STATE OF FLORIDA as promulgated by the Florida Administrative Code.



BOUNDARY & TOPOGRAPHIC SURVEY

INSITE DEVELOPERS, INC.
APOPKA FARMS, LLC
ZIMMERMAN, KISER & SUTCLIFFE, P.A.
FLORIDA BANK OF COMMERCE

DATE OF THIS SURVEY: 12/17/02
Professional Land Surveyor: Fields Registration No. 4702
Not valid without the signature and the original seal of a Florida licensed surveyor and map.

SCALE: 1" = 150'
DRAWN BY: AR
CHECKED BY: PWB

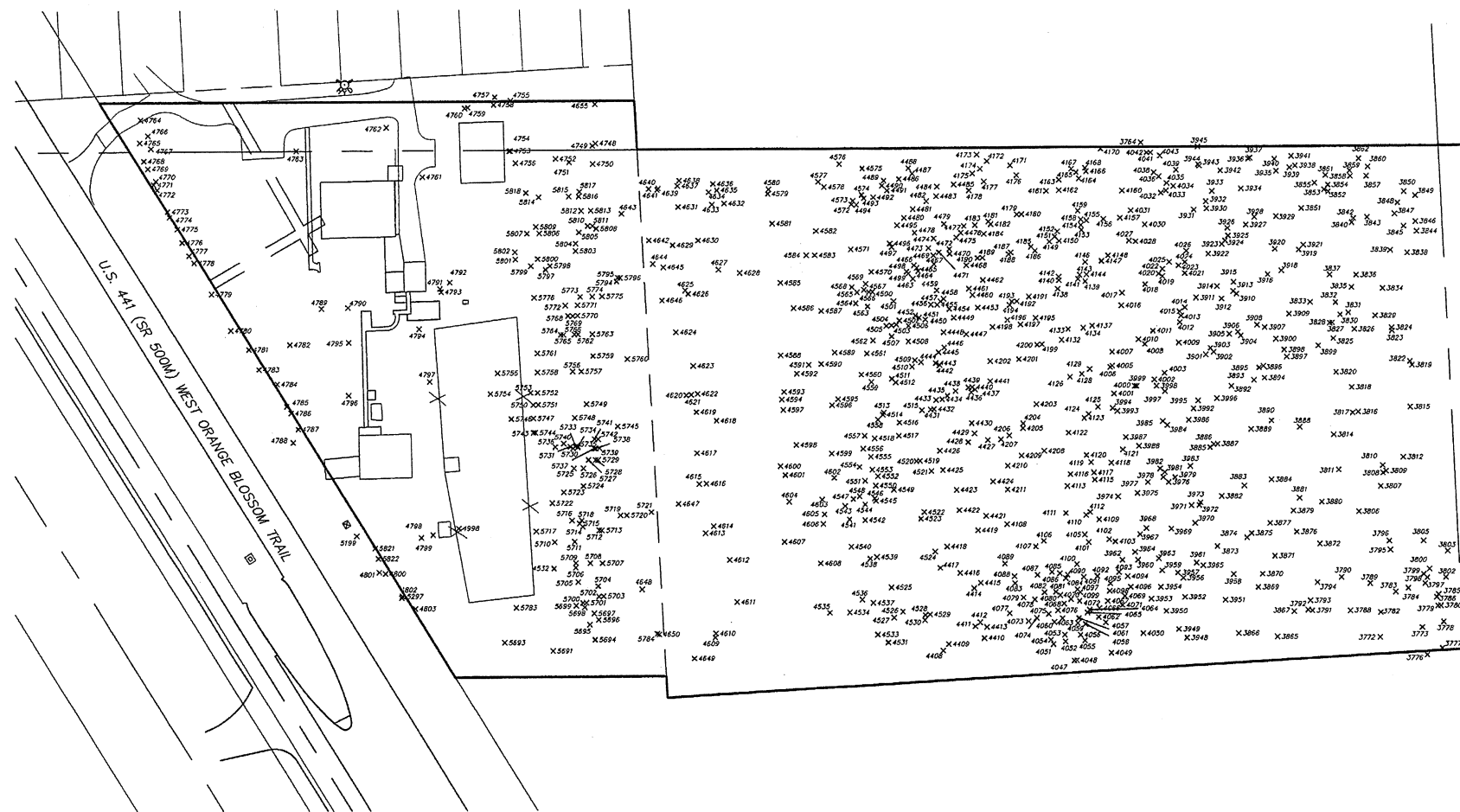
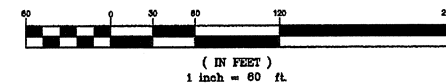
REVISIONS: SEE REVISION LOG

7	2/23/07	UPDATED BOUNDARY, VERIFIED TOPOGRAPHY	AR
6	3/26/05	ADDED RIGHT OF WAY ELEVATION & LOCATION	PRB
5	3/25/05	REVISED SURVEYORS ERROR IN LEGAL REARRANGED LEGALS AND ADDED DATE	RJE
4	3/10/05	REVISED TO REFLECT CHANGES IN AMENDED & RESTATED TITLE COMMITMENT	DAR
3	11/15/04	ADDED STRUCTURES & FENCE EASEMENT PARCEL 2	AR
2	11/01/04	ORIGINAL DATE OF SURVEY EASEMENT PARCEL 2	AR
1	12/17/02	DATE OF ORIGINAL SURVEY PARCEL 1	AR
NO.	DATE	DESCRIPTION	BY

TREE SURVEY



GRAPHIC SCALE



LEGEND

- P.O.B. = POINT OF BEGINNING
 CCR = CERTIFIED CORNER RECORD
 (D) = PER DEED
 INV = INVERT ELEVATION
 RCP = REINFORCED CONCRETE PIPE
 CMF = CORRUGATED METAL PIPE
 D-1 = DRAINAGE STRUCTURE IDENTIFICATION
 U = UTILITY POLE
 G = GUY WIRE
 M = MITERED END SECTION
 W = WATER METER
 F = FIRE HYDRANT
 V = WATER VALVE
 S = SIGN
 T = TELEPHONE RISER
 E = ELECTRIC RISER
 X 120.72 = SPOT ELEVATION
 X 8251 = TREE NUMBER
 ——— = OVER HEAD UTILITY LINE
 ——— = UNDER GROUND FIBER OPTIC
 ——— = UNDER GROUND TELEPHONE LINE
 ——— = UNDER GROUND WATER LINE
 ——— = UNDER GROUND SANITARY SEWER LINE
 ——— = WIRE FENCE

UNLESS NOTED OTHERWISE

SURVEYOR'S REPORT:

- 1) Bearings are based on the North Line of the Northwest 1/4 of Section 36, being N 89°27'09" E. The bearing of this survey was determined by a high precision GPS survey using a Leica Trimble 5600 receiver and processed using Leica Software Version 2.50.
- 2) Vertical datum is based on: NOAA Benchmark Description # 458 and PG 458006 elevation being 144.84' (4410.681) per NGS Data Sheet. All contours and elevations depicted herein are based on this datum.
- 3) The Surveyor has not obstructed the lands shown herein for easements and/or rights of way of record.
- 4) No underground installations, foundation footings, or improvements have been located except as noted.
- 5) There may be additional restrictions that are not recorded on this survey that may be found in the public records of this county.
- 6) There is no evidence on the ground of use of the property which might suggest a possible claim of easement other than those shown on the survey.
- 7) Improvements within their specific easements have not been located as a part of this survey.
- 8) Right of way map for Section No. 7002-107 for Road No. 500, Orange County, Florida, with approved date 4-24-97 was utilized to identify the North 1/4 corner of Section 36-20-27 depicted herein.
- 9) Bearings have been related to the bearings referenced herein. (see note 1).
- 10) The descriptions of the trees shown herein are based on the common knowledge of survey field personnel. Only basic common names are provided. In most cases, trees that appeared dead were not located. The tree identifications shown herein are not warranted nor guaranteed. Any discrepancies should be referred to a professional specifically trained in the field of botany.
- 11) The topography depicted herein is per a previous survey prepared by this firm circa 2002. The topography within the boundary limits have been field verified on February 2007. The contours outside the boundary limits are per previous survey due to the fact that the neighboring property on the north and west of subject property are under construction as of date.

CERTIFICATION:

I hereby certify that the survey represented on this map was made under my direction on the date shown based on the information furnished to me as noted and conforms to the MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING AND MAPPING IN THE STATE OF FLORIDA as contained within the Florida Administrative Code.

LAND TECH
 SURVEYING & MAPPING CORP.
 350 S. Central Ave., Orlando, FL 32765
 P.O. Box 621892, Orlando, FL 32762
 Phone (407) 385-1006
 Fax (407) 385-1836
 Licensed Business No. 5777

BOUNDARY & TOPOGRAPHIC SURVEY

INSITE DEVELOPERS, INC.
 APOPKA FARMS, LLC
 ZIMMERMAN, KISER & SUTCLIFFE, P.A.
 FLORIDA BANK OF COMMERCE

DATE OF FIELD SURVEY: 12/17/02
 DATE OF REPORT: 02/09/06
 DRAWN BY: AR
 CHECKED BY: PAB
 REVISION: SEE REVISION LOG

SCALE: 1" = 60'
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RECORDED COPY OF A FLORIDA LICENSED SURVEYOR'S SEAL

7	2/23/07	UPDATED BOUNDARY, VERIFIED TOPOGRAPHY	AR
6	3/26/05	ADDED RIGHT OF WAY ELEVATION & LOCATION	PRB
5	3/25/05	REVISED SURVEYORS ERROR IN LEGAL	RJE
4	3/10/05	REARRANGED LEGALS AND ADDED DATE	DAR
3	11/15/04	REVISED TO REFLECT CHANGES	AR
2	11/01/04	ADDED MEETS AND BOUNDS	AR
1	12/17/02	IN AMENDED & RESTATED TITLE COMMITMENT	AR
		ADDED STRUCTURES & FENCE	AR
		EASEMENT PARCELS 2	AR
		ORIGINAL DATE OF SURVEY	AR
		EASEMENT PARCEL 2	AR
		DATE OF ORIGINAL SURVEY PARCEL 1	AR
		DESCRIPTION	BY

TREE TABLE

[illegible]

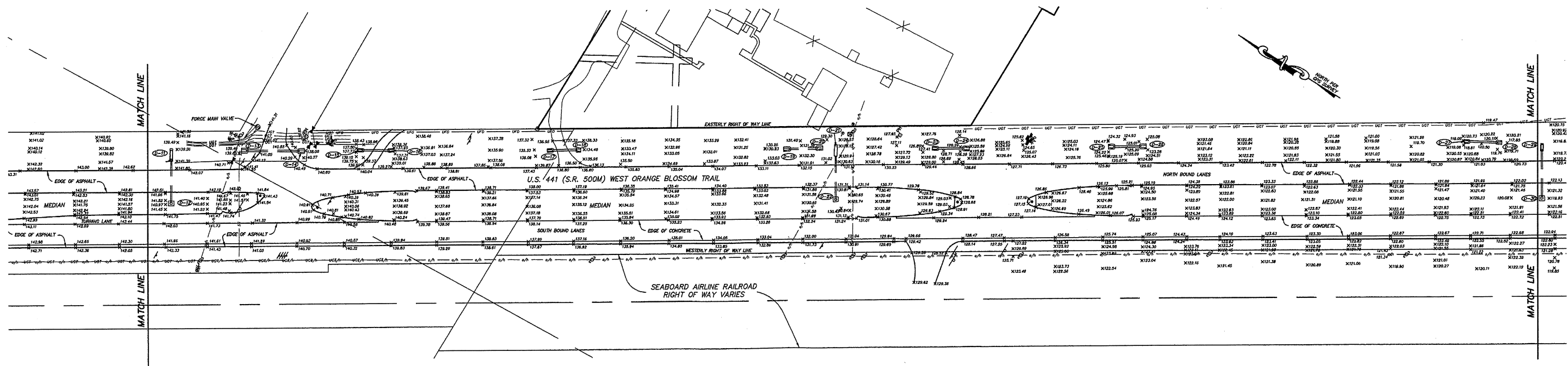
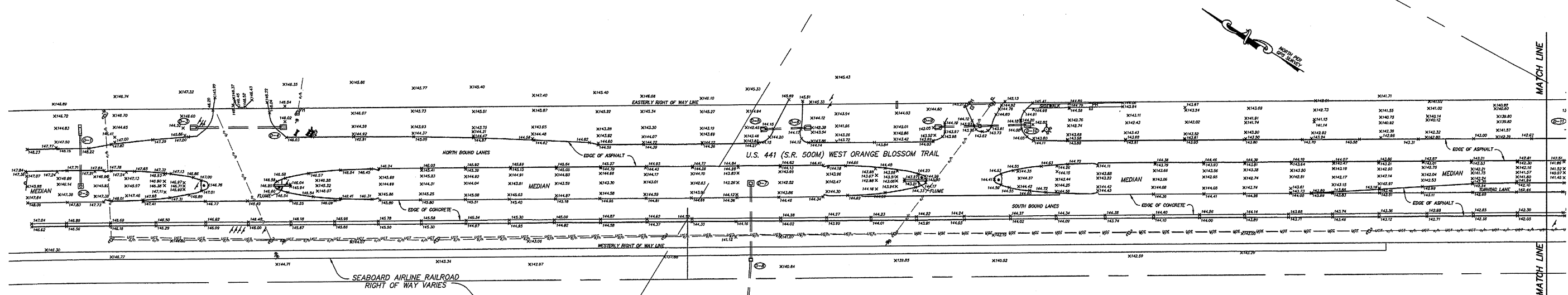
SURVEYER'S REPORT:

- 1) Bearings are based on: the North Line of the Northwest 1/4 of Section 36, being N 69°20'W and 692'00" long. The bearing of the survey was determined by a high precision GPS survey using dual frequency 2 receivers, one stationary and one moving, using Ashtech Solix Software, version 2.52.
- 2) The survey was run on the NW 1/4 of Section 36, being N 69°20'W and 692'00" long. The bearing of the survey was determined by a high precision GPS survey using dual frequency 2 receivers, one stationary and one moving, using Ashtech Solix Software, version 2.52.
- 3) The survey was run on the NW 1/4 of Section 36, being N 69°20'W and 692'00" long. The bearing of the survey was determined by a high precision GPS survey using dual frequency 2 receivers, one stationary and one moving, using Ashtech Solix Software, version 2.52.
- 4) No underground installations, foundation footings, or improvements have been located except as noted.
- 5) There may be additional restrictions that are not recorded on this survey that may be found in the public records of this county.
- 6) The survey was run on the NW 1/4 of Section 36, being N 69°20'W and 692'00" long. The bearing of the survey was determined by a high precision GPS survey using dual frequency 2 receivers, one stationary and one moving, using Ashtech Solix Software, version 2.52.
- 7) Improvements within their specific easements have not been located as a part of this survey.
- 8) The survey was run on the NW 1/4 of Section 36, being N 69°20'W and 692'00" long. The bearing of the survey was determined by a high precision GPS survey using dual frequency 2 receivers, one stationary and one moving, using Ashtech Solix Software, version 2.52.
- 9) The survey was run on the NW 1/4 of Section 36, being N 69°20'W and 692'00" long. The bearing of the survey was determined by a high precision GPS survey using dual frequency 2 receivers, one stationary and one moving, using Ashtech Solix Software, version 2.52.
- 10) The survey was run on the NW 1/4 of Section 36, being N 69°20'W and 692'00" long. The bearing of the survey was determined by a high precision GPS survey using dual frequency 2 receivers, one stationary and one moving, using Ashtech Solix Software, version 2.52.
- 11) The topography depicted herein is per a previous survey prepared by this firm circa 2000. The topography within the boundary limits have been field verified in February, 2007. The contours outside the boundary limits are per previous survey due to the fact that the neighboring property on the north is owned by a local government.

CERTIFICATION
I hereby certify that the survey reflected on this map was made under my direction on the date shown above on the information furnished to me on sworn and oaths and in accordance with the ENGINEERING STANDARDS FOR LAND SURVEYING and MAPPOING in the State of Florida in accordance with Ch.8107-A, Florida Administrative Code.

LAND TECH
SURVEYING & MAPPING CORP.
350 S. Central Ave., Ocala, FL 32765
P.O. Box 62892, Ocala, FL 32762
Phone (904) 395-1026

BOUNDARY & TOPOGRAPHIC SURVEY
PREPARED FOR:
INSITE DEVELOPERS, INC.
APOKA FARMS, LLC
CENTRAL AVENUE, KISSIMEE, FL 34706

THIS SURVEY CONSISTS OF SEVEN SHEETS
AND IS ONLY VALID IN ITS ENTIRETY

- LEGEND**
- P.O.B. = POINT OF BEGINNING
 - COR = CORNER RECORD
 - (D) = PER DEED
 - INV = INVERT ELEVATION
 - ROP = REINFORCED CONCRETE PIPE
 - CMP = CORRUGATED METAL PIPE
 - D- = DRAINAGE STRUCTURE IDENTIFICATION
 - U = UTILITY POLE
 - B = GUY WIRE
 - W = WITNESSED END SECTION
 - W = WATER METER
 - W = FIRE HYDRANT
 - W = WATER VALVE
 - S = SIGN
 - T = TELEPHONE RISER
 - E = ELECTRIC RISER
 - X 120.73 = SPOT ELEVATION
 - X 6201 = TREE NUMBER
 - = OVER HEAD UTILITY LINE
 - = UNDER GROUND FIBER OPTIC
 - = UNDER GROUND TELEPHONE LINE
 - = UNDER GROUND WATER LINE
 - = UNDER GROUND SANITARY SEWER LINE
 - = WIRE FENCE

UNLESS NOTED OTHERWISE

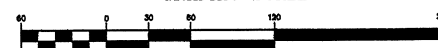
NO.	DATE	DESCRIPTION	BY
7	2/23/07	UPDATED BOUNDARY, VERIFIED TOPOGRAPHY	AR
6	3/26/05	ADDED RIGHT OF WAY ELEVATION & LOCATION	PRB
5	3/25/05	REMOVED SURVEY ERROR IN LEGAL REARRANGED LEGALS AND ADDED DATE	PRB
4	3/10/05	REMOVED CERTIFICATION	DAR
3	11/15/04	ADDED METES AND BOUNDS	AR
2	11/01/04	ORIGINAL DATE OF SURVEY	AR
1	12/17/02	DATE OF ORIGINAL SURVEY PARCEL 1	AR

SURVEYOR'S REPORT:

- 1) Bearings are based on the North Line of the Northwest 1/4 of Section 36, being N 89°27'09" E. The bearing of this survey was determined by a high precision GPS survey using Ashtech Promark 2 receivers differentially corrected and processed using Ashtech Solution Software Version 2.50.
- 2) Vertical Datum is based on: NOAA Benchmark Designation W 429 and P10 AB5306 elevation being 144.04' (NAVD 83), per P10 Data Sheet. All contours and elevations depicted herein are based on NAVD 83. The benchmark elevation was converted from NAVD 83 to MVD 28 utilizing Copcon Software.
- 3) The Surveyor has not obstructed the lands shown herein for easements and/or rights of way of record.
- 4) No underground installations, foundation footings, or improvements have been located except as noted.
- 5) There may be additional restrictions that are not recorded on this survey that may be found in the public records of this county.
- 6) There is no evidence on the ground of use of the property which might suggest a possible claim of easement other than those shown on the survey.
- 7) Improvements within their specific easements have not been located as a part of this survey.
- 8) Right of way map for Section No. 7502-107 for Road No. 500, Orange County, Florida, with approved date 4-24-97 was utilized to identify the North 1/4 corner of Section 36-50-27 depicted herein.
- 9) Bearings have been related based on the common knowledge of survey field personnel. Only basic common names are provided. In most cases, lines that appear to be the same are not warranted nor guaranteed. Any discrepancies should be referred to a professional.
- 10) The topography depicted herein was not taken as a part of this survey.
- 11) The topography depicted herein was taken on or about 2002. The topography within the boundary limits have been field boundary limits are per previous survey due to the fact that the neighboring property on the north and west of subject property is

88

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

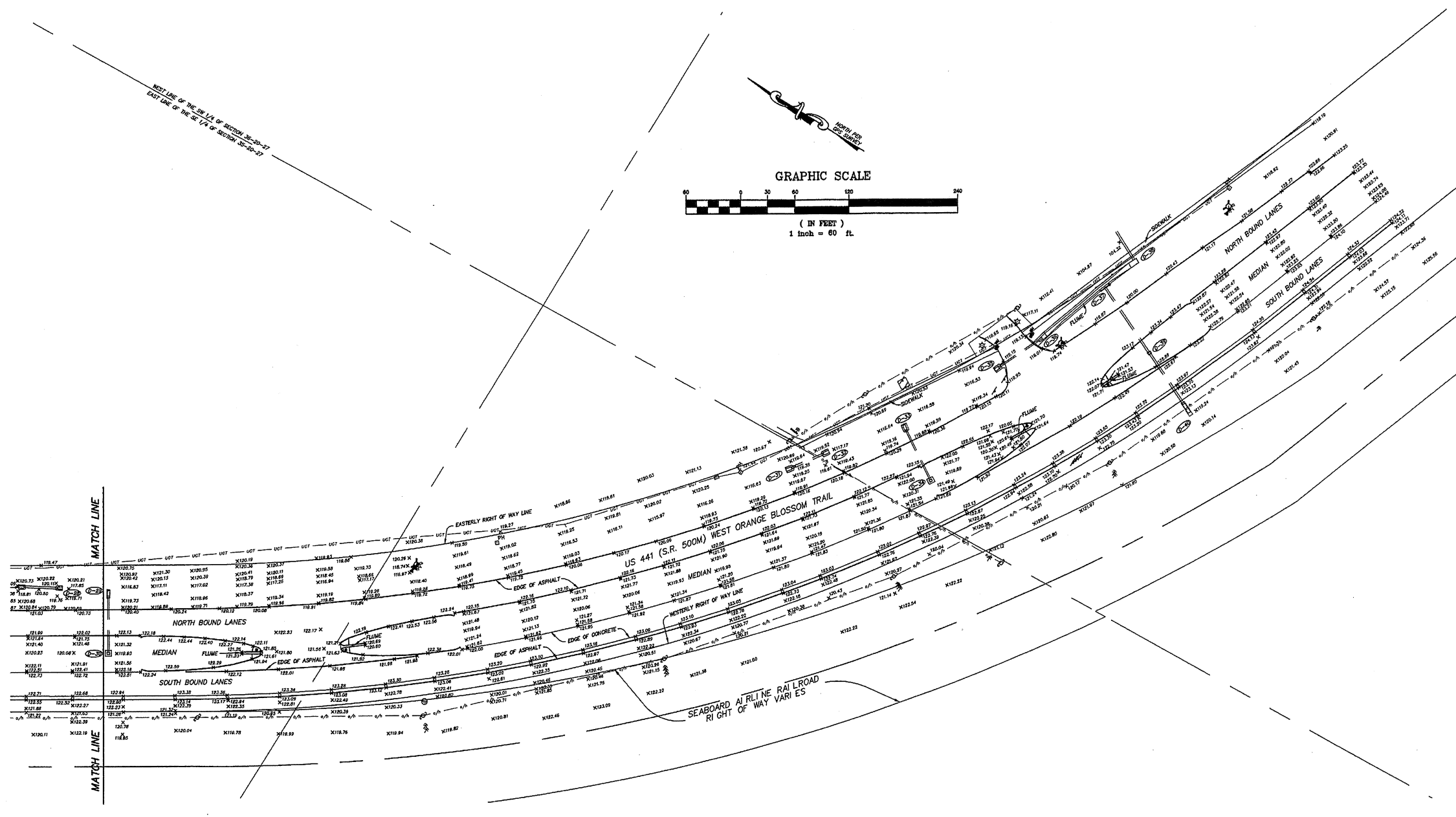
INSITE DEVELOPERS, INC.
SURVEYING & MAPPING CORP.
300 S. Central Ave., Suite 100
P.O. Box 61892, Orlando, FL 32762
Voice (407) 365-1036
Fax (407) 365-1838
Licensee Business No. 5777

BOUNDARY & TOPOGRAPHIC SURVEY

INSITE DEVELOPERS, INC.
APOPKA FARMS, LLC
ZIMMERMAN, KISER & SUTCLIFFE, P.A.
FLORIDA BANK OF COMMERCE

DATE OF FIELD SURVEY: 12/17/02
SCALE: 1" = 60'
DRAWN BY: AR
CHECKED BY: PRB

02096



NUMBER	ELEVATION	SIZE/TYPE
D-1	INLET TOP = 145.19' SW INV = 143.95'	18" RCP
D-2	INLET TOP = 145.46' NE INV = 143.59'	18" RCP
D-3	MITERED END SECTION INV = 143.53'	24" RCP
D-4	MITERED END SECTION INV = 143.53'	24" RCP
D-5	MITERED END SECTION INV = 141.71'	18" CMP
D-6	MITERED END SECTION INV = 141.65'	18" CMP
D-7	INLET TOP = 142.25' SW INV = 139.63'	24" RCP
D-8	INLET TOP = 139.30' NE INV = 135.16' SW INV = 135.13'	24" RCP 24" RCP
D-9	MITERED END SECTION INV = 141.21'	18" CMP
D-10	MITERED END SECTION INV = 141.17'	18" CMP
D-11	MITERED END SECTION INV = 138.74'	15" RCP
D-12	INLET TOP = 141.09' NE INV = 139.40'	15" RCP
D-13	MITERED END SECTION INV = 137.69'	24" CMP
D-14	MITERED END SECTION INV = 137.69'	24" CMP
D-15	MITERED END SECTION INV = 136.71'	24" CMP
D-16	MITERED END SECTION INV = 136.34'	24" CMP
D-17	MITERED END SECTION INV = 134.18'	24" CMP
D-18	MITERED END SECTION INV = 133.49'	24" CMP
D-19	MITERED END SECTION INV = 128.68'	24" CMP
D-20	MITERED END SECTION INV = 128.29'	24" CMP
D-21	INLET TOP = 128.91' SW INV = 127.85'	18" RCP
D-22	INLET TOP = 129.67' NE INV = 127.66'	18" RCP
D-23	MITERED END SECTION INV = 125.66'	24" CMP
D-24	MITERED END SECTION INV = 125.34'	24" CMP
D-25	MITERED END SECTION INV = 122.77'	24" CMP
D-26	MITERED END SECTION INV = 122.39'	24" CMP
D-27	MITERED END SECTION INV = 117.61'	24" CMP
D-28	MITERED END SECTION INV = 117.61'	24" CMP
D-29	INLET TOP = 118.64' SW INV = 117.04'	18" RCP
D-30	INLET TOP = 119.96' NE INV = 117.44'	18" RCP
D-31	MITERED END SECTION INV = 116.38'	24" CMP
D-32	MITERED END SECTION INV = 116.22'	24" CMP
D-33	MITERED END SECTION INV = 116.32'	18" RCP
D-34	INLET TOP = 120.07' NE INV = 116.74'	18" RCP
D-35	MITERED END SECTION INV = 116.05'	18" RCP
D-36	MITERED END SECTION INV = 114.56'	18" RCP
D-37	HEADWALL INV = 108.58'	24" RCP
D-38	INLET TOP = 109.72' NE INV = 105.24' NW INV = 108.37'	24" RCP FLUME
D-39	INLET TOP = 121.02' NE INV = 113.94' SW INV = 114.04'	24" RCP
D-40	MITERED END SECTION NE INV = 118.45'	24" RCP

LEGEND

- P.O.B. = POINT OF BEGINNING
CCR = CORNER RECORD
(D) = PER DEED
INV = INVERT ELEVATION
RCP = REINFORCED CONCRETE PIPE
CMP = CORRUGATED METAL PIPE
ID = DRAINAGE STRUCTURE IDENTIFICATION
UT = UTILITY POLE
W = WATER METER
M = METERED END SECTION
X 120.73 = SPOT ELEVATION
X 8251 = TREE NUMBER
PH = OVER HEAD UTILITY LINE
EL = UNDER GROUND FIBER OPTIC
W = UNDER GROUND TELEPHONE LINE
W = UNDER GROUND SANITARY SEWER LINE
W = WIRE FENCE

UNLESS NOTED OTHERWISE

SURVEYOR'S REPORT:

- 1) Bearings are based on the North Line of the Northwest 1/4 of Section 35, being N 89°27'09" E. The bearing of this survey was determined by a high precision GPS survey using Jantek Trimble 2 receivers differentially corrected and processed using AutoCAD Software Version 2.5.0.
- 2) Vertical Curves are based on the 100' M.A. Benchmarks in 429 and PD 485306 elevation being 144.84' (NAD 83), per NGS Data Sheet. All contours and elevations depicted herein are based on NAD 83. The benchmark elevation was converted from NAD 83 to NAD 29 utilizing Corposon Software.
- 3) The Surveyor has not disturbed the lands shown herein for easements and/or rights of way of record.
- 4) No underground installations, foundation footings, or improvements have been located except as noted.
- 5) There may be additional restrictions that are not recorded on this survey that may be found in the public records of this county.
- 6) There is no evidence on the ground of use of the property which might suggest a possible claim of easement other than those shown on the survey.
- 7) Improvements within their specific easements have not been located as a part of this survey.
- 8) Right of way map for Section No. 7202-107 for Road No. 800, Orange County, Florida, with approved date 4-24-97 was utilized to identify the North 1/4 corner of Section 35-20-57 depicted herein.
- 9) Drainage have been related to the bearings referenced herein. (See note 1).
- 10) The descriptions of the trees shown herein are based on the common knowledge of survey field personnel. Only basic common names are provided. In most cases, trees that appeared dead were not located. The tree identifications shown herein are not warranted nor guaranteed. Any discrepancies should be referred to a professional specifically located in the field of botany.
- 11) The topography depicted herein is per a previous survey prepared by this firm since 2000. The topography within the boundary limits have been field verified on February, 2002. The contours outside the boundary limits are per previous survey due to the fact that the neighboring property on the north and west of subject property are under construction as of date.

CERTIFICATION:
I hereby certify that the survey represented on this map was made under my direction on the date shown based on the information furnished to me as noted and conforms to the MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING AND MAPPING IN THE STATE OF FLORIDA in accordance with CHAPTER 17, Florida Administrative Code.

LAND TECH
SURVEYING & MAPPING CORP.
300 S. Central Ave., Orlando, FL 32765
P.O. Box 61862, Ocala, FL 32762
Voice (407) 385-1026
Fax (407) 385-1026
License Number: 5777

BOUNDARY & TOPOGRAPHIC SURVEY

INSITE DEVELOPERS, INC.
APOKA FARMS, LLC
ZIMMERMAN, KISER & SUTCLIFFE, P.A.
FLORIDA BANK OF COMMERCE

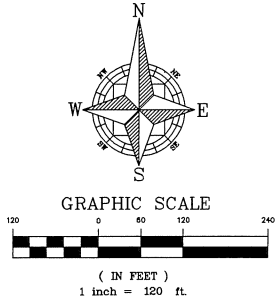
DATE OF FIELD SURVEY: 12/17/02
SCALE: 1" = 60'
DRAWN BY: AR
CHECKED BY: PRB
REVIEWED BY: ROBERT BLOOM

NO.	DATE	DESCRIPTION	BY
7	2/23/07	UPDATED BOUNDARY, VERIFIED TOPOGRAPHY, ADDED RIGHT OF WAY ELEVATION & LOCATION	AR
6	3/26/05	REVISED SURVEYORS ERROR IN LEGAL REARRANGED LEGALS AND ADDED DATE	PRB
5	3/25/05	ADDED CERTIFICATION	RJE
4	3/10/05	REVISED TO REFLECT CHANGES IN AMENDED & RESTATED TITLE COMMITMENT	DAR
3	11/15/04	ADDED STRUCTURES & FENCE EASEMENT PARCEL 2	AR
2	11/01/04	ORIGINAL DATE OF SURVEY EASEMENT PARCEL 2	AR
1	12/17/02	DATE OF ORIGINAL SURVEY PARCEL 1	AR

LANDSCAPING NOTES:

1. LANDSCAPE, IRRIGATION AND HARDSCAPE PLANS SHALL BE SUBMITTED AS PART OF THE FINAL DEVELOPMENT PLAN AND SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF APOPKA'S LAND DEVELOPMENT CODE ARTICEL V AND WATER-WISE ORDINANCE #2069.
2. ALL REASONABLE AND PRACTICAL MEASURES SHALL BE TAKEN TO PRESERVE 24"± SPECIMEN TREES LOCATED OUTSIDE OF BUILDING PADS AND RIGHT-OF-WAY. TREE MITIGATION PLAN TO BE PROVIDED AT FINAL DEVELOPMENT PLAN.
3. STREET TREES TO BE PLANTED IN EASEMENT TO BE SHOWN ON FINAL PLAT. SAID EASEMENT TO BE LOCATED BEHIND THE UTILITY EASEMENT IN FRONT OF EACH LOT.
4. PER LAND DEVELOPMENT CODE ARTICLE V, A TREE REMOVAL AND REPLACEMENT PLAN IS REQUIRED, SAID PLAN(S) ARE TO BE SUBMITTED AS PART OF THE FINAL DEVELOPMENT PLAN SUBMITTAL. NO ENGINEERING AND/OR SITE PLAN APPROVAL SHALL BE GRANTED BY THE CITY OF APOPKA UNLESS THIS CONDITION IS SATISFIED.
5. LANDSCAPE PALETTE/THEME IS TO BE ESTABLISHED AT FINAL DEVELOPMENT PLAN. LANDSCAPE SHALL INCORPORATE NATIVE VEGETATION TO MAXIMUM EXTENT POSSIBLE.
6. ALL BUFFER WALLS SHALL BE LOCATED IN SEPARATE TRACT (TO BE DEPICTED ON FINAL PLAT) AND MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION OR SIMILAR ENTITY.
7. LANDSCAPE BUFFERS AND OPEN SPACE AREAS TO BE PLACED IN TRACTS TO BE DEPICTED ON FINAL PLAT.
8. DETAILS OF BUFFER WALLS, SIGNAGE AND OTHER HARDSCAPE FEATURES TO BE PROVIDED AT FINAL DEVELOPMENT PLAN.
9. STYLE OF STREET LIGHT POLES AND FIXTURES TO BE PROVIDED AT FINAL DEVELOPMENT PLAN AND TO BE DETERMINED BY ARCHITECTURAL THEME.
10. DECORATIVE RESIDENTIAL COMMUNITY SIGN WITH LANDSCAPE IS TO BE LOCATED AT EACH PROJECT ENTRANCE.
11. CONSIDERATION SHALL BE GIVEN TO MAINTAIN EXISTING NATURAL VEGETATION TO THE GREATEST EXTENT POSSIBLE ALONG THE NORTHERN PORTION OF THE SITE ADJACENT TO CHANDLER ESTATES. THIS AREA WILL BE PLACED IN A TRACT TO BE MAINTAINED AND PROTECTED BY THE PROPERTY OWNER'S ASSOCIATION OR SIMILAR ENTITY.
12. DEVELOPER TO INSTALL ALL STREET TREES AND LANDSCAPE MATERIAL IN COMMON AREAS WITH PHASE 1. STREET TREES WITHIN LOT AREAS TO BE INSTALLED WITH HOUSING CONSTRUCTION. NO TREES ARE TO BE LOCATED IN UTILITY AND STORMWATER EASEMENTS, EXCEPT AS SHOW ON FINAL DEVELOPMENT PLANS.
13. TREES SIZES ARE TAKEN FROM A 2007 SURVEY FROM LAND TECH SURVEYING AND MAPPING CORP. AN UPDATED TREE SURVEY WILL BE PROVIDED AT FINAL DEVELOPMENT PLAN
14. TRACTS H & M LANDSCAPING WILL BE SHOWN ON FINAL DEVELOPMENT PLAN.
15. TOTAL REPLACEMENT TREES TO BE DETERMINED WITH UPDATED TREE SURVEY AT FINAL DEVELOPMENT PLAN.

LINE TABLE		
LINE	BEARING	LENGTH
L22	N 89°27'12" E	125.1500
L23	N 03°17'14" W	400.63
L24	N 89°55'08" E	440.15
L25	S 86°43'44" W	657.51



NOT PLATTED

NOT PLATTED

LAKE WILKINS

IBI GROUP (FLORIDA) INC.

ENGINEERS ARCHITECTS SURVEYORS PLANNERS
LANDSCAPE ARCHITECTS ENVIRONMENTAL CONSULTANTS
2300 WATLAND CENTER PARKWAY SUITE 100
MAITLAND, FL 32751
(407) 880-2120
POMPAHO BEACH
ORLANDO

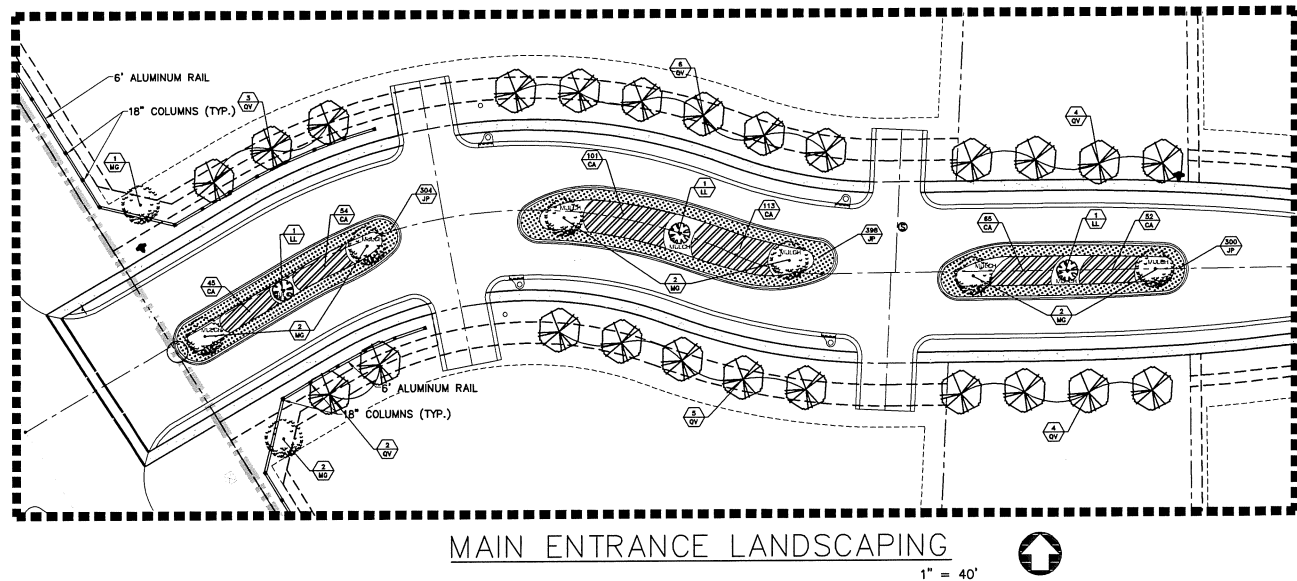
OVERALL PRELIMINARY LANDSCAPING PLAN
PRELIMINARY DEVELOPMENT PLAN

APOPKA FARMS
CITY OF APOPKA, FLORIDA

SCALE	DRAWN	DESIGNED	CHECKED	DATE
1" = 120'	G. SANCHEZ	L. CLASSON	R. WOHLFARTH	5/26/2016
PROJECT	100505			
SHEET	PL-1			

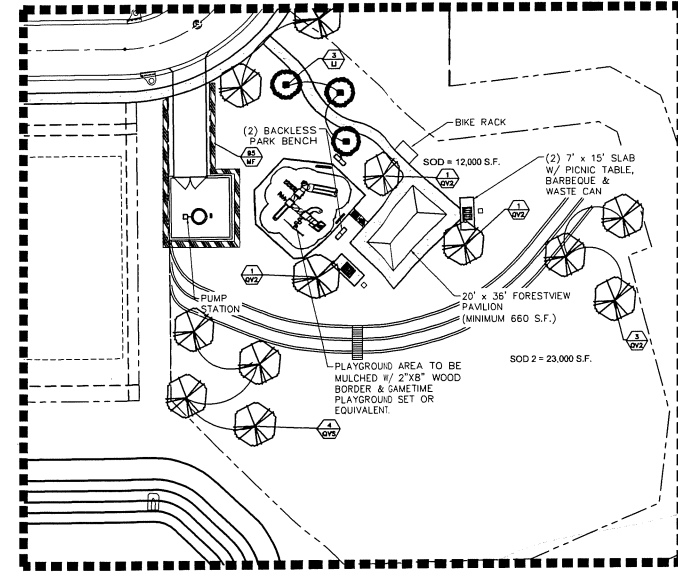
IBI GROUP
FLORIDA ENGINEERING
BUSINESS NO. 2966

C:\Users\debra.hernandez\Downloads\Windmill Ranch - Mattland\ Preliminary Landscaping Plan.dwg Modified: 5/26/2016 By: debra.hernandez



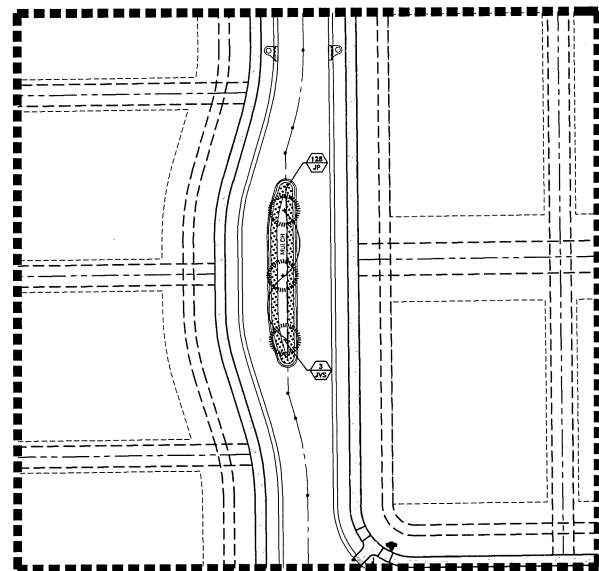
MAIN ENTRANCE LANDSCAPING

1" = 40'



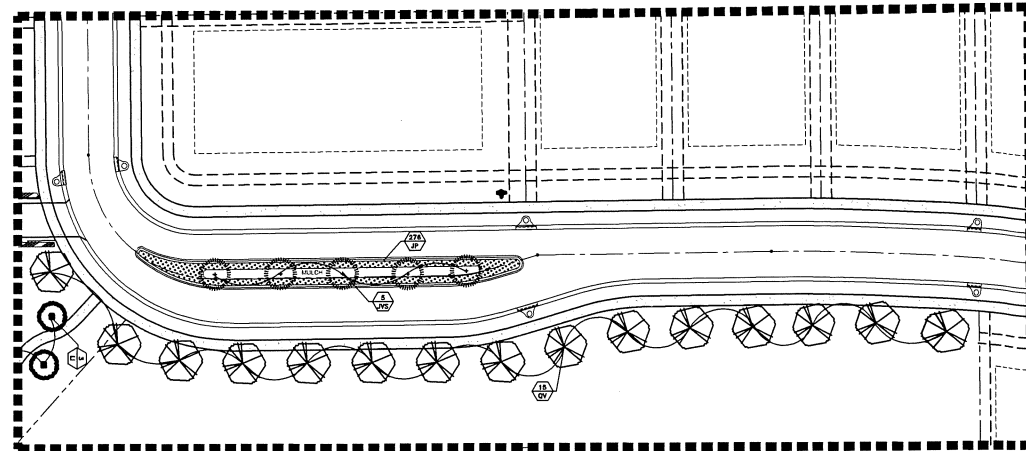
PARK/RECREATION LANDSCAPING

1" = 40'



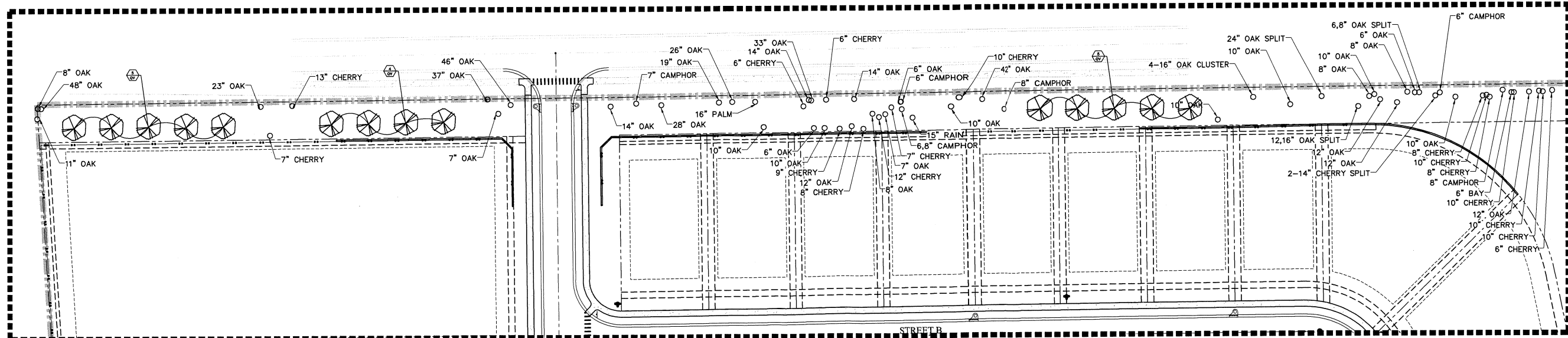
TRAFFIC MEDIAN LANDSCAPING

1" = 40'



TRAFFIC MEDIAN LANDSCAPING

1" = 40'



ENTRANCE LANDSCAPING

1" = 40'

Apopka Farms PLANT MATERIALS LIST

Hardiness Zone 9b

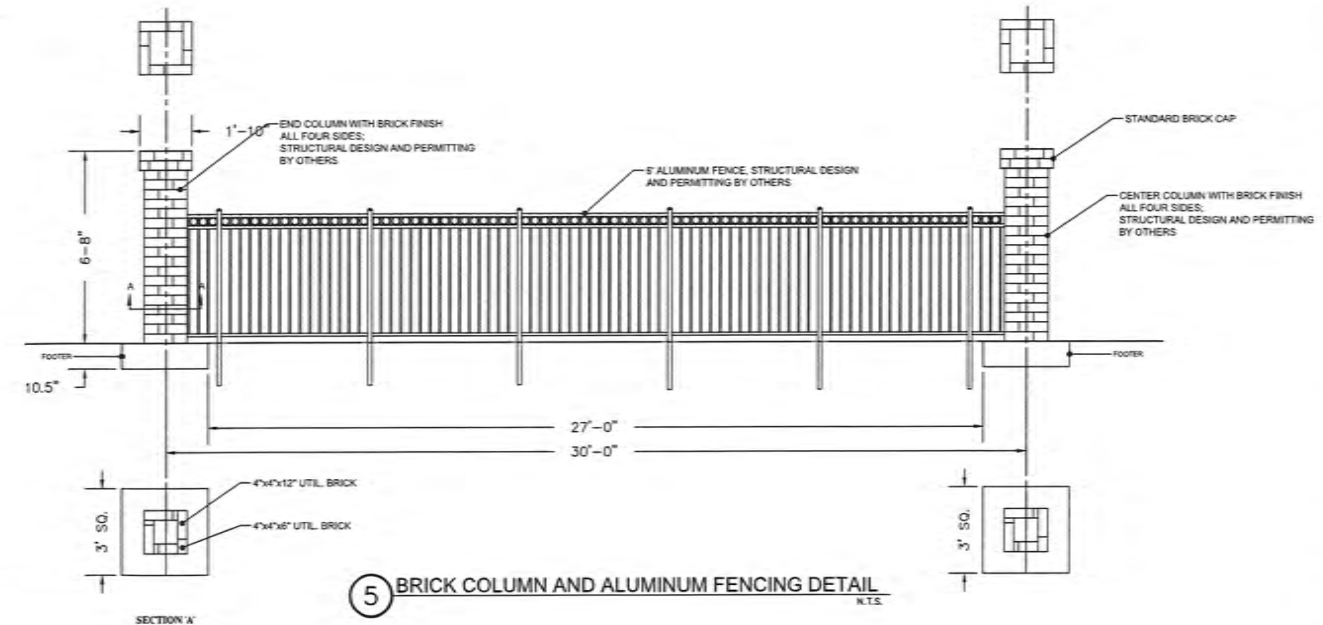
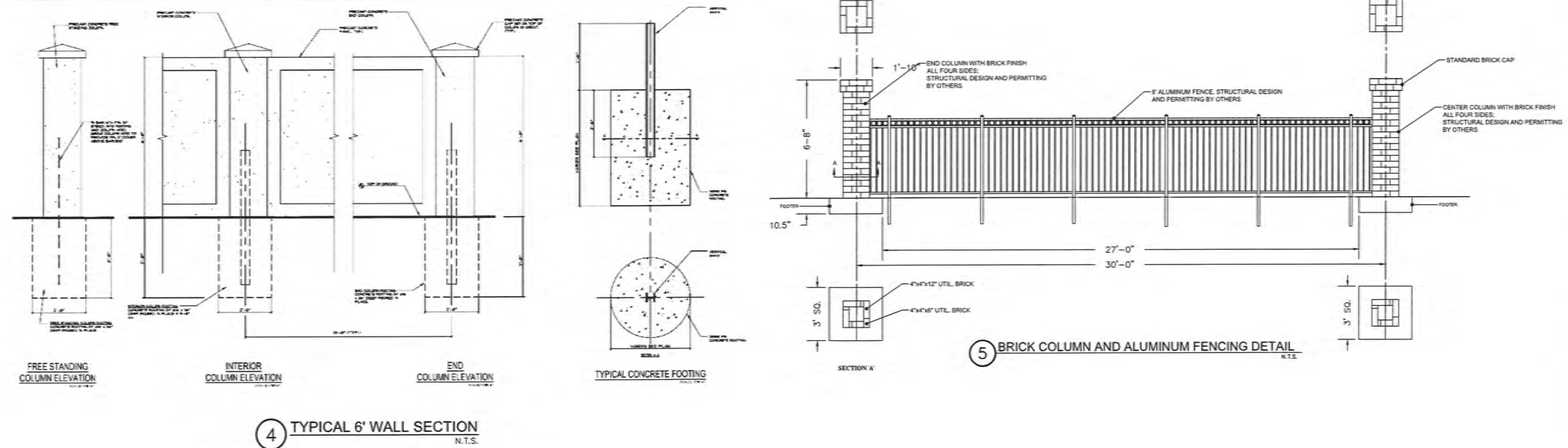
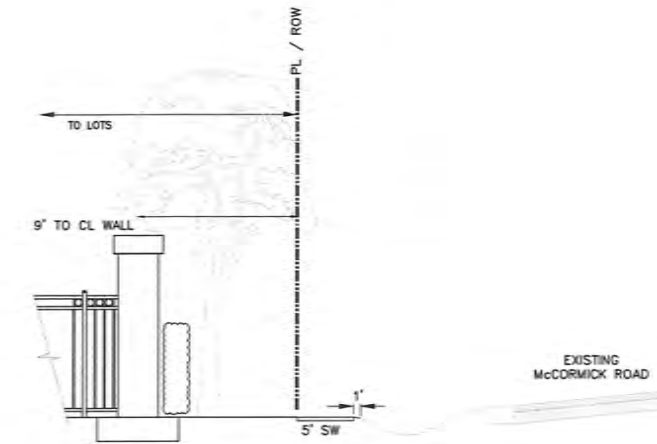
Native plants and ecological communities as determined by the FDOACS, UFIFAS, FDEP-Florida Land Use Cover Classification System. Xeriscape principles as determined by the South Florida Water Management District "Waterwise" Xeriscape Plant Guide. Compliance for planting adjacent to overhead electrical wires as determined by Florida Power & Light Administrative Services.

Key	Scientific Name	Common Name	Native	Xen	Height x Spread / Description	Spacing	Qty	SUBT
LARGE TREES								
greater than 30 ft. at maturity								
QV	Quercus virginiana	Live Oak	Yes	High	Mn. 14' high, min. 2-1/2" cal., 4-1/2' CT., field grown	per plan	53	
QV2	Quercus virginiana	Live Oak	Yes	High	Mn. 16' - 18' high, min. 4" cal., 4-1/2' CT., field grown			
JVS	Juniperus virginiana stricta	Southern Red Cedar	Yes	High	14' high x 6' spread, 2-1/2" cal., 3' CT., field grown	per plan	8	
MG	Magnolia grandiflora "D.D. Blanchard"	Southern Magnolia "D.D. Blanchard"	Yes	Mod.	Mn. 14' high, min. 2-1/2" cal., 4-1/2' CT., field grown	per plan	8	68
SMALL TREES								
less than 20 ft. at maturity								
LI	Lagerstroemia indica "Natchez"	Crepe Myrtle - white	No	High	10' high x 6' spread, multi-trunk (3-4 trunks max.) 3' CT, field grown or container	per plan	3	
LL	Ligustrum lucidum	Glossy Privet	No	High	10' high x 6' spread, multi-trunk (3-4 trunks max.) 3' CT, field grown or container	per plan	3	6
SHRUBS								
JP	Juniperus horizontalis "wiltoni"	Blue Rug Juniper	No	High	12" Oa spread, full, 1 gal.	24" OC	1,406	
MF	Myrsine fragrans	Simpson's Slopper	Yes	High	36" high x 20" spread, full to base, 7 gal.	30" OC	76	
CA	Calliandra americana	Beautyberry	Yes	High	24" Oa, full to base, 7 gal.	30" OC	436	1,912
SOD								
SOD	Stenotaphrum secundatum	St. Augustine	N/A	N/A	full, thick sod base, no yellowing	per s.f.	12,000	
SOD2	Paspalum notatum	Bahia Grass	N/A	N/A		per s.f.	23,000	
							Total	1,987
							Total Native Plants	145
							Native % of Total	7.3%
							Total Drought Tolerant Plants	1,987
							Drought Tol. % of Total	100.0%

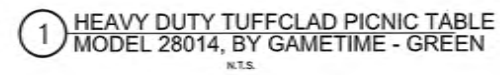
NOTE: ALL AREAS INDICATED FOR SOD SHALL BE REINSTALLED WITH ST. AUGUSTINE "FLORITAM" SOD UNLESS ALTERNATE NOTED.

NOTE: ALL PLANTS SHALL BE INSTALLED AT SIZE INDICATED UNDER THE SPECIFICATIONS. CONTAINER SIZE LISTED IS FOR REFERENCE OR ESTIMATING ONLY.

IBI GROUP (FLORIDA) INC.				PLANNERS				DATE				DESCRIPTION			
http://www.ibigroup.com				SURVEYORS				REV.							
ENGINEERS				LANDSCAPE ARCHITECTS				ENVIRONMENTAL CONSULTANTS							
2300 MATLAND CENTER PARKWAY				SUITE 100				POMPAHO BEACH, FL 33064							
(407) 660-2120															
ORLANDO				POMPAHO BEACH											
PRELIMINARY LANDSCAPING PLAN												APOPKA FARMS			
PRELIMINARY DEVELOPMENT PLAN												CITY OF APOPKA, FLORIDA			
DRAWN: O. SANCHEZ				DESIGNED: L. CLASON				CHECKED: R. WOHLFARTH				DATE: 5/26/2016			
SCALE: N.T.S.				PROJECT: 100505				SHEET: PL-2							
IBI GROUP												FLORIDA ENGINEERING BUSINESS NO. 2966			

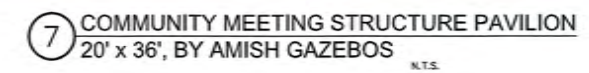
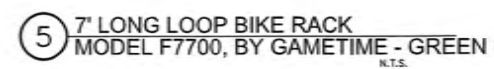
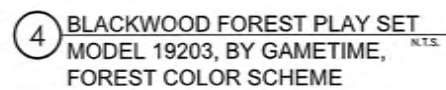


<div>IBI GROUP</div> <div>FLORIDA ENGINEERING BUSINESS NO. 2966</div>	SCALE	DRAWN: O. SANCHEZ	PRELIMINARY LANDSCAPING DETAILS PRELIMINARY DEVELOPMENT PLAN	IBI GROUP (FLORIDA) INC. http://www.ibigroup.com ENGINEERS LANDSCAPE ARCHITECTS SURVICTORS PLANNERS ENVIRONMENTAL CONSULTANTS	2500 MITLAND CENTER HWYWAY SUITE 101 MITLAND PARK, FLORIDA, 33064 (407) 660-1210	2500 PARK CENTRAL BLVD. N. SUITE 100 POMPANO BEACH, FLORIDA, 33064 (954) 974-2200	ORLANDO POMPANO BEACH	REV.	DATE	DESCRIPTION	BY
	N.T.S.	DESIGNED: L. CLASSON									
	PROJECT	CHECKED: R. WOHLFARTH									
	100505	DATE: 5/26/2016									
	SHEET										
	PL-3										

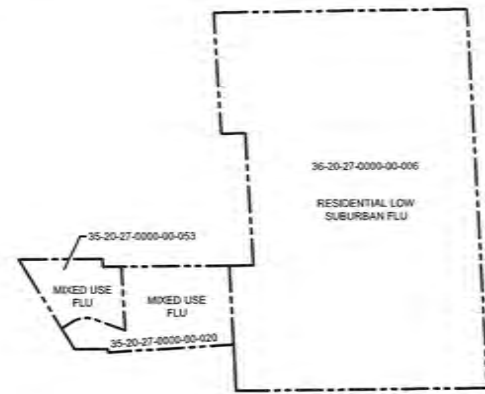


FOREST

Swing	Bridge
Slide	Platform
Beam	Beam
Beam	Beam

A 3D rendering of a playground set. It features a green metal frame with two slides, one on the left and one on the right. A bridge structure is in the center, and there are several horizontal beams. The set is shown in a perspective view.

<div><div><div>IBI GROUP</div><div>FLORIDA ENGINEERING BUSINESS NO. 2966</div></div></div>	SCALE: N.T.S.	DRAWN: O. SANCHEZ	PRELIMINARY LANDSCAPING DETAILS PRELIMINARY DEVELOPMENT PLAN	IBI GROUP (FLORIDA) INC. http://www.ibigroup.com ENGINEERS SURVEYORS PLANNERS LANDSCAPE ARCHITECTS ENVIRONMENTAL CONSULTANTS	2300 WATLAND CENTER PARKWAY SUITE 101 WATLAND, FLORIDA, 32291 (407) 689-5110	2320 PARK CENTRAL BLVD. N. SUITE 100 POMPANO BEACH, FLORIDA 33064 (954) 914-2200	ORLANDO POMPANO BEACH	DATE	REV	DESCRIPTION	BY
	PROJECT 100505	DESIGNED: L. GLASSON									
	SHEET PL-4	DATE: 5/28/2016	APOPKA FARMS CITY OF APOPKA, FLORIDA								



KEY MAP / FUTURE LAND USE

N.T.S.

PROJECT NOTES

PARCEL ID #S: 35-20-27-0000-00-005, 35-20-27-0000-00-006, 35-20-27-0000-00-007, 35-20-27-0000-00-008
 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 (DUPLICATE RESIDENTIAL UNITS ARE NOT PERMITTED)
 TOTAL SITE AREA: 67.73 AC.

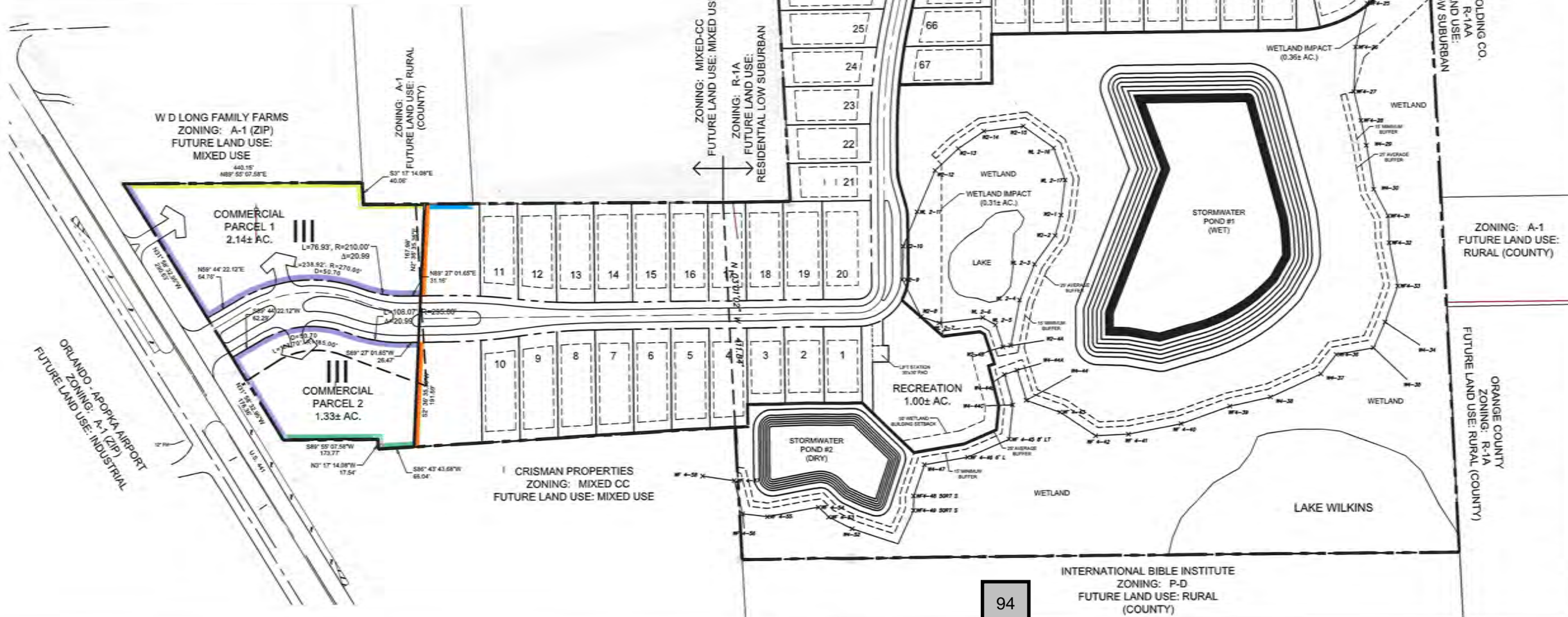
LEGEND

- 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.

PHASE	USE	CURRENT ZONING	PROPOSED ZONING	AREA (AC)	UNITS/BLDG SF
I	Single Family Residential	Mixed CC / R-1A	PUD	18.99	36 Units
II	Recreation	R-1A	PUD	1.00	TBD
III	Single Family Residential	R-1A	PUD	18.93	65 Units
IV	Commercial	Mixed CC	PUD	3.47	45,545 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.





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Surveyors
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- Florida
- Puerto Rico
- Connecticut
- Maryland
- Texas

Revision		Date	By
1	REVISED PER 4-27-16 DRC COMMENTS	4-27-16	JEO
2	REVISED PER 2-10-16 DRC COMMENTS	2-10-16	JEO
3	REVISED PER 2-10-16 DRC COMMENTS	2-10-16	JEO
4	REVISED PER 2-10-16 DRC COMMENTS	2-10-16	JEO
5	REVISED PER 2-10-16 DRC COMMENTS	2-10-16	JEO
6	REVISED PER 2-10-16 DRC COMMENTS	2-10-16	JEO
7	REVISED PER 2-10-16 DRC COMMENTS	2-10-16	JEO
8	REVISED PER 2-10-16 DRC COMMENTS	2-10-16	JEO
9	REVISED PER 2-10-16 DRC COMMENTS	2-10-16	JEO
10	REVISED PER 2-10-16 DRC COMMENTS	2-10-16	JEO

Designed by: JEO
 Drawn by: JEO
 Checked by: JEO
 Approved by: JEO
 Scale: 1" = 100'
 Date: 2-10-16
 Job No.: 117801
 © 2016

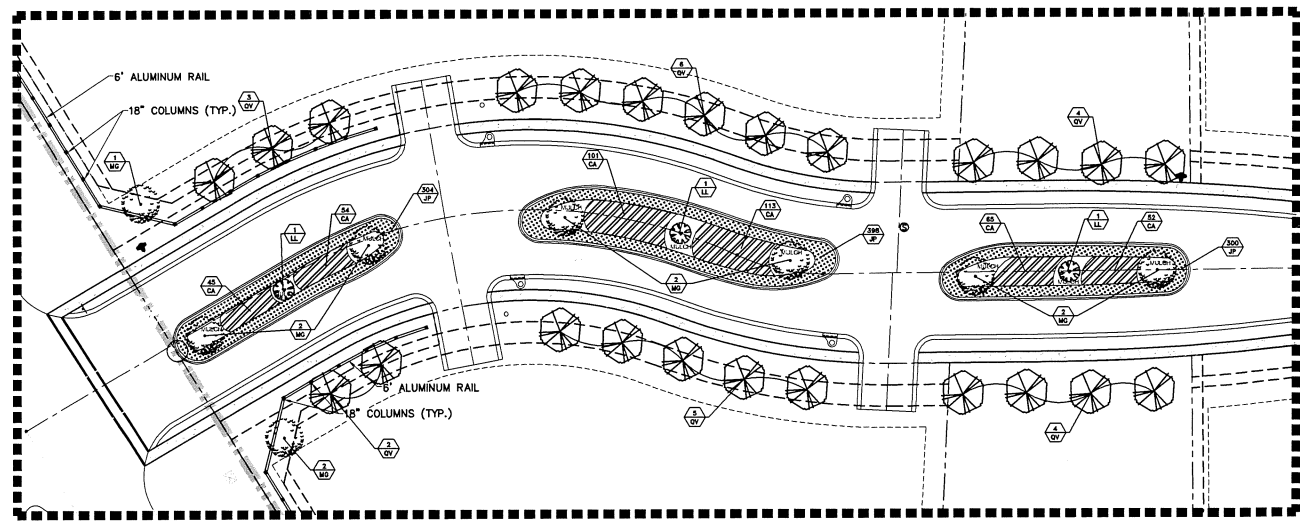
Plans Prepared By:
CPH, Inc.
 1117 E. Robinson St.
 Orlando, FL 32801
 Ph: 407.425.9455
 Licenses:
 Eng. C.O.A. No. 2215
 Survey L.S. No. 7143
 Arch. Lic. No. AA2600256
 Landscape Lic. No. LC0900256

PUD REZONE - MASTER PLAN

APOKA FARMS
M.L. CARTER PROPERTY
APOKA, FLORIDA

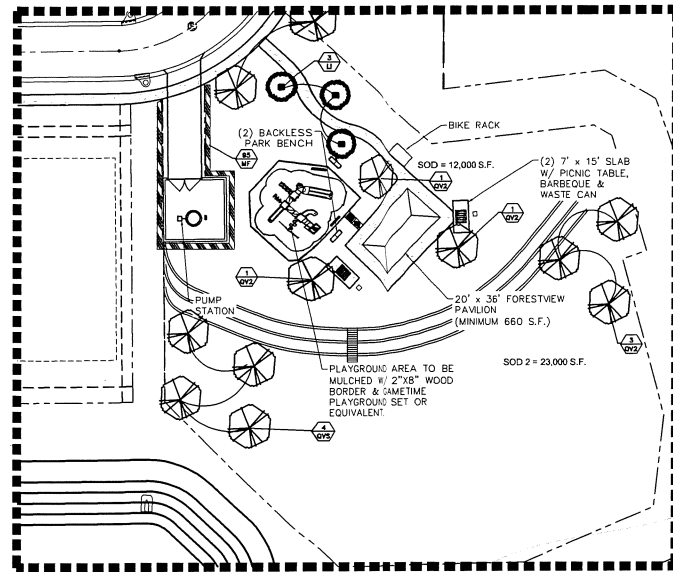
Sheet No.

3



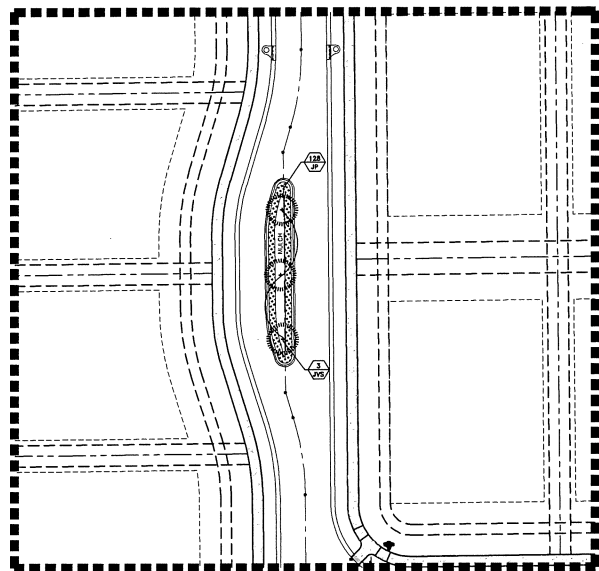
MAIN ENTRANCE LANDSCAPING

1" = 40'



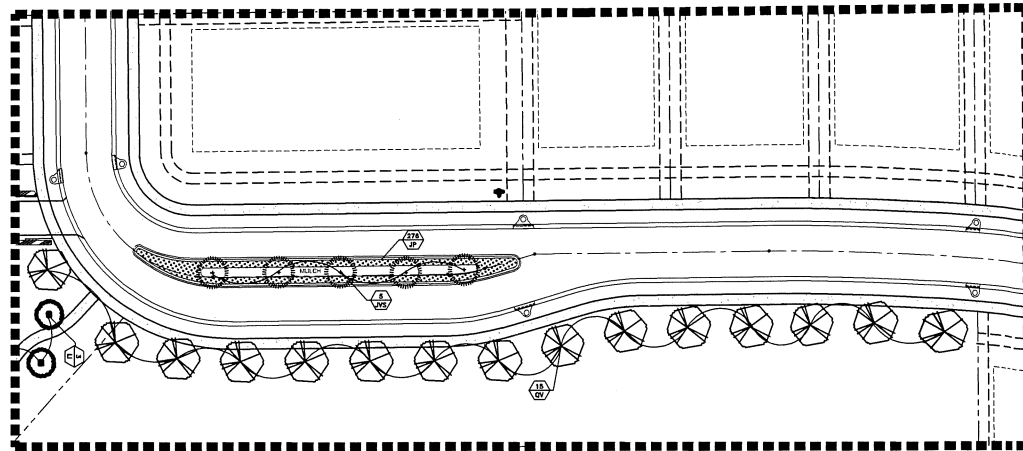
PARK/RECREATION LANDSCAPING

1" = 40'



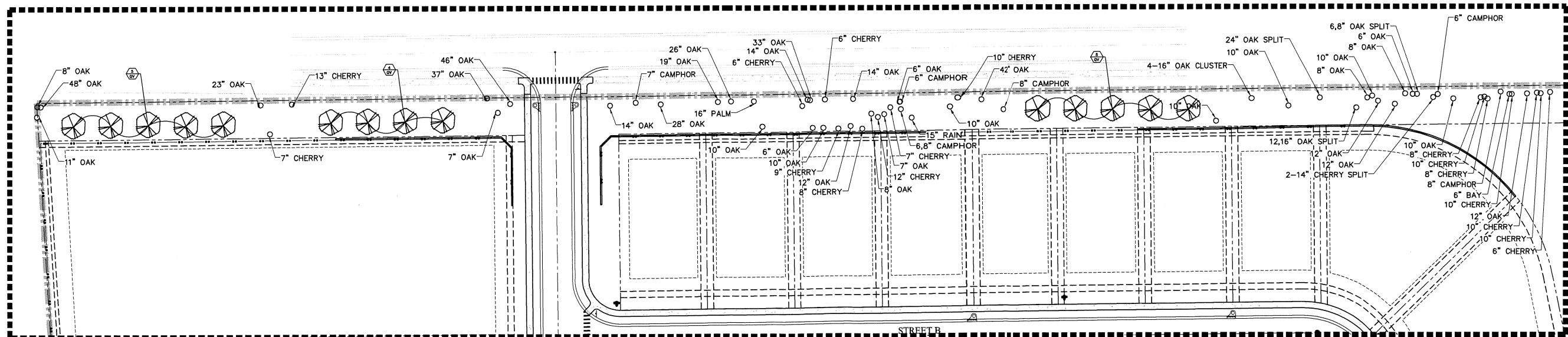
TRAFFIC MEDIAN LANDSCAPING

1" = 40'



TRAFFIC MEDIAN LANDSCAPING

1" = 40'



ENTRANCE LANDSCAPING

1" = 40'



Apopka Farms PLANT MATERIALS LIST

Hardiness Zone 9b

Native plants and ecological communities as determined by the FDOACS, UF/IFAS, FDEP-Florida Land Use Cover Classification System.
Xeriscape principles as determined by the South Florida Water Management District "Waterwise" Xeriscape Plant Guide.
Compliance for planting adjacent to overhead electrical wires as determined by Florida Power & Light Administrative Services.

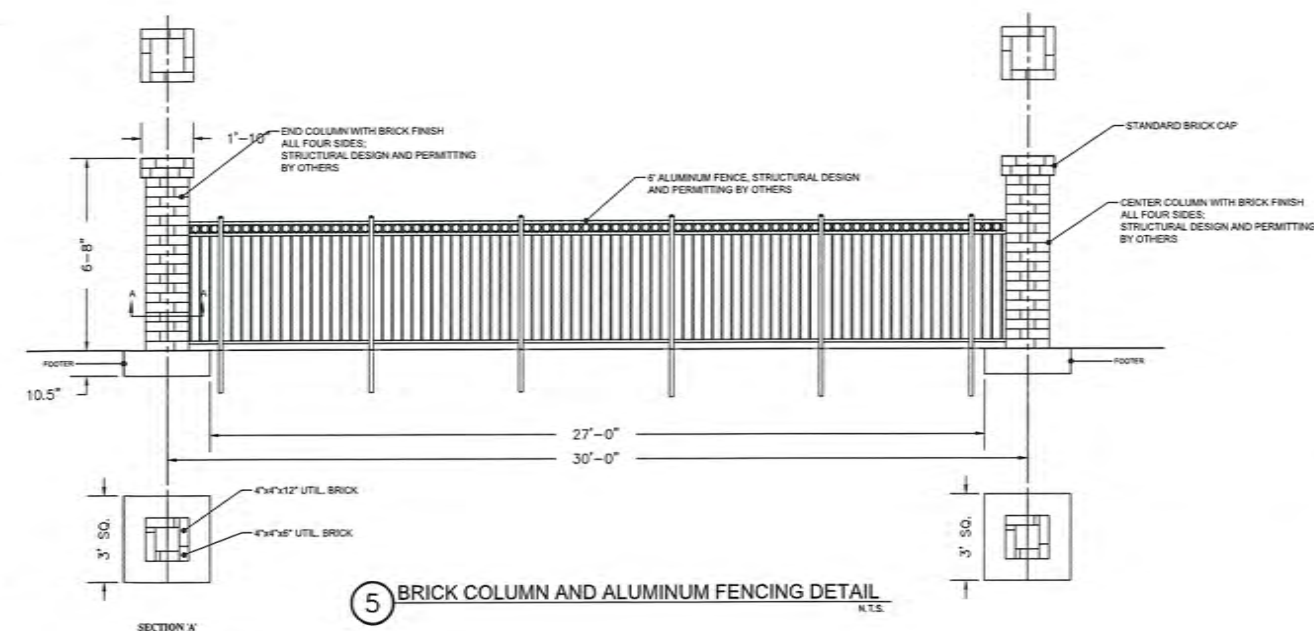
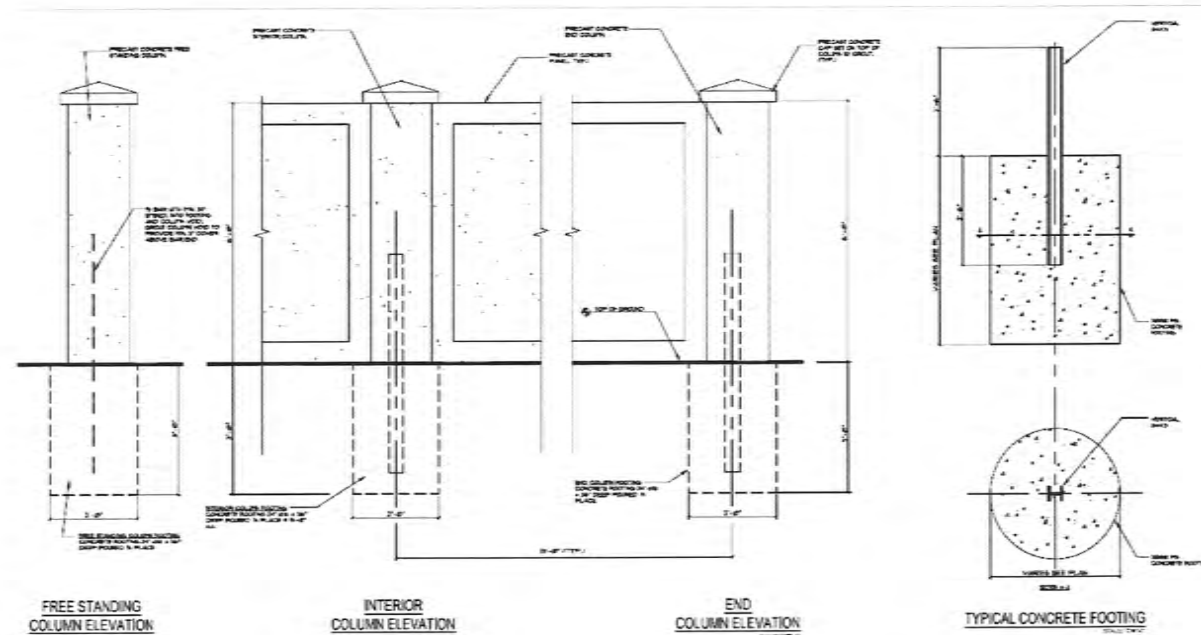
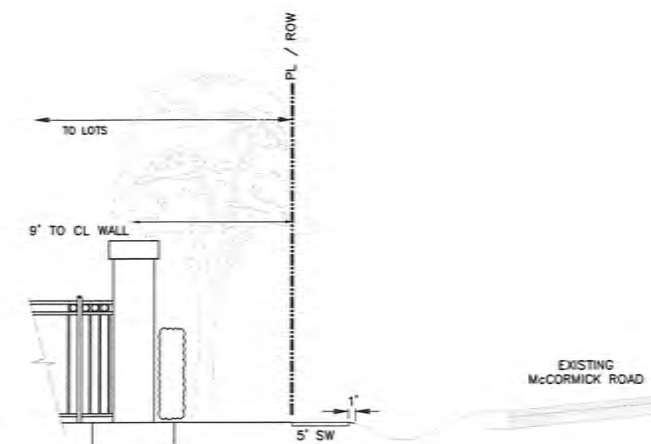
Key	Scientific Name	Common Name	Native	Xen	Height x Spread / Description	Spacing	Qty	SUBT
LARGE TREES								
greater than 30 ft. at maturity								
QV	Quercus virginiana	Live Oak	Yes	High	Mn. 14' high, min. 2-1/2" cal., 4-1/2" CT, field grown	per plan	53	
QV2	Quercus virginiana	Live Oak	Yes	High	Mn. 16' - 18' high, min. 4" cal., 4-1/2" CT, field grown	per plan		
JVS	Juniperus virginiana siliicola	Southern Red Cedar	Yes	High	14' high x 6' spread, 2-1/2" cal., 3" CT, field grown	per plan	8	
M3	Magnolia grandiflora "D.D. Blanchard"	Southern Magnolia "D.D. Blanchard"	Yes	Mod.	Mn. 14' high, min. 2-1/2" cal., 4-1/2" CT, field grown	per plan	8	69
SMALL TREES								
less than 20 ft. at maturity								
LI	Lagerstroemia indica "Natchez"	Crepe Myrtle - white	No	High	10' high x 6' spread, multi-trunk (3-4 trunks max.) 3" CT, field grown or container	per plan	3	
LL	Ligustrum lucidum	Glossy Privet	No	High	10' high x 6' spread, multi-trunk (3-4 trunks max.) 3" CT, field grown or container	per plan	3	6
SHRUBS								
JP	Juniperus horizontalis "wiltoni"	Blue Rug Juniper	No	High	12" OA spread, full, 1 gal.	24" OC	1,408	
MF	Myrsine fragrans	Simpson's Slopper	Yes	High	36" high x 20" spread, full to base, 7 gal.	30" OC	76	
CA	Calliandra americana	Beautyberry	Yes	High	24" OA, full to base, 7 gal.	30" OC	430	1,912
SOD								
SOD	Stenotaphrum secundatum	St. Augustine	N/A	N/A	full, thick sod base, no yellowing	per s.f.	12,000	
SOD2	Paspalum notatum	Bahia Grass	N/A	N/A		per s.f.	23,000	
							Total	1,987
							Total Native Plants	145
							Native % of Total	7.3%
							Total Drought Tolerant Plants	1,987
							Drought Tol. % of Total	100.0%

NOTE: ALL AREAS INDICATED FOR SOD SHALL BE REINSTALLED WITH ST. AUGUSTINE "FLORITAM" SOD UNLESS ALTERNATE NOTED.

NOTE: ALL PLANTS SHALL BE INSTALLED AT SIZE INDICATED UNDER THE SPECIFICATIONS. CONTAINER SIZE LISTED IS FOR REFERENCE OR ESTIMATING ONLY.

Total 1,987
Total Native Plants 145
Native % of Total 7.3%
Total Drought Tolerant Plants 1,987
Drought Tol. % of Total 100.0%

IBI GROUP (FLORIDA) INC. PLANNERS 2200 PARK CENTRAL BLVD. N. SUITE 100 POMPANO BEACH, FL 33064 (954) 974-2200		DATE REV.	DESCRIPTION POMPANO BEACH
ENGINEERS LANDSCAPE ARCHITECTS 2300 MIDLAND CENTER PARKWAY SUITE 100 MIDLAND, TX 79701 (409) 860-2120	SURVEYORS ENVIRONMENTAL CONSULTANTS 2300 MIDLAND CENTER PARKWAY SUITE 100 MIDLAND, TX 79701 (409) 860-2120	ORLANDO	APPOKA FARMS CITY OF APPOKA, FLORIDA
PRELIMINARY LANDSCAPING PLAN PRELIMINARY DEVELOPMENT PLAN		SCALE N.T.S. PROJECT 100505 SHEET PL-2	
DRAWN: O. SANCHEZ DESIGNED: L. CLASSON CHECKED: R. WOHLFARTH DATE: 5/26/2016		IBI GROUP FLORIDA ENGINEERING BUSINESS NO. 2856	



 IBI GROUP FLORIDA ENGINEERING BUSINESS NO. 2366	SCALE	DRAWN	PRELIMINARY LANDSCAPING DETAILS PRELIMINARY DEVELOPMENT PLAN APOPKA FARMS CITY OF APOPKA, FLORIDA	IBI GROUP (FLORIDA) INC. http://www.ibigroup.com ENGINEERS SURVEYORS PLANNERS LANDSCAPE ARCHITECTS ENVIRONMENTAL CONSULTANTS 2500 MATILDA CENTER PARKWAY SUITE 101 APOPKA, FLORIDA 32064 (407) 860-2720 (904) 874-2200 POMPANO BEACH FLORIDA 33064 ORI ANDO
	N.T.S.	DESIGNED		
	PROJECT	L. GLASSON		
	100505	CHECKED		
	SHEET	DATE: 5/28/2016		

EXHIBIT “H”**APOPKA FARMS PUD
COMMERCIAL DEVELOPMENT AND USE STANDARDS**

	PROPOSED	REQUIRED
Max. Intensity	0.30 FAR	0.30 FAR
Min. Yards		
Front (US-441)	10 FT	10 FT
Side (External Boundary)	10 FT	10 FT
Side (Internal ROW)	30 FT	30 FT
Rear	30 FT	30 FT
Max. Building Height	35 FT	35 FT
Permitted Uses	BARBER AND BEAUTY SHOPS	
	BANKS	
	BOOK AND STATIONARY AND NEWSSTANDS	
	CLINICS, EXCEPT ANIMAL	
	CONFECTIONERY AND ICE CREAM STORES	
	CONVENIENCE STORE WITH NO EAT-IN FACILITIES	
	DANCE AND MUSIC STUDIOS	
	DELICATESSENS, WITH NO EAT-IN FACILITIES	
	DRUG AND SUNDRY STORES	
	FLORIST AND GIFT SHOPS	
	HOBBY AND CRAFT SHOPS	
	LAUNDRY AND DRY CLEANING PICKUP STATIONS	
	OFFICES, BUSINESS AND PROFESSIONAL	
	PHOTOGRAPHIC STUDIOS	
	RESTAURANTS WITH FULL TABLE SERVICE; SMOKE OR ODORS CANNOT LEAVE PROPERTY; OUTDOOR SEATING ALLOWED IF LOCATED ON THE SOUTH SIDE OF BUILDING AND COVERED BY A PORCH ROOF	
	SHOE REPAIR SHOPS	
	TAILORING SHOPS	
	TOBACCO SHOPS	
	SIMILAR NEIGHBORHOOD COMMERCIAL USES	
Prohibited Uses	SERVICE STATIONS	
	DRIVE-THRU RESTAURANTS	
	FUNERAL HOMES	
	PARKING GARAGES OR LOTS	
	NEW OR USED CAR LOTS OR SALES ROOMS	
	HOTELS AND MOTELS	
	ANIMAL CLINICS	
	SELF-SERVICE LAUNDRY	
	BARS AND/OR COCKTAIL LOUNGES	
	BAKERIES	
	PLUMBING SHOPS	
	APPLIANCE STORES	
	AUTO PARTS STORES	
	DRIVE-THRUS	
	TATOO PARLORS	

**EXHIBIT “H”
APOPKA FARMS
DEVELOPMENT STANDARDS**

PROJECT DESIGN GUIDELINES

I. SPECIFIC ALLOWABLE USES

- A. PROJECT SHALL CONSIST OF COMMERCIAL AND RESIDENTIAL USES.
- B. RESIDENTIAL USES SHALL BE RESTRICTED TO DETACHED SINGLE FAMILY UNITS WITH ANCILLARY USES. NO DUPLEX-TYPE UNITS ARE ALLOWED.
- C. LOTS ABUTTING CHANDLER ESTATES SUBDIVISION SHALL HAVE A MINIMUM FLOOR AREA OF 2,200 SF (LOTS 31-45). LOTS WITHIN THE MIXED-CC ZONING DISTRICT SHALL HAVE A MINIMUM FLOOR AREA OF 2,000 SF (LOTS 4-17). ALL OTHER LOTS SHALL HAVE A MINIMUM FLOOR AREA OF 1,600 SF.
- D. HOUSE DESIGN STANDARDS CONSIST OF:
 - 1. EACH HOUSE SHALL HAVE A PORTICO/COVERED FRONT PORCH AT FRONT ELEVATION. SAID FEATURE MAY ENCROACH FRONT SETBACK BY SIX (6) FEET.
 - 2. HOUSING DESIGN SHALL CONFORM WITH CITY OF APOPKA DESIGN DEVELOPMENT GUIDELINES TO THE MAXIMUM PRACTICAL EXTENT.
 - 3. ONE-STORY HOMES SHALL ALLOW FOR A FRONT ENTRY GARAGE PROVIDED IT DOES NOT EXCEED 50% OF FRONT FAÇADE. (MAX. OF TWO-CAR GARAGE).
 - 4. FOR TWO-STORY HOMES, THREE-CAR GARAGES ARE ALLOWED PROVIDED AREA ABOVE GARAGE IS OCCUPIED FLOOR OR DORMERS FORM PART OF ROOF STRUCTURE.
 - 5. ALL FRONT ENTRY GARAGES SHALL BE SETBACK 30 FEET FROM FRONT LOT LINE.
 - 6. NO BOOKEND FRONT ENTRY GARAGES ALLOWED ON OPPOSING SIDES OF A HOUSE UNLESS ONE GARAGE IS A CARRIAGE ENTRY GARAGE.
 - 7. SIDE ENTRY GARAGES SHALL HAVE WINDOWS FACING STREET.
 - 8. REAR OF HOUSES (ABUTTING COMMON PROPERTY LINE) VISIBLE FROM CHANDLER ESTATES SHALL INCORPORATE DESIGN ELEMENT SUCH AS SHUTTERS, CORNICE AROUND WINDOWS, ETC.
 - 9. DETACHED GARAGES ALLOWED (TO BE LOCATED AT REAR OF LOT).
 - 10. A/C CONDENSER UNITS, POOL EQUIPMENT AND OTHER EQUIPMENT MAY BE LOCATED WITHIN SIDEYARD SETBACK AREA PROVIDED SAID UNITS ARE SCREENED FROM STREETS WITH LANDSCAPE AND/OR OPAQUE FENCING.

11. STORAGE SHEDS NOT ALLOWED.
12. SWIMMING POOLS MUST BE IN-GROUND TYPE. ABOVE-GROUND POOLS PROHIBITED.
13. MAIL DELIVERY FOR ALL LOTS SHALL OCCUR AT MAIL KIOSK. MAIL KIOSK DESIGN TO BE PROVIDED AT FINAL DEVELOPMENT PLAN STAGE.
14. ARCHITECTURAL DESIGN/THEME TO BE PROVIDED AT FINAL DEVELOPMENT PLAN STAGE.
15. INDIVIDUAL LOT FRONT AND REAR FENCING STANDARDS TO BE DETERMINED AT FINAL DEVELOPMENT PLAN STAGE.

E. COMMERCIAL STANDARDS:

IN ADDITION TO APPLICABLE CITY-MANDATED COMMERCIAL GUIDELINES, THE COMMERCIAL COMPONENTS OF APOPKA FARMS SHALL INCLUDE:

1. OFFICE BUILDINGS SHALL HAVE RESIDENTIAL ARCHITECTURE DESIGN APPEARANCE, HAVE A PITCHED ROOF AND SHALL BE LIMITED TO NO MORE THAN TWO (2) STORIES WITH 75 FEET OF THE PROJECT'S RESIDENTIAL COMPONENT.
2. FLOOR AREA RATIO (FAR) SHALL BE A MAXIMUM OF .30.

II. UTILITIES AND INFRASTRUCTURE

- A. WATER SERVICE SHALL BE PROVIDED BY THE CITY OF APOPKA.
- B. RECLAIM WATER SERVICE SHALL BE PROVIDED BY THE CITY OF APOPKA (DESIGNED TO CITY STANDARDS).
- C. STORM WATER MANAGEMENT SYSTEM SHALL BE DESIGNED TO COMPLY WITH THE REQUIREMENTS OF THE CITY OF APOPKA AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.
- D. A FINAL DRAINAGE REPORT AND SOILS REPORT WILL BE SUBMITTED WITH FINAL DEVELOPMENT PLANS.
- E. SANITARY SERVICE WILL BE PROVIDED BY THE CITY OF APOPKA (DESIGNED TO CITY STANDARDS).
- F. UTILITY EASEMENTS SHALL BE DEDICATED TO THE CITY OF APOPKA.
- G. DRAINAGE EASEMENTS TO BE DEDICATED TO THE PROPERTY OWNER'S ASSOCIATION UNLESS OTHERWISE ACCEPTED BY THE CITY OF APOPKA.

- H. ALL STORM WATER AND UTILITY PIPES MAY BE MOVED TO SAVE EXISTING TREES IN THE RIGHT-OF-WAY TO MAXIMUM EXTENT POSSIBLE.
- I. ON-SITE STREETS ARE TO BE CONSTRUCTED PER CITY OF APOPKA STANDARDS.
- J. A SIGNAGE PLAN WILL BE PROVIDED WITH THE FINAL DEVELOPMENT PLAN SUBMITTAL.
- K. STABILIZED ACCESS ROADWAYS AND FIRE HYDRANTS MUST BE IN PLACE BEFORE BUILDING CONSTRUCTION MAY BEGIN.
- L. SOLID WASTE COLLECTION AND PUBLIC SAFETY (POLICE AND FIRE) PROVIDED BY THE CITY OF APOPKA.
- M. PROJECT STREETS ARE PUBLIC.
- N. FIVE (5) FOOT WIDE SIDEWALKS TO BE CONSTRUCTED ADJACENT TO INTERNAL ROADS THROUGHOUT THE ENTIRE PROJECT IN COMPLIANCE WITH THE CITY OF APOPKA LAND DEVELOPMENT CODE (TO BE PROVIDED AT FINAL DEVELOPMENT PLAN).
- O. POWER SERVICE WITHIN THE DEVELOPMENT SHALL BE UNDERGROUND. NO OVERHEAD SERVICE WILL BE ALLOWED.
- P. VEHICULAR, PEDESTRIAN AND ACCENT LIGHTING SHALL SUBSTANTIALLY CONFORM TO SECTION 3.10 - LIGHTING OF THE CITY OF APOPKA DEVELOPMENT DESIGN GUIDELINES.
- Q. STREET NAMES SHALL BE APPROVED BY ORANGE COUNTY EMERGENCY MANAGEMENT DIVISION PRIOR TO ACCEPTANCE BY CITY OF APOPKA.
- R. ALL STREET SUFFIXES SHALL BE IN ACCORDANCE WITH SECTION 6.02.02.
- S. DECORATIVE-TYPE FENCING TO BE PROVIDED AROUND STORMWATER PONDS IF REQUIRED BY WATER MANAGEMENT DISTRICT. (CHAIN LINK OR WOODEN STOCKADE FENCING PROHIBITED).
- T. UTILITY AND DRAINAGE DETAILS TO BE PROVIDED AT FINAL DEVELOPMENT PLAN STAGE.
- U. ALL ROAD SIGNAGE AND MARKINGS WILL BE PROVIDED WITH THE FINAL DEVELOPMENT PLAN.

III. HARDSCAPE, LANDSCAPE AND SITE LIGHTING

- A. LANDSCAPE AND IRRIGATION PLANS SHALL BE SUBMITTED AS PART OF THE FINAL DEVELOPMENT PLAN STAGE AND SHALL BE DESIGNED IN ACCORDANCE WITH LAND DEVELOPMENT CODE ARTICLE V AND WATER-WISE ORDINANCE #2069.

- B. ALL REASONABLE AND PRACTICAL MEASURES SHALL BE TAKEN TO PRESERVE 24"+ SPECIMEN TREES LOCATED OUTSIDE OF BUILDING PADS AND RIGHTS-OF-WAY. TREE MITIGATION PLAN TO BE PROVIDED AT FINAL DEVELOPMENT PLAN STAGE.
- C. STREET TREES TO BE PLANTED IN EASEMENT TO BE SHOWN ON FINAL PLAT. SAID EASEMENT TO BE LOCATED BEHIND THE UTILITY EASEMENT IN FRONT OF EACH LOT.
- D. PER LAND DEVELOPMENT CODE ARTICLE V, A TREE REMOVAL AND REPLACEMENT PLAN IS REQUIRED. SAID PLAN(S) ARE TO BE SUBMITTED AS PART OF THE FINAL DEVELOPMENT PLAN SUBMITTAL. NO ENGINEERING APPROVAL SHALL BE GRANTED BY THE CITY OF APOPKA UNLESS THIS CONDITION IS SATISFIED.
- E. LANDSCAPE PALETTE/THEME IS TO BE ESTABLISHED AT FINAL DEVELOPMENT PLAN STAGE. LANDSCAPE SHALL INCORPORATE NATIVE VEGETATION TO MAXIMUM EXTENT POSSIBLE.
- F. ALL BUFFER WALLS SHALL BE LOCATED IN SEPARATE TRACT (TO BE DEPICTED ON FINAL PLAT) AND MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION OR SIMILAR ENTITY.
- G. LANDSCAPE BUFFERS AND OPEN SPACE AREAS TO BE PLACED IN TRACTS TO BE DEPICTED ON FINAL PLAT.
- H. DETAILS OF BUFFER WALLS, SIGNAGE AND OTHER HARDSCAPE FEATURES TO BE PROVIDED AT FINAL DEVELOPMENT PLAN STAGE.
- I. STYLE OF STREET LIGHT POLES AND FIXTURES TO BE PROVIDED AT FINAL DEVELOPMENT PLAN STAGE TO BE DETERMINED BY ARCHITECTURAL THEME.
- J. DECORATIVE RESIDENTIAL COMMUNITY SIGN WITH LANDSCAPE IS TO BE LOCATED AT EACH PROJECT ENTRANCE.
- K. CONSIDERATION SHALL BE GIVEN TO MAINTAIN EXISTING NATURAL VEGETATION TO THE GREATEST EXTENT POSSIBLE ALONG THE NORTHERN PORTION OF THE SITE ADJACENT TO CHANDLER ESTATES. THIS AREA WILL BE PLACED IN A TRACT TO BE MAINTAINED AND PROTECTED BY THE PROPERTY OWNER'S ASSOCIATION.

IV. ENVIRONMENTAL, RECREATIONAL AND MISCELLANEOUS ITEMS

- A. RECREATIONAL AMENITIES SHALL BE OF A TYPE AND SIZE CONSISTENT WITH SIMILAR RESIDENTIAL COMMUNITIES. SPECIFIC DETAILS OF SAID AMENITIES TO BE PROVIDED AT THE FINAL DEVELOPMENT PLAN STAGE.

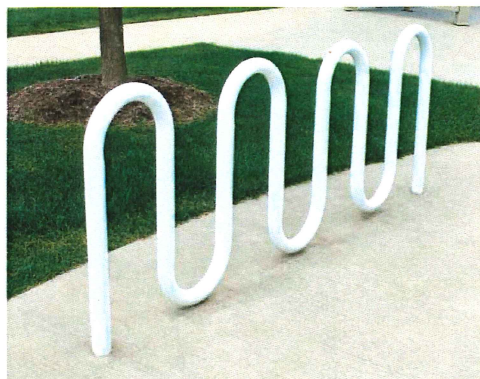
- B. PARK AND/OR RECREATIONAL AMENITIES TO BE CONSTRUCTED PRIOR TO 25% "BUILD OUT" OF A RESIDENTIAL DEVELOPMENT PHASE.
- C. WETLANDS AND WETLAND UPLAND BUFFERS SHALL BE PLACED IN CONSERVATION EASEMENT/TRACT.
- D. IN THE EVENT THAT GOPHER TORTOISE(S) ARE PRESENT ON-SITE, THE APPLICANT WILL OBTAIN THE APPROPRIATE PERMIT THROUGH FFWCC PRIOR TO ON-SITE CLEARING OR GRADING ACTIVITY.
- E. THE APPLICANT SHALL OBTAIN THE APPROPRIATE APPROVALS FROM USFWS PRIOR TO ON-SITE CLEARING OR GRADING ACTIVITY (IF REQUIRED) TO ADDRESS THE PRESENCE OF THE SAND SKINKS (IF FOUND).
- F. AN EROSION PROTECTION/CONTROL PLAN SHALL BE SUBMITTED WITH FINAL DEVELOPMENT PLAN STAGE.
- G. PROPERTY OWNER'S ASSOCIATION SHALL MAINTAIN ALL COMMON AREAS, FENCES, WALLS, RETENTION AREAS, OPEN SPACE AND CONSERVATION AREAS.
- H. THE CITY OF APOPKA SHALL BE RESPONSIBLE FOR STREET MAINTENANCE, STREET LIGHTING AND INFRASTRUCTURE ELEMENTS LOCATED WITHIN PUBLIC RIGHTS-OF-WAY.
- I. INDIVIDUAL LOT ARBOR/CLEARING PERMIT SHALL BE REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
- J. PROJECT ACREAGE SUBJECT TO CHANGE PENDING FINAL DEVELOPMENT PLAN STAGE REVIEW AND APPROVAL.
- K. OUTDOOR STORAGE AREAS (BOATS, TRAILERS, AND RECREATIONAL VEHICLES) ARE PROHIBITED. TEMPORARY PARKING OF SUBJECT EQUIPMENT SHALL BE SUBJECT TO CITY CODE.
- L. EVIDENCE OF COORDINATION WITH LYNX PLANNING DEPARTMENT SHALL BE PROVIDED AS PART OF THE FINAL DEVELOPMENT PLAN SUBMITTAL.
- M. TOT LOT EQUIPMENT AND PARK BENCHES WILL BE PLACED WITHIN RECREATION TRACT F.

V. GENERAL

- A. THE LAND DEVELOPMENT CODE AND CITY DEVELOPMENT DESIGN GUIDELINES SHALL APPLY EXCEPT WHERE ZONING, DEVELOPMENT OR ARCHITECTURAL STANDARDS ARE ADDRESSED WITHIN THE MASTER PLAN OR PUD ORDINANCE.
- B. THE ADOPTED PUD ZONING ORDINANCE FOR THIS PROJECT MAY PROVIDE ADDITIONAL ZONING, DEVELOPMENT OR ARCHITECTURAL STANDARDS.



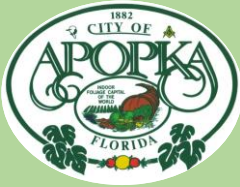
NOTE:
PLAY SET COLOR SCHEME: FOREST
BLACKWOOD FOREST MODEL 19203,
BY GAMETIME,

[illegible]

Backup material for agenda item:

3. Ordinance No. 2512 – First Reading – Vacate – Harmon Road Right of Way – Quasi-Judicial Beckett

Rogers



CITY OF APOPKA CITY COUNCIL

☐ CONSENT AGENDA
☒ PUBLIC HEARING
☐ SPECIAL REPORTS
☒ OTHER: Vacate

MEETING OF: August 3, 2016
FROM: Community Development
EXHIBITS: Vicinity Map
Utility Letters
Ordinance No. 2512
Survey/Legal Description

SUBJECT: **ORDINANCE NO. 2512 - VACATING A PORTION OF HARMON ROAD RIGHT-OF-WAY**

REQUEST: **ACCEPT THE FIRST READING OF ORDINANCE NO. 2512 - VACATING A PORTION OF HARMON ROAD RIGHT-OF-WAY; AND HOLD IT OVER FOR SECOND READING AND ADOPTION.**

SUMMARY:

APPLICANT: Equity Waters Edge, LLC
LOCATION: Harmon Road
LAND USE: Mixed-Use
ZONING: Mixed- EC
EXISTING USE: Vacant Land
AREA TO BE VACATED: 0.66 +/- Acre (28,961 +/- Sq. Ft.)

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Land Use	Zoning	Present Use
North - City	Mixed Use	M-EC	Vacant Land
East - City	Mixed Use	M-EC	Vacant Land
South - City	Mixed Use	M-EC	Vacant Land
West - City	Mixed Use	M-EC	Vacant Land

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

CITY COUNCIL – AUGUST 3, 2016
EQUITY WATERS EDGE, LLC - VACATE
PAGE 2

ADDITIONAL COMMENTS: The applicant is seeking to vacate a 60' x 481' portion of undeveloped Harmon Road right-of-way located west of Binion Road. The portion of the right-of-way that will be vacated is described in the legal description. The vacation of this portion of the right of way is being requested to accommodate a proposed residential development. Vacating this portion of the road right-of-way will not affect any abutting property owners as all land abutting it is under the same ownership.

Our Public Services department has evaluated the site and has agreed to the vacate request. Additionally, all local utility providers have been contacted by the applicant and have provided the letters received from each utility provider indicating no objection to this vacate request.

PUBLIC HEARING SCHEDULE:

August 3, 2016 - City Council - 1st Reading (1:30 p.m.)

August 17, 2016 - City Council - 2nd Reading (7:00 p.m.)

DULY ADVERTISED:

July 15, 2016 - Public Hearing Notice

August 5, 2016 - Ordinance Heading Ad

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the request to vacate a portion of Harmon Road right-of-way as described in the legal description.


Accept the First Reading of Ordinance No. 2512 and Hold it Over for Second Reading and Adoption on August 17, 2016.

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.

Equity Waters Edge, LLC
Proposed Vacate of Harmon Road Right-of-way
Harmon Road
Parcel ID: 19-21-28-0000-00-035

VICINITY MAP



 Vacate Area





LETTER OF NO OBJECTION

May 1, 2016

Madden, Moorhead & Glunt, Inc.
ATTN Nicole Martin
431 E. Horatio Ave, Ste. 260
Maitland, FL 32751

By Email: Nicole@madden-eng.com

SUBJECT: PROPOSED VACATE OF PORTION OF HARMON ROAD LYING WESTERLY OF BINION ROAD IN SECTION 19, TOWNSHIP 21 SOUTH, RANGE 26 EAST, ORANGE COUNTY, FLORIDA; PRN 772675

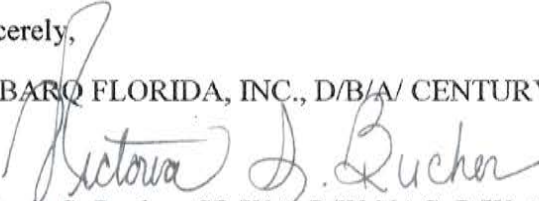
Dear Ms. Martin:

Please be advised that Embarq Florida, Inc. D/B/A CenturyLink ("CenturyLink") has no objection to the proposed vacation and abandonment of that certain portion of Harmon Road lying westerly of Binion Road in Section 19, Township 21 South, Range 26, Orange County, Florida and being more particularly shown on the attached location map and boundary survey.

Should there be any questions or concerns, please contact me at 407-814-5318 or by email at Victoria.bucher@centurylink.com.

Sincerely,

EMBARQ FLORIDA, INC., D/B/A/ CENTURYLINK


Victoria S. Bucher, SR/WA, R/W-NAC, R/W-AMC
Negotiator - East Region
Network Real Estate

C: D. Byrnes, CenturyLink

33 North Main Street
Winter Garden, FL 34787
Tel: 407-814-5318



Lake Apopka Natural Gas District



DATE 4/13/16

Madden, Moorhead & Glunt, Inc.
Attn: Nicole Martin
431 E. Horatio Ave., Ste. 260
Maitland, FL 32751

RE: BINION ROAD SITE

Dear Mrs. Martin:

In regards to the Binion Road Site, the subject parcel is within our jurisdiction. We do not have any facilities within the right of way. We have no objection to the vacation of the right of way.

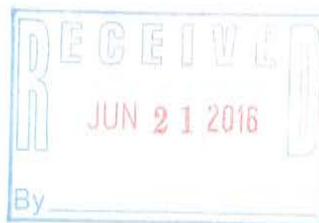
Sincerely,

Domingo Colon

Gas Construction Specialist
Lake Apopka Natural Gas District
407-656-2734 Ext: 138
mcolon@langd.org



April 13, 2016



Madden, Moorhead & Glunt, Inc.
Attn: Nicole Martin
431 E. Horatio Ave., Ste. 260
Maitland, FL 32751

RE: S. Binion Road Site

Dear Mrs. Martin:

Please be advised that Duke Energy, Florida does not have Distribution/Transmission facilities within the Right of Way of Harmon Road as shown in the attached Exhibit "A", circled in red. Since Duke Energy, Florida has no facilities within this area, we have "No Objection" to the vacate as shown on the attached Exhibit "A".

This No Objection letter should be considered as approval from both Duke Energy's Transmission and Duke Energy's Distribution Departments.

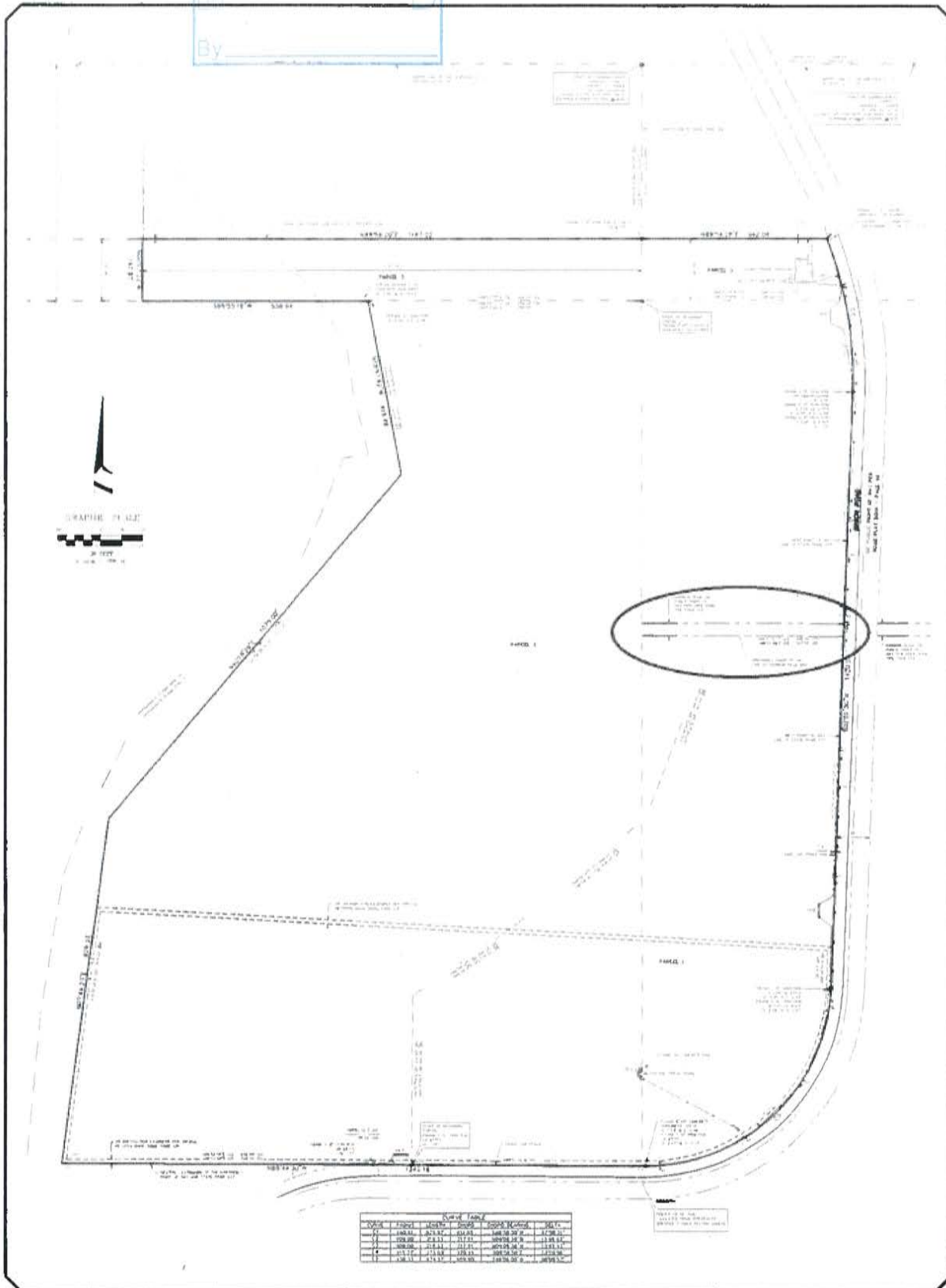
If I can be of further assistance, please do not hesitate to contact me at benita.rostel@duke-energy.com or by phone at (407) 942-9657.

Best regards,

Benita Rostel
Associate Land Representative
Distribution Right of Way - Florida

RECEIVED
JUN 21 2016
By _____

EXHIBIT "A"



STATION	LEGEND	COORDINATES	AREA
1	100.00	100.00	100.00
2	100.00	100.00	100.00
3	100.00	100.00	100.00
4	100.00	100.00	100.00
5	100.00	100.00	100.00
6	100.00	100.00	100.00
7	100.00	100.00	100.00
8	100.00	100.00	100.00
9	100.00	100.00	100.00
10	100.00	100.00	100.00

SHEET 2 OF 2 DATE: _____ PERMITS: _____	FOR GENTRY LAND	BOUNDARY SURVEY OF BINION ROAD SITE SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST ORANGE COUNTY, FLORIDA	ALLEN COMPANY 111
	111		

RECEIVED
JUN 21 2015
By _____



ORDINANCE NO. 2512

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

WHEREAS, pursuant to provisions of Florida Statutes, Section 336.10, a Petition has been filed by Equity Waters Edges, LLC to vacate, abandon, discontinue, renounce and disclaim a portion of Harmon Road right of way, as shown in Exhibit "A"; and

WHEREAS, Century Link (f/k/a Embarq), Bright House Network (f/k/a Time Warner Cable), Duke Energy (f/k/a Progress Energy), 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 parcel of land comprising a portion of the lands described in Deed Book 785, Page 113 of the Public Records of Orange County, Florida and lying in Section 19, Township 21 South, Range 28 East, Orange County, Florida.

Being more particularly described as follows:

Commence at the North $\frac{1}{4}$ corner of aforesaid Section 19; thence run South 00°07'22" East along the North/South midsection line of said Section 19 for a distance of 1302.51 feet to a point on the North right-of-way line of aforesaid Harmon Road and the Point of Beginning; thence run North 89°56'01" East along said North right-of-way line of a distance of 483.81 feet to a point on the West right-of-way line Binion Road according to Plat Book 1, Page 40 of aforesaid public records of Orange County, Florida; thence run South 02°01'29" West along said West right-of-way line for a distance of 60.04 feet to a point on the South right-of-way line of Harmon Road; thence run South 89°56'01" West along said South right-of-way line for a distance of 481.56 feet to a point on aforesaid North/South midsection line of said Section 19; thence run North 00°07'22" West along said midsection line for a distance of 60.00 feet to the point of beginning.

Parcel I.D. No: 19-21-28-0000-00-035

Containing: 28,961 Square Feet, 0.66 Acres More or Less

ORDINANCE NO. 2512

PAGE 2

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: August 3, 2016

READ SECOND TIME
AND ADOPTED: August 17, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

APPROVED AS TO FORM:

Cliff Shepard, Esq., City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 15, 2016
August 5, 2016

SKETCH OF DESCRIPTION

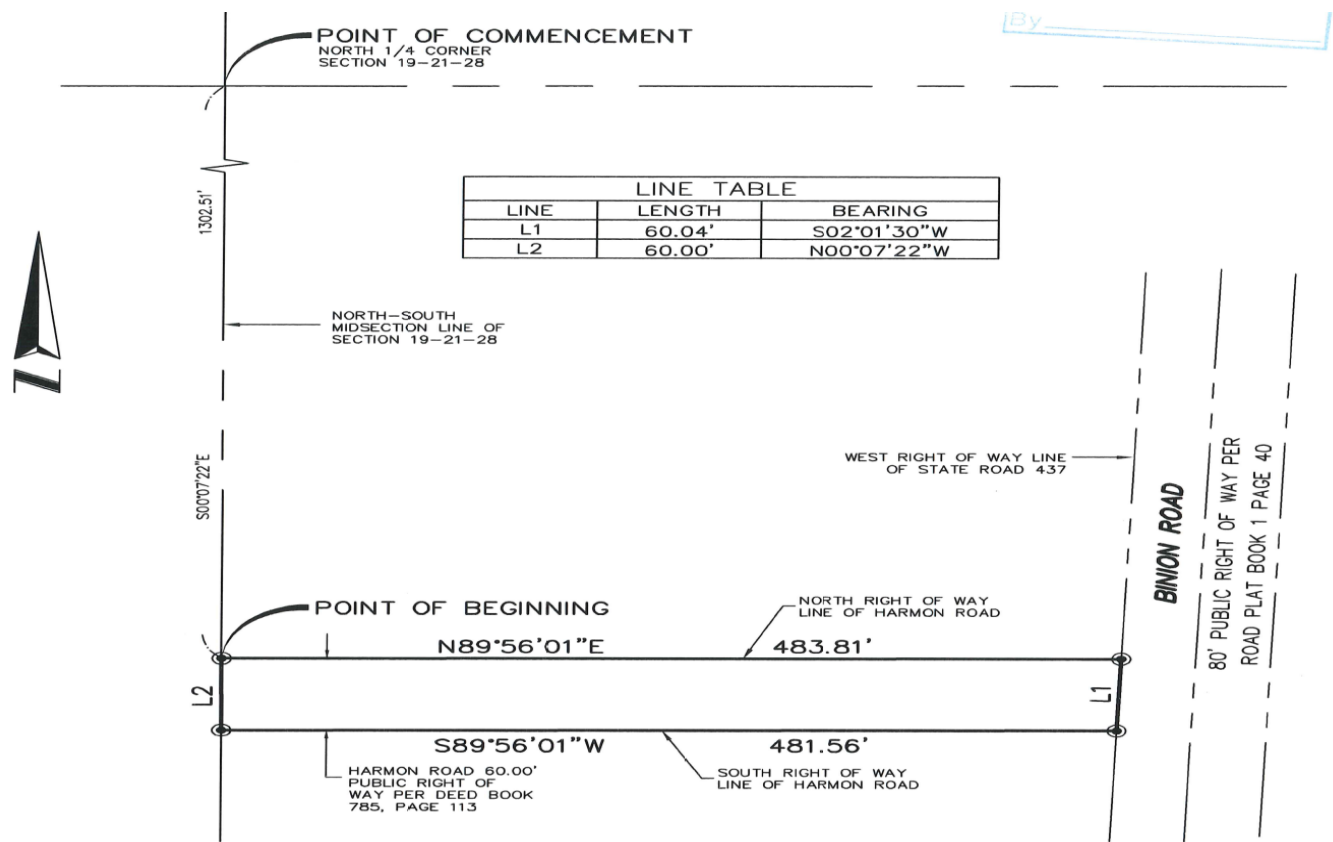
LEGAL DESCRIPTION (Portion of Harmon Road Right-of-Way to be Vacated)

A parcel of land comprising a portion of the lands described in Deed Book 785, Page 113 of the Public Records of Orange County, Florida and lying in Section 19, Township 21 South, Range 28 East, Orange County, Florida.

Being more particularly described as follows:

COMMENCE at the North 1/4 corner of aforesaid Section 19; thence run South 00°07'22" East along the North / South midsection line of said Section 19 for a distance of 1302.51 feet to a point on the North right-of-way line of aforesaid Harmon Road and the POINT OF BEGINNING; thence run North 89°56'01" East along said North right-of-way line for a distance of 483.81 feet to a point on the West right-of-way line of Binion Road according to Plat Book 1, Page 40 of aforesaid Public Records of Orange County, Florida; thence run South 02°01'29" West along said West right-of-way line for a distance of 60.04 feet to a point on the South right-of-way line of Harmon Road; thence run South 89°56'01" West along said South right-of-way line for a distance of 481.56 feet to a point on aforesaid North / South midsection line of said Section 19; thence run North 00°07'22" West along said midsection line for a distance of 60.00 feet to the POINT OF BEGINNING.

Contains 28,961 square feet, 0.66 acres more or less.



Backup material for agenda item:

4. Resolution 2016-18 - Non-exclusive franchise for roll-off container collection and disposal of waste. Jay Davoll



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
___ OTHER RESOLUTION

MEETING OF: August 3, 2016
FROM: Public Services
EXHIBITS: Resolution No. 2016-18

SUBJECT: RESOLUTION NO. 2016-18 GRANTING A NON-EXCLUSIVE FRANCHISE FOR ROLL-OFF CONTAINER COLLECTION AND DISPOSAL OF WASTE IN THE CITY OF APOPKA TO SUNSHINE RECYCLING, INC.

REQUEST: ADOPT RESOLUTION NO. 2016-18

SUMMARY:

Chapter 66, Article III, of the Code of Ordinances of the City of Apopka, provides for private refuse collection service through the granting of a non-exclusive franchise for roll-off container collection in the City. The minimum amount the City is to receive is \$960.00 per year for this agreement.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Adopt Resolution No. 2016-18.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RESOLUTION NO. 2016-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, GRANTING A NON-EXCLUSIVE FRANCHISE TO SUNSHINE RECYCLING INC., TO PROVIDE "ROLL-OFF" CONTAINER COLLECTION AND DISPOSAL OF WASTE IN THE CITY OF APOPKA, FLORIDA, PURSUANT TO CITY OF APOPKA, CODE OF ORDINANCES, CHAPTER 66, ARTICLE III; PROVIDING FOR THE TERM OF YEARS FOR THE FRANCHISE; PROVIDING FOR FRANCHISE FEE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 66, Article III, of the Code of Ordinances of the City of Apopka, Florida, provides for private refuse collection service through the granting of non-exclusive franchise(s) for roll-off containers, and is hereinafter referred to as Chapter 66, Article III; and

WHEREAS, Chapter 66, Article III grants the City Council of the City of Apopka, Florida, the power, right and authority to contract by resolution with persons thereby granting non-exclusive franchise(s) to provide "roll-off" container collection and disposal of waste within the City of Apopka, Florida; and

WHEREAS, Chapter 66, Article III provides for City requirements, outlining Franchisee's duties, providing the terms and conditions under which such franchise shall operate.

WHEREAS, Chapter 66, Article III enables the City Council of the City of Apopka, Florida, to enter into a contract with persons desiring a franchise to provide roll-off container collection and disposal of waste within the City of Apopka; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Apopka, Florida, that:

SECTION I. GRANT AND TERM.

That the City Council of the City of Apopka, Florida, extends a non-exclusive franchise to:

Sunshine Recycling Inc.

a Florida corporation whose business address is:

1263 Landstreet Road
Orlando, Fl. 32824

Hereinafter referred to as Grantee, to provide roll-off container collection and disposal of waste within the corporate limits of the City of Apopka, Florida, under the terms set out in Chapter 66, Article III.

The term of this franchise will begin on August 3, 2016 and end on August 2, 2019 (The term may be extended for an additional two (2) years, at the sole option of the City, by written notice to the franchisee not less than thirty (30) days prior to the expiration of the current term.)

SECTION II. COMPLIANCE WITH ORDINANCE AND RESOLUTION.

That the City of Apopka, Florida, and the Grantee of the franchise shall comply with all of the terms and conditions as set forth in Chapter 66, Article III, and this Resolution. A failure by the Grantee to comply with the terms and conditions of Chapter 66, Article III and/or all ordinances and resolutions of the City of Apopka, and/or the laws of the State of Florida or the United States, shall be grounds for the immediate revocation of the Franchise.

Payment of Franchise Fees shall be made payable to the City of Apopka, and mailed to

City of Apopka,
Attention: Accounts Payable,
P.O. Box 1229,
Apopka, Florida 32704-1229.

The fee for administrative and inspection costs and expenses shall be credited against the charges.

SECTION III. ENFORCEMENT.

The Mayor or his designee is hereby authorized to enforce the non-exclusive franchise granted by this Resolution for the City of Apopka.

SECTION IV. EFFECTIVE DATE

This Resolution shall take effect immediately upon adoption, and the non-exclusive franchise granted by this Resolution shall be binding immediately on the City and the Grantee upon the date those proper officers or authorities of each have duly executed this Resolution.

APPROVED by the City Council of the City of Apopka, Florida, and this 3rd day of August 2016.

CITY OF APOPKA, FLORIDA

ATTEST:

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk

ACCEPTANCE BY FRANCHISEE

The foregoing RESOLUTION NO. 2016-18 and the NON-EXCLUSIVE FRANCHISE provided for therein, and all the terms and conditions thereof, are hereby accepted, approved, and agreed to this _____ day of August, 2016

SUNSHINE RECYCLING INC.

Signature

Printed Name

Title

STATE OF FLORIDA
COUNTY OF ORANGE

Sworn to and subscribed before me this _____ day of August 2016, by
_____.

Notary Public, State of Florida

Printed Name of Notary

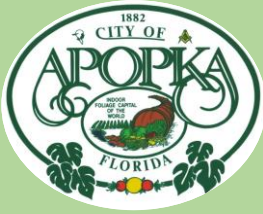
Personally Known _____ **OR** Produced Identification _____

Type of Identification Produced _____

Backup material for agenda item:

5. Resolution 2016-19 - Amending the budget for FY October 1, 2015 - September 30, 2016.

Pam Barclay



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
X OTHER: Resolution No. 2016-19

MEETING OF: August 3, 2016
FROM: Finance Dept.
EXHIBITS: Exhibits A & B

SUBJECT: RESOLUTION NO. 2016-19 – AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016

REQUEST: REQUEST COUNCIL ADOPT RESOLUTION NO. 2016-19.

SUMMARY:

On September 23, 2015, by Resolution No. 2015-22, the City Council adopted the final budgets for fiscal year 2015/2016. The City has committed to expenditures and has experienced unanticipated revenues/expenditures through the current fiscal year that need to be reflected in the current budget. Florida Statutes, Section 166.241(4) requires the governing body amend the budget in the same manner as the original budget is adopted.

FUND	EXHIBIT A Funding from Reserves	EXHIBIT B Additional Funding
General Fund	\$ 73,485.20	\$ 27,125.00
Grant Fund	0.00	7,108.68
Water Sewer Utility Fund	0.00	5,701.00

Exhibit A – Funding from Reserves represent unexpected and unbudgeted costs incurred to date. These items were presented to the Council for approval prior to the use of reserves.

Exhibit B – Additional Funding represents additional monies received by the City. The budget must be amended to account for the funding and expenditures associated with the awarded grants, insurance proceeds, donations, etc.

FUNDING SOURCE:

The approved FY 2016 Budgets of the General Fund, the Grant Special Revenue Fund and the Utilities Enterprise Fund will be increased to include the amounts included above.

RECOMMENDATION ACTION:

Adopt Resolution No. 2016-19

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

CITY OF APOPKA
BUDGET AMENDMENT 3RD QUARTER
RESOLUTION 2016-19
EXHIBIT A Reserves

ACCOUNT NUMBER	J/E DESCRIPTION	DEBIT	CREDIT
001-389.0010	Budget Amendment Funding From Reserves		29,000.00
001-1030-512.3400	Budget Amendment - Run Off Election Costs	29,000.00	
To pay for Run Off Election Costs			
001-366.9007	Budget Amendment - Donations Recreation		11,500.00
001-389.0010	Budget Amendment - Funding from Reserves		6,760.10
001-3514-572.6400	Budget Amendment - Scoreboard & Wind Screens	18,260.10	
To include costs associated with New Scoreboard & Wind Screens - Approved by Council April 20 and June 1, 2016			
001-389.0010	Budget Amendment Funding From Reserves		26,225.10
001-2220-521.6400	Budget Amendment - Replacement Police Vehicle	26,225.10	
To pay for replacement police vehicle - Approved by Council April 6, 2016			
TOTAL		73,485.20	73,485.20

CITY OF APOPKA
BUDGET AMENDMENT 3RD QUARTER
RESOLUTION 2016-19
EXHIBIT B GRANTS & OTHER REVENUE SOURCES

ACCOUNT NUMBER	J/E DESCRIPTION	DEBIT	CREDIT
001-384.0000	Budget Amendment - Other Financing Sources		27,125.00
001-1120-513.3100	Budget Amendment - Cost of Issuance of \$1.825M Loan	27,125.00	
To record the Hancock loan's cost of issuance and funding received to cover cost - Council Approved April 6, 2016			
150-366.9000	Budget Amendment -Funding from HEROES Grant		7,108.68
150-1020-512.5200	Budget Amendment - Expenditures HEROES Grant	7,108.68	
To record the HEROES Grant			
401-364.4901	Budget Amendment-Funding from Insurance Proceeds		5,701.00
401-3010-539.5200	Budget Amendment-Replacement desks due to break in	5,701.00	
To record insurance proceeds and replacement purchases from Bldg Vandalism			
TOTAL		39,934.68	39,934.68

RESOLUTION NO. 2016-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016, PROVIDING FOR A BUDGET AMENDMENT

WHEREAS, the City Council of the City of Apopka, Florida, has determined that the Budget for Fiscal Year 2015/2016 should be amended; and

WHEREAS, Florida Statutes, Section 166.241(4) requires the governing body amend the budgets in the same manner as the original budget is adopted; and

WHEREAS, the City Council adopted the final budgets for fiscal year 2015/2016 through resolution on September 23, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AS FOLLOWS:

SECTION 1: That the Budget for the City of Apopka, Florida, Fiscal Year 2015/2016 is hereby amended as indicated in Exhibit A – Reserves and Exhibit B - Grants and Other Revenue Sources which are hereby attached and made part of this Resolution by reference thereto.

SECTION 2: Effective Date. This Resolution shall take effect upon final passage and adoption.

ADOPTED THIS 3rd DAY OF August, 2016

CITY OF APOPKA, FLORIDA

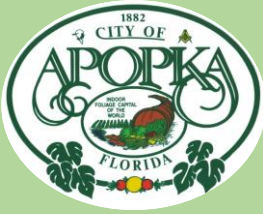
JOSEPH E KILSHEIMER, MAYOR

ATTEST:

LINDA F. GOFF, CITY CLERK

Backup material for agenda item:

6. Resolution 2016-20 - Modification to the Personnel Rules regarding Coaches. Chief Mckinley



CITY OF APOPKA CITY COUNCIL

___ CONSENT AGENDA
___ PUBLIC HEARING
___ SPECIAL REPORTS
X OTHER: Resolution 2016-20

MEETING OF: August 3, 2016
FROM: Police Department
EXHIBITS:

SUBJECT: MODIFICATION OF CITY OF APOPKA PERSONNEL RULES AND REGULATIONS BY RESOLUTION.

REQUEST: APPROVE RESOLUTION 2016-20 ALLOWING THE SCREENING OF COACHES IN ACCORDANCE WITH FLORIDA STATE STATUTE.

SUMMARY:

The City of Apopka has a Personnel Rules and Regulations (Manual) establishing policies and procedures relative to personnel activities and transactions. This manual must be modified by resolution of City Council pursuant to section 2-66 of the Apopka Code of Ordinances. In 2008, City Council passed a resolution listing requirements for coaches and other persons having routine contact with minors at city facilities to have background checks. This policy was to ensure that the individuals coaching had no background of behavior that could be detrimental to the safety of these minors. Historically, this was a process conducted by the police department.

Since that resolution was passed, Florida Statutes have adopted requirements for screening coaches, assistant coaches, referees or other persons who have or may have direct contact with any participating minor as defined in Florida Statute 943.0438. The statute places this burden on the organization. The requested change in personnel rules and regulations moves the process of conducting background checks from the City to the Organization. Additionally, this transfers liability from the City to the Organization, ensures a more uniform process of screening, creates consistency with the practices of other governmental entities, and meets the requirements found in Florida Statute.

The change requires the Recreation Director to receive confirmation by the requesting organization that each applicable member has had a Level 1 background screening pursuant to Florida Statutes 435.03 and 943.0438. The requesting organization may not delegate this responsibility to an individual team and may not authorize any person to coach unless the Level 1 background screening is conducted and is qualified under 943.0438(2)(b). This requirement will be annual, consistent with current requirements.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Approve Resolution 2016-20 to change the Personnel Rules and Regulations Manual.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RESOLUTION NO. 2016-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING CRITERIA WITHIN THE CITY'S PERSONNEL RULES AND REGULATIONS MANUAL FOR REQUIRED BACKGROUND CHECKS FOR COACHES AND OTHER PERSONNEL WITHIN ORGANIZATIONS UTILIZING CITY FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Apopka has a Personnel Rules and Regulations (Manual) establishing policies and procedures relative to personnel activities and transactions; and

WHEREAS, this Manual was first adopted by the City Council on November 21, 1979; and

WHEREAS, Section 2-66 of the Apopka Code or Ordinances has incorporated this Manual into the City's Code of Ordinances; and

WHEREAS, Section 2-66 of the Apopka Code of Ordinances authorizes amendment of the Manual by Resolution; and

WHEREAS, the City of Apopka makes many of its facilities available to outside organizations providing recreational and/or educational opportunities for minors; and

WHEREAS, the City Council of the City of Apopka believes it is in the best interest of the minors who may be participating in the aforementioned recreational/educational activities to ensure that the individuals who have contact with such minors be vetted to ensure that the individuals have no background of behavior that could be detrimental to the safety of these minors; and

WHEREAS, the City Council of the city of Apopka wishes to ensure that all vetting procedures comply with State Statute.

WHEREAS, the City Council feels it necessary to have a written policy in place outlining the criteria for the aforementioned "background checks."

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

SECTION L: Personnel Rules and Regulations

The City of Apopka Personnel Rules and Regulations Section Entitled "Coaches, Volunteers, and Other Non-Employees" beginning on page 77, amended December 15, 2010, is hereby amended to replace such section with as follows:

Coaches, Volunteers, and other Non-Employees:

Applicability:

The provisions of this section apply to any coach, assistant coach, referee or other person who has or may have direct contact with any participating minor, to include but not limited to “athletic coach” as defined in Florida Statute 943.0438 hereinafter “applicable person,” within an organization seeking use of any City-owned facility or grounds, on a regular basis, that provides recreational or educational activities for minor children, hereinafter “requesting organization”. Use on a “regular basis” shall be evidenced by a contract for use or a pattern of performance by the requesting organization. The characterization of a “regular basis” shall be made at the discretion of the Recreational Director, but shall include any person who works as an “applicable person” for twenty or more hours per year. The requirements contained herein shall apply whether the coach/other personnel are paid or unpaid volunteers.

Requirements for Background Check:

Prior to the approval for the use of any City-owned facility or grounds, all requesting organizations shall submit to the City’s Recreational Department, the names of all applicable persons, evidence that the requesting organization has had a Level 1 background screening conducted on each prospective applicable person (pursuant to Florida Statutes 435.03 and 943.0438), and what the organization is using to identify those applicable persons that have had a Level 1 background screening (example: coaches shirt or printed identification). The requesting organization may not delegate this responsibility to an individual team and may not authorize any person to act as an applicable person unless the Level 1 background screening is conducted and does not result in disqualification under 943.0438(2)(b). Level 1 background screenings shall be conducted annually for each athletic coach or applicable person. The Recreational Director will have the discretion to determine whether the provisions outlined in this personnel rules and regulations have been met.

Criteria for Background Checks:

All background checks will comply with Florida State Statute 435.04(2).

SECTION II: Severability

If any section or portion of a section or subsection of this Resolution 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 Resolution.

SECTION III: Conflicts

All City policies in conflict herewith are hereby repealed.

SECTION IV: Effective Date

This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Apopka this _____day of _____, 2016.

CITY OF APOPKA, FLORIDA

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

Backup material for agenda item:

1. CAFR apology letter received by Moore Stephens Lovelace CPAs & Advisors.



MOORE STEPHENS
LOVELACE CPAs & ADVISORS

July 27, 2016

Mr. Glenn A. Irby, MPA
City Administrator
City of Apopka, FL 32704

Dear Mr. Irby:

On behalf of Moore Stephens Lovelace, I would like to personally apologize for the inconvenience to you in having to address the issue related to the error on page 20 of the City's Comprehensive Annual Financial Report (CAFR). As part of our engagement with the City, we are responsible for providing an electronic version of the CAFR for printing and distribution. In the assembly of that electronic document, a human error occurred and a draft version of page 20 was incorrectly placed into the final version of the CAFR. We have taken the necessary steps to prevent this from occurring again.

Please note that this error had no impact on the City's financial statements, its financial condition or our related audit reports. Thank you for bringing this matter to our attention. If you have any further questions or would like to discuss this matter further, please feel free to contact me at any time.

Sincerely,

A handwritten signature in blue ink that reads "William Blend". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

William Blend, CPA, CFE
Shareholder