

City of Apopka Planning Commission Meeting Agenda June 10, 2014 5:01 PM @ CITY COUNCIL CHAMBERS

I. CALL TO ORDER

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

II. OPENING AND INVOCATION

III. APPROVAL OF MINUTES:

- Approve minutes of the Planning Commission meeting held May 13, 2014, at 5:01 p.m.
- Approve minutes of the Planning Commission Small Lot Overlay District Workshop held June 3, 2014, at 6:00 p.m.

IV. PUBLIC HEARING:

V. SITE PLANS:

- <u>1.</u> FINAL DEVELOPMENT PLAN Apopka Woods Subdivision, owned by Apopka Woods LLC, property located north of West McCormick Road and east of Irma Lee Lane. (Parcel ID No. 32-21-28-0000-00-002)
- EINAL DEVELOPMENT PLAN/PLAT Oak Ridge, Phase 2, owned by The Ryland Group, c/o Vernon Priest; the engineer is Boyd Civil Engineering, c/o Steve Boyd, P.E.; and the property is located east of Plymouth Sorrento Road, north of Appy Lane. (Parcel ID Nos. 18-20-28-0000-00-014; 18-20-28-0000-00-021; 18-20-28-0000-00-022; 18-20-28-0000-00-023; 18-20-28-0000-00-098; 18-20-28-0000-00-108; and 18-20-28-0000-00-109)

VI. OLD BUSINESS:

WORKSHOP - LAND DEVELOPMENT CODE AMENDMENT - Amending the City of Apopka Code of Ordinances, Part III, Land Development Code, Article III - Overlay Zones, to create a Small Lot Overlay Zoning District.

VII. NEW BUSINESS:

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

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

Backup material for agenda item:

1 Approve minutes of the Planning Commission meeting held May 13, 2014, at 5:01 p.m.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON MAY 13, 2014, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: Steve Hooks, Mallory Walters, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan

ABSENT: Melvin Birdsong, Orange County Public Schools (Non-voting)

OTHERS PRESENT: R. Jay Davoll, P.E. – Community Development Director/City Engineer, David Moon, AICP - Planning Manager, Ed Hampden, Daniel Kaiser, Sam Abruzzo, Shannon Marks, Velva Peterson, Frank Ayers, Suzanne Kidd, Mark Crone, Craig Cornelison, Julián H. Falgons, Tom Daly, Guy Trussell, Heather Himes, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

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

APPROVAL OF MINUTES: Chairperson Hooks asked if there were any corrections or additions to the April 8, 2014 minutes. With no one having any corrections or additions, he asked for a motion to approve the minutes of the Planning Commission meeting held April 8, 2014.

Motion:

Teresa Roper made a motion to approve the Planning Commission minutes from the April 8, 2014 meeting, and Ben Dreiling seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (6-0).

CHANGE IN ZONING – COUNTRY CROSSINGS, LLC – David Moon, AICP, Planning Manager, stated this is a request to recommend approval of the Change in Zoning from R-1AA (Residential) to Planned Unit Development (Residential) for the property owned by Country Crossing, LLC. The owner/applicant is Country Crossings, LLC, c/o Mark Crone. The property is located north of West Lester Road, west of Vick Road. The Future Land Use is Residential Low Suburban (Max. 3.5 du/ac). The existing maximum allowable development is 29 units and the proposed maximum allowable development is 25 units. The proposed development is a residential subdivision with 25 lots. The tract size is 8.16 +/- acres. The staff report and its findings are to be incorporated into and made a part of the minutes.

The subject parcel was annexed into the City of Apopka on April 7, 2004, through the adoption of Ordinance No. 1636. The proposed Change of Zoning is being requested by the owner/applicant.

The applicant intends to develop the subject property single family residential subdivision. The proposed zoning map amendment does not authorize or imply approval of the subdivision of the subject property. Any proposed subdivision of the property will require review and approval of a development plan in accordance with the City of Apopka's Land Development Code and Development Design Guidelines.

On March 7, 2007 the City Council approved a final development plan for this property that proposed a total of nineteen (19) single family lots with a typical minimum lot area of 12,500 sq. ft. and a minimum livable house area of 1,800 square feet. (The minimum livable area for R-1AA zoning district is 1,700 sq. ft.). The final development plan expired and is no longer valid. As only 19 lots were proposed in the previous subdivision plan, a park was not required per the Land Development Code. If more than 19 residential lots are proposed within the master site plan and preliminary development Plan, a park must be included within the subdivision plan, as set forth within the Land Development Code. The previously approved Country Crossing Estates final development plan expired on September 7, 2008.

Only one road access point is feasible through a connection from Mt. Logan Drive, which is located within the Springs Ridge residential community.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this change of zoning as depicted in the Zoning Report.

<u>PUD RECOMMENDATIONS</u>: The recommendations are that the zoning classification of the aforementioned properties be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions are subject to the following provisions:

- A. The uses permitted within the PUD district shall be: single family homes and associated accessory uses or structures consistent with land use and development standards established for the R-1AA zoning category except where otherwise addressed in this ordinance.
- B. Master Plan requirements, as enumerated in Section 2.02.18 K. of the Apopka Land Development Code, not addressed herein are hereby deferred until the submittal and review of the Preliminary Development Plan submitted in association with the PUD district.
- C. If a preliminary Development Plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Plan provisions will expire. At such time, the City Council may:
 - 1. Permit a single six-month extension for submittal of the required Preliminary Development Plan;
 - 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Plan provisions and any conditions of approval; or
 - 3. Rezone the property to a more appropriate zoning classification.
- D. Unless otherwise approved by City Council through an alternative development guideline for the master site plan, the following PUD development standards shall apply to the development of the subject property:
 - 1. The maximum number of single family homes allowed in this PUD is twenty-five (25).
 - 2. Any lot abutting an existing platted lot that has a width of eighty-five (85) feet or greater, shall have a minimum lot width standard of eighty-five (85) feet and a minimum lot area standard of 10,200 square feet.
 - 3. Any lot abutting an existing platted lot with a width less than eighty-five (feet), and for all interior lots within the PUD, the minimum lot width standard is seventy-five (75) feet and the minimum lot area standard is 8,250 square feet. An interior lot for purposes of this PUD is one that does not abut the western or northern boundary of the PUD.
 - 4. Pertaining to paragraph 2 and 3, any portion of a proposed lot that has fifty (50) percent or more of its rear lot line abutting an existing platted lot with a width of eight-five (85) feet or greater, the minimum lot width shall be no less than eighty-five (85) feet.
 - 5. The minimum livable area for a house shall be 1,700 square feet.

- 6. Unless otherwise addressed within the PUD development standards, the R-1AA zoning standards will apply to the subject property.
- 7. The long narrow tract extending eastward from the northeast corner of the PUD shall be owned and maintained by the property owner association.
- 8. If the PUD property is incorporated into the Spring Ridge property owners association, the park requirement will be waived. Otherwise, a compact park area not less than 8,250 square feet shall be included within the master site plan.

The proposed Change of Zoning designation is consistent with the City's proposed Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies or as set forth in the PUD ordinance.

Staff has notified Orange County Public Schools (OCPS) of the proposed Zoning Map Amendment. The development will not be subject to School Capacity Enhancement because the change in zoning will not generate a more than nine residential units above what could be generated from the current zoning category assigned to the property. School concurrency evaluation will apply to the site at the time of a preliminary development plan application for a subdivision.

Due to the property being surrounded by properties located within the City limits of Apopka, notice to Orange County, as required in the JPA, does not apply.

The Development Review Committee recommends approval of the Change in Zoning from R-1AA (Residential) to PUD (Residential) for the property owned by Country Crossings, LLC, subject to the PUD development standards recommended in the staff report.

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

Chairperson Hooks opened the meeting for public hearing.

In response to a question by Ms. Roper, Mr. Moon stated that due to the prior plans having 19 lots, the developer at that time was not required to have a park. The new plans have 25 lots and due to that increase in the number of lots, the developer will be required to have a park area. However, if the developer could arrange for Country Crossing to join the adjacent Spring Ridge Homeowners' Association, they would not be required to include a park because Spring Ridge already has a park.

In response to a question by Chairperson Hooks, Mr. Moon stated that, as per the Code, property owners within 300 feet of the subject property were notified of the proposed zoning change. Since the Spring Ridge Homeowners' Association's park is within that 300' that HOA would have been sent a notice.

Velva Peterson, 1247 Mt. Logan Drive, Apopka, stated her opposition to the project citing concerns regarding traffic impacts to the neighborhood, noise, and the wildlife, gopher tortoises in particular, which are located on the site. She stated that she had been in contact with State wildlife agencies and was unable to locate a permit to allow anyone to remove the tortoises. She noted that when she arranged for a wildlife officer to tour the erty from the perimeter with her, a known gopher tortoise hole had been disturbed and filled in.

In response to a question by Chairperson Hooks, Ms. Peterson stated that if she had known the property was for sale she would have tried to get her neighborhood to buy it. She stated that, with regard to the long, oddly shaped portion of the parcel, the previous owners had attempted to make it a nature trail; however, the adjacent homeowners' association said no.

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

Motion:

James Greene made a motion to recommend approval of the Change in Zoning from R-1AA (Residential) to Planned Unit Development (PUD/R-1AA) (Residential) for the property located north of West Lester Road, west of Vick Road, owned by Country Crossing, LLC, subject to the information and findings in the staff report; and Teresa Roper seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (6-0).

REVISED FINAL DEVELOPMENT PLAN – BELMONTE RESERVE SUBDIVISION – Jay Davoll, P.E., Community Development Director/City Engineer, stated this is a request to recommend approval of the Revised Final Development Plan for the Belmonte Reserve Subdivision. The owner is K. Hovnanian Belmont Reserve, LLC, c/o Heather Himes, Esq., Akerman, LLP. The applicant/engineer is Civil Design Group, Inc., c/o William C. Fogle. The property is located south of Lester Road, northeast of Stoneywood Way and North Fairway Drive. The future land use is Residential High (0-15 du/ac) and the zoning designation is R-3. The existing use is vacant land and the proposed use is an attached multi-family townhome development with 14 building that will contain 78 fee-simple ownership lots. The tract size is 8.27 +/- acres and the density is 9.33 du/ac.

The Final Development Plan for Belmonte Reserve, which consisted of 78 townhomes units, was approved by City Council on October 4, 2006. A pre-construction meeting was convened on February 5, 2007, at which time construction began on the site. A final walk through was conducted on January 28, 2009, to review the construction activity and created a small list of items that needed to be completed in order to accept the project. This list of items was never completed and a Certificate of Acceptance was not issued. Until recently, the site remained in the same condition as noted in the January 28, 2009, final walkthrough punch list letter.

The applicant has submitted the Belmonte Reserve Revised Final Development Plan with the following changes: name of owner; addition of hardship criteria table and variance requests; revised parking and open space calculations; lot sizes; and changes to building footprint.

The Belmonte Reserve proposes to continue the development of 78 attached townhome units/lots. Each unit/lot will be sold as "fee-simple," i.e., title goes to the resident for the lot and building unit, but the overall community (internal roads, club house, retention, etc.) is owned and governed by the Homeowner's Association. The project is to be developed in a single phase. This proposed development will have no affiliation or involvement with the existing Greenbrook Villas town homes to the south.

The Project Site Details Include: (1) Proposed minimum living area of 1,670 square feet (1,350 square feet required by code); (2) Maximum 2-story building height; (3) Of the proposed town home buildings, 4 will be designed with 4-units, the remaining buildings will contain 6-units; (4) No outside storage of RV, boats, trailers, etc. will be allowed; and (5) A community pool and club house will be provided for the residents.

Each unit will provide 2 parking spaces for resident/guest parking. The parking for the units will be via a single car garage and one driveway space. A total of 281 parking spaces have been proposed (156 required by code). Individual golf carts will not be allowed, a condition that is self-imposed by the developer.

The project is planned as a gated community with access off Lester Road and North Fairway Drive. The entrance gates will be equipped with OPTICON devices for emergency vehicle access.

A six-foot high brick wall with columns and landscaping is already in place along Lester Road and Stoneywood Way. A six-foot high ornamental metal fence with brick columns is North Fairway Drive.

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

Total inches on-site: 99
Total inches removed: 56
Total inches replaced: 446

The applicant will revise the landscape plan to add cathedral oak along the interior side of the Lester Road brick wall and Stoneywood subdivision, to achieve a spacing of a canopy tree every 35 linear feet.

The property is exempt from school concurrency as the infrastructure has already been substantially completed within a previously approved project.

The County was notified at the time of the land use amendment and rezoning application for this property, and coordination occurred with County planning staff regarding impact on adjacent parcels.

VARIANCE REQUEST: The applicant has proposed the following variance requests:

- 1. LDC Section 2.02.07.G.a) Five-foot encroachment into 25 Setback. Multifamily dwelling units for front, side, corner, and rear yards shall all be a minimum of 25 feet from the property line. The applicant requests a variance for all perimeter lots to allow the encroachment of covered porches and second (2nd) floor building extensions into the 25' setback. Buildings will meet the 25 foot setback. The City previously approved the Belmont Reserve final development plan with the buildings lot lines set back 20 feet the property line. The five foot variance previously approved by the City is being documented within the final development plan. The applicant has agreed to prohibit metal or vinyl covered patios, and to require any covered patios facing Lester Road to be constructed of materials and colors compatible with those used for the building. **Staff does not object to this variance.**
- 2. LDC Section 2.02.07 G(3)(a). Lot 68 was previously approved with a seven foot encroachment into the 25 foot building set back. The proposed plan revisions recognize the variance that was previously approved with the original final development plan. **Staff does not object to this variance.**
- 3. LDC 2.02.07G(3(a). The pool location was previously approved at current location. The plan revisions documents the variance needed to accommodate the approved pool location. **Staff does not object to this variance.**

4. LDC 2.02.07.H.(5). The proposed dumpster enclosure is located within the required ten (10) feet wide landscape buffer yard. The applicant is requesting a variance of nine (9) feet to place the dumpster enclosure within one (1) foot of the western property line abutting Stoneywood subdivision. **Staff does not object to this variance request.**

The Development Review Committee recommends approval of the Belmonte Reserve Revised Final Development Plan, subject to approval of the four variances requests.

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

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

Heather Himes, Esq., Akerman, LLP, 420 S. Orange Avenue, Suite 1200, Orlando, clarified that the minimum living area for the project is 1,600 square feet. She advised the Commission that the project will not comply 100 % with the requirements of the City's "Water-Wise" Ordinance No. 2069 for landscape planting materials. This project had been previously designed, approved and started prior to the adoption of Ordinance No. 2069. Since moving forward with the project, they have implemented the use of Bahia in as many areas as they could and reworked the irrigation system design; however, they would not meet the requirement that no more than 50% of the green space area or ½ acre, whichever is smaller, be covered with St. Augustine grass.

Tom Daly, Daly Design Group, Inc., 913 N. Pennsylvania Avenue, Winter Park, Florida, stated that the previously approved landscaping plan relied on a high use of sod. They redesigned the plans and reduced the need for irrigation by more than 50%; however, there would still be more than 50% of the sod being St. Augustine. He asked that the Commission approve a variance of this requirement or recommend approval of a waiver of the no more than 50% of the green area or ½ be covered in St. Augustine grass.

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

Motion:

Ben Dreiling made a motion to recommend approval of the Belmonte Reserve [1] Revised Final Development Plan; [2] to allow the following variance requests: (a.) Land Development Code (LDC), Section 2.02.07.G.a) to allow a five-foot encroachment into 25 Setback for all perimeter lots to allow covered porches and second floor building extensions into the 25' setback; (b.) LDC Section 2.02.07.G(3)(a) to allow the previously approved seven foot encroachment into the 25 foot building setback for Lot 68; and (c.) LDC 2.02.07G(3(a) to allow the previously approved location of the pool; [3] LDC 2.02.07.H.(5) to allow the proposed dumpster enclosure to be located within the required ten (10) feet wide landscape buffer yard; [4] waiver of the Water Wise Ordinance requirement that there be no more than 50% of the green area or ½ be covered in St. Augustine grass; and [5] the findings in the staff report. Mallory Walters seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Ben Dreiling, James Greene, and Robert Ryan; Teresa Roper voted against. (5-1).

FINAL DEVELOPMENT PLAN – TACO BELL – 1154 ROCK SPRINGS ROAD – Mr. Davoll stated this is a request to recommend approval of the Final Development Plan for Taco Bell to be located at 1154 Rock Springs Road. The owner/applicant is Special K Enterprises, LLC, c/o James P. Whelan. The engineering firm is Cornelison Engineering & Design, Inc., c/o Craig L. Cornelison, P.E. The future land use is Commercial and the zoning designation is C-1. The existing use is a vacant ice cream shop (formerly Bruster's Ice Cream) and the proposed use is a drive-thru restaurant. The current building is to be demolished. The tract size is 0.76 +/-acre (33,158 sq. ft.) and the proposed building size is 2,153 sq. ft.

The Taco Bell – 1154 Rock Springs Road Final Development Plan proposes a 2,153 square foot restaurant with a drive-thru. To accommodate the new restaurant, the existing 1,366 square foot building will be demolished. Access to the site will use the same driveway access to Rock Springs Road that was used for the former Bruster's Ice Cream.

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

A ten foot landscape buffer is provided along Rock Springs Road, and the landscape buffers along the north and south parcel lines follow the previous buffers approved for the Bruster's Ice Cream store.

A total of 23 parking space are provided, of which two are handicapped parking space. A single driveway to Rock Springs Road uses the same access created for the former Bruster's Ice Cream store.

Design of the building exterior meets the intent of the City's Development Design Guidelines.

The monument sign proposed near the driveway entrance meets the City's sign code but must be moved to three to four feet towards the interior of the parcel to accommodate the necessary line-of-sight at the driveway cross bar at Rock Springs Road. Prior to commencing site construction, the applicant's engineer shall certify that the monument sign location meets an acceptable line-of-site distance and sight triangle.

Menu board signs shall not exceed six feet in height nor 30 square feet of sign area. The menu board signs shall be supported from the grade to the bottom of the sign having or appearing to have a solid base similar to and complementary to the development's monument sign. The design, materials, and finish of a menu board sign shall match those of the buildings on the same lot. One menu board sign is permitted per drive-thru lane or drive-in station. No other commercial or promotional signs, including snipe-type signs, shall be located along the drive-thru lanes. The Taco Bell Logo's shown on the post supporting the clearance bar and drive—thru canopy will need to be removed. Applicant must resubmit menu board plans that are consistent with the City code.

The applicant has requested a waiver of the previously approved operating hours. The Brewster's Ice Cream Store was approved with the condition that operating hours were limited to 6:30 a.m. to 1:30 a.m. The drive-through service was previously not allowed to operate after 12:00 am (midnight) and open at 6:30 am. All customer service for the Brewster's Ice Cream Store occurred through exterior service windows and did not include interior seating. As the Taco Bell proposes all interior customer seating, conditions no longer warrant a limitation on the hours of operation. Staff supports removal of the operating hour limitation. Further, a residential home existing adjacent to the subject parcel, but has been converted to an office use. Staff does not to this waiver request.

The applicant has requested a variance of the distance a drive-through must be from residential areas. The Brewster's Ice Cream Store received a variance to allow a drive-through service area less than 200 feet from a residential area. Since the construction of the Brewster's store, a residential home to the west of the subject parcel was converted to an office use. Property on the east side of Rock Springs Road is assigned a residential future land use and zoning, but is undeveloped. This residentially zoned, undeveloped property is within 200 feet of the Taco Bell site, measured property line to property line. The City previously approved the variance for the Brewster's store. Moving the drive-through further to the west will impact the applicant's ability to provide adequate driveway width and buffer width to the rear of the property. Staff does not object to this variance request as it was previously approved for the Brewster's Ice Cream Store.

The Development Review Committee recommends approval of the Taco Bell -1154 Rock Springs Road Final Development Plan, the waiver request for hours of operation and the variance for the drive-through distance to a residentially zoned property, subject to the findings of this staff report.

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

In response to a question by Chairperson Hooks, Craig L. Cornelison, P.E., Cornelison Engineering & Design, Inc., 5745 Gall Boulevard, Zephyrhills, Florida, stated that this is a new prototype that will not include the arches that were constructed on the Taco Bell on Main Street.

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

Motion:

Mallory Walters made a motion to recommend approval of the Taco Bell at 1154 Rock Springs Road [1] Final Development Plan; [2] request to waive the previously approved operating hours; [3] approval of the variance request to allow a drive-through within 200 feet of residential areas; and [4] the findings in the staff report. James Greene seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (6-0).

OLD BUSINESS:

Planning Commission:

Motion:

James Greene made a motion to take the amendment to the Code of Ordinances, Part III, Land Development Code, Article III – to create a Small Lot Overlay Zoning District off the Table, and Teresa Roper seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (6-0).

WORKSHOP - AMENDMENT TO THE CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE III – OVERLAY DISTRICTS – Mr. Moon stated that this item was tabled at the March 11, 2014 meeting and then, at the April 8th meeting, staff requested a continuance until the May 13, 2014, Planning Commission meeting. He stated that at this time no formal action by the Commission is necessary. This was to be a discussion of the proposed amendment. The amendment will be brought back to pummission for formal action once it has been advertised.

Exhibit "A" is a revised amendment to the City's Land Development Code establishing an Overlay Zoning District related to small lot development within the City of Apopka. The purpose of the Small Lot Overlay Zoning District is to provide flexibility for a dynamic housing market; implement Comprehensive Plan policies that promote housing diversity; provide transition between lower density residential areas and more intense development such as commercial, office, industrial or other non-residential land uses, to provide transition between lower density residential areas and limited access highways; to create an increase in development options for properties assigned medium and high density future land use designations; to promote infill development while preserving the character of the existing residential neighborhoods; and to promote diversity in the size and type of new residential developments thereby providing housing opportunities for various family sizes. The Overlay District delineates permitted uses and prohibitions or limitations on certain uses, as well as certain design standards.

As proposed, the Small Lot Overlay District is only eligible for properties that are assigned both a Residential High Density (0 - 15 un/ac) and an R-3 zoning category. Also, the development site must be a minimum of ten acres but not more than eighty acres. DRC has reviewed the proposed Small Lot Overlay District.

Based on the discussion at the March 11, 2014 meeting, the Planning Commission requested staff to coordinate additional review with the development community and the item was tabled. At the April 8, 2014, meeting, staff requested that the item be continued until the May meeting to allow more time for the development community's review.

Planning staff has worked with the development community and prepared this revised development option for the Planning Commission to consider. Several developers or homebuilders have asked the City to consider development options that accommodate smaller residential lot sizes. If after review by the Planning Commission, it is determined that this development option meets the desired vision and goals of the City, the Development Review Committee will schedule the amendment to Article III of the City's Land Development Code.

The change recommended by the development community was to re-write Section 3.04.05.6 - Development Standards, Vehicle Access Points, to read "All townhome and duplex dwelling lots shall have vehicle access points via a rear alley; no less than two thirds of the single family lots with a width less than fifty (50) feet shall have vehicle access points via a rear alley."

Chairperson Hooks stated that at the March meeting he requested that staff revise the design guidelines to prevent developments like Chelsea Parc and Maineline Village, due to those areas having turned into high crime areas, and to work with Mr. Hampden to incorporate some of his ideas into those design guidelines. He said that the only change was the inclusion of Mr. Hampden's suggested. He reiterated that he wanted design standards that would raise the price of the homes so that residents would be inclined to want to take care of the subdivision once it is built. He suggested that perhaps these developments be gated communities.

Mr. Moon stated that the process for a small lot overlay district would be similar to a planned unit development. They would be required to prepare a master plan and architectural renderings. Any other requirements would be based on the particular location of the project.

<u>Chairperson Hooks stated that it all needs to be formalized in a design guideline.</u>

Chairperson Hooks opened the meeting for public hearing.

In response to questions by Suzanne Kidd, 1260 Lexington Parkway, Apopka, Florida, Mr. Moon stated that the proposed overlay would not govern building heights. That would be covered by the Land Development Code which allows a maximum height of 35 feet. He stated that most developments have some kind of scheme such as Mediterranean or Cracker style with a slate of coordinating colors.

Ms. Walters stated that the City has worked to increase lot sizes to avoid the Chelsea Parc/Maineline Village types of developments. She expressed her skepticism of homeowners' associations' desire or ability to maintain the small lot developments. Due to the lower price in these types of developments, many of the lots are purchased by investors for rental property. She stated that the only types of development that seems to take an active interest in maintaining their property are apartment complexes where there is a single owner.

Ed Hampden, Tallman Development Company, 604 S. Lake Sybelia Drive, Maitland, assured the Commission that homeowners' associations (HOA) were among some of the most powerful entities. Regulations for the HOA are only as strong as the "covenants, conditions, restrictions and easements" documentation; however, they are enforceable.

In response to a question by Chairperson Hooks, Mr. Hampden stated that the HOA would be responsible for enforcing those documents. In the event the HOA does not enforce the documents, the City might take over the enforcement.

Chairperson Hooks stated that the City would not want to take on the enforcement of an HOA's documents. He reiterated that one way to raise the price and create an incentive to maintain the property would be to make these gated communities.

Mr. Hampden stated that the Commission might consider that there are there are very few areas in the City where a small lot overlay district could apply. He suggested that it might help the Commission if they were to tour developments that would demonstrate the types of development that would fall under the Small Lot Overlay District. He stated that he would provide to staff a list of the developments, their addresses, and builder information such as lot size and width, living area sizes, etc. Additionally, he offered to escort the members of the Commission himself through some of these developments but the members declined citing a conflict due to ex parte communications.

Further discussion ensued.

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

Chairperson Hooks stated that he could not support this draft of the Small Lot Overlay District language.

In response to a comment by Mr. Moon, Mr. Greene stated that enforcement of the HOA documents is one item that needs to be addressed.

The Commission unanimously agreed to ask staff to schedule a workshop to go over the proposed language. They asked that the workshop be schedule for June 3, 2014, at 6:00 p.m.

Public: None.	
NEW BUSINESS:	
Planning Commission Public: None.	n: None.
ADJOURNMENT:	The meeting was adjourned at 6:30 p.m.
Steve Hooks, Chairper	cson
R. Jay Davoll, P.E.	
Community Developm	nent Director

Backup material for agenda item:

Approve minutes of the Planning Commission Small Lot Overlay District Workshop held June 3, 2014, at 6:00 p.m.

MINUTES OF THE PLANNING COMMISSION WORKSHOP HELD ON JUNE 3, 2014, AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: Steve Hooks, Mallory Walters, James Greene, and Robert Ryan

ABSENT: Melvin Birdsong, Ben Dreiling, Teresa Roper, Orange County Public Schools (Non-voting)

OTHERS PRESENT: R. Jay Davoll, P.E. – Community Development Director/City Engineer, David Moon, AICP - Planning Manager, Ed Hampden, John Walls, City of Apopka Commissioner Sam Ruth, Suzanne Kidd, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

OPENING: Chairperson Hooks called the workshop to order.

WORKSHOP - AMENDMENT TO THE CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE III - OVERLAY DISTRICTS -

David Moon, AICP, Planning Manager stated the workshop was called to discuss the proposed amendment to the City's Land Development Code to create an Overlay Zoning District related to small lot development within the City of Apopka. The purpose of the Small Lot Overlay Zoning District is to provide flexibility for a dynamic housing market; implement Comprehensive Plan policies that promote housing diversity; provide transition between lower density residential areas and more intense development such as commercial, office, industrial or other non-residential land uses, to provide transition between lower density residential areas and limited access highways; to create an increase in development options for properties assigned medium and high density future land use designations; to promote infill development while preserving the character of the existing residential neighborhoods; and to promote diversity in the size and type of new residential developments thereby providing housing opportunities for various family sizes. The Overlay District delineates permitted uses and prohibitions or limitations on certain uses, as well as certain design standards.

Mr. Moon stated the Small Lot Overlay District is only eligible for properties that are assigned both a Residential High Density (0 - 15 un/ac) and an R-3 zoning category. Also, the development site must be a minimum of fifteen (15) acres but not more than eighty (80) acres.

Discussion ensued regarding the following developments Mr. Hampden suggested the Commission members tour prior to the workshop to become familiar with current small lot developments in the Central Florida area.

- Legacy Park Builder: Pulte Homes
- Millenia Park Builder: Mattamy Homes
- Randal Park Builders: M/I Homes, Mattamy Homes, and David Weekley Homes
- Waters Edge Builder: Park Square Homes
- Winter Springs Village Builder: Meritage Homes

As a result of the discussion, the following suggestions were made to be included in the Small Lot Overlay District:

- 1. Developments need to be pedestrian/bicycle friendly.
- 2. Large alleyways with street lighting.
- 3. Establish minimum living areas of 1,500 square feet for single family residences on the small lots; and a minimum living area of 1350 square feet for townhomes.

- 4. Open space requirement of 30% to be clarified.
- 5. Amenities be evaluated with each development depending upon size.
- 6. Require that 75% of the lots in a development designated as a small lot overlay district must have a minimum living area of 1,700 square feet or higher; and a minimum of 25% may have living areas of 1,500 square feet or less.
- 7. Lawns are to be maintained by the homeowners' association.
- 8. Require language in the Covenants, Conditions, and Restrictions (CCR) documents that ensure that if the homeowners' association fails to maintain the lawns and commons areas of a subdivision, the City may enforce the City codes and will hold the HOA responsible.
- 9. Developer to coordinate with the Postal Service on centralized post boxes that aesthetically fits in with the style of the development.

Chairperson Hooks thanked everyone for their participation and suggestions.

ADJOURNMENT:	The workshop was adjourned at 8:37 p.m.			
Steve Hooks, Chairpers	son			
R. Jay Davoll, P.E.	Dinastan			
Community Developm	ent Director			

Backup material for agenda item:

 FINAL DEVELOPMENT PLAN – Apopka Woods Subdivision, owned by Apopka Woods LLC, property located north of West McCormick Road and east of Irma Lee Lane. (Parcel ID No. 32-21-28-0000-00-002)



CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING DATE: June 10, 2014

ANNEXATION PLAT APPROVAL

OTHER:

FROM: Community Development

EXHIBITS: Vicinity Map

Subdivision Plan

Plat

Landscape Plan

APOPKA WOODS LLC – APOPKA WOODS SUBDIVISION **SUBJECT:**

RECOMMEND APPROVAL OF THE APOPKA WOODS LLC - APOPKA **Request:**

WOODS SUBDIVISION FINAL DEVELOPMENT PLAN\PLAT

SUMMARY

OWNER/APPLICANT: Apopka Woods LLC

North of West McCormick Road and east of Irmalee Lane LOCATION:

EXISTING USE: Vacant land, planted pine, and vacant single family home

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

ZONING: R-2 Residential

70 Ft. MINIMUM LOT WIDTH:

MINIMUM LOT SIZE: 7,500 Sq. Ft.

PROPOSED

DEVELOPMENT: 76 Single Family Residential Lots

TRACT SIZE: 24.82 +/- acres

MAXIMUM ALLOWABLE

DEVELOPMENT: **EXISTING:** 124 residential units

PROPOSED: 76 residential units

DISTRIBUTION

Mayor Kilsheimer Finance Dir. Public Ser. Dir. (2)

Commissioners (4) **HR** Director City Clerk Fire Chief **CAO Richard Anderson** IT Director

Community Dev. Dir. Police Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (County)	Institutional	A-1	County Northwest Water Reclamation Facility
East (County)	Institutional	A-1	County Northwest Water Reclamation Facility
South (Ocoee)	Low Density Residential	R-1A	McCormick Woods Res. Subdivision
West (City)	Commercial; Residential Low Density	C-1/PUD	Vacant undeveloped

ADDITIONAL COMMENTS:

The Preliminary Development Plan for this project was approved by City Council on October 16, 2013. During that meeting, and as part of the Preliminary Development Plan approval, City Council approved a waiver request to waive the brick wall required along the eastern and northern property line but in lieu thereof required a uniform vinyl fence. The Final Development Plan and Plat are consistent with the approved Preliminary Development Plan.

The subject property was annexed into the City of Apopka on July 6, 2006, through the adoption of Ordinance No. 1827. The applicant proposes to develop 76 single family residential lots with a minimum lot width of 70 feet and a minimum lot area of 7,500 sq. ft. A brick wall within a ten foot wide buffer tract is proposed adjacent to McCormick Road. A five-foot wide fence easement is proposed along the eastern and north property line to buffer the Apopka Woods subdivision from the Orange County Northwest Water Reclamation Facility. The plat has been coordinated with Orange County planners and engineers.

Project Use:

The Apopka Woods, LLC subdivision plan plat proposes the development of 76 single family residential lots. The minimum typical lot width is 70 feet with a minimum lot size of 7,500 square feet. The minimum living area for the subdivision is 1,350 square feet as set forth in Chapter 2 of the Land Development Code.

<u>Access</u>: One driveway connection from McCormick Road is proposed and includes a left turn lane. An entrance feature for Apopka Woods will be constructed within the ten-foot wide buffer near McCormick Road. There is right-of-way set aside for an egress/ingress point near the northwest corner of the subdivision to allow for future connection to the undeveloped parcel abutting the western project boundary.

<u>Stormwater</u>: The stormwater management system is located at the north end of the project site (dry retention pond - 2.48 acres) that meets the City of Apopka Land Development Code, Section 6.05.00 guidelines.

Utilities: The proposed development is located within the Orange County Utility service area.

<u>Recreation</u>: The developer is providing a 0.43 +/- acre (18,853 square-feet) active/passive recreation space next to the stormwater retention pond at the northern end of the project. The LDC requires a minimum recreation space of 18,750 square feet, which is an area equivalent to that covered by two and a half lots.)

<u>Buffer/Tree Program and Landscaping</u>: Buffers provided are consistent with the Land Development Code. The planted pine is exempt from the arbor requirements and will be harvested for silviculture purposes. The developer is required to pay tree mitigation fee of \$16,170 into the tree bank fund.

The following is a summary of the tree inventory for Apopka Wood Subdivision:

Maximum Tree Replacement Required: 3,784
Total inches replaced: 2,167
nches to be Mitigated: 1,617

NOTE: Prior to the Final Development Plan\Plat appearing on a City Council agenda, the applicant must modify the plans to correct a few scrivener errors identified by the Development Review Committee as well as necessary documentation from Orange County government, including additional of test assigning the northern and eastern fence easement to the HOA; providing written evidence from Orange County Utilities (OCU) that OCU has approved the utility plan design noted on these Final Development Plans; and submittal of an Easement Vacation application for the existing 8 ft. FPC easement across Lot 14 and travels north behind Lots 15 through 21 or to address such vacation within the FDP and plat.

SCHOOL CAPACITY REPORT:

The applicant has coordinated with Orange County Public Schools and addressed school concurrency review requirements to support the development of 76 single family residential units.

PUBLIC HEARING SCHEDULE:

June 10, 2014 - Planning Commission (5:01 pm) June 18, 2014 - City Council (8:00 pm) (Tentative, see Note)

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the APOPKA WOODS, LLC, FINAL DEVELOPMENT PLAN\PLAT, subject to the information and findings in the staff report.

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

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

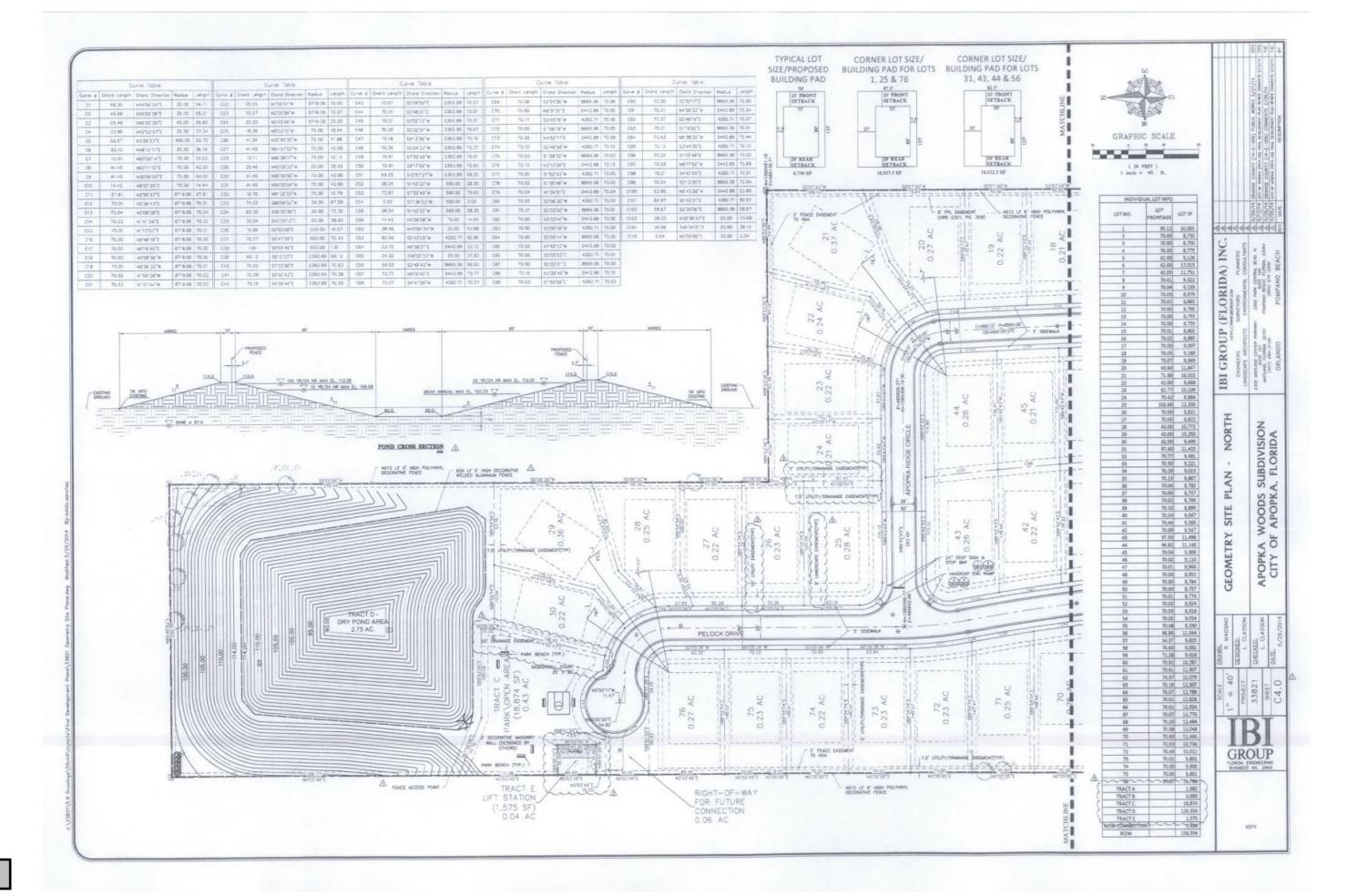
Apopka Woods LLC 24.82 +/- Acres Maximum Allowable Development: 124 Units Proposed: 76 units

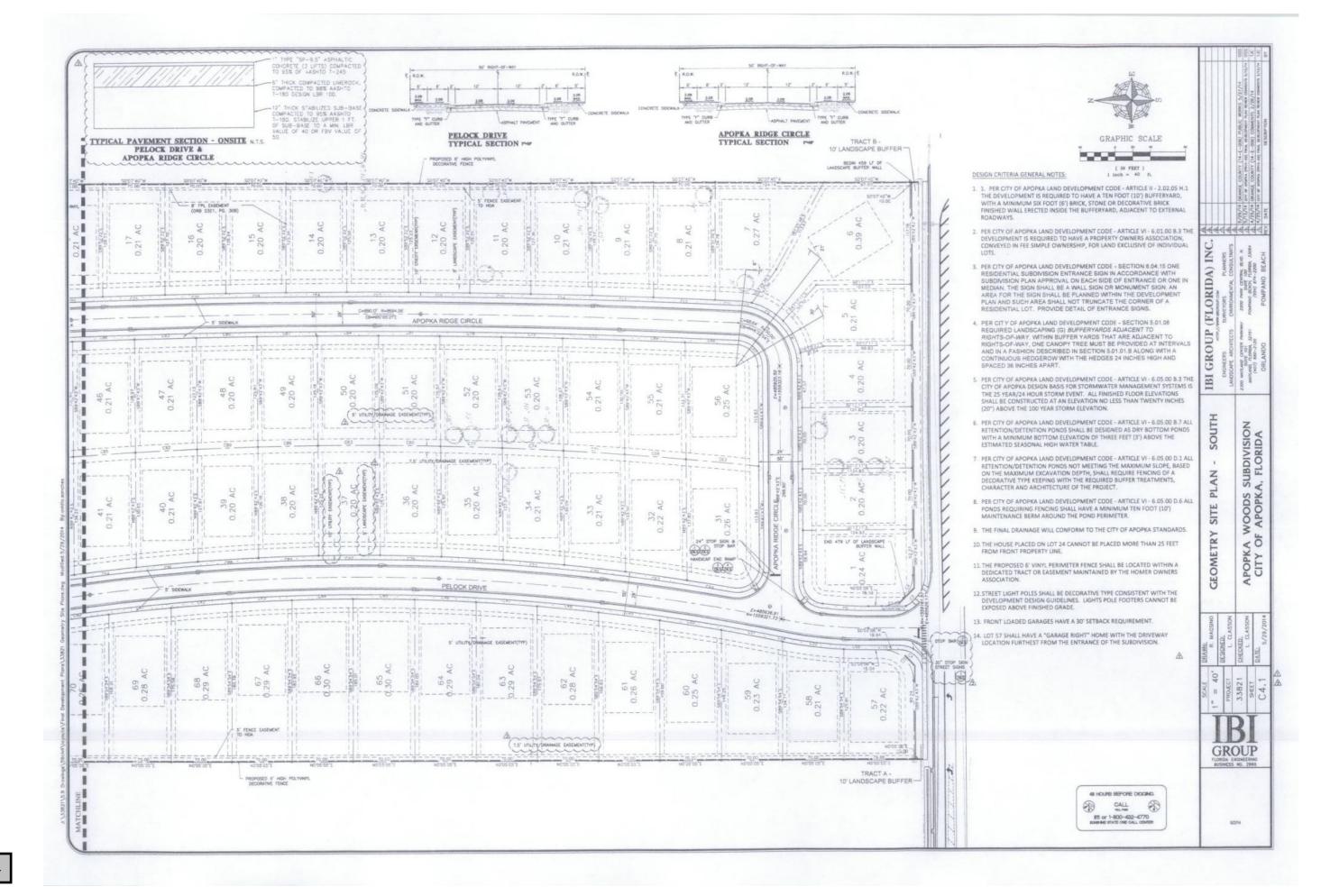
Parcel ID #: 32-21-28-0000-00-002

VICINITY MAP









APOPKA WOODS SUBDIVISION

LYING IN SECTIONS 29 AND 32, TOWNSHIP 21 SOUTH, RANGE 28 EAST CITY OF APOPKA, ORANGE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A TRACT OF LAND, BEING ALL THAT LAND, DESCRIBED IN THAT CERTAIN CERTIFICATE OF TITLE, AS RECORDED IN DIFFICIAL RECORDS BOOK 9882, PAGE 5192, LYNIC IN SECTIONS 29 AND 32, TOWNSHIP 21 SOUTH, RANGE 28 EAST, PUBLIC RECORDS OF GRANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS.

COMMENCE AT THE NORTHEAST CONNER OF THE NORTHWEST CUANTER OF THE NORTHEAST COMMENCE AT THE NORTHEAST COMMENCE AT THE NORTHEAST COMMENCE AT THE NORTHEAST COMMENCE AS DECTION 32, FOR A POINT OF BEGINNING, THENCE RUN SOUTH OF THE MEST, ALONG THE EAST LINE OF THE EAST HALF OF THE NORTHEAST CUANTER OF SAID SECTION 32, A DISTANCE OF 1296,78 FEET TO A POINT LINE OF THE NORTHEAST CHARTER OF SAID SECTION 32, A DISTANCE OF 1296,78 FEET TO A POINT LINE OF THE NORTHEAST CHARTER OF SAID SECTION 32, A DISTANCE OF 1296,78 FEET TO A POINT LINE OF THE NORTHEAST CHARTER OF SAID SECTION 329, PAGE 272 OF SAID PUBLIC SAID SECTION 329, PAGE 272 OF SAID PUBLIC SAID SECTION 329, PAGE 272 OF SAID PUBLIC SAID SECTION 32, THENCE RUN NORTH AND LINE, 69, 87 FEET TO A POINT LINE ON THE WEST LINE OF THE SAIT HALF OF THE NORTHEAST CHARTER OF SAID SECTION 32, THENCE RUN NORTH O'O'D'S'O'S EAST, ALONG SAID WEST LINE, 1299 OF REET TO THE NORTHEAST CHARTER OF THE NORTHEAST CHARTER OF THE NORTHEAST CHARTER OF THE NORTHEAST CHARTER OF THE SOUTHEAST CHARTER OF THE WEST HALF OF THE SOUTHEAST CHARTER OF THE NORTHEAST CHARTER OF THE NORTHEAST CHARTER OF THE NORTHEAST CHARTER OF THE SOUTHEAST CHA

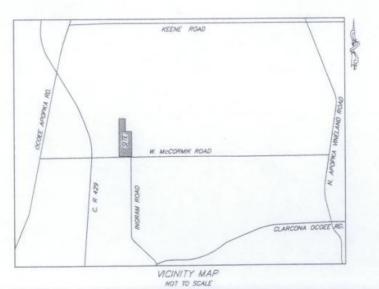
THE ABOVE DESCRIBED TRACT OF LAND LIES IN THE CITY OF APOPKA, GRANGE COUNTY, FLORIDA AND CONTAINS 24.824 ACRES, MORE OR LESS

LEGEND

POINT OF REGISHING
PERMANENT REFERENCE MONUMENT
PERMANENT CONTROL POINT
JONES, WOOD AND GONTRY
LICENSED SURVEYOR
POINT OF CURRY TURE
POINT OF TANGENCY
POINT OF TOMPOUND CURVATURE
POINT OF REVERSE CURVATURE POINT OF REVENSE CONV POINT OF INTERSECTION RADIUS POINT RIGHT-DF-WAY IDENTIFICATION UTILITY AND DRAINAGE R/W

SURVEYOR'S NOTES:

- (1) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO THE NORTH LINE OF THE EAST MALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, TOWNSHIP 21 SOUTH, RANGE 28 EAST, BEING SOUTH 6717'56" EAST.
- (2) -O- DENOTES A PERMANENT REFERENCE MONUMENT (P.R.M.) A SET 5/8" IRON BAR WITH CAP STAMPED LB. § 7808.
- (3) DENOTES A PERMANENT CONTROL POINT (P.C.P.) A SET NAIL AND DISK STAMPED LB. # 7808.
- (4) ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TILEUSION SERVICES PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TILEUSION SERVICES SHALL INTERFERE WITH THE FAGULITES AND SERVICES OF AN ELECTRIC, TILEPHONE, CAS, OR OTHER PUBLIC UTILITY, IN THE EAST A CABLE TELEUSION COMPANY DAMAGES THE FACULITES OF A PUBLIC UTILITY, IS SHALL BE SOLELY RESPONSIBLE FOR DAMAGES. THIS SECTION SHALL NOT APPLIC TO THOSE PRIVATE EASEMENTS OFANTED TO OR OBTAINED. BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY, SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMP. WITH THE HATOMAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- (5) TRACT "C" PARK/DPEN AREA, AND TRACT "D" DRY POND AREA ARE TO BE OWNED AND MAINTAINED BY THE APORKA WOODS SUBDIVISION HOMEDIMIERS' ASSOCIATION. (HOA)
- (6) TRACTS "A" AND "B", LANDSCAPE BUITER AREAS, ARE TO BE OWNED AND MAINTAINED BY THE APOPKA WOODS SUBDIVISION HOMEOWNERS' ASSOCIATION (HOA)
- (7) TRACT "E", LIFT STATION TRACT, SHALL BE OWNED AND MAINTAINED BY DRANGE COUNTY, UTILITITES.
- (8) ALL LOT LINES ARE NOT RADIAL, UNLESS OTHERWISE NOTED.
- (9) THE 20.00 FOOT WIDE DRAINAGE EASEMENT IS DEDICATED TO THE CITY OF APOPKA, NO FENCES, TREES OR OTHER OBSTRUCTION MAY BE PLACED WITHIN THE LIMITS OF THE 20.00 FOOT MIDE DRAINAGE EASEMENT.
- (10) THERE IS A 10.00 FOOT WIDE UTILITY AND DRAINAGE EASEMENT IN FRONT OF ALL LOT LINES.
- (11) THERE IS A 5.00 FOOT WIDE UTILITY AND DRAINAGE EASEMENT IN THE SIDE OF ALL LOT LINES.
- (12) THERE IS A 7.50 FOOT WIDE UTILITY AND DRAINAGE EASEMENT IN THE REAR OF ALL LOT LINES.
- (13) THERE IS A 5.00 FOOT WIDE LANDSCAPE EASEMENT ADJACENT TO THE 10.00 FOOT WIDE UTILITY AND DRAINAGE EASEMENT.
- (14) THERE ARE 76 LOTS CONTAINED IN THIS PLAT.



THE PROPERTY SHOWN HEREON REPRESENTS THE LANDS INCLUDED IN THE PRELIMINAR SUBDIVISION PLAN APOPKA WOODS SUBDIVISION AS REVIEWED BY THE DRANGE COUNTY DEVELOPMENT REVIEW COMMITTEE ON ______ 2014 AND APPROVED ON ____



SURVEYING AND MAPPING, LLC

CERTIFICATE OF AUTHORIZATION NUMBER LB 7808 2100 Alafayo Trail, Sulte 203 * Oviedo, Florida 32765 * 407-542-4967 THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL BY NO ORGANISTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHE GRAPHIC OR DISTAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY."

SHEET I OF J PLAT BOOK

APOPKA WOODS SUBDIVISION

DEDICATION

STATE OF FLORIDA COUNTY OF ORANGE

KNOWN ALL MEN BY THESE PRESENTS, That the limited liability KRYUMY ALL MEN OF THESE PRESENTS, that the united majority company named below, being the owner in fee simple of the lands described in the foregoing caption to this plot, hereby dedicates sold lands and plot for the uses and purposes therein expressed Essements and Rights-of-way

Signed, sected and delivered in the presence of the following two eltheases: APOPICA MODDS, LLC., or Florido Limited Liability Company

James M. Hatain,

STATE OF FLORIDA

COUNTY OF ORANGE

Print Name:
Notary Public - State of Florido
Commission No.:
My Convelosion Expires:

QUALIFICATION STATEMENT OF

KNOWN ALL MEN BY THESE PRESENTS, that the undersigned, be a licensed and registered surveyor and mapper, does hereby certify that

a survey of the lands shown in the foregoing plot was completed, that sold plot is a five and correct representation of the lands surveyed, that the plot was prepared under my responsible direction and approximate, and that this plot complex with all the survey requirements of Chapter 177, Plands Statutes; and that sold land is located in the City of of Appairs. Chapter County, Flands.

LS 4044 Surveyor's Reportrotion Number Surveyor's Name (printed)

ED 7808

PEC - Surveying and Mapping, LLC

Torifficate of Authorization Mumber
2100 Avalaya Boulevard, Suite 203, Oxieda, Plantia, 32765

LEADTHING DE APPROVAL
BY APOPKA PLANNING COMMISSION
Approved CERTIFICATE OF APPROVAL

CERTIFICATE OF APPROVAL

BY CITY ENGINEER
THIS IS TO CERTIFY, That on plet was examined and approved by

CERTIFICATE OF REVIEW BY CITY SURVEYOR

PURSUANT TO SECTION 1770 PLANT FOR THE PLANT FOR CONFIDENCY TO CHAPTER 177 PART OF THE FLORIDA STATUTES AND THAT SAD PLAT COMPLIES WITH THE TECHNICAL REQUIREDATES OF THAT CHAPTER PROMODE PROMODER THAT WE'RE'ED DOES NOT MICLURE FEED MERSICATION OF ANY OF THE COORDINATES POWERS OF MEASUREMENTS SHOWN ON THIS PLAT

SIGNED: PRINTED NAME: DANNY MINITAKER, P.S.M.

CERTIFICATE OF APPROVAL

City Council of the City of Apopka approved the foregoing plat

ar arm

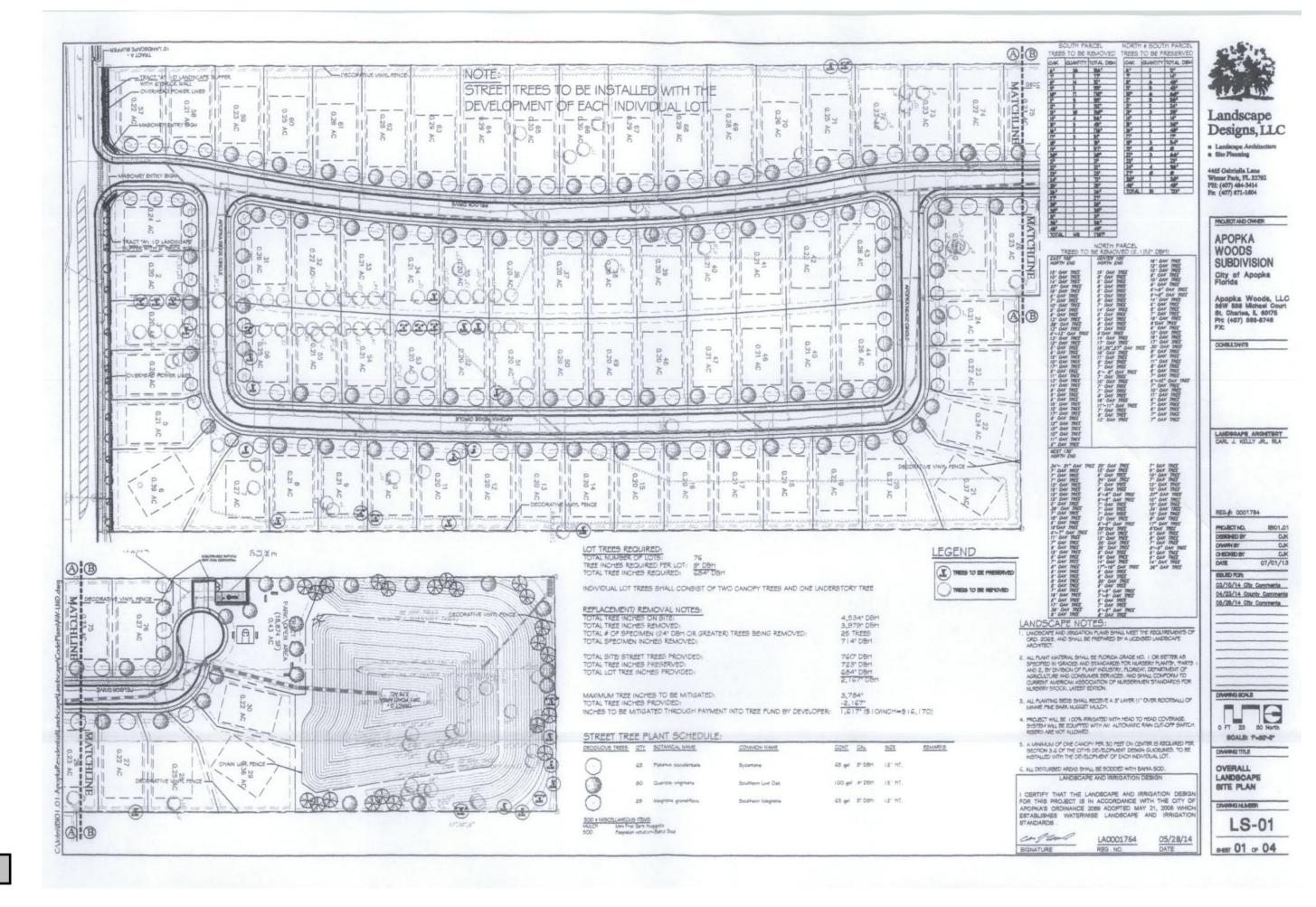
as File No. ____

CERTIFICATE OF COUNTY COMPTROLLER

HEREBY CERTIFY. That the foregoing plat was Recorded in the Orange County Official Records on ____

County Comptroller in and for Grange County, Florido

SHEET 3 OF . APOPKA WOODS SUBDIVISION BOOK PAGE LYING IN SECTIONS 29 AND 32, TOWNSHIP 21 SOUTH, RANGE 28 EAST CITY OF APOPKA, ORANGE COUNTY, FLORIDA NOT PLATTED N.H. 1/4, S.H. 1/4, S.E.1/4, SECTION 29-21-28. N89'40'52"E 5.00" FENCE EASEMENT SET 4"x4" CONCRETE MONUMENT LS 4044 FOUND 4"x4" CONCRETE MONUMENT: JMBG RLS 1585 PRW POP (0.33"N., 0.12"W.) TRACT D -NORTH LINE W1/2 SE1/4, SW1/4, SE1/4, SECTION 29-21-38 NW CORNER W1/2, SE1/4, SW1/4. SE1/4, SECTION 29-21-28 TRACT D (DAY HOND AREA) S.H. 1/4, S.H. 1/4, S.E.) SECTION 29-21-28. 12345 E 1/2 SE 1/4, S #1/4, SE 1/4, SECTION 29-21-28 TRACT C NOT PLATTED 28 \$10.26,11,E N89'53'56"E 5E.1/4, SECTION 29-21-20 330.31 24 23 115.11 70.45" S88.45'04' 233.15 APOPKA RIDGE CIRCLE === U420===== | | | | == U4AE ==== -- 589 42 D4*W-42 S.DO" U/D EASEMENT -18 69 MATCHLINE SEE SHEET 2 OF 3 PEC SURVEYING AND MAPPING, LLC CERTIFICATE OF AUTHORIZATION NUMBER LB 7808 2100 Alafaya Trail, Suite 203 * Oviedo, Florida 32765 * 407-542-4967



Backup material for agenda item:

2. FINAL DEVELOPMENT PLAN/PLAT – Oak Ridge, Phase 2, owned by The Ryland Group, c/o Vernon Priest; the engineer is Boyd Civil Engineering, c/o Steve Boyd, P.E.; and the property is located east of Plymouth Sorrento Road, north of Appy Lane. (Parcel ID Nos. 18-20-28-0000-00-014; 18-20-28-0000-00-021; 18-20-28-0000-00-022; 18-20-28-0000-00-023; 18-20-28-0000-00-098; 18-20-28-0000-00-108; and 18-20-28-0000-00-109)



CITY OF APOPKA PLANNING COMMISSION

X_PUBLIC HEARING
___SPECIAL REPORTS
PLAT APPROVAL

X OTHER: Final Dev. Plan/Plat

MEETING OF: June 10, 2014 FROM: Community Development

EXHIBITS: Vicinity Map

Final Dev. Plan/Plat Landscape Plan

PROJECT: OAK RIDGE, PHASE 2 FINAL DEVELOPMENT PLAN/PLAT

RECOMMEND APPROVAL OF THE OAK RIDGE, PHASE 2

FINAL DEVELOPMENT PLAN/PLAT

SUMMARY:

OWNER: The Ryland Group, c/o Vernon Priest

APPLICANT/ENGINEER: Boyd Civil Engineering, c/o Steve Boyd, P.E.

LOCATION: East of Plymouth Sorrento Road and North of Appy Lane

PARCEL ID

NUMBERS: 18-20-28-0000-00-014; 18-20-28-0000-00-021; 18-20-28-0000-00-022;

18-20-28-0000-00-023; 18-20-28-0000-00-098; 18-20-28-0000-00-108; and

18-20-28-0000-00-109

FUTURE LAND USE: Residential Very Low Suburban (0-2 du/ac)

ZONING: R-1AAA

EXISTING USE: Vacant Land

PROPOSED USE: Single Family Residential Subdivision (94) Lots

Min. Lot Size: 16,000sq. ft. Min. Lot Width: 120 ft.

Min. Living: 1,800 S.F.

TRACT SIZE: 56.64 +/- Acres

DENSITY: 1.60 units per gross acre

DISTRIBUTION

Mayor Kilsheimer Finance Dir. Public Ser. Dir (2)

Commissioners (4) HR Director City Clerk
CAO Richard Anderson IT Director Fire Chief
Community Dev. Dir. Police Chief

nared\4020\PLANNING_ZONING\SUBDIVISION PLANS\Oak Ridge Ph 2\1 Oak Ridge Phase 2 FDP PC 06-10-14

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (City)	Residential Very Low Suburban (0-2 du/ac)	R-1AAA	Greenhouses Oak Ridge, Phase 1
East (City)	Residential Very Low Suburban (1 du/5 ac)	AG-E	SFR
South (City)	Residential Very Low Suburban (0-2 du/ac)	R-1AAA	Vacant Land, 3 SFRs, Greenhouses
West (County) West (City)	Residential Very Low Suburban (0-2 du/ac)	A-2 R-1AAA	Vacant Land SFR/Greenhouses

ADDITIONAL COMMENTS:

<u>Project Use</u>: The Oak Ridge, Phase 2 Final Development Plan proposes the development of 94 single family residential lots. The minimum typical lot width is 120 feet with a minimum lot size of 16,000 square feet. The proposed minimum living area for the subdivision is 2,200 square feet (1,800 square feet) minimum is set forth in Chapter 2 of the Land Development Code and approved with the Preliminary Development Plan.

Access: Ingress/egress for the development will be via Plymouth Sorrento Road and Apply Lane. The primary entrance connects with Plymouth Sorrento Road.

<u>Stormwater</u>: There are three dry retention basins on site that have been designed to meet the City's Land Development Code requirements.

<u>Recreation</u>: The developer is providing a 42,688.80 square foot active and passive recreation area. The Land Development Code requires a minimum recreation space of 40,000 square feet based on 94 residential lots.

<u>Environmental</u>: A habitat management plan was submitted by the applicant. Based on the results of this study, the developer must obtain approval from the Florida Department of Environmental Protection prior to commencing any site construction activity.

<u>Buffer/Tree Program and Landscaping</u>: Buffers are provided consistent with the Land Development Code or as addressed within the Waiver Request.

The following is a summary of the tree replacement program:

Total inches on-site: 3377
Total number of specimen trees: 9
Total inches removed: 1679
Total inches replaced: 564
Total Inches (Post Development) 2267

<u>SCHOOL CAPACITY REPORT</u>: No development activity and can occur and a plat cannot be recorded until such time that a concurrency mitigation agreement has been approved by OCPS.

ORANGE COUNTY NOTIFICATION: The County was notified at the time of the land use amendment and rezoning application for this property, and coordination occurred with County planning ff regarding impact on adjacent parcels.

<u>VARIANCE REQUEST</u>: Section 2.02.01.A. Minimum Lot Area. For the R-1AAA zoning district the minimum lot area is 16,000 sq. ft. The applicant requests a reduction in lot area for the following lots:

Lot#	Proposed Lot Area (sq.ft.)	Variance (sq.ft.)	Net Decrease in Lot Area (%)
195	15,794.16	205.84	1.29%
196	15,794.16	205.84	1.29%
202	15,554.79	445.21	2.78%
203	15,527.99	472.01	2.95%
204	15,507.76	492.24	3.08%
205	15,984.00	16.00	0.10%

Hardship: After the preliminary development plan was approved by the City of Apopka, Orange County Public Works required that an additional twenty (20) feet of right-of-way dedication be provided along the eastern side of Plymouth Sorrento Road. Ten feet of right of way was originally proposed to be dedicated for right-of-way. To accommodate a future expansion of Plymouth Sorrento Road to a four lane divided street, a 120 foot wide right-of-way is planned. Thirty additional feet of right-of-way is needed on both sides of Plymouth Sorrento Road, from U.S. 441 to Kelly Park Road, to achieve this future need. For the Oak Ridge Phase 2 project, only an additional 20 feet is necessary for right-of-way as ten feet was previously reserved.

A modification to the subdivision plan to accommodate the additional twenty feet of right-of-way causes the primary subdivision entrance and western portions of the original subdivision plan to be shifted eastward. This change resulted in a slight reduction in the lot area of six residential lots, as described in the above table.

City staff finds that a reasonable hardship has been demonstrated, and does not object to the variance request.

PUBLIC HEARING SCHEDULE:

June 10, 2014 - Planning Commission, 5:01 p.m.

June 18, 2014 - City Council, 8:00 p.m.

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the OAK RIDGE, PHASE 2 - FINAL DEVELOPMENT PLAN/PLAT, subject to approval of the variance requests and the findings of this staff report.

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

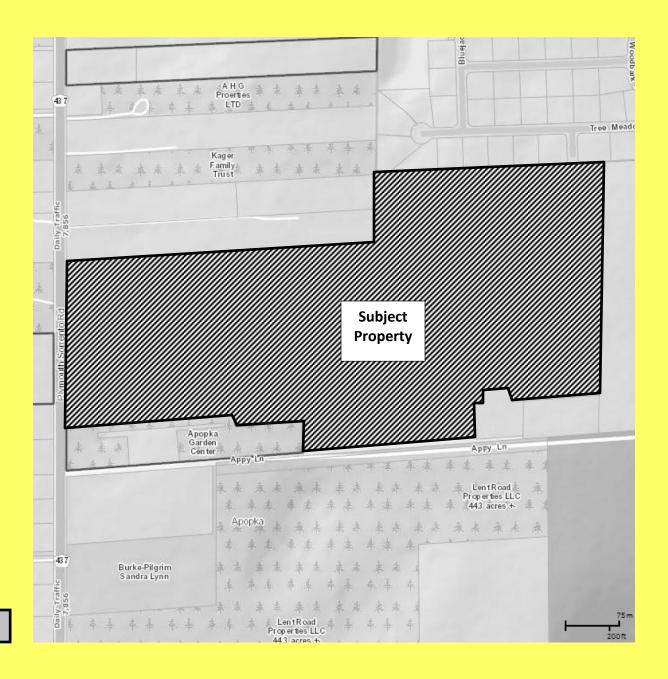
Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

The Ryland Group, c/o Vernon Priest Boyd Civil Engineering, c/o Steve Boyd, P.E. Oak Ridge, Phase 2 Subdivision 56.44 +/- Acres

Proposed Maximum Allowable Development: 94 Single Family Lots
Parcel ID #s: 18-20-28-0000-00-014; 18-20-28-0000-00-021; 18-20-28-0000-00-022; 18-20-28-0000-00-023; 18-20-28-0000-00-098; 18-20-28-0000-00-108; and 18-20-28-0000-00-109



VICINITY MAP



FINAL DEVELOPMENT PLAN

FOR

OAKRIDGE PHASE 2

Section 18, Township 20 South, Range 28 East APOPKA, FLORIDA Submitted: May 28, 2014

LEGAL DESCRIPTION

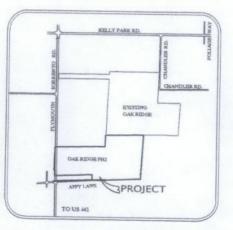
A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, AS A POINT OF REFERENCE, THENCE RUN SOUTH 8744'38" WEST, ALONG THE SOUTH LINE THEREOF, 364.82 FEET TO THE LAST LINE OF WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SOUTHWEST QUARTER OF SECTION 18, THENCE RUN NORTH ON THE WEST, 68.65 FEET, THENCE RUN SOUTH 8744'38" WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 42.65 FEET, THENCE RUN NORTH 0215'22" EAST, 57.00 FEET, THENCE RUN SOUTH 8744'38" WEST, 36.65 FEET, THENCE NORTH GROWN SOUTH 8744'38" WEST, 36.65 FEET, THENCE NORTH GROWN SOUTH 8744'38" WEST, 36.65 FEET, THENCE NORTH GROWN SOUTH 8744'38" WEST, 36.65 FEET TO THE SOUTH 8764'38" WEST, 36.65 FEET TO THE WEST SOUTH 8764'38" WEST, 36.65 FEET TO THE SOUTH 8766'S WEST, 36.65 FEET TO THE WEST SOUTH 8766'S WEST, 36.65 FEET TO THE WEST SOUTH 8764'S WEST, 36.65 FEET TO THE SOUTH 8766'S WEST, 36.65 FEET TO TH

CONTAINS 56.644 ACRES, MORE OR LESS.

		Variance (V]/Waiver(V	V) table	
Code #	Code Requirement	(V/W)	Request		Justification
	R-1AAA Zoning requires a minimum lot area of 16,000 square feet	v	The minimum acceptable lot areas for the following lots are specified below:		Orange County Public Works required that an additional 20 feet of right of way dedication be provided along the Eastern property boundary with
			Lot #	Min. Lot Area (SF)	Plymouth Sorrento Road after the original site plan had
2.02.01.A.			195	25,794	been approved by the City of Apopka. This change
			196	15,794	required that the entrance on Plymouth Sorrento Road
			202	25,554	be shifted by 20 ft. causing the remaining development area for the prior approved lots to be
			208	15,527	compressed. All lots still meet the required 120 ft.
			204	15,527	minimum lot width.
			205	15,984	



LOCATION / VICINITY MAP

DEVELOPER / PROPERTY OWNER

RYLAND HOMES ATTN VERNON PREST 2822 COMMERCE PARK DRIVE SUITE 100 ORLANDO, FLORIDA 32818 PK (407) 225-2578 FX (407) 225-3600 ENGINEER

BOYD CIVIL ENGINEERING

ATTN: STEVEN N. BOYD BB24 HANGING MOSS ROAL ORLANDO, FLORIDA 12807 PH (407) 494-2993

SURVEYOR

BENCHMARK SURVEYING & MAPPING, LLC.

GEOTECHNICAL ENGINEER

YOVAISH ENGINEERING, INC. 953 SUNSHINE LANE ALTANONTE SPRINGS, FLORIDA 32791

ENVIRONMENTAL ENGINEER

MODICA & ASSOCIATES JIM MODEGA 302 NOHAWK ROAD CLERMONT, FLORIDA 34715 PH (352) 384-2600

LANDSCAPE ARCHITECT

DALY DESIGN GROUP

INDEX OF DRAWINGS

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PLYMOUTH SORRENTO RD, LEFT TURNLANE

STORMWATER MANAGEMENT PLAN

GRADING AND DRAINAGE PLAN

GRADING AND DRAINAGE PLAN

MASTER WATER MAIN PLAN MASTER RECLAIMED WATER PLAN

MASTER SANITARY SEWER PLAN

PLAN AND PROFILE

SAND OAK LOOP (NORTH) STA.10+00 to 24+00

PLAN AND PROFILE

SAND OAK LOOP (SOUTH) STA.10+00 to 24+00

PLAN AND PROFILE

SAND OAK LOOP - ENTRANCE SAND OAK LOOP - NORTH, Sta. 24+00 to 26+68,05

SAND OAK LOOP - SOUTH, Sta. 24+00 to 26+49.82 PLAN AND PROFILE

LOBLOLLY OAK LANE

PLAN AND PROFILE

GOLDEN WILL OW CIRCLE (NORTH)

PLAN AND PROFILE

GOLDEN WILLOW CIRCLE (SOUTH) STA.10+00 to 18+00

PLAN AND PROFILE

GOLDEN WILLOW CIRCLE (SOUTH) STA 18+00 to 29+73,55

PLAN AND PROFILE BEAUTYBERRY LANE

STORMWATER DETAILS

STORMWATER DETAILS

STORMWATER DETAILS

WATER and SANITARY SEWER DETAILS

WATER and SANITARY SEWER DETAILS WATER and SANITARY SEWER DETAILS

WATER and SANITARY SEWER NOTES

SURVEY & PLAT - BENCHMARK SURVEYING & MAPPING, LLC LANDSCAPE PLANS - DALY DESIGN GROUP



562 SEE

