

**APOPKA CITY COUNCIL AGENDA**  
**January 03, 2018 1:30 PM**  
**APOPKA CITY HALL COUNCIL CHAMBERS**  
**Agendas are subject to amendment through**  
**5:00pm on the day prior to City Council Meetings**

**CALL TO ORDER**  
**INVOCATION - Pastor Darrell Morgan of Word of Life Church**  
**PRESENTATION OF COLORS - Apopka Color Guard**  
**PLEDGE**

**AGENDA REVIEW:**

Proclamations:

1. Arbor Day Proclamation presented to Recreation Director Mariah McCullough.

Employee Recognition:

- ❖ Five Year Service Award – Marcelino Pizarro-Bultron – Recreation/NWRF Grounds
- ❖ Five Year Service Award – Michael “Mike” Suver – Public Services/Design Engineering
- ❖ Five Year Service Award – Jarvin Vines – Public Services/Design Engineering
- ❖ Five Year Service Award – Constance “Connie” Hoover – Police/Communications
- ❖ Ten Year Service Award – Cynthia “Cindy” Hall – Police/Field Services
- ❖ Ten Year Service Award – Brian Martin – Fire/EMS
- ❖ Ten Year Service Award – Christopher “Chris” Rumpza – Fire/Suppression
- ❖ Ten Year Service Award – Widfredo “Wil” Rivera Sanchez – Fire/Chief’s Office
- ❖ Fifteen Year Service Award – Carl Murray – Public Services/Design Engineering
- ❖ Fifteen Year Service Award – Jorge Garcia – Public Services/Waste Water Maintenance

**PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT**

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 a Traffic Enforcement Agreement with the Emerson Park HOA, Inc.
2. Approval and funding to replace the engine in the Public Services Plant Maintenance Division crane truck.
3. Approval to purchase new heavy equipment for the Public Services Streets Division.

**BUSINESS (Action Item)**

1. Approval to replace the roof at Fire Station #4.
2. Award a contract to Get off the Bus LLC. for RFP#2018-01:  
Event Production & Management Services for Special Events at the Apopka Amphitheater.

Jeff Plaughter  
Mariah McCullough

**PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)**

1. Ordinance No. 2618 – First Reading – Comprehensive Plan Amendment – Large Scale – Legislative  
Project: Orlando Beltway Associates – West & East of S.R. 429, north of Kelly Park Road  
Phil Martinez
2. Ordinance No. 2621 – First Reading – Annexation – Legislative  
Project: VBRO Enterprises, Inc. - Location: 41 E Lester Road  
David Moon
3. Ordinance No. 2622 – First Reading – Annexation – Legislative  
Project: Roseville Farms, LLC – Location: Northeast corner of West Ponkan Road and Ponkan Pines Road.  
David Moon

4. Ordinance No. 2623 – First Reading – Vacating a Utility Easement – Quasi-Judicial  
Project: Belvedere Estates Inc. – Location: 1586 Golfside Village Boulevard

David Moon

5. Ordinance No. 2627 - First Reading - Annexation - Legislative  
Project: Kenney Harry Charles McAllister – Location: 3591 West Orange Blossom Trail

David Moon

**CITY COUNCIL REPORTS**

**MAYOR'S REPORT**

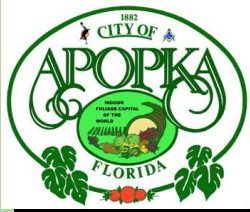
**ADJOURNMENT**

**MEETINGS AND UPCOMING EVENTS**

DATE	TIME	EVENT
January 4, 2018	5:30pm – 9:00pm	Food Truck Round-Up
January 8, 2018	6:30pm –	CONA Meeting – UCF Apopka Business Incubator
January 9, 2018	5:30pm –	Planning Commission Meeting
January 15, 2018	-	Martin Luther King Jr. Day – City Offices Closed
January 16, 2018	6:00pm –	Code Enforcement Hearing
January 17, 2018	7:00pm –	Council Meeting
January 22, 2018	10:00am – 11:00am	Lake Apopka Natural Gas District Board Meeting: Winter Garden
February 1, 2018	5:30pm – 9:00pm	Food Truck Round-Up
February 7, 2018	1:30 pm –	Council Meeting
February 12, 2018	6:30pm –	CONA Meeting – UCF Apopka Business Incubator
February 13, 2018	5:30pm –	Planning Commission Meeting
February 21, 2018	7:00pm –	Council Meeting
February 26, 2018	10:00am –	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.



# CITY OF APOPKA CITY COUNCIL

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

MEETING OF: January 3, 2018  
 FROM: Police Department  
 EXHIBITS: Agreement

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**SUBJECT: PRIVATE STREET TRAFFIC ENFORCEMENT AGREEMENT**

**REQUEST: AUTHORIZE THE POLICE CHIEF TO EXECUTE A TRAFFIC ENFORCEMENT AGREEMENT WITH THE EMERSON PARK HOMEOWNER’S ASSOCIATION, INC., TO ENFORCE TRAFFIC LAWS PURSUANT TO FLORIDA STATUTE 316.0006(2)(B).**

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**SUMMARY:**

The Police Department has been approached by the Emerson Park Homeowner’s Association, Inc., a non-profit corporation controlling the private roads within the Emerson Park Neighborhood, to enforce municipal and state traffic codes and laws within the neighborhood. Florida State Statute 316.006(2)(b) allows for a municipality to exercise jurisdiction over any private road within its boundaries if the municipality and party owning such road enter into a written agreement approved by the City Council. A copy of the agreement has been executed by the Emerson Park Homeowner’s Association, Inc., and is attached.

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**FUNDING SOURCE:**

N/A

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**RECOMMENDATION ACTION:**

Ratify the agreement and authorize the Police Chief to execute the agreement on behalf of the City.

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**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director (2)
Commissioners (4)	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

**AGREEMENT FOR  
TRAFFIC CONTROL ON PRIVATE ROADS**

This Agreement for Traffic Control on Private Roads located in the private community of EMERSON PARK is entered into by and between the City of Apopka, Florida (hereinafter referred to as the “City”), and EMERSON PARK HOMEOWNERS ASSOCIATION, INC. (hereinafter referred to as “EMERSON PARK”).

**WITNESSETH:**

**WHEREAS**, the EMERSON PARK Homeowners Association owns fee simple title to all the private roadways lying within a private community (hereinafter “Private Roads”) more specifically described in a sketch of the property to be provide to the City of Apopka Police Department. These private roadways are located within the corporate limits of the City of Apopka; and

**WHEREAS**, pursuant to state statute, the City does not have traffic control jurisdiction over private roads such as those owned by EMERSON PARK; and

**WHEREAS**, Section 316.006(2)(b), *Florida Statutes*, provides that a city may exercise jurisdiction over any private roads if the city and the party owning such roads provide for city traffic control jurisdiction by a written agreement approved by the City Council; and

**WHEREAS**, the EMERSON PARK wants the City to exercise traffic control jurisdiction over traffic offenses upon the Private Roads; and

**WHEREAS**, the City of Apopka Police Department is willing to exercise traffic control jurisdiction over traffic offenses upon the Private Roads; and

**WHEREAS**, the City of Apopka believes that a public purpose is served by enforcing traffic laws within the private roads owned by EMERSON PARK; and

**WHEREAS**, the parties desire to set forth the terms and conditions required for such an agreement.

**NOW, THEREFORE**, in consideration of the covenants and conditions herein, the City and EMERSON PARK Homeowners Association, Inc. hereby agree as follows:

1. **RECITALS.** The above recitals are true and correct, and are incorporated herein by reference and form a material part of this Agreement.

2. **TRAFFIC CONTROL JURISDICTION.** The City agrees to exercise jurisdiction over traffic offenses upon the Private Roads pursuant to the terms and conditions expressed in Section 316.006(2)(b), *Florida Statutes* and as amended. The foregoing shall not be construed to require any minimum level of staffing or create any priority for traffic enforcement on the Private



Roads. All decisions regarding the level of traffic enforcement on the Private Roads and staffing related thereto shall be within the sole discretion of the Chief of Police.

3. **TRAFFIC CONTROL SIGNAGE.** EMERSON PARK shall establish the speed limit for the Private Roads and shall be responsible for posting the speed limit by appropriate signage along said roads. Such signage must comply with Department of Transportation requirements prior to any enforcement action. The City shall enforce the speed limits consistent with Section 316.183, Florida Statutes.

4. **AUTHORITY IN ADDITION TO EXISTING AUTHORITY.** The City's exercise of traffic control jurisdiction pursuant to this Agreement shall be in addition to the authority presently exercised by the City over the Private Roads, and nothing herein shall be construed to limit or remove any such authority. The City agrees to continue to provide such police services as are required by law.

5. **COMPENSATION.** Pursuant to Florida Statute 316.006(2)(b)(1), the EMERSON PARK Homeowners Association, Inc. shall compensate the City of Apopka Police Department for the actual costs of traffic control and enforcement performed under this Agreement.

6. **CITY TO RETAIN REVENUES.** All revenue from the fines, costs, and penalties imposed by the traffic citations issued for violation of traffic laws as described above on the Private Roads shall be retained by the City and apportioned in the manner set forth in applicable statutes.

7. **LIABILITY NOT INCREASED.** Neither the existence of this Agreement nor anything contained herein shall give rise to any greater liability on the part of the City than that which the City would ordinarily be subjected to when providing its normal police services.

8. **INDEMNIFICATION.** To the fullest extent permitted by law, EMERSON PARK Homeowners Association, Inc. shall indemnify, defend, and hold the City harmless from any loss, cost, damage or expense, including attorney's fees, for any action arising out of, related to, or stemming from, either directly or indirectly, the maintenance, repair and/or reconstruction of any roads, road drainage or signage or any matter related to providing traffic control enforcement pursuant to this Agreement. To ensure its ability to fulfill its obligation under this paragraph, EMERSON PARK Homeowners Association, Inc. shall maintain General Liability insurance in the minimum amount of One Million Dollars (\$1,000,000.00), and shall file with the City current certificates of the required insurance providing a 30-day advance written notice of cancellation. Such insurance shall (a) name the City as and additional insured as it relates to activities conducted pursuant to this contract and (b) be issued by companies authorized to do business under the laws of the State of Florida and acceptable to the City. No claims whatsoever shall be made or asserted against the City by the Association for or on account of anything done or as a result of anything omitted to be done in connection with this Agreement.

9. **ROAD MAINTENANCE.** Neither the existence of the Agreement nor anything contained herein shall impose any obligation or duty upon the City to provide maintenance on and/or related drainage of the Private Roads. The maintenance, repair and construction or reconstruction of all roads, drainage and signage within the EMERSON PARK shall at all times

be solely and exclusively the responsibility of the EMERSON PARK Homeowners Association, Inc.

10. **TERM.** The term of this Agreement shall commence on the Date approved by the Apopka City Council and continue for one year from that date, and shall thereafter automatically continue for successive one year terms unless terminated by either party by thirty (30) days written notice to the other parties. The provisions of Paragraph 8 herein shall survive the termination of this Agreement.

11. **APPLICABLE LAW.** This agreement and the provision contained herein shall be construed and interpreted according to the laws of the State of Florida.

12. **ENTIRE AGREEMENT.** This Agreement, including all Exhibits attached hereto, constitutes the entire understanding and agreement between the parties and may not be changed, altered, or otherwise modified except when reduced to writing and executed in the same manner, with the approval of the City Council.

13. **NOTICE.** All notices to be given shall be in writing and sent by certified mail, return receipt requested, to the following:

AS TO THE CITY: Chief of police  
Apopka Police Department  
112 East 6<sup>th</sup> Street  
Apopka, Florida 32703

AS TO EMERSON PARK: EMERSON PARK HOMEOWNERS ASSOCIATION, INC.  
REGISTERED AGENT  
LELAND MANAGEMENT INC  
6972 GLORIA BLVD  
ORLANDO, FL 32809

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

**ATTEST:**

**CITY OF APOPKA**


By: \_\_\_\_\_  
Linda Goff, City Clerk

By: \_\_\_\_\_  
Michael McKinley, Chief of Police

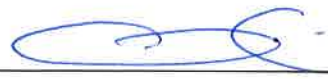
Date: \_\_\_\_\_

APPROVED BY THE CITY OF APOPKA CITY COUNCIL AT A MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 201\_\_.

**EMERSON PARK  
HOMEOWNERS ASSOCIATION, INC.**


By:   
TRACEY BUCHAN, CAM  
Printed Name/Title  
Date: 12-20-2017

WITNESS:

  
Signature

Date: 12/20/2017

AMBER UCCI  
Name Printed

  
Signature

Date: 12/20/17

Jessica Cox  
Name Printed



# CITY OF APOPKA CITY COUNCIL

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

MEETING OF: January 3, 2018  
 FROM: Public Services  
 EXHIBITS:

**SUBJECT: UTILITY PLANT MAINTENANCE CRANE TRUCK ENGINE REPLACEMENT**

**REQUEST: APPROVE MULLINAX FORD TO PERFORM AN ENGINE REPLACEMENT IN THE AMOUNT OF \$17,084**

**SUMMARY:**

The Utility Plant Maintenance Division’s crane truck, Unit No. 19-1319, suffered a catastrophic failure of the diesel engine. This crane truck is essential to the operation and maintenance of the lift stations for pulling of and replacing pumps. Staff obtained three quotes for the engine replacement.

Vendor	Price Quote
Mullinax Ford	\$17,084
Sun State Ford	\$18,086
Peacock Ford	\$18,955

Staff requests approval of Mullinax Ford’s proposal of \$17,084 to perform the diesel engine replacement in Unit No. 19-1319.

**FUNDING SOURCE:**

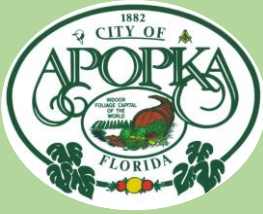
Fund 401 – Utility Operating Reserves

**RECOMMENDATION ACTION:**

Approve Mullinax Ford to replace the diesel engine in Unit No. 19-1319 for \$17,084.

**DISTRIBUTION**

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



# CITY OF APOPKA CITY COUNCIL

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

MEETING OF: January 3, 2018  
 FROM: Public Services  
 EXHIBITS:

**SUBJECT: PURCHASE OF HEAVY EQUIPMENT FOR THE STREETS IMPROVEMENT DIVISION**

**REQUEST: AUTHORIZE THE PURCHASE OF TWO PIECES OF EQUIPMENT FOR THE STREETS IMPROVEMENT DIVISION**

**SUMMARY:**

The purchase of heavy equipment for the Streets Improvement Division. This equipment is additional new equipment that will improve work response time and safety. Pricing is made available through the Florida Sheriffs Association Contract. The pricing is as follows:

Heavy Equipment	Use	Vendor	Budget	Amount
Caterpillar 420F Extendable Backhoe Loader	Debris removal/ Streets cleanup	Ring Power Corp	\$75,000	\$69,500
Short Stop Loading System and discharge chute	Road repairs	Ernest Industries, Inc.	\$15,000	\$20,625
			<b>\$90,000</b>	<b>\$90,125</b>

This total purchase exceeds the approved budget by \$125, however savings experienced with the Backhoe and purchases of other equipment will be used to complete this purchase.

**FUNDING SOURCE:**

Funding is included in the General Fund FY18/19 Budget

**RECOMMENDATION ACTION:**

Authorize the purchase of two pieces of heavy equipment through the Florida Sheriffs Association Contract, in the total amount of \$90,125.

**DISTRIBUTION**

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



# CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA  
 PUBLIC HEARING  
 SPECIAL REPORTS  
 OTHER: Business

MEETING OF: January 3, 2018  
FROM: Public Services  
EXHIBITS: Roof Inspection Report  
Pages 105 - 118

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**SUBJECT: FIRE STATION #4 FACILITY ROOF REPLACEMENT**

**Request: APPROVAL OF \$126,720 FOR THE ROOF REPLACEMENT OF FIRE STATION #4 FACILITY**

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**SUMMARY:**

Fire station #4 was constructed in 1998, with a metal roof. A spray foam was later applied over the metal surface. This foam over the years has become severely delaminated, trapping water between the foam and metal roof, resulting in corrosion and roof leaks.

The proposed corrective action is for the removal of the existing roof and its replacement with a 30-year water tight standing seam metal roof, new insulation, gutters and down spouts.

The work will be completed by the Garland Company, Inc., taking advantage of our participation in the U.S. Communities Government Purchasing Alliance.

The estimated cost for the proposed roof replacement ranges from \$96,000 to \$115,200. Using the higher of the estimate range and factoring in 10% contingency funds, brings the requested amount to \$126,720.

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**FUNDING SOURCE:**

General Fund Reserves

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**RECOMMENDATION ACTION:**

City Council Approve the Roof Replacement for the Fire Station #4 Facility.

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**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



# Facility Summary

**Client:** City of Apopka

**Facility:** Fire Station #4

## Facility Data

Address 1	2750 W Orange Ave
Address 2	-
City	Apopka
State	Florida
ZIP	32703
Type of Facility	Municipal
Square Footage	4,800
Contact Person	Jeff Plaughner

## Asset Information

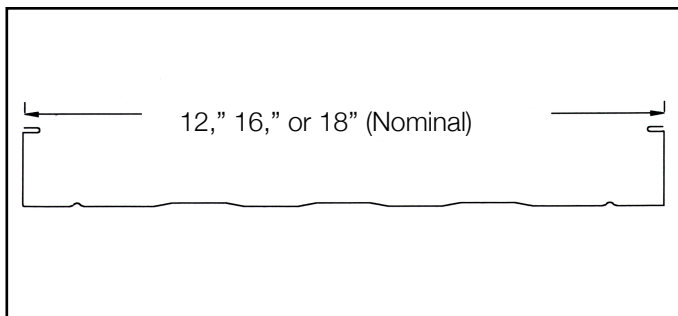
Name	Date Installed	Square Footage	Roof Access
Metat Roof		4,800	Ladder Needed

# R-Mer<sup>®</sup> Span

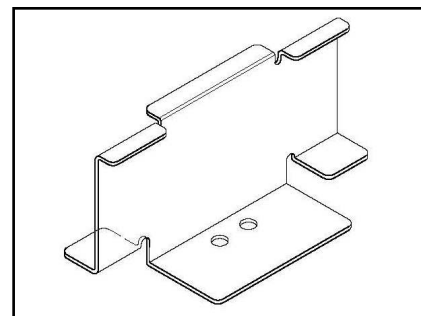
## PRODUCT DESCRIPTION

R-Mer Span is a structural standing seam roof system. R-Mer Span consists of a unique profile containing mesas throughout the panel to minimize “oil canning.” The 2 3/8” high vertical seam makes R-Mer Span aesthetically pleasing and also the ideal roof system to withstand the most severe weather conditions. The heavy-duty continuous clip allows for unlimited expansion and contraction. R-Mer Span can be used on slopes down to 1/4” per foot for both retrofit and/or new construction.

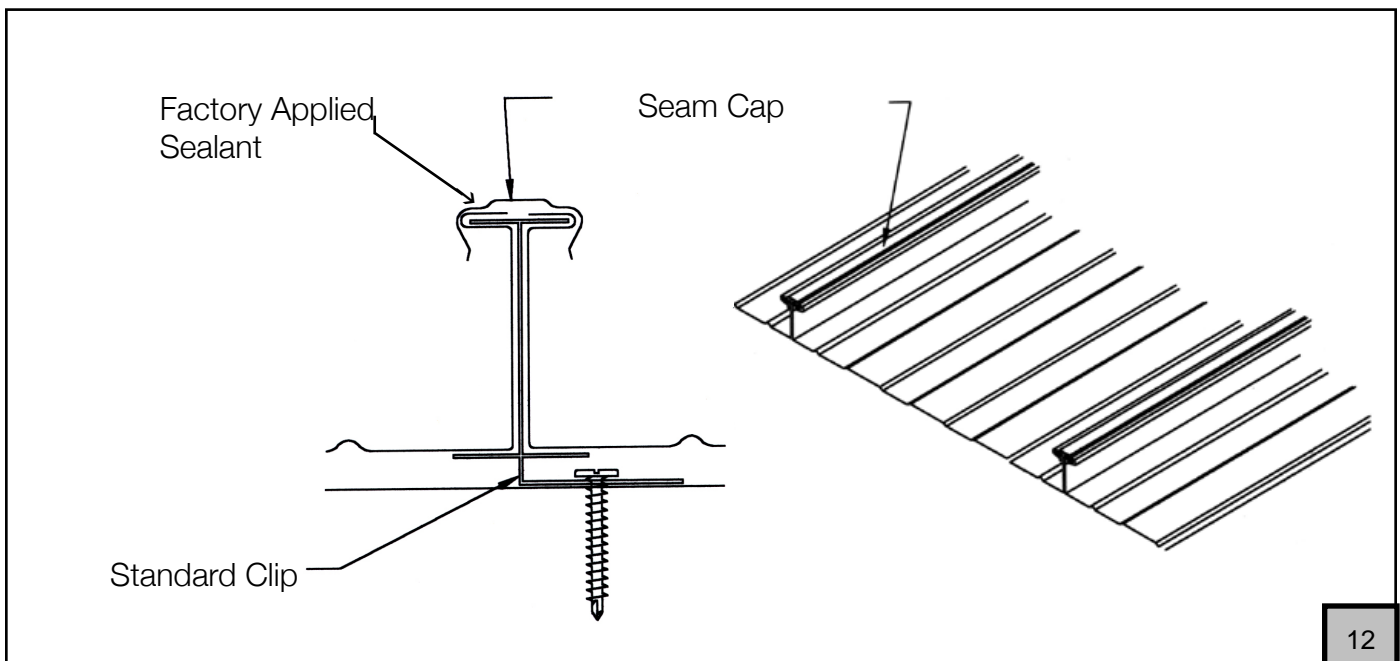
**PANEL PROFILE**



**STANDARD CLIP**



## SEAM DETAIL AND ASSEMBLY





# R-Mer Span

## DESIGN CHARACTERISTICS

- Heavy-duty, 16-gauge, one-piece clip design provides for unlimited thermal movement
- Symmetrically designed panel/cap configuration contains four (4) layers of steel
- Double bead of factory applied hot melt sealant (water barrier) is completely isolated from clip
- 2-3/8" High vertical seam
- Tightest curving capability in industry for structural panel (Steel - 20 ft. radius; Aluminum - 10 ft. radius)
- Available for tapered panel applications
- Profile contains unique mesas or striations to minimize appearance of "oil canning"
- Spanning capability over open purlins on slopes down to 1/4:12
- 3/8" high clearance between panel and substrate helps ventilation and reduces possibility of condensation
- Ideal for retrofits over existing single plies, BUR's, modified bitumens or other metal roofs
- 20 and 30 year warranty available
- Available in 12", 16" or 18" wide panels
- Available in 20, 22 or 24 gauge G-90 Galvanized steel; .032, .040, or .050 aluminum, copper, stainless steel and zinc
- Available in a wide choice of colors

## TEST CLASSIFICATIONS

- FM Class 1-195 in accordance with 4471 test procedure (12" wide panel; 22 gauge steel)
- UL 90 classification in accordance with UL 580 test procedure
- Class A fire rating in accordance with UL 790
- UL 263 fire assembly tested
- Roof system compliance with ASTM E 1592
- Air infiltration test in accordance with ASTM E 283 and E 1680
- Water penetration test in accordance with ASTM E 331 and E 1646

## COLORS

Please contact your local Garland Representative for the available colors including those that are ENERGY STAR® and CRRC® qualified.

For specific application recommendations and coverage rates, please contact your local Garland Representative or Garland Technical Service Department.



since 1895 For more information, visit us at: [www.garlandco.com](http://www.garlandco.com)

### The Garland Company, Inc.

3800 East 91st Street  
Cleveland, OH 44105  
FAX: 216-641-0633  
Phone: 216-641-7500  
Toll Free: 800-321-9336

### Garland Canada Inc.

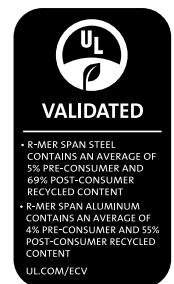
209 Carrier Drive  
Toronto, Ontario  
Canada, M9W 5Y8  
FAX 416-747-1980  
Phone: 416-747-7995  
Toll Free: 800-387-5991  
(Only in Canada)

### The Garland Company UK, LTD

Unit 5 Glevum Works, Upton Street  
Gloucester, United Kingdom GL1 4LA  
FAX: 01452 330 657  
011 44 1452 330 657 (Outside UK)  
Phone: 01452 330 646  
011 44 1452 330 646 (Outside UK)  
Toll Free: 0800 328 5560  
(Only in UK)



\*based on qualified colors



The Continuous Clip product used with R-Mer Span is protected by U.S. Patent # 6,354,045 and Canada Patent # 2,334,538

Tests verified by independent laboratories. Actual roof performance specifications will vary depending on test speed and temperature. Data reflects samples randomly collected. A ± 10% variation may be experienced. The above data supersedes all previously published information. Consult your local Garland Representative or Garland Corporate Office for more information.

R-Mer and Garland Greenhouse are trademarks of The Garland Company, Inc. and Garland Canada Inc. ENERGY STAR is a registered trademark of the U.S. government. The ENERGY STAR program represents a voluntary partnership between businesses and organizations and the federal government to promote energy efficiency and environmental activities (Valid in U.S. only). The CRRC mark is a registered trademark of the CRRC Roof Rating Council.

© 2014 Garland Industries, Inc.

RMER SPAN



# Construction Details

**Client:** City of Apopka

**Facility:** Fire Station #4

**Roof Section:** Metat Roof

## Information

<b>Year Installed</b>	-	<b>Square Footage</b>	4,800
<b>Slope Dimension</b>	-	<b>Eave Height</b>	22
<b>Roof Access</b>	Ladder Needed	<b>System Type</b>	Metal



Imagery ©2017 Google, Map data ©2017 Google United States 20 ft



# Photo Report

**Client:** City of Apopka

**Facility:** Fire Station #4

**Report Date:** 08/10/2017

**Title:** Assessment

**Roof Section:** Metat Roof

This roof has a spray foam applied over top of the through fastened panels. The foam has severely delaminated throughout which ultimately, traps moisture within and beneath. This has caused the metal panels to rust out, leading to leaks throughout.

This roof needs to be replaced asap as to avoid deterioration to the purlins.



**Photo 1**

East elevation





**Photo 2**

South Elevation where a single continuous gutter and 4 downspouts are located



**Photo 3**

West Elevation



**Photo 4**

North Elevation where a single continuous gutter and 4 downspouts are located



**Photo 5**

Inside the bay of the fire station, leaks were described throughout. As it rains, the insulation swells with trapped moisture until it rips, causing rust colored water to cover the vehicles within. The Purlins and metal supports are still in good shape despite the roof and insulation's condition



**Photo 6**

Spray foam applied over roof. As you can see, the foam has deteriorated and is holding/trapping moisture.





**Photo 7**

Gutter is detached in some areas and will need to be replaced as well.





**Photo 8**



**Photo 9**



**Photo 10**



# Solution Options

**Client:** City of Apopka

**Facility:** Fire Station #4

**Roof Section:** Metat Roof

## Replace Options

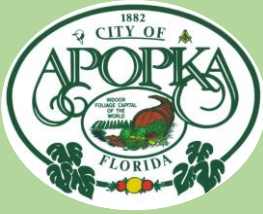
<b>Solution Option:</b>	Replace	<b>Action Year:</b>	2017
<b>Square Footage:</b>	4,800	<b>Expected Life (Years):</b>	30
<b>Budget Range:</b>	\$96,000.00 - \$115,200.00		

### Summary of Work:

Demolition of existing roof system to include spray foam, metal panels insulation, gutters and downspouts and edge metal.

#### Roof replacement as detailed by the Garland Company:

- New 30 year watertight standing seam metal roof system
- New insulation
- New gutters & downspouts



# CITY OF APOPKA CITY COUNCIL

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

MEETING OF: January 3, 2018  
 FROM: Recreation  
 EXHIBITS: Evaluation Summary

**SUBJECT: RFP#2018-01: EVENT PRODUCTION AND MANAGEMENT SERVICES FOR THE APOPKA AMPHITHEATER**

**REQUEST: APPROVAL TO AWARD A BID TO GET-OFF-THE-BUS, LLC**

**SUMMARY:**

The City of Apopka hosts three to four major events annually at the Apopka Amphitheater. To enhance the experience for attendees, grow the events, reduce the burden of event execution on City staff, and to secure more sponsorship funding, the City published a Request for Proposals [RFP] for an outside vendor to take over the management and execution of these events.

Specifically, the RFP requested a strategic, creative and passionate firm to take on the task of providing, staging and managing up to four festival-type events per year at the Amphitheater. In addition, the bid stated that the winning candidate must be able to demonstrate a proven ability to grow an event, understand long-term planning and have an innate ability to identify and secure sponsorship funding while creating programs to attract sponsors.

**Committee’s process:** The committee received proposals from Momentum Music Group (MMG), Get Off the Bus, LLC and Steglich Ross Business Solutions and Gregory Media Group. The committee reviewed each submission and scored them based on completeness of the RFP requirements, structure of pricing, experience of the proposer, past performance, comparable project case study, and ability to provide needed services.

The committee unanimously recommends Get Off the Bus, LLC as the Event Production & Management contractor. The Evaluation Committee based its decision on the strength of Get Off the Bus, LLC. in securing talent and its proven record as an established business. The event pricing structure proposed will be based on a set fee of \$30,000 for each event and upon the monetary constraints identified within the budget. Event talent, dates and logistics of each event will also require staff approval.

As presented, the submittal will leave the City responsible for the following expenses for each event:

- 1) Policing (traffic management),
- 2) control, coordination, planning, and logistics of parking at the venue,
- 3) Management Fee (\$30,000),
- 4) Fire and EMT services,
- 5) Security fencing (rental and installation),
- 6) Port-o-lets (rental),
- 7) On-site liaison [employee] for such needs as electrical issues, grounds issues, garbage disposal, etc.

The anticipated number of people expected to attend the events will dictate how many police officers, fire/EMTs and Port-o-lets will be needed. In other words, these expenses will vary.

As presented, the submittal will have Get Off the Bus, LLC responsible for the following;

- 1) Securing talent,
- 2) The outsourcing of all event related logistics, tasks, marketing, promotions, labor and services.

Revenues generated from ticket sales, food and beverage sales, sponsorships and the City's contribution [Management Fee] are intended to offset all incurred expenses. Shortfalls in revenue will be covered by the City subject to a negotiated effort with Get Off the Bus LLC. Get Off the Bus anticipates working closely with the City on marketing and promotion of the events to local and regional sponsors. They believe in developing long term sponsorships and community involvement to minimize direct expenses to the City.

Further responsibilities of Get Off the Bus include providing the following at each event:

Management & Staff:

- Backstage access
- Green room provisions
- Catering services
- Vendor coordination
- Site Management and Logistics
- Social Media promotions & photography
- Ticketing system set-up
- Meet & Greet administration
- Ticket Sales at gate
- Ticket Takers at gate
- Runners for tour/artist manager

3<sup>rd</sup> Party personnel:

- Private Security (inside and backstage)
- Sound and Light set-up
- Catering company
- Lift operator

---

**FUNDING SOURCE:**

FY17/18 Recreation –Programs & Events budget

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**RECOMMENDED ACTION:**

Award the Event Production & Management Services for Special Events RFP to Get Off the Bus, LLC. and direct staff to forge a contract with said company.

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**DISTRIBUTION**

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



**EVALUATION SUMMARY**  
**RFP 2018-01:**  
**Event Production & Management Services for**  
**the Apopka Amphitheater**

**Evaluation Committee:**

Mariah McCullough, Recreation Director  
 Lorena Potter, Recreation Programs Manager  
 Carolyn Ray, Event Coordinator

		<b>GET OFF THE BUS LLC</b>	<b>MONUMENT MUSIC GROUP</b>	<b>STEGLICH ROSS</b>
<b>Completeness of RFP Packet:</b>	<b>5</b>	5	4	4
<b>Structure of Pricing:</b>	<b>15</b>	13	6	8
<b>Experience of the Proposer:</b>	<b>20</b>	18	17	15
<b>Past Performance:</b>	<b>20</b>	18	17	16
<b>Comparable Project Case Study:</b>	<b>20</b>	18	15	15
<b>Ability to Provide Needed Services:</b>	<b>20</b>	17	12	15
<b>TOTAL POINTS [100 POINTS AVAILABLE]</b>		<b>88</b>	<b>70</b>	<b>73</b>





# CITY OF APOPKA CITY COUNCIL

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

- MEETING OF: January 3, 2018  
 FROM: Community Development  
 EXHIBITS: Land Use Report  
 Vicinity Map  
 Future Land Use Map  
 Zoning Map  
 Aerial Map  
 Kelly Park Interchange Map  
 WPIVP<sup>1</sup> Character Districts  
 Comp Plan Objectives  
 JPA Amendment No. 2  
 Ordinance No. 2618

**SUBJECT:** **ORDINANCE NO. 2618 – COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT – ORLANDO BELTWAY ASSOCIATES.**

**REQUEST:** **FIRST READING OF ORDINANCE NO. 2618 – COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT – FROM “COUNTY” RURAL TO “CITY” MIXED USE INTERCHANGE (0-5 DU/AC) FOR ORLANDO BELTWAY ASSOCIATES; AND AUTHORIZE TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.**

**SUMMARY:**

**OWNER:** Orlando Beltway Associates

**APPLICANT:** VHB, c/o James Hall

**LOCATION:** West Parcel: west of S.R. 429 and north of Kelly Park Road  
 East Parcel: east of S.R. 429 and north of Kelly Park Road

**EXISTING USE:** Agriculture – grazing

**CURRENT ZONING:** “County” RCE-2 (ZIP)

**PROPOSED DEVELOPMENT:** West Parcel: Consistent with Employment Overlay District of the Kelly Park Crossing Form-Based Code Area  
 East parcel: Consistent with Neighborhood Residential Overlay District of the Kelly Park Crossing For-Based Code Area.

**PROPOSED ZONING:** Mixed Use Interchange Zoning District with Transition (east parcel) Overlay Zone, and with Employment Overlay Zone (west parcel)

**TRACT SIZES:** West Parcel: 51.0 acres +/-  
 East Parcel: 56.5 acres +/-

**FUNDING SOURCE:** N/A

**DISTRIBUTION**

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

<sup>1</sup> WPIVP – Wekiva Parkway Interchange Vision Plan



**SUMMARY (CONTINUED):**

MAXIMUM ALLOWABLE  
DEVELOPMENT:

WEST PARCEL:	EXISTING:	Max. 51 residential units
	PROPOSED:	Max. 1.1 million square feet commercial\ industrial\institutional or 382 residential units, or a combination
EAST PARCEL:	EXISTING:	Max. 56 residential units
	PROPOSED:	Max. 847 residential units

**ADDITIONAL COMMENTS:** Presently, the subject properties do not have a “City” future land use designation or “City” zoning classification assigned. The applicant requests a future land use designation of “City” Mixed Use Interchange. Presently, the applicant proposes a residential subdivision on the parcel east of State Route 429. The residential subdivision is in the Transition Overlay Zoning Districts, as defined in the Kelly Park Crossing Form-Based Code.

Policy 20.9, Future Land Use Element of the Comprehensive Plan, requires that a Mixed Use Interchange future a land use designation must be assigned to the property.

The subject parcels are located within the one-mile radius from the Wekiva Parkway interchange at Kelly Park Road; and therefore is required to adhere to the Kelly Park Crossing Form Based Code. The two parcels are located within the Wekiva Parkway Interchange Vision Plan Area. Therefore, the property must comply with Objectives 18 – 20 and related policies within the Future Land Use Element of the Comprehensive Plan and the recently adopted Kelly Park Crossing Form-Based Code. The applicant’s request is consistent with the Mixed Use Interchange future land use designation and the Overlay District covering the property within the Vision Plan.

**COMPREHENSIVE PLAN COMPLIANCE:** The proposed use of the property is compatible with the character of the surrounding area, is within one mile of the SR 429/Kelly Park Road interchange, and is consistent with the Mixed Use Interchange Land Use designation. City planning staff supports the FLUM amendment given the consistency with the Comprehensive Plan policies listed below and the intent of the Wekiva Parkway Interchange Vision Plan a (see Land Use Analysis below). Site development cannot exceed the intensity allowed by the Future Land Use policies.

*Future Land Use Element*

1. **Policy 3.1.r** The primary intent of the Mixed Use land use category is to allow a mixture of residential, office, commercial, industrial, recreation, institutional and public facilities uses to serve the residential and non-residential needs of special areas of the City. The mix of land uses may occur on a single parcel or multiple parcels ...

The designation of a mixed use category may occur only in certain areas of the city, including “land anticipated for inclusion within the Wekiva Parkway Interchange Land Use Plan...” These properties are within the 1-mile radius of the Wekiva Parkway Interchange depicted on the Wekiva Parkway Interchange Vision Plan Map located within the Future Land Use Element of the Apopka Comprehensive Plan.

2. **Policy 18.1** The City shall implement the Wekiva Parkway Interchange Vision Plan, which guides the location of a range of uses, such as residential, office, commercial, industrial, recreation, public and institutional, at various densities and intensities around the proposed interchange.

The proposed Mixed Use Future Land Use Designation allows for residential densities and non-residential uses and intensities to implement the Wekiva Parkway Interchange Vision Plan, consistent with Objective 18 and related policies.

3. **Policy 18.2** Prior to rezoning any property within a one-mile radius of the interchange Study Area, the City shall amend its LDC to incorporate development standards that will implement the Vision Plan.

This future land use amendment does not include a corresponding proposed zoning category because the City has yet to adopt development standards or form-based code consistent with this policy. Future densities/intensities and design character for the subject properties will be regulated at the time of rezoning once Wekiva Parkway Interchange Vision Plan design standards and form-based code are adopted.

4. **Policy 20.4** Prior to approving the first development plan with the Wekiva Parkway Interchange vision Plan Area, the City shall adopt the Wekiva Parkway Interchange Form-Based Cod establishing the design and development standards for the Wekiva Parkway Interchange Vision Plan Area.

The subject properties will be required to comply with the above policy should the development submit a development plan to ensure consistency with the Comprehensive Plan and Wekiva Parkway Interchange Vision Plan.

5. **Policy 20.9** Development within the Wekiva Parkway Interchange Plan Area shall be assigned a Mixed-Use Interchange future land use designation and shall accomplish an overall mix of residential and non-residential uses as outline in Policy 3.1.r. Assignment of the Mixed-Use Interchange Land Use future land use designation shall require an amendment to the Comprehensive Plan.

The applicant’s request for a Mixed Use future land use designation is consistent with this policy, as well as the intent of the Wekiva Parkway Interchange Vision Plan area, which intends to concentrate a mixture of land uses with varying densities and intensities within one mile of the Wekiva Parkway Interchange.

6. **Policy 20.3.** The annexation, land use change, and subsequent development of lands located within the Wekiva Parkway Interchange Plan Area for Apopka and the Wekiva Interchange Land Use Plan Overlay for the County shall be consistent with the adopted Interlocal Agreement between Orange County and the City of Apopka regarding Wekiva Interchange Land Use Plan Overlay.
7. **Objective 19 and 20, and their associated policies.** See objectives and policies within the supporting information.

*Transportation Element*

1. **Policy 4.2** The City of Apopka shall promote, through the implementation of programs such as mixed-use land development, projects that support reduced travel demand, short trip lengths and balanced trip demand.

The Mixed Use future land use designation allows for a mixture of land use types such as residential and non-residential, which promotes shorter trip lengths, concentrated development to reduce travel demand.

2. **Policy 3.1.r** The primary intent of the Mixed Use land use category is to allow a mixture of residential, office, commercial, industrial, recreation, institutional uses and public facilities

uses...This mix of land uses may occur on a single parcel or multiple parcels in the form of: a permitted single use; a vertical combination of different permitted uses; or a horizontal mix of different permitted uses.

3. **Policy 4.2** The City of Apopka shall promote, through the implementation of programs such as mixed-use land development, projects that support reduced travel demand, shorter trip lengths and balanced trip demand.
4. **Objective 20 and associated Policies, Future Land Use Element.** Provided with the Supporting Information.

**VISIONING AND SPECIAL STUDIES:** The properties are located within the boundaries of the Wekiva Parkway Interchange Vision Plan Area, making it subject to the Kelly Park Crossing Form-Based Code, Mixed- Use Interchange Zoning District and Neighborhood, Transition, and Employment Overlay Districts. A copy of the Wekiva Parkway Interchange Vision Plan is provided with the support material.

**SCHOOL CAPACITY REPORT:** An executed capacity enhancement agreement with Orange County Public Schools will be required prior to adoption of the future land use amendment.

**ORANGE COUNTY NOTIFICATION:** The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on August 15, 2017. Notification has already occurred through the Second Amendment to the Joint Planning Agreement with Orange County government. The second amendment acknowledges that the City will assign a land use designation similar to the overlay district illustrated in the Wekiva Parkway Interchange Vision Plan.

**PUBLIC HEARING SCHEDULE:**

December 12, 2017– Planning Commission (5:30 pm)  
January 3, 2018 – City Council (7:00 pm) - 1<sup>st</sup> Reading & Transmittal

**DULY ADVERTISED:**

November 28, 2017– Public Notice and Notification  
TBD – Ordinance Heading & Public Notice ¼ Page Ad w/Map

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**RECOMMENDATION ACTION:**

The **Development Review Committee** recommends approval to transmit a change in Future Land Use to Mixed Use Interchange for the property owned by Orlando Beltway Associates subject to the information and findings in the staff report.

The **Planning Commission**, at its meeting on December 12, 2017, found the Future Land Use Designation consistent with the Comprehensive Plan; and unanimously recommended a change in Future Land Use Designation from “County” Rural to “City” Mixed Use Interchange for the properties owned by Orlando Beltway Associates and transmittal to the Florida Department of Economic Development.

Accept the First Reading of Ordinance No. 2618; and authorize transmittal to the Florida Department of Economic Opportunity.

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

**LAND USE REPORT**

**I. RELATIONSHIP TO ADJACENT PROPERTIES:**

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Rural Settlement	P-D (ZIP)	Grazing\Agriculture
East (County)	Rural	A-1 and R-CE	Single Family Residential
South (County)	Rural	A-1	Horticulture Nursery, Woodlands, Single Family Homes
West (County)	Rural	A-1	Single Family Homes

The properties have access from Plymouth-Sorrento Road and Effie Drive.

**II. LAND USE ANALYSIS**

Analysis for the Future Land Use Designation was performed as part of the adopted Wekiva Parkway Interchange Vision Plan. This Vision Plan has been incorporated into the Comprehensive Plan. The subject property straddles the one-mile radius from the interchange, and the property owner has selected to pull the entire property into the Kelly Park Crossing Form-Based Code Area (aka Wekiva Parkway Interchange Vision Plan Area).

Therefore, the proposed Mixed Use Interchange future land use designation is consistent with the general future land use character and long-range planning goals of the surrounding area.

- Wekiva Parkway Interchange Vision Plan Area: Yes
- Wekiva River Protection Area: No
- Area of Critical State Concern: No
- DRI / FQD: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004 and amended the JPA in October 19, 2010 to address the Wekiva Parkway Interchange Vision Plan. The subject property is consistent with the Vision Plan incorporated into Amendment 2 of the Wekiva Parkway Interchange Vision Plan.

Transportation: Road access to the site is from Plymouth Sorrento Road to the East and Effie Drive to the West. Road systems must be consistent with the Kelly Park Crossing Form-Based Code.

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

- Future Land Use Element, Policies 4.16, 14.4, 15.1, 16.2 and 18.2; Objective 19, 20.
- Infrastructure Element, Policies 1.5.5, 4.2.7, 4.4, 4.4.1, 4.4.2 and 4.4.3
- Conservation Element, Policy 3.18

Karst Features: The Karst Topography Features Map from the Florida Department of Environmental Protection shows that both parcels appear to occur within an area having a potential for karst features.

Analysis of the character of the Property: The current use of the property is for agriculture. Analysis of the FLUM designation occurred as part of the Wekiva Parkway Interchange Vision Plan.



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

2. Projected total demand under existing designation: 22,470 GPD
3. Projected total demand under proposed designation: 397,870 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD / Capita
6. Projected LOS under proposed designation: 177 GPD / Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment:  
None
8. Parcel located within the reclaimed water service area: Yes

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: 1,140 lbs/ day
4. Projected LOS under proposed designation: 11,212 lbs / day
5. Improved/expansions already programmed or needed as a result of the proposed amendment:  
None

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

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

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

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

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

Availability of distribution lines to serve the property: Yes

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

Drainage Analysis

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

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System ; 3 acre / 1000 capita
2. Projected facility under existing designation: 0.855 acres
3. Projected facility under proposed designation: 6.759 acres
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None

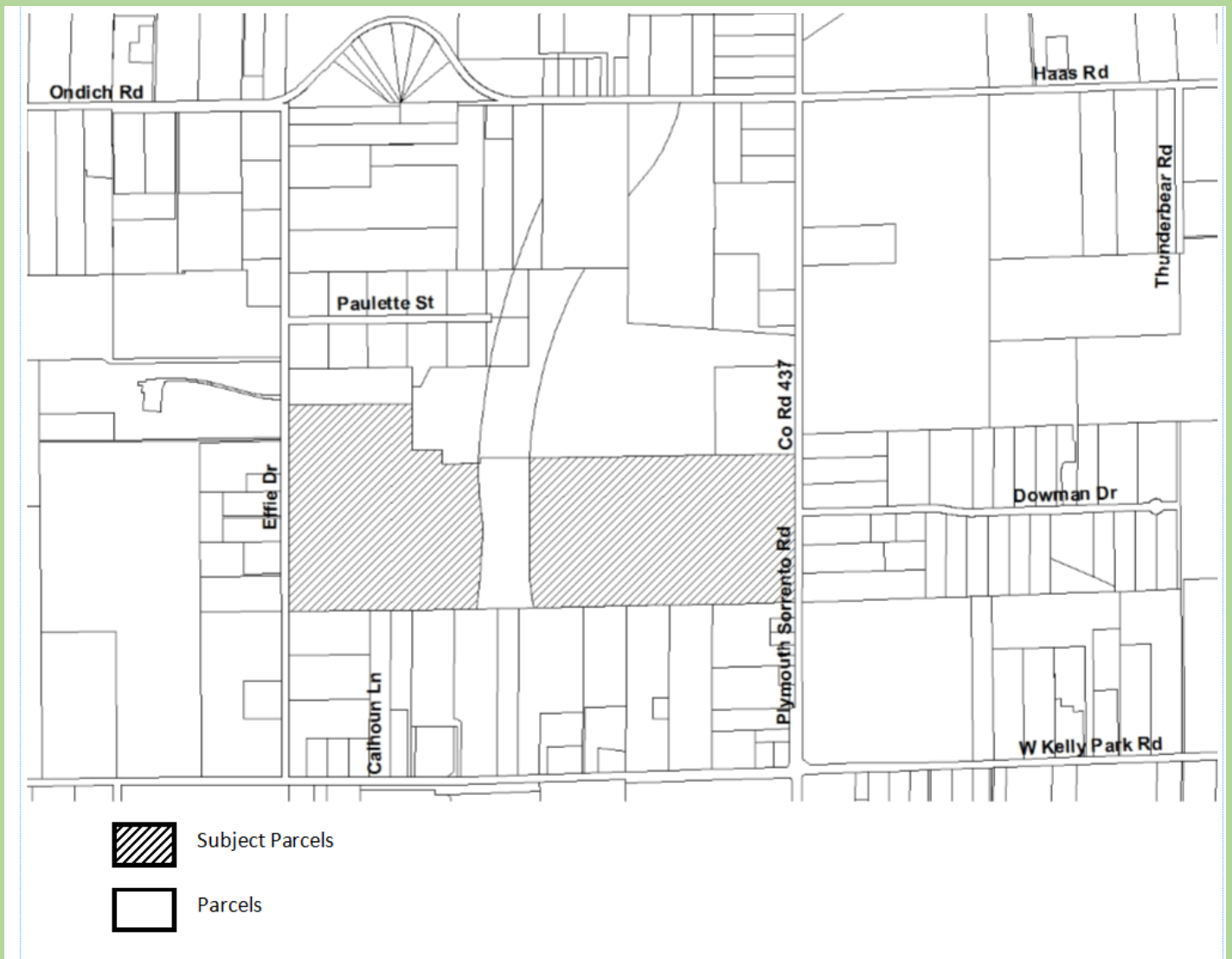
This initial review does not preclude conformance with concurrency requirements at the time of development approval.



**Orlando Beltway Associates**  
**Property Owners**  
**107.47 +/- Acres**  
**Proposed Large Scale Future Land Use Amendment:**  
**From: No City FLUM assigned**  
**To: Mixed Use Interchange**  
**Parcel ID #: 12-20-27-0000-00-100 & 12-20-27-0000-00-047**



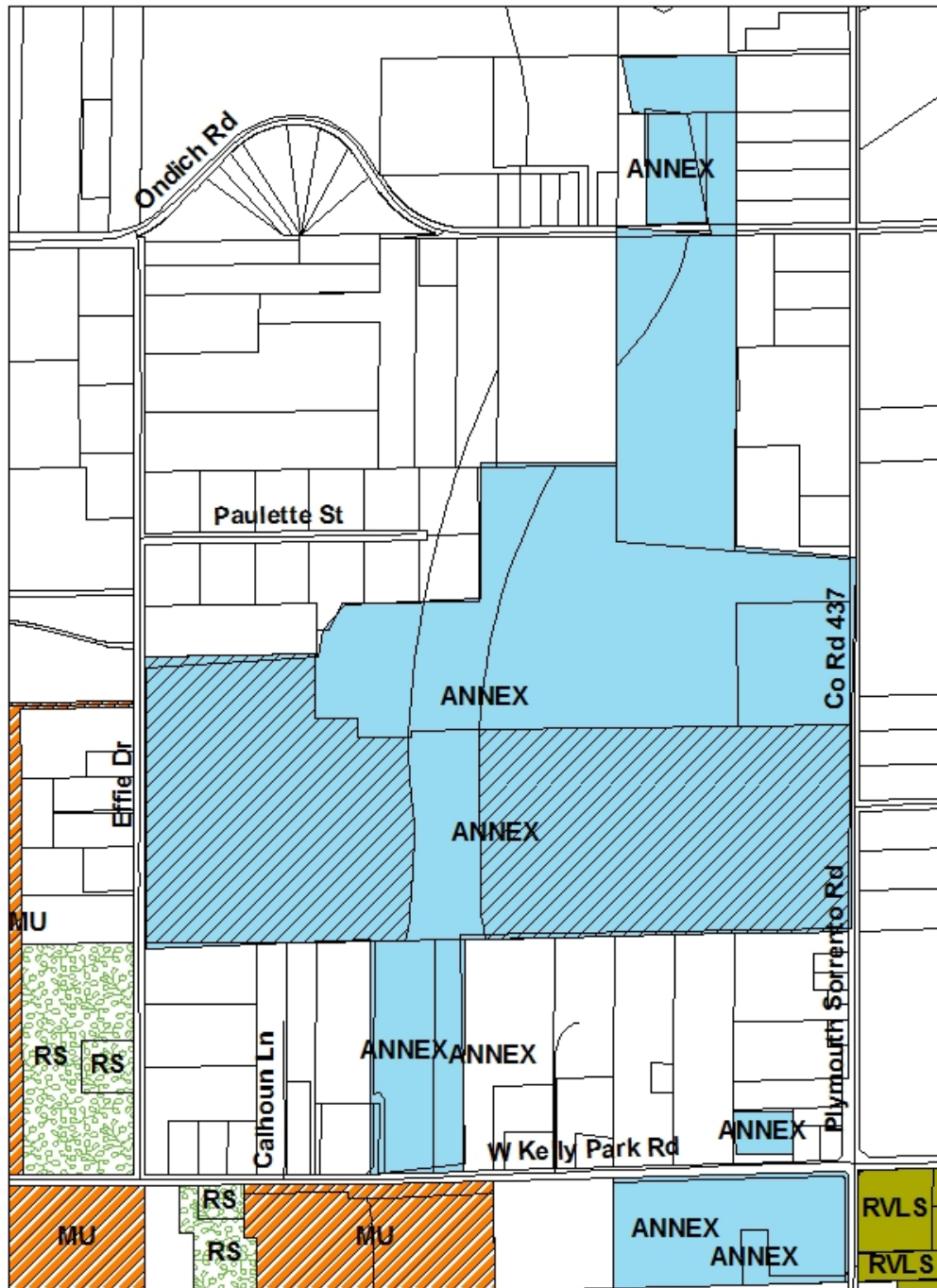
### VICINITY MAP







## FUTURE LAND USE

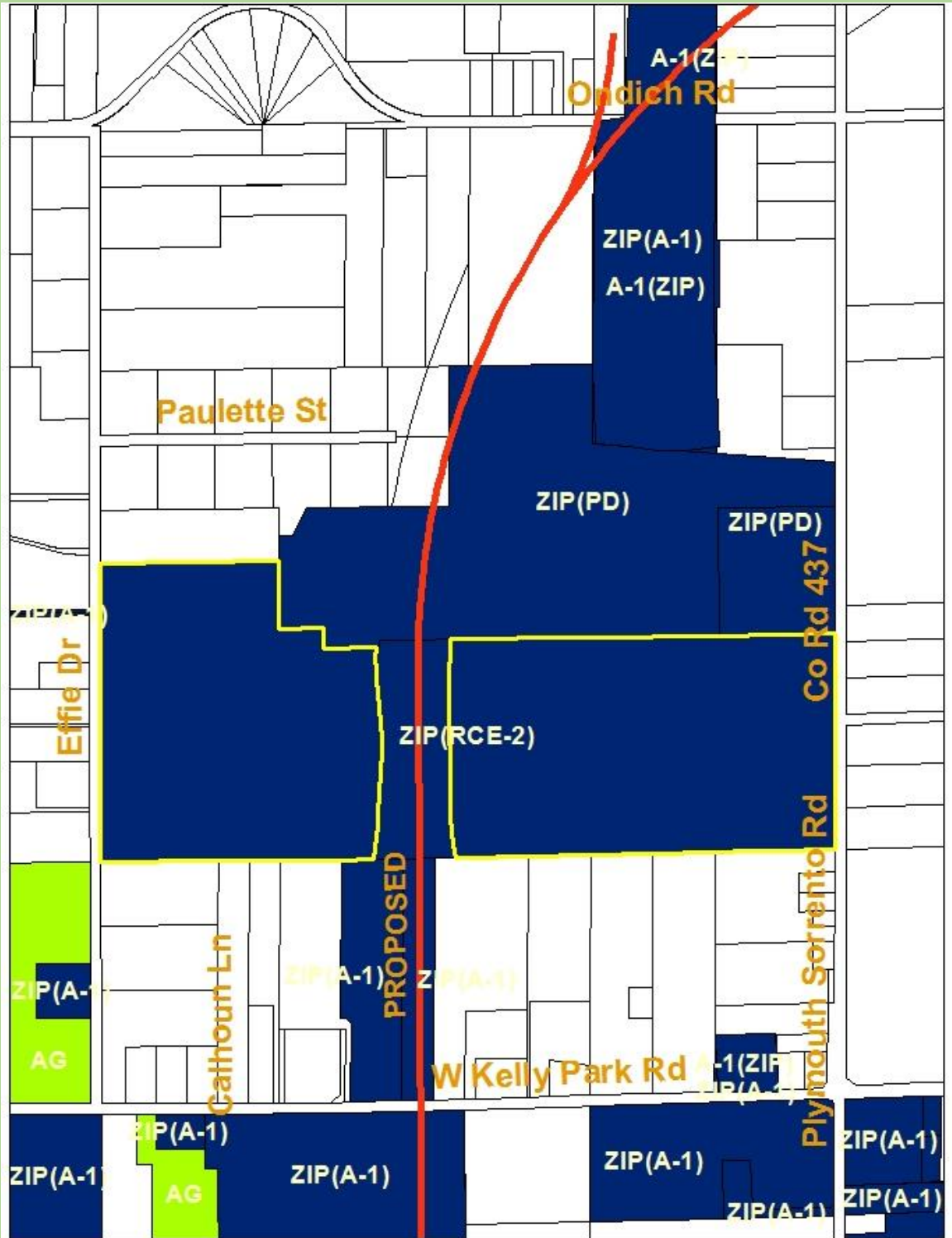


### Legend

- Subject Properties
- Parcels
- Future Land Use**
- LAND\_USE**
- ANNEX
- MU
- RS
- RVLS
- Roads



## ADJACENT ZONING



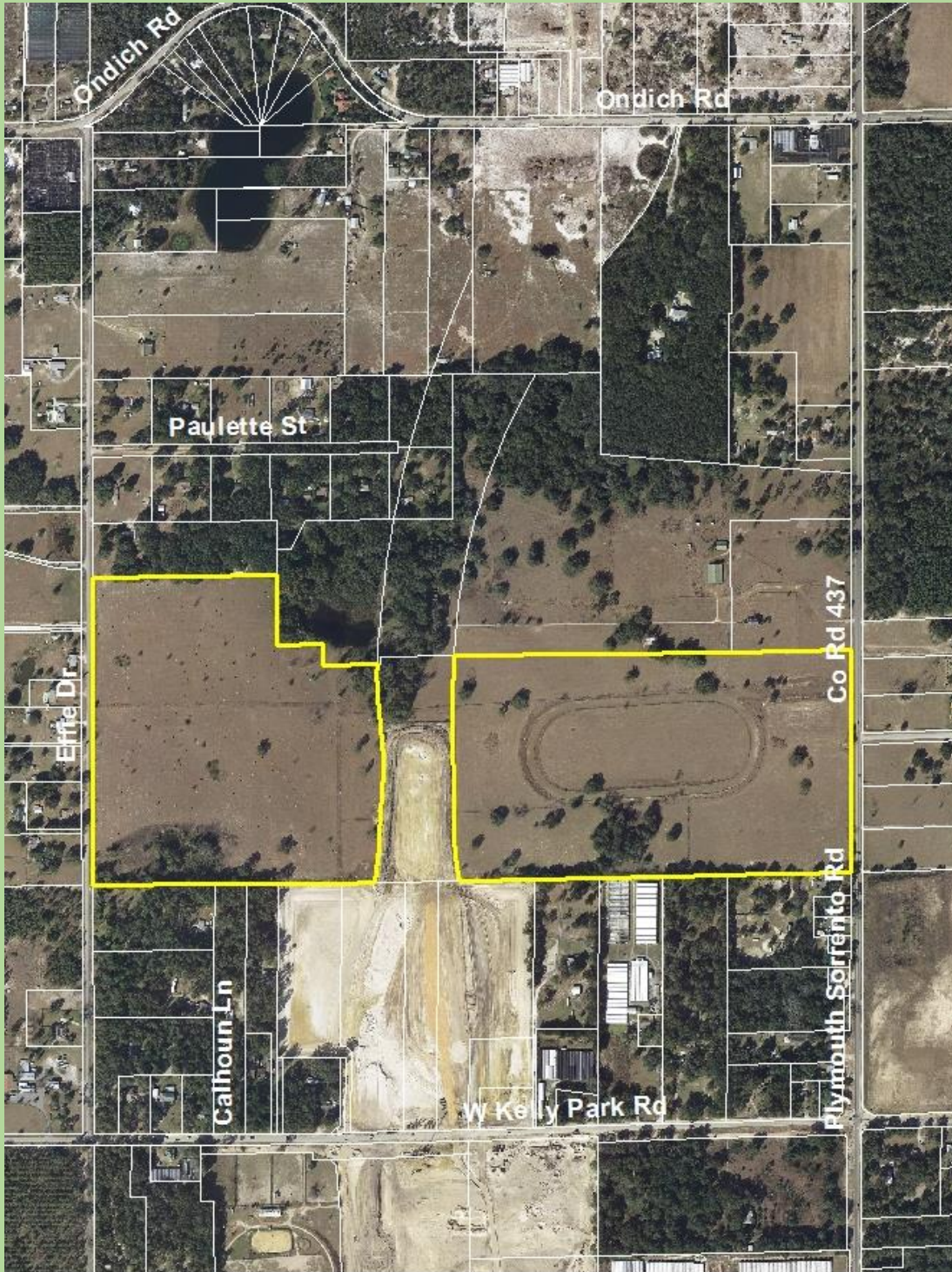
### Legend

- Subject Parcels
- S.R. 429






# AERIAL MAP



### Legend

 Subject Parcels





## Kelly Park Crossing Form-Based Code Area



Note: City boundaries not depicted in this graphics as they change overtime.

### Legend:

- |                  |                |                                |
|------------------|----------------|--------------------------------|
| Design Districts | Existing Roads | Rainbow Ridge Rural Settlement |
| Village Center   | 1 Mile Radius  | Rainbow Ridge Rural Settlement |
| Employment       | Interchange    |                                |
| Interchange      | Activity Nodes |                                |
| Transition       |                |                                |
| Neighborhood     |                |                                |
| Recreation       |                |                                |

**ORDINANCE NO. 2618**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” RURAL RESIDENTIAL DISTRICT TO “CITY” MIXED USE - INTERCHANGE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF PLYMOUTH SORRENTO ROAD AND EAST OF EFFIE DRIVE, OWNED BY ORLANDO BELTWAY ASSOCIATES; COMPRISING 107.5 ACRES, MORE OR LESS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Apopka, Florida, on October 2, 1991 adopted Ordinance No. 653 which adopted the Comprehensive Plan for the City of Apopka; and

WHEREAS, the City of Apopka has subsequently amended the Comprehensive Plan for the City of Apopka, most recently through Ordinance No. 2560; and

WHEREAS, the City of Apopka’s Local Planning Agency and the City Council have conducted the prerequisite advertised public hearings, as per Chapter 163, Florida Statutes, relative to the transmittal and adoption of this ordinance and the requirements for amendment to the Comprehensive Plan.

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

SECTION I: The City of Apopka hereby amends the Future Land Use Element of the adopted Comprehensive Plan as follows:

The Future Land Use Map is hereby amended for the property identified in Exhibit “A” of this Ordinance, and incorporated herein by reference.

SECTION II: This Ordinance shall become effective following adoption and upon issuance by the Department of Economic Opportunity or the Administration Commission, as may be applicable, a final order finding the amendment to be in compliance in accordance with Chapter 163.3184.

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

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

**ORDINANCE NO. 2618**  
**PAGE 2**

SECTION V: This Ordinance shall become effective upon issuance of a final order by the Florida Department of Economic Opportunity finding the plan amendment in compliance in accordance with s.163.3184 (2)(a), Florida Statute.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2018.

READ FIRST TIME: January 3, 2018

READ SECOND TIME  
AND ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Joseph E. Kilsheimer, Mayor

ATTEST:

\_\_\_\_\_  
Linda Goff, City Clerk

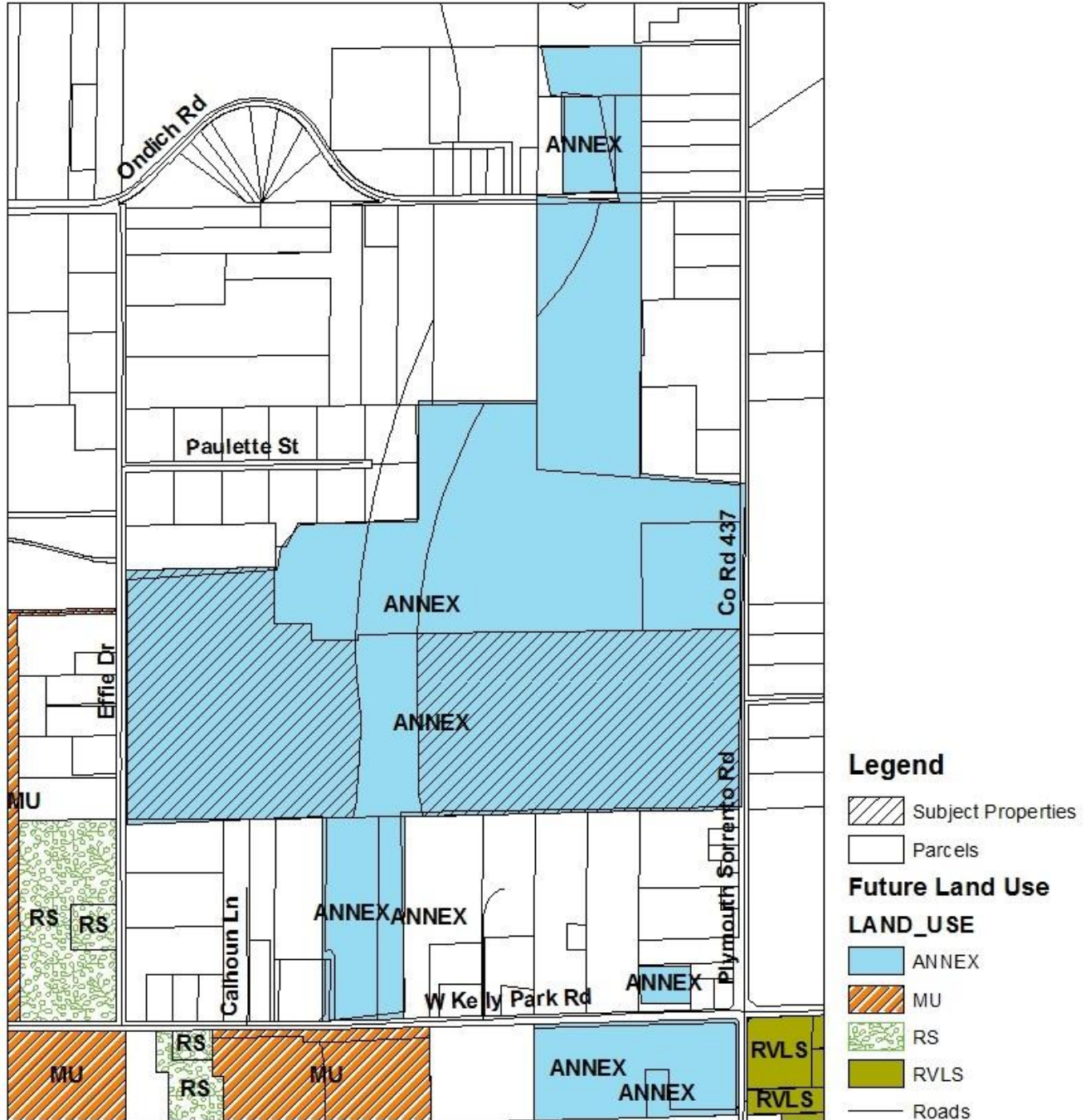
APPROVED AS TO FORM:

DULY ADVERTISED FOR PUBLIC HEARING: December 1, 2017





Orlando Beltway Associates  
Proposed Large Scale Future Land Use Amendment  
From: "County" Rural  
To: "City" Mixed Use Interchange  
107.47 +/- Acres  
Parcel ID #: 12-20-27-0000-00-100; 12-20-27-0000-00-047



construction, whereas larger pipes are constructed from ductile iron. Improvements to the distribution/transmission system have generally followed the recommendations outlined in the most recent master plan, with the timing of specific projects dependent on development patterns. **Map 10** shows the extent of the system within the interchange study area.

#### E. Public Schools

The area is currently served by Wolf Lake and Zellwood elementary schools, Wolf Lake Middle School and Apopka High School. According to the Orange County Public Schools (OCPS), all four schools are projected to be deficient by FY 2011-12. The OCPS current 10-year plan includes a relief elementary school for Wolf Lake and Zellwood, and a relief middle school for Wolf Lake. **Maps 11 to 13** show the attendance zones for these schools.

### IV. Community Involvement

In conjunction with the County, the City conducted two public workshops to discuss the future growth around the proposed Wekiva Parkway Interchange. The first public workshop was conducted on February 25, 2010, and the second workshop was conducted on March 25, 2010. **Appendices B and C** contain the workshop summaries and the list of attendees. It should be noted that for the purpose of the Community Workshops an enlarged study area was reviewed, which included the area north of West Ponkan Road.

Additionally, the City held a public hearing before the City of Apopka Planning Commission on April 27, 2010 and the City Council on May 19, 2010.

### V. Wekiva Parkway Interchange Vision Plan

The Wekiva Parkway will complete the outer beltway around Metro Orlando area. The completion of this outer ring, along with the proposed interchange, will result in added growth and development pressure within the Wekiva Study Area.

The Interchange Vision Plan was developed with a goal to accommodate new development that: (1) supports regional markets that depend on the Wekiva Parkway's function to move people and goods (light industry and warehousing, hotels/motels, restaurants, gas stations, truck stops, and convenience stores)<sup>1</sup>; (2) is designed to complement the surrounding areas; and (3) manages and protects water and wildlife resources.

#### A. Land Use Vision

Even though the area is currently rural in character and the adopted land use categories for the area reinforce that character, the introduction of a highway interchange at Kelly Park Road will create development pressure in the area. The City, County and most area residents realize a need and have a desire for a plan for that future growth. The main goal of planning for growth is to situate it within an appropriate area around the interchange, and to allow sufficient density

<sup>1</sup> Guidelines for Preparing Comprehensive Plan Amendments for the Wekiva Study Area



and intensity to maximize sustainability and minimize environmental impacts on the Wekiva Study Area. The City also wants to take advantage of the opportunity this location provides to create a setting that will attract new quality employment to the area. The higher densities and intensities expected to accompany the interchange should transition into lower densities/intensities to ensure compatibility with the surrounding areas. Well thought-out, coordinated development is, therefore, a driving element of the interchange land use plan. Coordinated, transitional development at the interchange will protect meaningful tracts of connected open space, and preserve rural land outside of the interchange study area while allowing for carefully planned growth.

As shown on **Map 8**, potential Karst features are indicated proximate to the proposed interchange. For that reason, the vision plan proposes a measured approach to intensive development in the area immediately adjacent to the interchange, and instead create two nodes of development at the closest intersections to the parkway: Kelly Park Road/Golden Gem Road and Kelly Park Road/Plymouth Sorrento Road (see **Map 14**). The most dense and intense uses will be located within a 1/3-mile radius of the two proposed nodes. Between these nodes and the one-mile study area boundary, land uses will provide a transition to the existing lower densities, and less intense development character will be respected beyond the one-mile radius.

**Map 15** shows the proposed interchange vision plan, which includes both City and unincorporated land. As shown on the map, the area within a 1-mile radius of the proposed interchange is proposed to be urban in character, with uses such as industrial, commercial, office, institutional/public, and medium and high-density residential uses. The highest intensity of use will be clustered around the two nodes as village centers. The area between the nodes and the one-mile radius will contain uses that will ensure the smooth transition to the less intense areas outside the one-mile radius.

The following is a description of the proposed character districts for the vision plan area.

**1. Village Center (residential and commercial mix)**

As noted above, the vision plan intends to concentrate the most intensive development within the two major intersection nodes. The type of development envisioned for these two nodes includes mixed-use buildings with retail uses on the ground floor and offices or residential spaces above. The Village Center character district will comprise approximately 5 to 15% of the area.

**2. Edge Employment(employment uses)**

Office uses may appear within the village center nodes as part of mixed-use buildings, or as stand-alone uses in the Edge Employment character district along the Wekiva Parkway. Other uses that would be appropriate for the Edge Employment area include industrial developments (clean industry), or large institutional uses (hospitals, educational facilities), which would provide much needed jobs in the area. Limited residential



will also be allowed. Both office and industrial uses will benefit from the visibility and access from the highway. Within the [EdgeEmployment](#) character district, greater attention will be applied to ensure protection of the potential Karst features and to allow for adequate setbacks from the highway. This area will not focus on the pedestrian environment as the village center, but would adopt a campus-like environment. Approximately 5 to 10% of the area is shown as [EdgeEmployment](#) on the vision plan map.

**3. Interchange (highway-dependent uses)**

The area between the proposed village centers and the parkway will be the most accessible to traffic exiting the highway. Therefore, the intended character for those areas will be a mix between Village Center and a more “suburban” type setting. It is expected that this is the area where gas stations would be located. There will be form-based standards adopted to ensure the transition from the fast-moving traffic in the highway to the more walkable environment expected to develop in the village centers. The Interchange character district will contain predominantly stand-alone uses (as opposed to mixed-use buildings) with less intensity of development than in the Village Center.

[EdgeEmployment](#) character district type uses, including limited high density residential, may also occur in this character district. The area to be dedicated to Interchange uses comprises approximately 5 to 10% of the entire vision plan area.

**4. Transitional (office, medium density residential uses)**

Uses within the transitional areas will be regulated to minimize the impact of the most intensive areas (Village Center, [EdgeEmployment](#) and Interchange) on the existing lower density neighborhoods surrounding the study area. Medium densities in the form of town houses, apartments and condominiums, and office uses will be allowed within the Transitional district. The vision plan shows that approximately 10 to 20% of the total area will be dedicated to the Transitional character district. The expected density in the Transitional character district would accommodate between 5 to 15 dwelling units per acre depending on their location respective to neighborhood areas.

**5. Neighborhood (residential)**

The Neighborhood character district is intended to be primarily a single-family residential area. This district will have lower density residential than the Transitional district, allowing for a smooth transition into the existing lower density neighborhoods outside the 1-mile radius. The character of the area will be regulated through form-based standards to ensure that single-family homes are designed with front porches and that garages are located in the back with access from alleyways. The neighborhood area comprises over 50% of the vision plan area.

6. Recreation and Institutional

The Vision Plan shows an area as Recreation, consistent with the adopted Northwest Small Area Plan. This, however, does not mean that there will only be one area designated for recreation/open space. As properties develop (especially large tracts), the City will consider dedication of land for open space. Institutional uses (schools, churches, etc.) will also be defined as the area develops. It is anticipated that a minimum of 15% of the land within the area will eventually be used for open space/recreation purposes.

B. Vision Plan Holding Capacity

Based on the land uses and densities proposed in the vision plan, holding capacities were calculated to identify the amount of development that could potentially occur in the area. **Table 3** demonstrates that the vision plan area could accommodate approximately 15,873 residential units and 22,587,535 square feet of non-residential development.

Table 3: Vision Plan Holding Capacity

Proposed Land Use	Total Acres	% of Total	Max. Intensity (FAR)	Max. Density (UPA)	Density/ Intensity Factor	Total Dwelling Units	Non-Residential Square Feet
Village Center Core (assumes 1st floor non-resid. + resid above)	80	2.1	0.5	12	0.75	720	1,306,800
Village Center balance (assumes 1st floor non-resid. + resid above)	248	6.4	0.35	12	0.75	2,232	2,835,756
Interchange (assumes 10% residential)	175	4.5	1.0	15	0.70	184	4,811,875
Edge Employment (assumes 10% residential)	260	6.7	0.5	7.5	0.60	117	3,052,231
Transitional (assumes 70% resid.; 30% non)	581	14.9	1.0	15	0.85	5,185	6,453,276
Neighborhood (assumes 90% residential)	2,360	60.7	0.5	5	0.70	7,435	3,598,699
Parks/Recreation	121	3.1	0.2		0.50	0	528,897
Wekiva Parkway ROW	63	1.6					
<b>TOTAL</b>	<b>3,889</b>	<b>100.0</b>				<b>15,873</b>	<b>22,587,535</b>

Note: Acreages and yields are approximations only.

Based on the total acres of the area and the potential for residential and non-residential development noted above, an overall density of 4 du/ac and an overall FAR of 0.14 could be achieved.



factors are taken into account, that there is no increase in nitrate/nitrogen loading to groundwater and surface water.

**Objective 18**

The City shall implement the Wekiva Parkway Interchange Land Use Plan adopted on September 15, 2010, which addresses the requirements of Section 369.321(1) F.S. as it relates to coordinated planning within the Wekiva area.

**Policy 18.1**

The City shall implement the Wekiva Parkway Interchange Vision Plan, which guides the location of a range of uses, such as residential, office, commercial, industrial, recreation, public and institutional, at various densities and intensities around the proposed interchange.

**Policy 18.2**

Prior to rezoning any property within a one-mile radius of the interchange Study Area, the City shall amend its LDC to incorporate development standards that will implement the Vision Plan. These standards shall address creative planning solutions to protect environmentally sensitive lands, such as:

Open Space

Standards will be developed for appropriate percentages of open space for single parcels and/or for the entire Interchange Study Area.

Clustering:

Standards will be developed to allow multiple land owners to aggregate parcels for the purpose of calculating density/intensity and developing cohesive clusters of higher density/intensity in the area closest to the interchange and major intersections in the study area.

Transfer of Development Rights (TDR):

A TDR system shall be developed to allow land owners that have sensitive lands or lands farthest from the interchange, to sell density/intensity rights to owners of lands closest to the interchange. The vision plan will analyze the potential sending and receiving areas.

Form-Based Regulations:



Develop form-based regulations for the study area to ensure the Vision Plan is implemented.

**Policy 18.3**

The development standards within the Interchange Study Area shall be applied through a zoning overlay, or similar method, that encompasses the study area. Developer agreements may be required.

**Policy 18.4**

If a parcel is severed by the one-mile radius or is under common ownership, either the entire parcel will be included or excluded from the study area based upon the Vision Plan.

**Policy 18.5**

In the event that the Wekiva Parkway is not constructed, it is anticipated that the Wekiva Parkway Interchange Plan will be reevaluated and appropriate comprehensive plan amendments adopted to address then-existing development and future land use designations within the Wekiva Parkway Interchange Plan Area.

**Policy 18.6**

Before any development can occur within the Project Orlando LLC site (further identified as parcels 11-20-27-0000-00-003, 11-20-27-0000-00-013, 11-20-27-0000-00-036, 11-20-27-0000-00-042, 11-20-27-0000-00-057, 12-20-27-0000-00-060, 11-20-27-0000-00-030, 13-20-27-0000-00-023, 13-20-27-0000-00-005, 13-20-27-0000-00-061, 13-20-27-0000-00-026, 13-20-27-0000-00-032), the proposed development must be processed and approved as a Development of Regional Impact (DRI) as defined in Chapter 380.06, Florida Statutes and Chapter 28-24, Florida Administrative Code.

**Policy 18.7**

Public school capacities and facilities serving the Project Orlando site shall be addressed with the rezoning and DRI processes. No increase in density above the vested 67 dwelling units shall be permitted by the City until it is demonstrated that adequate public school facilities are available to meet the increased demand.

**Policy 18.8**

Prior to the completion of the interchange, but following the official designation of the interchange location by the Expressway Authority, a development program may be permitted by the City which shall not exceed 17,907 average daily vehicle trips external to the Project Orlando project, subject to rezoning and a traffic study.

*(Revised - Ord. No. 2317, 10-02-2013)*

**Policy 18.9**

A parcel assigned a land use designation during the 2010-1 or 2010-2 large-scale comprehensive plan amendment cycles, shall not be assigned a city residential zoning category or obtain a rezoning for residential uses until Orange County Public Schools has either issued a finding of school capacity or a school capacity enhancement agreement to the applicable property owner, excepting those parcels having a diminimus impact on public schools as defined in the Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

**Objective 19**

New development in the City shall comply with "Smart Growth" principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel as opposed to conventional development standards that encourage urban sprawl. The following policies shall be incorporated into the City's LDC prior to the next required Evaluation and Appraisal Report.

**Policy 19.1**

Development in the mixed-use categories, and where appropriate in other land use categories, shall provide pedestrian-friendly street design.

**Policy 19.2**

New development, as well as infill development where feasible, shall provide interconnected street grid networks to disperse traffic and encourage walkability. Developments may include a hierarchy of narrow streets, boulevards and alleys; high-quality pedestrian networks; designs that encourage a greater use of bicycles, rollerblades, scooters and walking as daily transportation; connectivity to public transit; and a land use mix that demonstrates reduced external trips by encouraging internal trips.

### **Policy 19.3**

New infill development in the mixed-use categories shall provide shops, offices and homes within neighborhoods, including mixed uses in one structure, to offer opportunities to encourage walking and/or live and work environments.

### **Objective 20**

Ensure development within the City of Apopka surrounding the Wekiva Parkway interchange will occur in a predictable, yet flexible manner consistent with the intent of the Wekiva Parkway and Protection Act, the community vision, and the City's economic development goals, and which will provide a balanced land use scenario that can accommodate economic and residential growth in the context of the environmental concerns identified within the Wekiva Parkway and Protection Act, and that can serve as the primary targeted area for greenfield development within the Wekiva Study Area.

### **Policy 20.1**

The Wekiva Parkway Interchange Plan is composed of three elements: the *Wekiva Parkway Interchange Vision Plan*, the *Wekiva Parkway Interchange Land Use Plan*, and the *Wekiva Parkway Interchange Goal, Objectives, and Policies*. The *Wekiva Parkway Interchange Vision Plan*, adopted as part of the Future Land Use Overlay Series found in Appendix 1-2 of the Future Land Use Element, represents a conceptual scenario that demonstrates the intent of the Wekiva Parkway Interchange Plan and will guide the development of lands located within the Wekiva Parkway Interchange Vision Plan Area. The *Wekiva Parkway Interchange Land Use Plan* and the *Wekiva Parkway Interchange Goal, Objectives, and Policies* shall represent the regulatory elements of the Wekiva Parkway Interchange Plan. The land use configuration and distribution demonstrated on the *Wekiva Parkway Interchange Vision Plan* are intended to illustrate the potential application of the adopted *Wekiva Parkway Interchange Vision Plan* policies; however, the specific details for each development phase will be established through the approval of development plans consistent with the *Wekiva Parkway Interchange Goal, Objectives & Policies*, the *Wekiva Parkway Interchange Land Use Plan*, and the regulations established in the *Wekiva Parkway Interchange Form-Based Code*.

**Policy 20.2**

The Wekiva Parkway Interchange Vision Plan shall be applicable within Wekiva Parkway Interchange Vision Plan Area. The Wekiva Parkway Interchange Vision Plan Area is generally comprised of a one-mile radius emanating from the anticipated Wekiva Parkway Interchange. The exact configuration is based upon a logical, parcel-specific boundary consistent with the intent of capturing a one-mile radius.

**Policy 20.3**

The annexation, land use change, and subsequent development of lands located within the Wekiva Parkway Interchange Plan Area for Apopka and the Wekiva Interchange Land use Plan Overlay for the County shall be consistent with the adopted Interlocal Agreement between Orange County and the City of Apopka regarding Wekiva Interchange Land Use Plan Overlay.

**Policy 20.4**

Prior to approving the first development plan within the Wekiva Parkway Interchange Vision Plan Area, the City shall adopt the Wekiva Parkway Interchange Form-Based Code establishing the design and development standards for the Wekiva Parkway Interchange Vision Plan Area. The Wekiva Parkway Interchange Form-Based Code shall be based on the criteria contained within the Wekiva Parkway Interchange Goal, Objectives, and Policies.

**Policy 20.5**

The Wekiva Parkway Interchange Vision Plan identifies the approximate location of the character districts necessary to support the anticipated development program within the Wekiva Parkway Interchange Vision Plan Area. The location and/or boundaries of the character districts shown on the Vision Plan are illustrative only, and it is the intent of the City that locations and boundaries can be refined through an administrative review, except where other review and approval procedures are specified, in either the Comprehensive Plan or the Wekiva Parkway Interchange Form-Based Code. The specific boundaries and locations of character districts will be established through the approval of development plans, as established through the Wekiva Parkway Interchange Form-Based Code procedures.

**Policy 20.6**

Deviations in the area-wide densities and/or intensities established in the Wekiva Parkway Interchange Land Use Plan, or proposed design elements that are not consistent with the Wekiva Parkway Interchange Goal, Objectives, and Policies shall require a comprehensive plan amendment.

**Policy 20.7**

The Wekiva Parkway Interchange Form-Based Code shall include regulations governing the following community design elements for the Wekiva Parkway Interchange Plan area:

- An interconnected network of streets and paths designed to encourage pedestrian and bicycle travel, with traffic calming where appropriate;
- A complementary mix of land uses, including residential, employment, recreational, and civic;
- Appropriate densities and intensities of land uses within walking distance of transit stops; and
- Daily activities within walking distance of residences, public uses, streets and open spaces that are safe, comfortable and attractive for the pedestrian, with adjoining buildings open to the street and parking designed so as not to interfere with pedestrian and bicycle travel.

**Policy 20.8**

The Wekiva Parkway Interchange Form-Based Code shall include provisions requiring that the land uses incorporated into the Wekiva Interchange Vision and Land Use Plans are physically and functionally integrated, including a connected and continuous system of pedestrian facilities.

**Policy 20.9**

Development within the Wekiva Parkway Interchange Plan Area shall be assigned a Mixed-Use Interchange future land use designation and shall accomplish an overall mix of residential and non-residential uses as outlined in Policy 3.1.r. Assignment of the Mixed-Use Interchange Land Use future land use designation shall require an amendment to the Comprehensive Plan. This policy shall not be construed to remove any existing entitlements upon property within the Wekiva Parkway Interchange Plan Area, nor shall it prevent

development consistent with the existing future land use designations. Development occurring under the existing future land use designations shall comply with the design criteria included in the Wekiva Parkway Interchange Plan to the extent that the criteria does not conflict with the existing future land use designation.

**Policy 20.10**

The City shall ensure that areas of greatest density and intensity within the Wekiva Parkway Interchange Plan Area are located at and between the two major intersection nodes at Kelly Park Road/Golden Gem Road and Kelly Park Road/Plymouth-Sorrento Road, but not upon areas of Karst formations. The Wekiva Interchange Form-Based Code shall require a mix of uses consistent with Wekiva Interchange Plan and shall establish a system of transfer of development rights to encourage increased density and intensity within Wekiva Parkway Interchange Plan Area. Development at the outer edges of the mixed-use area shall maintain compatibility with the lands adjacent to the Wekiva Interchange Plan Area by reducing density and intensity or by providing substantial buffers, landscaping, height, and lighting controls. The City shall also allow transfer of development rights to maintain 20% open space in the overall Study Area. Densities and intensities allowed within the Wekiva Parkway Interchange Plan Area character districts shall be as shown on **Table 20.10**:



Table 20.10: Wekiva Parkway Interchange Character District Standards

Character District/ Purpose	Uses	Minimum/ Maximum Acreage*	Density (Units per Acre)	Intensity (FAR)	Open Space (min. )
<b>Village Center (VC)</b> Safe, vibrant and pedestrian-oriented mixed-use area. Each Village Center may include a Core of up to 40 acres each.	Residential, retail, commercial, office and entertainment uses. Horizontal mixed-uses shall be allowed, but vertically mixed-uses are preferred.	Min: 200 Max: 380 (40 acres max. of VC Core in each village)	Min: 7.5 Max: 25 District Average: 12	VC Core: Min: 0.3 Max: 1.0 Average: 0.5 Balance of VC: Min: 0.25 Max: 0.7 Average: 0.35	10% minimum in the form of public plazas and small park spaces that are urban in character.
<b>Interchange</b> Accommodate highway-oriented vehicular service uses and provide a transition between the fast traffic exiting the highway and the pedestrian Village Center.	Highway-oriented uses, such as automobile service & repair, retail, office, and limited high density residential.	Min: 175 Max: 380	Min: 7.5 Max: 15	Min: 0.1 Max: 1.0	15% minimum in the form of neighborhood parks and common areas
<b>Employment (formerly Edge District)</b> Accommodate corporate office development and foster the development of a campus-like corporate park.	Office, hospitality, clean industry, large institutional uses (hospitals, educational facilities), and large scale residential,	Min: 190 Max: 380	Min: 4 Max: 7.5	Min: 0.1 Max: 0.5	20% minimum in the form of large parks and interconnected wildlife corridors.

Character District/ Purpose	Uses	Minimum/ Maximum Acreage*	Density (Units per Acre)	Intensity (FAR)	Open Space (min. )
<b>Transition</b> Provide a transition between the high-density/intensity Village Core and the low-density/ intensity areas at the edge of the study area.	Single family home and single or multi-use office/medium-density residential	Min: 380 Max: 770	Min: 5 Max: 15	Min: 0.5 Max: 1.0	15% minimum in the form of neighborhood parks and larger common areas.
<b>Neighborhood</b> Preserve the existing low-density single-family residential neighborhoods and transition to the less intense uses just outside the study area.	Single-family homes and small scale support uses (schools, churches, day care facilities)	Min: 2,360 Max: 3,060	Min: 1 Max: 5	Min: .05 Max: 0.5	20% minimum in the form of large parks and interconnected wildlife corridors.

\* Calculated based on the entire vision plan area acreage.

**Policy 20.11**

Maximum allowable development within the Wekiva Parkway Interchange Plan Area shall be allocated among land uses as follows:

Single Family: 7,500 units  
Multi Family: 8,500 units  
Commercial/Services: 22 million square feet

**Policy 20.12**

The character district regulations included in the Form-Based Code will ensure densities and intensities are allocated as noted in **Table 20.10** (see **Policy 20.10**). The TDR system will allow increased densities in the Core area (noted as bonus density on the table). The average density/intensity for individual districts and the entire mixed-use area shall not exceed the average allowed. The City shall establish a tracking system to ensure the densities/intensities are kept within the established limits. The tracker will also ensure the acreages of the character districts remain within the parameters set in **Policy 20.10**.

**Policy 20.13**

Development within the Wekiva Parkway Interchange Vision Plan Area shall be planned in a manner that maximizes internal circulation and does not cause the Florida Strategic Intermodal System (SIS) to exceed its adopted Level of Service Standard without appropriate mitigation.

**Policy 20.14**

The Wekiva Parkway Interchange Vision Plan Area shall include the following performance targets for transit, bicycle and pedestrian facilities as follows:

- 80% of all the bicycle and pedestrian facilities within the Plan Area shall function at LOS C or better;
- All parcels within ¼ mile of a transit stop should be serviced by pedestrian facilities operating at LOS C or better.

LOS standards shall be measured in accordance with the methodology established in the FDOT Multimodal

Transportation Districts and Area wide Quality of Service Handbook (Nov. 2003 or as revised). The City shall coordinate with LYNX and METROPLAN ORLANDO to apply the transit quality of service framework as found in the most recent edition of the Transit Capacity and Quality of Service Manual (TCQSM) and required as part of METROPLAN ORLANDO'S long-range transportation plan where feasible.

**Policy 20.15**

The City and applicants for development within the Wekiva Parkway Interchange Vision Plan Area shall incorporate transportation demand management strategies into the transportation planning process to alleviate congestion. A range of techniques will be considered, such as vanpool/ridesharing programs, parking management and pricing, transit vouchers, pre-tax incentives, telecommuting, flextime, and/or other appropriate trip reduction strategies.

**Policy 20.16**

Proposed development within the Wekiva Parkway Interchange Vision Plan Area shall contribute to providing a safe, convenient, comfortable and aesthetically pleasing transportation environment that promotes walking, cycling, and transit use. Appropriate improvements or enhancements to the multimodal network to incorporate into the Wekiva Parkway Interchange Form-Based Code shall include, but not be limited, to the following:

- Accommodations for pedestrian access and movement, including sidewalks, benches and clearly marked crossings;
- Accommodations for bicycles, including lockers, showers, and racks;
- Shared use paths in accordance with the FDOT Bicycle Facilities Planning and Design Guidelines Handbook;
- Accommodations for transfer of passengers at designated transit facilities;
- Preferential parking for rideshare participants;
- Access for motor vehicle passenger drop-offs and pick-ups at designated transit facilities and at commercial and office development sites; and/or
- Accommodation for the mobility impaired, including parking spaces, sidewalks and ramps for handicapped access.

**Policy 20.17**

Street cross-sections, design standards, and operational measures to ensure streets are safe and convenient for transit, automobile, truck, bicycle and pedestrian travel shall be incorporated into the Wekiva Parkway Interchange Form-Based Code. Strategies will include, but not be limited, to marked crosswalks, wider sidewalks, on-street parking, bus turnouts, traffic calming, raised medians or other appropriate safety enhancements that reduce hazardous conflicts between modes and that are consistent with the planned functions of the roadway.

**Policy 20.18**

The Wekiva Parkway Interchange Form-Based Code shall include standards for street intersections to facilitate pedestrian crossings.

**Policy 20.19**

Developments within the Wekiva Parkway Interchange Plan Area shall provide direct bicycle and pedestrian connections within and between residential areas and supporting community facilities and services, such as shopping areas, employment centers, transit stops, neighborhood parks, and schools. Standards and design criteria shall be established within the Wekiva Parkway Interchange Form-Based Code.

**Policy 20.20**

The City will include in the Wekiva Parkway Interchange Form-Based Code standards for roadways to be built/improved within the Wekiva Parkway Interchange Overlay District. The regulations will create a hierarchy of streets that equitably serve the needs of the pedestrian, the bicycle, public transit, and the automobile based on a grid network system of roadways. The City will support a multi-modal transportation environment that allows for various transit options.

**Policy 20.21**

Properties assigned the Mixed-Use Interchange future land use designation shall be rezoned to the Wekiva Parkway Interchange Mixed-Use Zoning District to be established in the Wekiva Parkway Interchange Form-Based Code.

**Policy 20.22**

The Wekiva Parkway Interchange Mixed-Use Zoning District shall establish a range of allowable lot types to ensure a mix of uses. The District shall also provide the form-based building requirements and range of allowable uses for each lot type. The lot type ranges will establish the development framework and pattern within which uses can locate.

**Policy 20.23**

Permitted land uses within the Wekiva Parkway Interchange Mixed-Use Zoning District shall be outlined in the Wekiva Parkway Interchange Form-Based Code, consistent with the Mixed-Use Interchange future land use designation and **Policy 20.10**. The Community Development Director shall have the authority to approve uses not listed there if the proposed use is compatible with the listed permitted uses and/or will generate or support the development of employment opportunities and/or an increased tax base.

**Policy 20.24**

Where feasible, developments within the Wekiva Parkway Interchange Plan Area shall maximize the preservation of open space and promote the clustering of uses to both preserve and enhance the natural environment and to maintain the rural character of areas outside of the Wekiva Parkway Interchange Plan Area. The amount of required open space shall vary by district, with the more intensive districts requiring less than 20% for urban plazas/ parks and the less intensive districts requiring more than 20% for passive/active parks and open space for areas. **Policy 20.10** establishes the minimum required open space per district.

**Policy 20.25**

The Wekiva Parkway Interchange Area Form-Based Code shall include the following provisions to promote efficient access to and through the area, and to protect the traffic flow along the Wekiva Parkway.

- Prohibit the vacation of rights-of-way to maintain the current grid system and facilitate its expansion;
- Require, as part of development approval, a spacing of 300 to 600 feet for local streets to create walkable



"city" blocks and maintain connectivity in the area and avoid the use of the highway for local traffic;

- Prohibit the use of cul-de-sacs and gated neighborhoods;
- Coordinate with the Expressway Authority to encourage the extension of local roads under the highway to maintain connectivity between the east and west sides;
- Limit the number of driveways along Kelly Park Road, Golden Gem and Plymouth Sorrento Road within the Plan Area, and encourage the use of shared driveways instead;
- Require compliance with Section 6.02.10 of the LDC, which requires a minimum distance separation between driveways and intersections;
- Require internal connectivity between sites, through joint-use driveways or alleys, to keep traffic off main roads;
- The Form-Based Code shall include standards for right-of-way width and cross section design based on street typology; and
- Provide pedestrian/bicycle connections at a maximum separation of 350 feet, through the use of mid-block paths or pedestrian shortcuts.

**Policy 20.26**

Large developments with 50,000 gross square feet or more and are adjacent to a major street, which is or may be used as a transit route, shall provide access for on-site public transit. The public transit stop shall including a bus pullout and shelter.

**Policy 20.27**

The City shall coordinate with developers the design and construction of proposed new streets within the plan area in conformance with the design standards contained in the Form-Based code. The following standards shall be followed:

- Specific right-of-way location of streets other than those shown on Map 20 of the ILUP shall be determined through the development review process.
- Continue enforcing Section 6.02.05 of the City's LDC (rights-of-way), which contains measures for the protection and use of rights-of-way, and consider the incorporation of more pedestrian-friendly standards in the Wekiva area form-based code.

**Policy 20.28**

Sites within the Wekiva Parkway Interchange Plan Area, as well as right-of-way areas, shall be subject to the vegetation protection and water conservation landscaping policies contained in the City's comprehensive plan. The City will include more restrictive vegetation protection standards in the Wekiva Parkway Interchange Form-Based Code to:

- Encourage transplanting and re-vegetation.
- Coordinate, on an as needed basis, with Orange County to update regulations for the protection of unique vegetative communities in both jurisdictions.
- Select and locate plants based on their ultimate growth.

**Policy 20.29**

In order to ensure that development within the mixed-use district creates a sense of community, the placement and orientation of buildings should be carefully planned. The following standards should be included in the form-based regulations:

- Primary building entrances shall orient toward the street, not to interior blocks or parking lots
- Freestanding single-use buildings should be avoided in all but the neighborhood character district, while mixed and interconnected buildings should be encouraged.
- Green areas or plazas may be used to create a prominent civic component to mixed-use areas. These green areas should be centrally located or placed in between the higher intensity uses.
- Standards for the design of gas stations, and other vehicular service uses, to ensure they fit into the desired pedestrian character. The Code will specify standards for building location, site layout, driveway location, signage and other design elements that will ensure compatibility with other proposed uses in the area.
- Building height regulations shall be established not to exceed the parameters listed for each character district in **Policy 20.30**.

**Policy 20.30**

Building heights shall be arranged so that the tallest buildings are located in proximity to the Kelly Park Interchange and Kelly Park Road itself between the two Village Center nodes. Building heights shall be stepped down/ reduced as development approaches the periphery of the Interchange Study Area and as development nears the rural lands outside the study area. The form-based code shall establish appropriate building heights for each character district and shall address reduced building heights in proximity to the edges of character districts and the study area itself in order to promote compatibility between districts and protection of the rural character of lands outside the study area. In no case shall building height exceed ten occupied floors within the Interchange Study Area without a Comprehensive Plan amendment.

**Policy 20.31**

The Wekiva Parkway Interchange Form-Based Code shall include standards for signage within the Wekiva Parkway Interchange Plan Area and shall have the purpose to maintain a pedestrian character within the village centers, but at the same time, allow visibility from the highway. Standards shall at minimum:

- Continue to require a sign master plan for all Mixed Use Developments, per LDC Section 2.02.20
- Ground signs shall not be allowed in the Core Area if buildings are located within 15 feet from the street right of way.
- Ground signs shall not exceed a maximum height of 12 feet. This maximum height may be further reduced in certain character districts.
- No billboards shall be allowed within the Wekiva Parkway Interchange Plan Area
- Building signs shall be designed to complement the architecture rather than obscure it.

Revised 9-7-10

**SECOND AMENDMENT TO  
JOINT PLANNING AREA AGREEMENT  
BETWEEN ORANGE COUNTY AND  
THE CITY OF APOPKA**

**THIS SECOND AMENDMENT TO JOINT PLANNING AREA AGREEMENT** (Amendment) is made and entered into as of the \_\_\_\_ day of OCT 19 2010, 2010, by and between **ORANGE COUNTY, FLORIDA**, a political subdivision of the State of Florida (the County), and the **CITY OF APOPKA**, a Florida municipal corporation (the City).

**RECITALS**

**WHEREAS**, the Wekiva Parkway and Protection Act was enacted by the Florida Legislature in 2004, was amended in 2005, and is currently found at Part III, Chapter 369, Florida Statutes (specifically sections 369.314 – 369.324, Florida Statutes); and

**WHEREAS**, the Act requires those local governments hosting an interchange on the Wekiva Parkway to adopt amendments to their comprehensive plans within one year after the establishment of an interchange location to address issues relating to appropriate land uses, compatible development, secondary road access, access management, right of way protection, vegetation protection, water conserving landscape, and height and appearance of structures and signage; and

**WHEREAS**, the County and the City entered into a certain Settlement Interlocal Agreement between the City of Apopka and Orange County Florida, approved October 26, 2004, amended August 2, 2005 and on (insert this date) (hereafter “JPA”); and

**WHEREAS**, in the JPA the parties agreed, among other things, on a joint planning area boundary, a joint land use map, and the framework for establishing standards and requirements for the Wekiva Parkway interchange area; and

**WHEREAS**, the County and the City will share jurisdictional authority over the area within the Wekiva Parkway interchange and wish to commit to certain goals and objectives for that area in a separate Interlocal Agreement; and

**WHEREAS**, lands depicted within a one mile radius from the approved Wekiva Parkway interchange are included in this area and constitute the Study Area Boundary; and

**WHEREAS**, in order to accomplish the objectives of the Act and the Interlocal Agreement for the Study Area Boundary, the County and the City have determined that certain provisions of

the JPA, including Exhibit F as it pertains to the Study Area Boundary, are outdated or will become outdated by the adoption the Interlocal Agreement; and

**WHEREAS**, both the County and the City desire to amend the existing JPA to ensure consistency between the JPA and the Interlocal Agreement for the area described as the Study Area Boundary; and

**WHEREAS**, pursuant to Section 163.3171(3), Florida Statutes, this Amendment has been approved by the Orange County Board of County Commissioners and the Apopka City Council at advertised public hearings.

**NOW THEREFORE**, in consideration of the covenants made by each party to the other and of the mutual advantages to be realized by the parties hereto, the receipt and sufficiency of which is hereby acknowledged, the County and the City hereby agree as follows:

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

**Section 2. Authority.** This Amendment is entered into pursuant to (1) Chapters 125, 163 and 166, Florida Statutes, (2) the general authority of Section 163.01, Florida Statutes, relating to interlocal agreements, (3) the Charters of the County and City, and (4) the Joint Planning Area Agreement.

**Section 3. Map Amendment.**

“Exhibit F” to the JPA is hereby deleted and replaced with a new “Exhibit F”, which is attached hereto and incorporated herein by reference. For purposes of interpreting the JPA, the parties agree that the area described in “Exhibit F” is unaffected by this amendment except as to the Study Area Boundary, which is described in “Exhibit F1” hereto and the Interlocal Agreement.

“Exhibit F1”, is attached hereto and incorporated herein by reference, and describes the future land uses of those parcels located within the Study Area Boundary and agreed upon by the City and the County and is typified in Exhibit B to the Interlocal Agreement. The parties agree that, as to the parcels located in the Study Area Boundary, to the extent of any conflict between the JPA and the Interlocal Agreement, the Interlocal Agreement will control and shall supersede the JPA unless otherwise indicated in the Interlocal Agreement. (Exhibit “F1” hereto and Exhibit “B” to the Interlocal Agreement are identical exhibits.)



**Section 4. Text Amendment.** A new paragraph (4) is added to Subsection (c), "Small Area Study Areas" of Section 3, Joint Land Use Plan, to read as follows:

(4) Pursuant to the Interlocal Agreement approved by the parties the parties agree that, as to the parcels located in the Study Area Boundary and as described in "Exhibit F1" to the JPA, the terms of the Interlocal Agreement will control and that the Interlocal Agreement supersedes the JPA to the extent of any conflict between the Interlocal Agreement and the JPA, unless otherwise indicated in the Interlocal Agreement.

**Section 5.** Except as expressly set forth herein, all other provisions of the JPA, as amended, remain unchanged and in full force and effect.

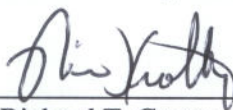
**Section 6. Severability.** Should any section, subsection, sentence, clause, phrase or provision of this Amendment is held invalid or unconstitutional by a court of competent jurisdiction such invalidity or unconstitutionality shall not be construed to render the remaining portions of this Amendment invalid or unconstitutional.

**Section 7. Effective Date.** This Second Amendment to the JPA shall become effective upon the date of approval by the Board of County Commissioners or the date of approval by the City Council, whichever date is later.

**IN WITNESS WHEREOF,** the County and City have executed this Second Amendment to the JPA on the dates inscribed below.

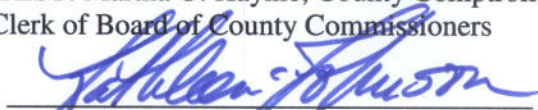


**ORANGE COUNTY, FLORIDA**  
**By: Board of County Commissioners**

By:   
Richard T. Crotty  
Orange County Mayor

DATE: OCT 19 2010

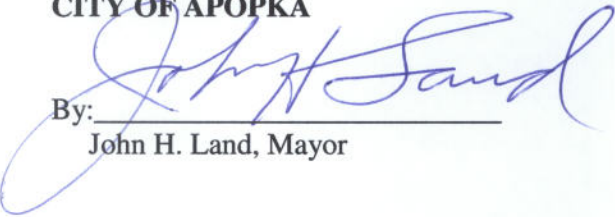
ATTEST: Martha O. Haynie, County Comptroller  
as Clerk of Board of County Commissioners

By:   
Deputy Clerk




Revised 9-7-10

**CITY OF APOPKA**

  
By: \_\_\_\_\_  
John H. Land, Mayor

ATTEST: Janice G. Goebel  
City Clerk

By:   
Date: 9-17-10

S:\Dcrosby\AGRMNT\Apopka\2d amend Apopka JPA D4

# Exhibit 'F'

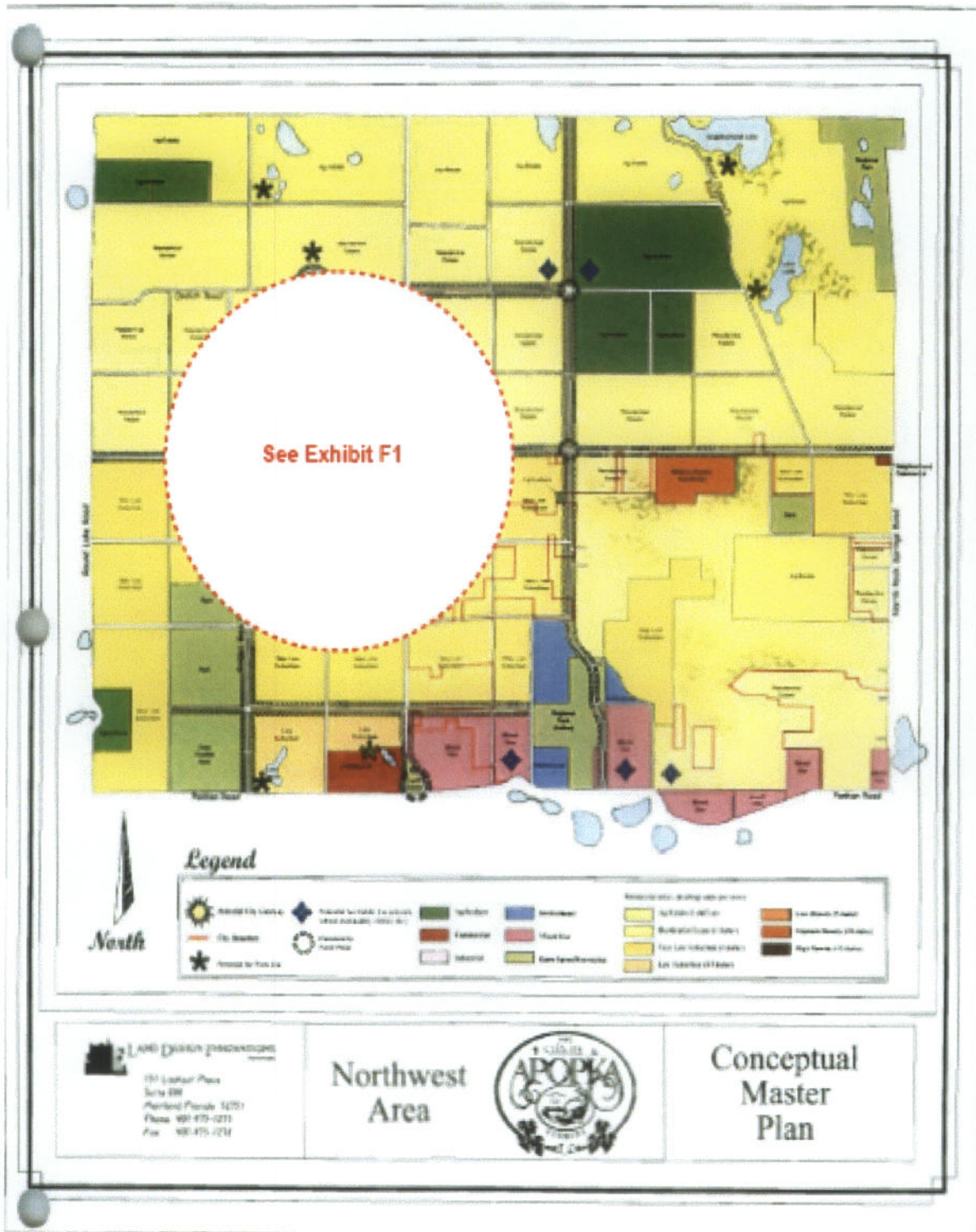
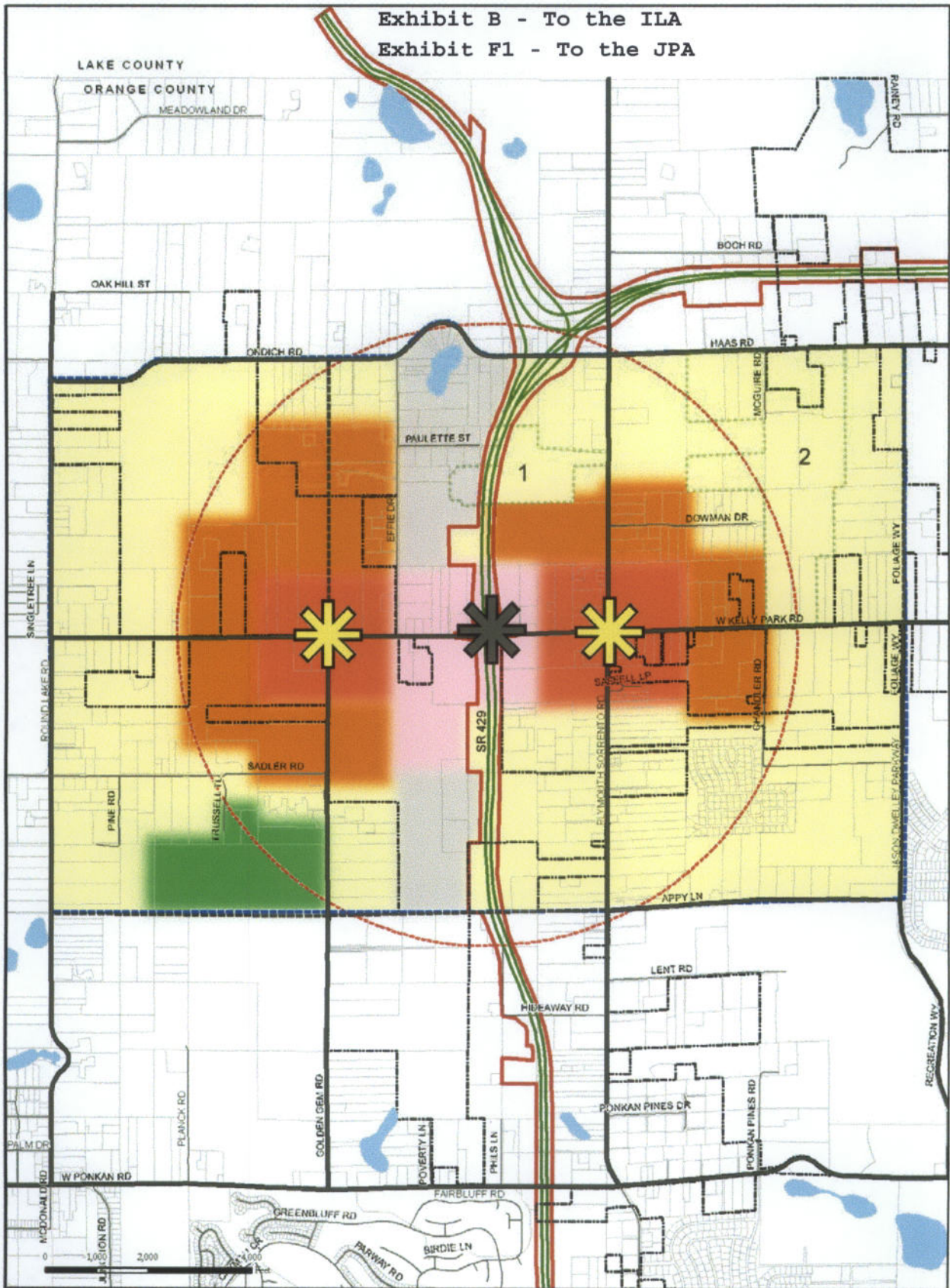




Exhibit B - To the ILA  
 Exhibit F1 - To the JPA



<p><b>Proposed Districts</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black; margin-right: 5px;"></span> Village Center</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: grey; border: 1px solid black; margin-right: 5px;"></span> Employment</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black; margin-right: 5px;"></span> Interchange</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black; margin-right: 5px;"></span> Transition</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> Neighborhood</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black; margin-right: 5px;"></span> Recreation</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; border-bottom: 2px dashed black; width: 20px; margin-right: 5px;"></span> Interchange Study Area Boundary</li> <li><span style="display: inline-block; border-bottom: 1px solid black; width: 20px; margin-right: 5px;"></span> City of Apopka Boundary</li> <li><span style="display: inline-block; border-bottom: 1px solid black; width: 20px; margin-right: 5px;"></span> Existing Roads</li> <li><span style="display: inline-block; border: 1px solid red; border-radius: 50%; width: 20px; height: 20px; margin-right: 5px;"></span> 1 Mile Radius</li> <li><span style="display: inline-block; font-size: 2em; margin-right: 5px;">*</span> Interchange</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; border: 1px dashed black; border-radius: 50%; width: 20px; height: 20px; margin-right: 5px;"></span> 1. Bridle Path Rural Settlement</li> <li><span style="display: inline-block; border: 1px dashed black; border-radius: 50%; width: 20px; height: 20px; margin-right: 5px;"></span> 2. Rainbow Ridge Rural Settlement</li> </ul>
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**LAND DESIGN INNOVATIONS**  
INCORPORATED

1718 Fernald Street, Suite 100  
 Apopka, Florida 32711  
 Phone: 407-923-1213  
 Fax: 407-923-1218  
 www.landi.com

Note: Map is for graphical representation only  
 Actual data must be verified by City staff  
 September 2010



# CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA  
 PUBLIC HEARING  
 SPECIAL REPORTS  
 OTHER: Ordinance

MEETING OF: January 3, 2018  
FROM: Community Development  
EXHIBITS: Exhibit "A" – Summary  
Ordinance No. 2621  
Vicinity Map

**SUBJECT: 2018 ANNEXATION – CYCLE NO. 1**

**REQUEST: ORDINANCE NO. 2621 – FIRST READING – VBRO ENTERPRISES, INC.; AND HOLD OVER FOR SECOND READING & ADOPTION.**

**SUMMARY:**

OWNER: VBRO Enterprises, Inc.  
LOCATION: 41 East Lester Road  
LAND USE: Refer to Exhibit "A"  
EXISTING USE: Refer to Exhibit "A"  
TRACT SIZE: 0.84 +/- acre

**ADDITIONAL COMMENTS:** Abutting current boundaries of the City of Apopka, the subject site is consistent with Florida Statutes addressing annexation of unincorporated lands into a municipality. The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. Assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

**ORANGE COUNTY NOTIFICATION:** The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on December 7, 2017.

**DULY ADVERTISED:**

December 15, 2017(Apopka Chief)  
January 5, 2018 (Apopka Chief)

**PUBLIC HEARING SCHEDULE:**

January 3, 2018 (1:30 pm) - City Council 1<sup>st</sup> Reading  
January 17, 2018 (7:00 pm) - City Council 2<sup>nd</sup> Reading and Adoption

**FUNDING SOURCE: N/A**

**DISTRIBUTION**

Mayor Kilsheimer  
Commissioners  
City Administrator  
Community Development Director

Finance Director  
HR Director  
IT Director  
Police Chief

Public Services Director  
Recreation Director  
City Clerk  
Fire Chief

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**RECOMMENDATION ACTION:**

The **Development Review Committee** recommends approval of the annexation for property owned by VBRO Enterprises, Inc.

Accept the First Reading of Ordinance No. 2621, and Hold it Over for Second Reading and Adoption on January 17, 2018.

**EXHIBIT "A"**  
**CITY OF AOPKA**  
**2018 ANNEXATION CYCLE # 1**

**TOTAL ACRES: 1.11**

<b>ORD. NO.</b>	<b>ITEM NO.</b>	<b>OWNER'S NAME</b>	<b>LOCATION</b>	<b>PARCEL NUMBER</b>	<b>ACRES +/-</b>	<b>EXISTING USE</b>	<b>FUTURE LAND USE (COUNTY)</b>
2621	1	VBRO Enterprises Inc.	41 East Lester Road	28-20-28-0000-00-018	0.84	Residential	Low Medium Density
2622	2	Roseville Farms, LLC	West Ponkan Road	19-20-28-0000-00-042	0.23	Vacant	Rural
2627	3	Kenney Harry Charles Mcallister Tr	3591 West Orange Blossom Trail	01-21-27-0000-00-001	0.04	Vacant	Planned Development

41



**ORDINANCE NO. 2621**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY VBRO ENTERPRISES, INC. AND LOCATED AT 41 EAST LESTER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

WHEREAS, VBRO Enterprises, Inc., owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located at 41 East Lester Road; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling **0.84 +/- acre**, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Property Description:

COMM SE COR OF SEC 28-20-28 TH RUN S87-59-49W 270 FT TH N01-45-16W 30 FT TO POB TH S87-59-49W 180 FT TH N01-45-16W 190 FT TH N80-05-34E 182.05 FT TH S01-45-16E 215 FT TO POB  
(Parcel 06-21-28-7172-02-021, 41 East Lester Road) Containing 0.84 +/- acres.

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

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

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

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

**ORDINANCE NO. 2621**

**PAGE 2**

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

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

READ FIRST TIME: January 3, 2018

READ SECOND TIME  
AND ADOPTED: January 17, 2018

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Joseph E. Kilsheimer, Mayor

ATTEST:

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Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: December 15, 2017 and January 5, 2018

ANNEXATION  
VBRO Enterprises, Inc.  
41 East Lester Road

Exhibit "A"  
Parcel ID No.: 28-20-28-0000-00-018  
Total Acres: 0.84 +/-

VICINITY MAP





# CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA  
 PUBLIC HEARING  
 SPECIAL REPORTS  
 OTHER: Ordinance

MEETING OF: January 3, 2018  
FROM: Community Development  
EXHIBITS: Exhibit "A" – Summary  
Ordinance No. 2622  
Vicinity Map

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**SUBJECT: 2018 ANNEXATION – CYCLE NO. 1**

**REQUEST: ORDINANCE NO. 2622 – FIRST READING – ROSEVILLE FARMS, LLC;  
AND HOLD OVER FOR SECOND READING & ADOPTION.**

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**SUMMARY:**

OWNER: Roseville Farms, LLC  
LOCATION: West Ponkan Road; Parcel ID: 19-20-28-0000-00-042  
LAND USE: Refer to Exhibit "A"  
EXISTING USE: Refer to Exhibit "A"  
TRACT SIZE: 0.23 +/- acre

**ADDITIONAL COMMENTS:** Abutting current boundaries of the City of Apopka, the subject site is consistent with Florida Statutes addressing annexation of unincorporated lands into a municipality. The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. Assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

**ORANGE COUNTY NOTIFICATION:** The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on December 7, 2017.

**DULY ADVERTISED:**

December 15, 2017 (Apopka Chief)  
January 5, 2018 (Apopka Chief)

**PUBLIC HEARING SCHEDULE:**

January 3, 2018 (1:30 pm) - City Council 1<sup>st</sup> Reading  
January 17, 2018 (7:00 pm) - City Council 2<sup>nd</sup> Reading and Adoption

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**FUNDING SOURCE: N/A**

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**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

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**RECOMMENDATION ACTION:**

The **Development Review Committee** recommends approval of the annexation for property owned by Roseville Farms, LLC.

Accept the First Reading of Ordinance No. 2622, and Hold it Over for Second Reading and Adoption on January 17, 2018.

**EXHIBIT "A"**  
**CITY OF AOPKA**  
**2018 ANNEXATION CYCLE # 1**

**TOTAL ACRES: 1.11**

<b>ORD. NO.</b>	<b>ITEM NO.</b>	<b>OWNER'S NAME</b>	<b>LOCATION</b>	<b>PARCEL NUMBER</b>	<b>ACRES +/-</b>	<b>EXISTING USE</b>	<b>FUTURE LAND USE (COUNTY)</b>
2621	1	VBRO Enterprises Inc.	41 East Lester Road	28-20-28-0000-00-018	0.84	Residential	Low Medium Density
2622	2	Roseville Farms, LLC	West Ponkan Road	19-20-28-0000-00-042	0.23	Vacant	Rural
2627	3	Kenney Harry Charles Mcallister Tr	3591 West Orange Blossom Trail	01-21-27-0000-00-001	0.04	Vacant	Planned Development

41



**ORDINANCE NO. 2622**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY ROSEVILLE FARMS, LLC, LOCATED AT WEST PONKAN ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

WHEREAS, Roseville Farms, LLC., owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located at West Ponkan Road; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling **0.23 +/- acre**, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Description:

BEG SW COR OF SW1/4 OF SE1/4 OF SEC LYING N OF R/W TH N 75 FT ALONE E  
PONKAN PINES RD R/W TH E 300 FT M/L TO N PONKAN RD R/W TH 305 FT M/L  
SWLY ALONG N PONKAN RD R/W TO POB IN SEC 19-20-28  
(Parcel 19-20-28-0000-00-04, West Ponkan Road) Containing 0.23 +/- acres.

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

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

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

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

**ORDINANCE NO. 2622**

**PAGE 2**

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

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

READ FIRST TIME: January 3, 2018

READ SECOND TIME  
AND ADOPTED: January 17, 2018

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Joseph E. Kilsheimer, Mayor

ATTEST:

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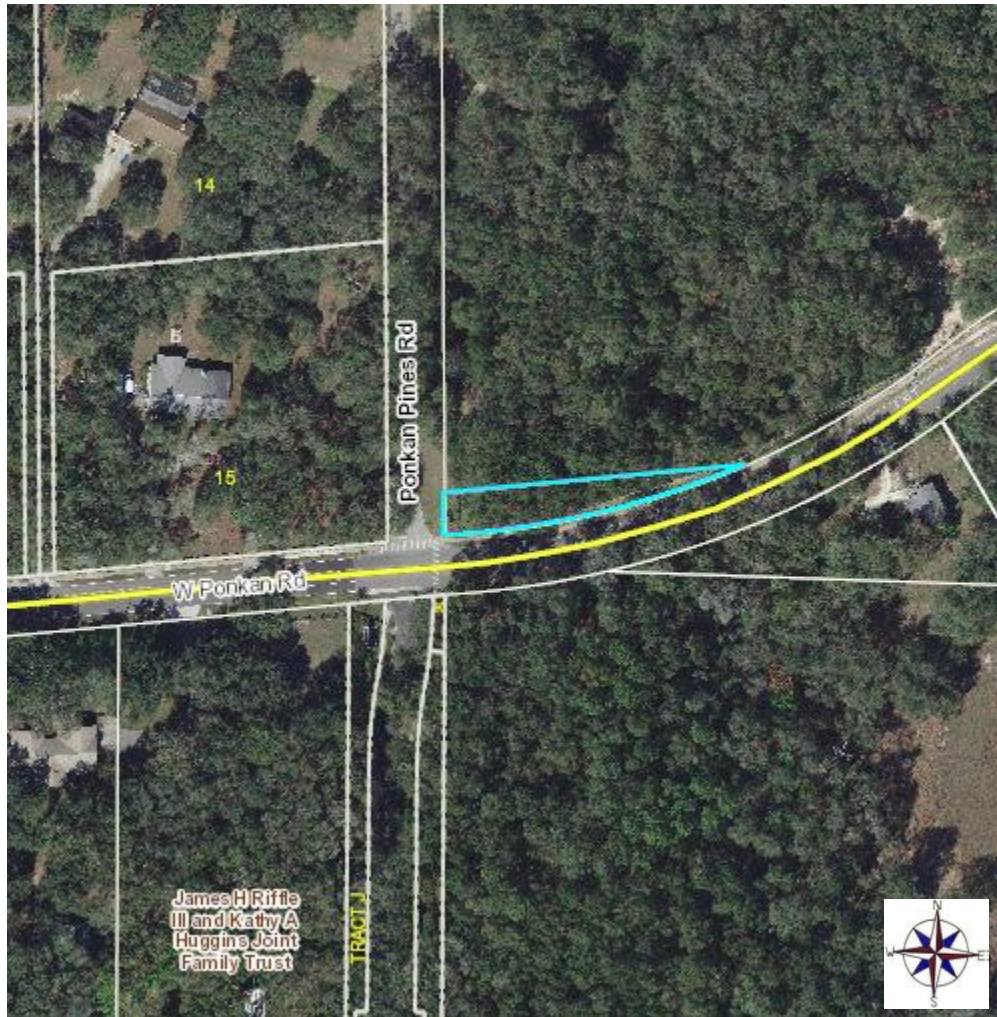
Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: December 15, 2017 and January 5, 2018

ANNEXATION  
Roseville Farms, LLC  
West Ponkan Road

Exhibit "A"  
Parcel ID No.: 19-20-28-0000-00-042  
Total Acres: 0.23 +/-

VICINITY MAP





**CITY OF APOPKA  
CITY COUNCIL**

PUBLIC HEARING  
 ANNEXATION  
 PLAT APPROVAL  
 OTHER: Vacate

MEETING OF: January 3, 2018  
FROM: Community Development  
EXHIBITS: Vicinity Map  
Utility Release Letters  
Survey/Legal Description  
Ordinance 2623

**SUBJECT: VACATING A PORTION OF A UTILITY EASEMENT at 1586 Golfside Village Boulevard**

**REQUEST: ORDINANCE NO. 2623 – FIRST READING - SHIRISH SUCHAK; AND HOLD OVER FOR SECOND READING & ADOPTION.**

**SUMMARY:**

OWNER/APPLICANT: Belvedere Estates Inc./Shirish Suchak (President)  
LOCATION: 1586 Golfside Village Boulevard  
LAND USE: Residential Low (0-5 du/ac)  
ZONING: R-3  
EXISTING USE: Single-Family Residence  
AREA TO BE VACATED: 6-foot wide platted utility easement located in the rear of 1586 Golfside Village Boulevard

**RELATIONSHIP TO ADJACENT PROPERTIES:**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>	<b>Present Use</b>
North - City	Residential Low (0-5 du/ac)	R-3	Single Family Residence
East - City	Residential Low (0-5 du/ac)	R-3	Single Family Residence
South - City	Parks/Recreation	PR	Golf Course
West - City	Residential Low (0-5 du/ac)	R-3	Single Family Residence

**DISTRIBUTION:**

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

**ADDITIONAL COMMENTS:** In order to extend their existing deck, the applicants are seeking to vacate an existing 6-foot wide utility easement located in the rear yard of the subject property. The portion of the easement that will be vacated is described below. Vacating this portion of the utility easement will not affect any abutting property owners. Abutting property owners of 1578, 1582 and 590 Golfside Village Boulevard have sent a notice to the Community Development Department that they have no objection to this request.

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:**

January 3<sup>rd</sup>, 2018 - City Council - 1st Reading (1:30 p.m.)

January 17<sup>th</sup>, 2018 - City Council - 2nd Reading (7:00 p.m.)

**DULY ADVERTISED:**

December 15, 2017 - Public Hearing Notice

January 5, 2018 - Ordinance Heading Ad

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**RECOMMENDED ACTION:**

The **Development Review Committee** recommends approval of the request to vacate the existing utility easement as described in the legal description.

**RECOMMENDED MOTION:**

The **Development Review Committee** recommends approval of the request by the City of Apopka to vacate the 6-foot wide rear yard utility easement way as described in the legal description.

Accept the First Reading of Ordinance No. 2623 and hold it over for Second Reading and Adoption on January 17, 2018.

Shirish Suchak  
Proposed Vacate of Existing (6-foot wide) Utility Easement  
1586 Golfside Village Boulevard  
Parcel ID: 32-20-28-2536-00-650

VICINITY MAP



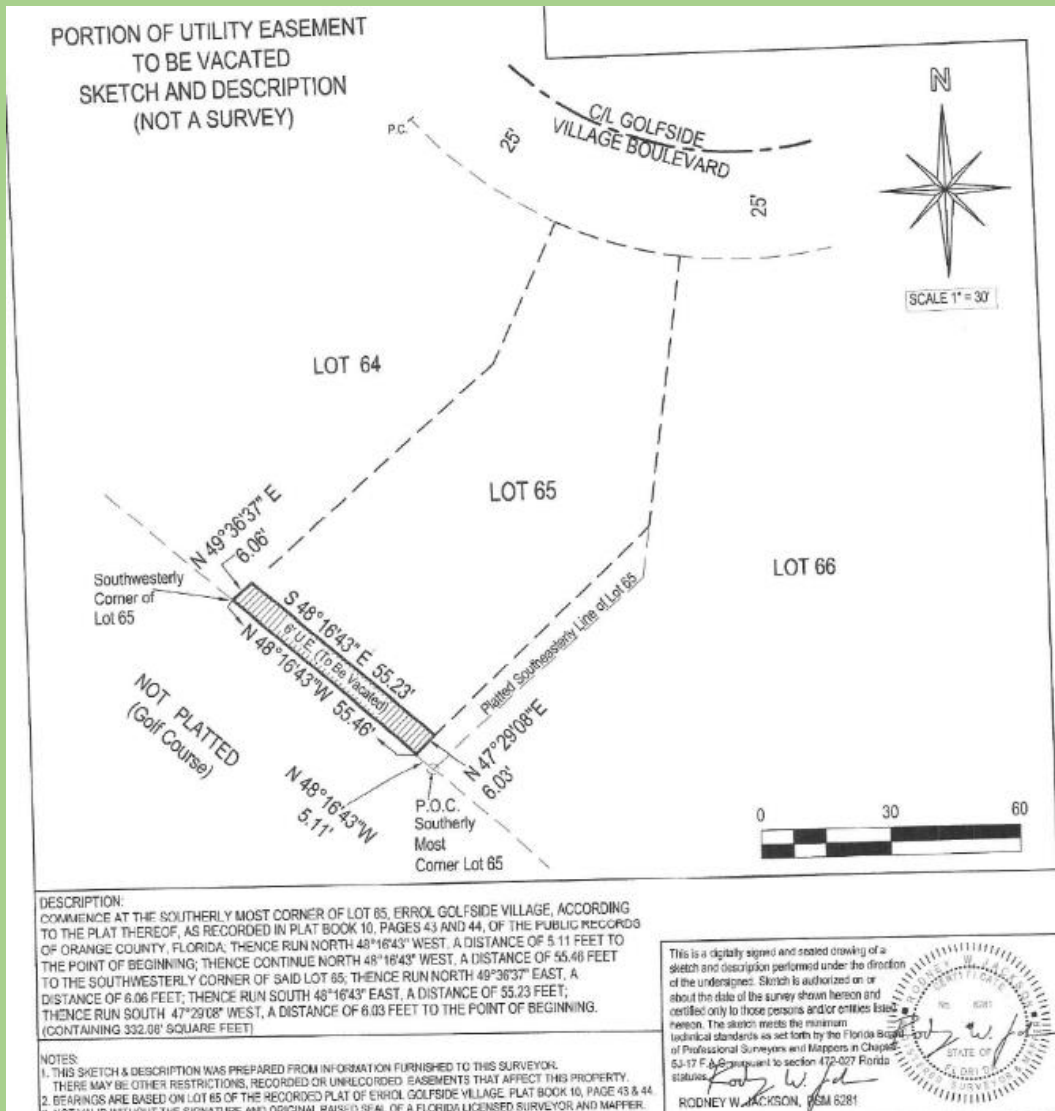
Subject Property



**Legal Description:**

COMMENCE AT THE SOUTHERLY MOST CORNER OF LOT 65, ERROL GOLFSIDE VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGES 43 AND 44, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 48°16'43" WEST, A DISTANCE OF 5.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 48°16'43" WEST, A DISTANCE OF 55.46 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 65; THENCE RUN NORTH 49°36'37" EAST, A DISTANCE OF 6.06 FEET; THENCE RUN SOUTH 48°16'43" EAST, A DISTANCE OF 55.23 FEET; THENCE RUN SOUTH 47°29'08" WEST, A DISTANCE OF 6.03 FEET TO THE POINT OF BEGINNING.

(CONTAINING 332.08' SQUARE FEET)



Belvedere Estates, Inc./Shirish Suchak (President)  
Proposed Vacate of Existing Utility Easement  
1586 Golfside Village Boulevard  
Parcel ID: 32-20-28-2536-00-650

### VICINITY MAP





October 27, 2017

Shirish Suchak  
c/o Belvedere Estates Inc.  
3141 Trafalgar Heights  
Montreal Qc H3Y-1H2  
Canada

**RE: Encroachment: 6 Foot Rear Lot Utility Easement dedicated by Orange County, ERROL GOLFSIDE VILLAGE, Plat Book 10, Page 43**

Dear Mr. Suchak:

Please be advised that the Distribution and Transmission divisions of Duke Energy do not object to the encroachment request to the placement of a Deck made of wood material along the

**6 Foot Rear Lot Utility Easement on the below described property:**

**LOT 65, ERROL GOLFSIDE VILLAGE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGES 43 AND 44, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA**

**LESS AND EXCEPT:**

**BEGINNING AT THE SOUTHERLY MOST CORNER OF LOT 65; RUN NORTH 48 DEGREES 16 MINUTES 43 SECONDS WEST, A DISTANCE OF 5.11 FEET; THENCE RUN NORTH 47 DEGREES 29 MINUTES 08 SECONDS EAST A DISTANCE OF 75.53 FEET; THENCE RUN SOUTH 08 DEGREES 46 MINUTES 46 SECONDS WEST A DISTANCE OF 12.02 FEET; THENCE RUN SOUTH 49 DEGREES 36 MINUTES 37 SECONDS A DISTANCE OF 65.58 FEET TO THE POINT OF BEGINNING.**

**Parcel ID: 32-20-28-2536-00-650**

Accordingly, Duke Energy shall consent to your encroachment and to the placement of wood decking so long as such encroachment does not constitute a violation of the National Electric Safety Code nor interfere with Duke Energy's use of the easement area.

This letter shall not constitute a waiver of Duke Energy's rights under the easement with respect to the encroachment. Should future use of the easement area by Duke Energy pursuant to the easement result in the encroachment constituting either a National Electric Safety Code violation or an interference with Duke Energy's use of the easement area, a removal or relocation of the encroachment within the easement area may be necessary.

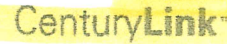
Please contact me at 407-942-2541 or [Katherine.Lopez@Duke-Energy.com](mailto:Katherine.Lopez@Duke-Energy.com) with any questions you may have regarding this issue.

Best regards,

*Katherine Lopez*

**Katherine Lopez**  
Research Support Specialist I  
Distribution Right of Way - Florida





October 11, 2017

LETTER OF NO OBJECTION

David B. Moon:  
City of Apopka  
120 E. Main Street 2<sup>nd</sup> Floor  
Apopka Florida 32703

Via Email: [DMoon@apopka.net](mailto:DMoon@apopka.net)  
Copied to: [david.r.brynes@centurylink.com](mailto:david.r.brynes@centurylink.com); [s.suchak@elkayfinance.com](mailto:s.suchak@elkayfinance.com)

**SUBJECT: PROPOSED VACATE OF A 6 FEET WIDE PLATTED UTILITIES EASEMENT LOCATED ALONG THE REAR LOT LINE OF LOT 65, ACCORDING TO ERROL GOLFSIDE VILLAGE PLAT, AS RECORDED IN PLAT BOOK 10, PAGES 43 AND 44, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; ORANGE COUNTY PARCEL ID 32-20-28-2536-00-650. PRN 793389**

Dear Mr. Moon,

Please be advised that **Embarq Florida, Inc., D/B/A Centurylink** has no objection to the proposed vacate and abandonment of a 6 Feet wide platted Utilities Easement located along the rear lot line of Lot 65, less and except:

BEGINNING AT THE SOUTHERLY MOST CORNER OF LOT 65; RUN NORTH 48°16'43" WEST, A DISTANCE OF 5.11 FEET; THENCE RUN NORTH 47°29'08" EAST A DISTANCE OF 75.53 FEET; THENCE RUN SOUTH 08°46'46" WEST A DISTANCE OF 12.02 FEET; THENCE RUN SOUTH 49°36'37" A DISTANCE OF 65.68 FEET TO THE POINT OF BEGINNING.

according to **Errol Golfside Village** plat, as recorded in Plat Book 10, Pages 43 and 44, of the Public Records of Orange County, Florida, as requested by **Shirish Suchak**.

The location of said vacate is more particularly shown on the attached sketch. The Property Address is 1586 Golfside Village Boulevard, Apopka, Florida 32712 and the Orange County Parcel ID is 32-20-28-2536-00-650.

Should there be any questions or concerns, please contact me at 352-425-8763 or by email at [stephanie.canary@centurylink.com](mailto:stephanie.canary@centurylink.com).

Sincerely,

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

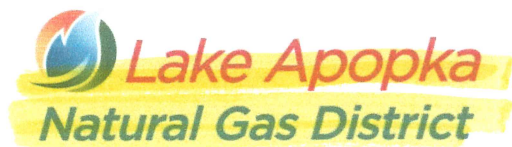
*Stephanie Canary*  
Stephanie Canary  
CenturyLink

319 SE Broadway Street  
Mailstop:D7303L0-401-4058  
Ocala FL 34471  
[stephanie.canary@centurylink.com](mailto:stephanie.canary@centurylink.com)  
Phone:Cell:(352) 425-8763  
Fax: (352) 368-8889

PRN 793389







1320 Winter Garden-Vineland Rd. Winter Garden, Florida 34787  
P: 407.656.2734 F: 407.656.9371 | www.langd.org

October 3, 2017

Mr. Suchak,

Upon review of our records, the subject parcel 1586 Golfside Village Blvd, Apopka (Lot #65) is within our service area. We do not have any facilities within easement/right of way. We do not have any objection to the vacation.

Sincerely,

A handwritten signature in black ink, appearing to read "Antonio Gibson", is written over a light gray rectangular background.

Antonio Gibson  
GIS Coordinator

**ORDINANCE NO. 2623**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A UTILITY EASEMENT LOCATED AT 1586 GOLFSIDE VILLAGE BOULEVARD; 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 Shirish Suchak, President of Belvedere Estates, Inc., to vacate, abandon, discontinue, renounce and disclaim a portion of an existing utility easement located at 1586 Golfside Village Boulevard, as shown in Exhibit "A"; and

**WHEREAS**, CenturyLink (f/k/a Embarq), Duke Energy, Charter Spectrum Communications and Lake Apopka Natural Gas District have no objection to the abandonment of a portion of the existing utility easement; and

**WHEREAS**, the City Council has determined that under the proposed circumstances there exists no public need for this existing easement; and

**WHEREAS**, after public notice in accordance with Florida Statute 336.10, the City Council has determined that it is not contrary to public interest to vacate and abandon said existing easement.

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

**Section 1.** That the following lands, and graphically depicted by the attached Exhibit "A," shall be officially closed, discontinued, and vacated:

**Legal Description:**

COMMENCE AT THE SOUTHERLY MOST CORNER OF LOT 65, ERROL GOLFSIDE VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGES 43 AND 44, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 48°16'43" WEST, A DISTANCE OF 5.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 48°16'43" WEST, A DISTANCE OF 55.46 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 65; THENCE RUN NORTH 49°36'37" EAST, A DISTANCE OF 6.06 FEET; THENCE RUN SOUTH 48°16'43" EAST, A DISTANCE OF 55.23 FEET; THENCE RUN SOUTH 47°29'08" WEST, A DISTANCE OF 6.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 332.08' SQUARE FEET, MORE OR LESS

**Section II. NOTICE.** That notice of the adoption of this Ordinance be published and the Ordinance be filed with the Clerk of the Circuit Court of Orange County, Florida, and duly recorded among the Public Records of Orange County, Florida.

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

**Section IV. CONFLICT.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section V. EFFECTIVE DATE.** That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: \_\_\_\_\_

READ SECOND TIME  
AND ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Joseph E. Kilsheimer, Mayor

ATTEST:

\_\_\_\_\_  
Linda Goff, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Clifford Shepard, Esq., City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: December 15, 2017 and January 5, 2018

Belvedere Estates, Inc./Shirish Suchak (President)  
Proposed Vacate of Existing Utility Easement  
1586 Golfside Village Boulevard  
Parcel ID: 32-20-28-2536-00-650

### VICINITY MAP







# CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA  
 PUBLIC HEARING  
 SPECIAL REPORTS  
 OTHER: Ordinance

MEETING OF: January 3, 2018  
FROM: Community Development  
EXHIBITS: Exhibit "A" – Summary  
Ordinance No. 2627  
Vicinity Map

**SUBJECT: 2018 ANNEXATION – CYCLE NO. 1**

**REQUEST: ORDINANCE NO. 2627 – FIRST READING – KENNEY HARRY CHARLES MCALLISTER TR.; AND HOLD OVER FOR SECOND READING & ADOPTION.**

**SUMMARY:**

OWNER: Kenney Harry Charles McAllister Tr.  
LOCATION: 3591 West Orange Blossom Trail; Parcel ID: 01-21-27-0000-00-001  
LAND USE: Refer to Exhibit "A"  
EXISTING USE: Refer to Exhibit "A"  
TRACT SIZE: 0.04 +/- acre

**ADDITIONAL COMMENTS:** Abutting current boundaries of the City of Apopka, the subject site is consistent with Florida Statutes addressing annexation of unincorporated lands into a municipality. The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. Assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

**ORANGE COUNTY NOTIFICATION:** The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on December 7, 2017

**DULY ADVERTISED:**  
December 15, 2017 (Apopka Chief)  
January 5, 2018 (Apopka Chief)

**PUBLIC HEARING SCHEDULE:**  
January 3, 2018 (1:30 pm) - City Council 1<sup>st</sup> Reading  
January 17, 2018 (7:00 pm) - City Council 2<sup>nd</sup> Reading and Adoption

**FUNDING SOURCE: N/A**

**DISTRIBUTION**

Mayor Kilsheimer  
Commissioners  
City Administrator  
Community Development Director

Finance Director  
HR Director  
IT Director  
Police Chief

Public Services Director  
Recreation Director  
City Clerk  
Fire Chief

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**RECOMMENDATION ACTION:**

The **Development Review Committee** recommends approval of the annexation for property owned by Kenney Harry Charles McAllister Tr.

Accept the First Reading of Ordinance No. 2627 and Hold it Over for Second Reading and Adoption on January 17, 2018.

**EXHIBIT "A"**  
**CITY OF AOPKA**  
**2018 ANNEXATION CYCLE # 1**

**TOTAL ACRES: 1.11**

<b>ORD. NO.</b>	<b>ITEM NO.</b>	<b>OWNER'S NAME</b>	<b>LOCATION</b>	<b>PARCEL NUMBER</b>	<b>ACRES +/-</b>	<b>EXISTING USE</b>	<b>FUTURE LAND USE (COUNTY)</b>
2621	1	VBRO Enterprises Inc.	41 East Lester Road	28-20-28-0000-00-018	0.84	Residential	Low Medium Density
2622	2	Roseville Farms, LLC	West Ponkan Road	19-20-28-0000-00-042	0.23	Vacant	Rural
2627	3	Kenney Harry Charles Mcallister Tr	3591 West Orange Blossom Trail	01-21-27-0000-00-001	0.04	Vacant	Planned Development

**ORDINANCE NO. 2627**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY KENNEY HARRY CHARLES MCALLISTER TR. LOCATED AT 3591 WEST ORANGE BLOSSOM TRAIL; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

WHEREAS, Kenney Harry Charles McAllister Tr., owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located at 3591 West Orange Blossom Trail; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling **0.04 +/- acre**, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Description:

NE1/4 OF NW1/4 N OF HIWAY (LESS E 30 FT FOR RD & LESS ST RD) IN  
SEC 01-21-27  
(Parcel 01-21-27-0000-00-001, 3591 West Orange Blossom Trail) Containing 0.04  
+/- acres.

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

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

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

**ORDINANCE NO. 2627**

**PAGE 2**

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

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

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

READ FIRST TIME: January 3, 2018

READ SECOND TIME  
AND ADOPTED: January 17, 2018

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Joseph E. Kilsheimer, Mayor

ATTEST:

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Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: December 15, 2017 and January 5, 2018

ANNEXATION  
Kenney Harry Charles Mcallister Tr  
3591 West Orange Blossom Trail

Exhibit "A"  
Parcel ID No.: 01-21-27-0000-00-001  
Total Acres: 0.04 +/-

VICINITY MAP

