

City of Apopka Planning Commission Meeting Agenda February 13, 2018 5:30 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. WORKSHOP - Ethics & Meeting Procedures - Attorney Patrick Bracken, Shepard & Smith, PA

IV. APPROVAL OF MINUTES:

1 Approve minutes of the Planning Commission regular meeting held January 9, 2018.

V. PUBLIC HEARING:

- 1. CHANGE OF ZONING From Planned Unit Development (PUD), Mixed-EC (Mixed Employment Center), and I-1 (Restricted Industrial) to Planned Unit Development (PUD/Residential) for the properties owned by City of Apopka; James D. & Deborah M. Lyda; and Citizens Bank of Florida and located south of Marshall Lake and west of SR 451. (Parcel ID Nos. 28-21-08-0000-00-005; 28-21-08-0000-00-043; 28-21-17-0000-00-014)
- COMPREHENSIVE PLAN SMALL SCALE FUTURE LAND USE AMENDMENT Iglesia Getsemani, Inc. from "County" Commercial to "City" Commercial (Maximum of 0.25 FAR) for property located at 2575 West Orange Blossom Trail. (Parcel ID No. 06-21-28-7172-02-021)
- 3. CHANGE OF ZONING Iglesia Getsemani, Inc., from "County" C-1 (Commercial) to "City" C-1 (Commercial) for property located at 2575 West Orange Blossom Trail. (Parcel ID No. 06-21-28-7172-02-021)
- 4. CHANGE OF ZONING From "County" A-1 (Agricultural) to "City" Planned Unit Development (PUD) for the properties owned by A. D. Raulerson, Sr. & A. D. Raulerson; and Curtis & Karen Pumphrey and located north of Lester Road; west of Rock Springs Road. (Parcel ID Nos. 28-20-28-0000-00-084; 28-20-28-0000-00-040; 28-20-28-0000-00-077)

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- CHANGE OF ZONING TGINF, LLC from C-1 TO R-3 for property located at 501 Old Dixie Highway. (Parcel ID No. 09-21-28-0000-00-006)
- 6. COMPREHENSIVE PLAN SMALL SCALE FUTURE LAND USE AMENDMENT VBRO Enterprises, Inc. from "County" Low Density Residential (0-4 du/ac) to "City" Commercial (Maximum of 0.25 FAR) for property located at 41 East Lester Road. (Parcel ID No. 28-20-20-0000-00-024)
- 7. CHANGE OF ZONING VBRO Enterprises, Inc., from "County" A-1 (Agricultural) to "City" CN for property located at 41 East Lester Road. (Parcel ID No. 28-20-20-0000-00-024)
- 8. VARIANCE Request a variance of Apopka Code of Ordinances, Part III, Land Development Code, Sections 2.02.01(A) and 2.02.06(G)(1)(c) "Rear yards shall be a minimum of 20 feet" to allow a deck to extend within the required rear-yard setback for the property owned by Belvedere Estates, Inc., c/o Shirish Suchak and located at 1586 Golfside Village Boulevard.
- VI. SITE PLANS:
- VII. OLD BUSINESS:
- **VIII. NEW BUSINESS:**
- IX. ADJOURNMENT:

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.

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Backup material for agenda item:

Approve minutes of the Planning Commission regular meeting held January 9, 2018.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON JANUARY 9, 2018, AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Patrice Phillips, Roger Simpson, and John Sprinkle

ABSENT: Orange County Public Schools (Non-voting)

STAFF PRESENT: James Hitt, FRA-RA – Community Development Director, David Moon, AICP - Planning Manager, Richard Earp – City Engineer, Patrick Brackins – City Attorney, Phil Martinez – Planner I, and Jeanne Green – Recording Secretary.

OTHERS PRESENT: Peggy Dionne, Jamie Boerger, Denise Prescott, Eric Wills, Bryan Potts, Suzanne Kidd, Luke Classon, Teresa Sergeant, Tom Sullivan, Samantha Moore, Randall Stickney, Quintan Wilson

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

ELECTION OF OFFICERS:

Chairperson:

MOTION: Linda Laurendeau nominated James Greene as Chairperson of the Planning Commission and seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Patrice Phillips, Roger Simpson, and John Sprinkle (7-0).

Vice - Chairperson:

MOTION: Roger Simpson nominated Linda Laurendeau as Vice-Chairperson of the Planning Commission and seconded by Patrice Phillips. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Patrice Phillips, Roger Simpson, and John Sprinkle (7-0).

APPROVAL OF MINUTES: Chairperson Greene asked if there were any corrections or additions to the regular meeting minutes of December 12, 2017, at 5:30 p.m.

Motion: Linda Laurendeau made a motion to approve the Planning Commission minutes from the regular meeting held on December 12, 2017, at 5:30 p.m. and seconded by Roger Simpson. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Patrice Phillips, Roger Simpson, and John Sprinkle (7-0).

LEGISLATIVE - COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT – LAURA MURPHY - Chairperson Greene stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; to recommend approval of the Large Scale Future Land Use Amendment from Agriculture (1 du/5 ac) to Residential Low Suburban (0-3.5 du/ac) for the property owned by Laura Murphy and located at 359 West Lester Road; and recommend transmittal to the Florida Department of Economic Opportunities for review.

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Staff Presentation: Phil Martinez, Planner I, stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; to recommend approval of the Large Scale Future Land Use Amendment from Agriculture (1 du/5 ac) to Residential Low Suburban (0-3.5 du/ac) for the property owned by Laura Murphy and located at 359 West Lester Road; and recommend transmittal to the Florida Department of Economic Opportunities for review. The Applicant is AVEX Homes, c/o Eric Wills. The existing use is an equestrian center and the proposed development is a single family residential subdivision. The current zoning is AG and the proposed zoning is R-1 (Single Family Residential). The existing maximum allowable development is 1 dwelling unit and the proposed maximum allowable development is 69 single family homes. The tract size is 19.94 +/- acres.

The applicant intends to use the subject properties for a residential community with detached, single-family homes. Presently the subject property is assigned an Agriculture future land use designation and Agriculture zoning.

The proposed Large Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties ten acres or more are required to undergo review by State planning agencies.

A request to assign a Future Land Use Designation of Residential Low Suburban is as compatible or more compatible with the character of the existing land use in the vicinity. While the adjacent uses are agriculture-oriented, including the Avian Reconditioning Center to the east, subdivisions and vacant properties in all four cardinal directions have a future land use designation of Residential Low Suburban.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Land Use Report). Based on the findings of the Land Use report, the proposed FLUM amendment is compatible with the surrounding and nearby land uses and the character of the general area.

The existing and proposed use of the property is consistent with the Residential Low Suburban Future Land Use Designation.

School capacity determination must be completed with Orange County Public Schools prior to the adoption hearing for this Future Land Use Amendment application.

The JPA requires the City to notify before any public hearing or advisory board. The City properly notified Orange County on November 27, 2017.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends transmittal of the change in Future Land Use from Agriculture to Residential Low Suburban Density for the property owned by Laura Murphy.

Staff recommended that the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend transmittal of the Future Land Use Map designation from Agriculture to Residential Low Suburban Density to the Florida Department of Economic Opportunity.

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.

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

Motion:

John Sprinkle made a motion to find the application consistent with the Apopka Comprehensive Plan and compatible with the character of the surrounding area; and to recommend approval of the Large Scale Future Land use amendment from Agriculture to Residential Low Suburban (0-3.5 du/ac) for the property owned by Laura Murphy and located at 359 West Lester Road; and recommend transmittal to the Department of Economic Opportunity. Motion seconded by Roger Simpson. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Patrice Phillips, Roger Simpson, and John Sprinkle (7-0). (Vote taken by poll.)

QUASI-JUDICIAL - CHANGE OF ZONING – GEORGE THUM, JR. AND PHILLIP & PEGGY DIONNE - Chairperson Greene stated this is a request to recommend approval of the Change of Zoning from "County" A-1 (Agriculture) and "City" AG (Agriculture) to "City" PO/I (Professional Office/Institutional) for the property owned by George Thum, Jr. and Phillip & Peggy Dionne located west of Jason Dwelley Parkway, south of West Kelly Park Road.

Attorney Brackens swore-in staff, petitioners, and affected parties for the quasi-judicial item to be discussed.

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

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

Staff Presentation: David Moon, AICP, Planning Manager, stated this is a request to recommend approval of the Change in Zoning from "County" A-1 (Agriculture) and "City" AG (Agriculture) to "City" PO/I (Professional Office/Institutional) for the property owned by George Thum, Jr. and Phillip & Peggy Dionne located west of Jason Dwelley Parkway, south of West Kelly Park Road. The applicant is the Orange County Public Schools, c/o Tyrone Smith, AICP. The existing use is a single family residence. The proposed use is an elementary school. This Change of Zoning amendment request is being processed along with a request to change the Future Land Use Map designation from "County" Rural (0-1 du/10 ac) and "City" Agriculture (0-1 du/5 ac) to "City" Institutional/Public Use. The tract size is 15.17 +/- acres.

The subject properties were annexed into the City on November 16, 2005 via Ordinance 1787; and on June 21, 2017 via Ordinance 2573. The proposed Large Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties ten acres or more are required to undergo review by State planning agencies. The applicant requests the change of zoning to Professional Office/Institutional to accommodate a public elementary school. This change of zoning request is being processed in conjunction with a proposed future land use map amendment requesting Institutional/Public Use. The proposed use as an elementary school is permitted within the proposed FLU designation per FLU Policy 3.1.Q, Institutional/Public Use:

"Primary uses shall include public buildings and facilities. Existing public buildings and facilities and public education sites may be designated as institutional on the FLUM."

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

The existing and proposed use of the property is consistent with the proposed Institutional/Public Use Future Land Use designation and the City's proposed PO/I Zoning classifications. An elementary school is a permitted use within the Institutional\Public Use FLUM designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

Because this Change of Zoning represents a change to a non-residential underlying zoning classification, a capacity enhancement agreement with Orange County Public Schools is not required.

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

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in zoning from "County" A-1 (ZIP) and "City" AG (Agriculture) to "City" PO/I (Professional Office/Institutional).

Staff recommended that the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the change in zoning from "County" A-1 (ZIP) and "City" AG (Agriculture) to "City" PO/I (Professional Office/Institutional).

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

In response to questions by Ms. Phillips, Jamie Boerger, Orange County Public Schools, explained that the proposed elementary school will be located between Wolf Lake Elementary and Zellwood Elementary. She went on to brief the Commission on the proposed schedule for the new elementary school. Design will occur in 2019, construction in 2020, and the planned opening in 2021.

Mr. Moon stated this proposed site is 15 +/- acres; and the prototype for the proposed school will be based on student enrollment in the area.

Petitioner Presentation: None.

Affected Party Presentation: None.

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

Motion:

Roger Simpson made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend adoption of the change of zoning from "County" A-1 and "City" AG to "City" PO/I (Professional Office/Institution) for the properties owned by George Thum, Jr. and Phillip & Peggy Dionne located west of Jason Dwelley Parkway, south of West Kelly Park Road. Motion seconded by Jose Molina. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Patrice Phillips, Roger Simpson, and John Sprinkle (7-0). (Vote taken by poll.)

LEGISLATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – ZELLWOOD PROPERTIES, LLC - Chairperson Greene stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; and to recommend approval of the Small Scale Future Land Use Amendment from "County" Rural

to "City" Commercial (Max. 0.25 FAR) for the property owned by Zellwood Properties, LLC and located at 1102 Hermit Smith Road.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; and to recommend approval of the Small Scale Future Land Use Amendment from "County" Rural to "City" Commercial (Max. 0.25 FAR) for the property owned by Zellwood Properties, LLC and located at 1102 Hermit Smith Road. The applicant is Tannath Design, Inc. The existing use is vacant land and the proposed use is a convenience store and gasoline station. This request is being processed along with a request to change the zoning classification from "County" A-1 (ZIP) to "City" Planned Unit Development (PUD/Commercial). The existing maximum development is a single family residence and the proposed maximum development is a 26,681 sq. ft. service station. The tract size is 2.45 +/- acres.

The subject parcel was annexed into the City of Apopka on June 20, 2012, through Ordinance 2262. Presently, the subject property does not have a "city" future land use designation or "city" zoning classification assigned. The applicant requests a future land use designation of "city" Commercial.

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

Future Land Use Element

1. **Policy 3.1.i**

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

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

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

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

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 November 27th.

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON DECEMBER 12, 2017, AT 5:30 P.M.

The Development Review Committee finds the Commercial FLUM Designation to be compatible with the character of the surrounding area and consistent with the Comprehensive Plan, and recommends to approve a change in Future Land Use from "County" Rural to "City" Commercial for the property owned by Zellwood Properties, subject to the information and findings in the staff report.

Staff recommended the Planning Commission find the Commercial FLUM Designation to be compatible with the character of the surrounding area and consistent with the Comprehensive Plan, and recommend to approve a change in Future Land Use from "County" Rural to "City" Commercial for the property owned by Zellwood Properties, subject to the information and findings in the staff report.

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.

Tom Sullivan, an attorney with Gray Robinson, 301 East Pine Street, Suite 1400, Orlando, stated he represents RaceTrac Petroleum, Inc. and they are the buyer of the property. He said the proposed convenience store/filling station will provide similar services as the two RaceTrac stations currently located within the City.

In response to questions by Mr. Simpson, Mr. Sullivan stated that they have held neighborhood meetings for other projects, and if approached would be willing to hold a neighborhood meeting for this project. He explained that if the station is named a "RaceTrac" it is corporate owned; and if it is named "Race Way" it is a franchise.

In response to questions by Mr. Molina, Mr. Sullivan stated that they have completed a traffic study and they meet the concurrency requirements and level of service standards.

Samantha Moore, EIT, RaceTrac Petroleum, Inc., 3225 Cumberland Boulevard SE, Suite 100, Atlanta, Georgia, confirmed that the intersection of Hermit Smith Road and Orange Blossom Trail is fully signalized.

In response to further questions by Mr. Simpson, Mr. Sullivan stated that they are aware of the two filling stations located in the same area. He said that the real estate team for RaceTrac identifies properties that are available for sale. He said the proposed RaceTrac will be a transitional use for the area; and the convenience store will be more of a neighborhood market that will also provide hot food.

Ms. Phillips stated that the two filling stations also provide hot food for the neighborhoods.

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

Motion:

Jose Molina made a motion to find the application consistent with the Apopka Comprehensive Plan and compatible with the character of the surrounding area; and to recommend approval of the Small Scale Future Land use amendment from "County" Rural to "City" Commercial (Max. 0.25 FAR) for the property owned by Zellwood Properties, LLC and located at 1102 Hermit Smith Road. Motion seconded by John Sprinkle. Aye votes were cast by

James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle; and Patrice Phillips voted no. (6-1). (Vote taken by poll.)

QUASI-JUDICIAL - CHANGE OF ZONING – ZELLWOOD PROPERTIES, LLC - Chairperson Greene stated this is a request to recommend approval of the Change of Zoning from "County" A-1 (Agriculture) to "City" Planned Unit Development (PUD/Commercial) for the property owned by Zellwood Properties, LLC, and located at 1102 Hermit Smith Road.

Attorney Brackens swore-in staff, petitioners, and affected parties for the quasi-judicial item to be discussed.

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

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

Staff Presentation: Mr. Moon stated this is a request to recommend approval of the Change in Zoning from "County" A-1 (Agriculture) to "City" Planned Unit Development (PUD/Commercial) for the property owned by Zellwood Properties, LLC, and located at 1102 Hermit Smith Road. The applicant is Tannath Design, Inc. The existing use is vacant land and the proposed use is a convenience store and gasoline station. This request is being processed along with a request to change the future land use from "County" Rural to "City" Commercial. The existing maximum development is a single family residence and the proposed maximum development is a 26,681 sq. ft. service station. The tract size is 2.45 +/- acres.

Presently, the subject property has not yet been assigned a "City" zoning category. The applicant is requesting the City to assign a zoning classification of PUD (Planned Unit Development) to the property.

The subject property was annexed into the City of Apopka on June 20, 2012, through the adoption of Ordinance No. 2262. The intent of the PUD zoning was to restrict uses on a Gateway Property. A master site plan accompanies the PUD zoning application.

A request to assign a change of zoning to PUD is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The change of zoning request is being processed in conjunction with a future land use amendment from "County" Rural to "City" Commercial.

<u>The PUD Development and Zoning Conditions</u>: That the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

- A. The uses permitted within the PUD district shall be: all such uses permitted within the C-1 Commercial zoning category and automobile service stations unless as otherwise listed as a prohibited use below. Automobile service stations are a permissible use within the C-2 zoning category. Other than automobile service stations, no other C-2 zoning district permissible or special exception use is allowed within the PUD. Uses also prohibited within this PUD site and the Master Plan are:
 - 1. Drugstore and sundry stores (which includes medical marijuana dispensaries)

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON DECEMBER 12, 2017, AT 5:30 P.M.

- 2. Boarding or rooming house(s);
- 3. Outdoor storage or display of merchandise (including vending machines other than fuel stations and air pumps)
- B. The requisite Master Plan shall be submitted with or as part of the Preliminary Development Plan application.
- C. If a Final Development Plan associated with the PUD district has not been approved by the City within three years after approval of these Master Plan provisions, the approval of the Master Plan provisions will expire. At such time, the City Council may:
 - 1. Permit a single six-month extension for submittal of the required Final Development Plan;
 - 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Plan provisions and any conditions of approval; or
 - 3. Rezone the property to a more appropriate zoning classification.

The existing and proposed use of the property is consistent with the proposed Commercial (Max. 25% Floor Area Ratio) Future Land Use designation and the City's proposed Planned Unit Development Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

The proposed zoning category of PUD\Commercial will not create any additional impact on student enrollment at public schools.

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 November 27, 2017.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" A-1 to "City" PUD for the property owned by Zellwood Properties LLC, and located at 1102 Hermit Smith Road.

Staff recommended that the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommends approval of the proposed Change of Zoning from "County" A-1 to "City" PUD (Commercial) for the property owned by Zellwood LLC, and located at 1102 Hermit Smith Road, subject to the PUD Development and Zoning Conditions provided 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.

In response to a question by Mr. Simpson, Mr. Moon stated that the public hearing notice requirements for the Planning Commission and City Council meetings were met for this project; and included a public hearing notice ad placed in the Apopka Chief; certified letters were mailed to all owners of property within 300 feet of the proposed site; and the property was posted.

<u>Petitioner Presentation</u>: Mr. Sullivan stated he was available to answer any questions from staff or the Planning Commission.

In response to a question by Mr. Foster, Mr. Sullivan stated that public hearing notices were mailed on December 22, 2017.

Affected Party Presentation: None.

James K. Hitt, FRA-RA

Community Development Director

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

Motion:

Roger Simpson made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend adoption of the change of zoning from "County" A-1 (Agriculture) to "City" Planned Unit Development (PUD/Commercial) for the property owned by Zellwood Properties, LLC and located at 1102 Hermit Smith Road. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Patrice Phillips, Roger Simpson, and

John Sprinkle (7-0). (Vote taken by poll.)

OLD BUSINESS: No	one.
NEW BUSINESS: N	None.
ADJOURNMENT:	The meeting was adjourned at 6:15 p.m.
I C CI :	
James Greene, Chair	person

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Backup material for agenda item:

 CHANGE OF ZONING – From Planned Unit Development (PUD), Mixed-EC (Mixed Employment Center), and I-1 (Restricted Industrial) to Planned Unit Development (PUD/Residential) for the properties owned by City of Apopka; James D. & Deborah M. Lyda; and Citizens Bank of Florida and located south of Marshall Lake and west of SR 451. (Parcel ID Nos. 28-21-08-0000-00-005; 28-21-08-0000-00-043; 28-21-17-0000-00-014)



OTHER: PUD Master Plan

CITY OF APOPKA PLANNING COMMISSION

CONSENT AGENDA MEETING OF: February 13, 2018

X PUBLIC HEARING FROM: Community Development SPECIAL REPORTS EXHIBITS: Zoning Report

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Vicinity Map

Adjacent Zoning Map Adjacent Uses Map Existing Use Map

Ex. A – Phase 1 Master Plan

Ex. B – Phase 1 Development Standards Ex. C – Phase 1 Landscape/Rec. Plan

Ex. D – Phase 2 Master Plan

Ex. E – Phase 2 Development Standards

Ex. F – Phase 2 Landscape Plan

SUBJECT: CHANGE OF ZONING, APPROVAL OF PUD MASTER PLAN AND

PRELIMINARY DEVELOPMENT PLAN - LAKE MARSHALL

SUBDIVISION, PHASES 1 AND 2

PARCEL ID NUMBERS: 28-21-08-0000-00-005, 28-21-08-0000-00-043 & 28-21-17-0000-00-014

REQUEST: RECOMMEND APPROVAL OF THE CHANGE OF ZONING

FROM: PLANNED UNIT DEVELOPMENT, MIXED-EC, AND I-1

TO: PLANNED UNIT DEVELOPMENT

SUMMARY:

OWNERS: City of Apopka, James D & Deborah M. Lyda, and Citizens Bank of

Florida

APPLICANT: Appian Engineering, LLC

LOCATION: South of Marshall Lake and West of SR 451

EXISTING USE: Vacant

FLUM DESIGNATION: Low Density Residential, Mixed-Use

CURRENT ZONING: PUD (Planned Unit Development), Mixed-EC (Mixed Employment

Center), and I-1 (Restricted Industrial)

PROPOSED DEVELOPMENT: 301 single family homes; developed in two phases

PROPOSED ZONING: Planned Unit Development (PUD)

TRACT SIZE: 154.18 +/- acres

DISTRIBUTION

Mayor KilsheimerFinance DirectorPublic Services DirectorCommissionersHR DirectorRecreation Director

City Administrator IT Director City Clerk
Community Development Director Police Chief Fire Chief

<u>SUMMARY</u>: The subject property is approximately 154.17 acres in size and is zoned PUD (Planned Unit Development), Mixed-EC (Mixed Employment Center) and I-1 (Restricted Industrial), and a has a future land use designation of Low Density Residential and Mixed-Use. The subject property is comprised of three parcels and is located south of Marshall Lake and west of SR 451. The owners of the properties are the City of Apopka, James D. and Deborah M. Lyda, and Citizens Bank of Florida. Of the 154.17 acres, the City of Apopka owns 103 acres, Citizens Bank of Florida owns 39.9 acres, and Mr. and Mrs. Lyda own 11.28 acres. The proposed change of zoning to PUD is being requested by a representative of the prospective developer, Royal Oak Homes who proposes to construct 301 single-family units in two phases on the three parcels.

In 2005, 83.28 acres of the property now owned by the City was originally proposed to be developed into a 90 unit single-family subdivision known as Lake Marshall Preserve. This development received City Commission approval and subsequently was never developed. In 2007, the City of Apopka purchased the property. In 2017 after an advertised bid process, Royal Oak Homes agreed to purchase the property from the City contingent upon City Commission approval of a PUD rezoning and Preliminary Development Plan for the proposed development.

PROJECT DESCRIPTION: The PUD Master Plan and Preliminary Development Plan propose development of the property in two phases as a private, gated residential community with a total of 301 single-family homes. The subject property is located south of Marshall Lake and west of SR 451. The surrounding properties consist primarily of single-family residential, and agricultural uses. The development is proposed to be accessed via Johns Road. Adjacent to the west of the subject property is the Breckenridge subdivision. A gated access for emergency vehicle access will be provided between the two subdivisions. This access point will only be for emergency vehicles. In response to the Breckenridge homeowners association, pedestrian access will not be permitted between the two subdivisions.

A. Lot Size.

Typical Lot Width	Number of units	Percentage of development	Typical lot area (minimum size)
55-feet	119	39%	7,425 square feet
60-feet	149	50%	8,100 square feet
75-feet	33	11%	10,875 square feet
Total	301	100%	

The developer is proposing 55-foot, 60-foot and 75-foot wide lots with a minimum average lot area of lots and 7,425 square feet for the 55-foot wide lots, 8,100 square feet for the 60-foot wide lots and 10,875 square feet for the 75-foot wide lots. The minimum lot depth is proposed at 135-feet. The minimum living area is proposed at 1,800 square feet in Phase 1 and 1,600 square feet in Phase 2. Both phases of the subdivision will be accessed via Johns Road. Johns Road will terminate at the main entrance of the development, which will be accessed via a gate. The developer will be dedicating a 0.27 acre portion of right-of-way along Johns Road to the City. The subdivision will consist of private roads and infrastructure that is owned and maintained by the homeowners association.

B. Deviations. The applicant is requesting three deviations to the City's required development standards. For a PUD master plan, a deviation from the City's Land Development Code does not represent a variance but a development standard or zoning tion unique to and approved as part of the Planned

PLANNING COMMISSION – FEBRUARY 13, 2018 LAKE MARSHALL SUBDIVISION – CHANGE OF ZONING PAGE 3

Unit Development zoning. PUD's are required to satisfy the requirements of the land Development Code unless the City Council finds that, based on substantial evidence, a proposed alternative development guideline is adequate to protect to the public health safety, and welfare. Any deviations must be consistent with the policies of the Comprehensive Plan.

- 1. Typical Lot Width Standard. The first deviation is to Land Development Code Section 2.02.18.D.11, which requires a minimum lot size within a PUD to be 70-feet in width, and to have a minimum site area of 7,500 square feet. In addition to 75-foot wide lots, the developer is proposing 60-foot and 55-foot wide lots with minimum lots sizes of 8,100 square feet and 7,425 square feet respectively.
- 2. Garage Standards. The second deviation requested is from Section 3.2.1 of the Development Design Guidelines which requires front-entry garages to be setback a minimum of thirty (30) feet from the front property line. The Master Plan provides a 25-foot setback for front entry garages. Based on the shape of the property and the lot yield that the applicant has indicated is necessary for financial feasibility, a 25-foot garage setback will potentially result in a larger back yard.
- 3. Architectural Design. The third deviation requested is from Section 3.2.1 of the Development Design Guidelines, an architectural appearance standard, which requires front entry garages to be flush with or behind the primary residential façade. The applicant is proposing three garage types protruding, flush, and recessed. According to the applicant, side entry garages are not an option on 55-foot, 60-foot, and 75-foot wide lots. The applicant contends that providing the three garage options will help to break up the monotony of each home being offset the same distance from the sidewalk.
- C. Justification for Deviations\Development Standard. The following justifications are provided for the three deviations that are proposed.
 - 1. An improved recreation amenities package is proposed. The recreation package will consist of a cabana with restrooms, a swimming pool, a playground, and a mixed-use active field at a minimum. In addition the developer is dedicating a tract in Phase 1 adjacent to Marshall Lake as a Community Lake Park that will have a community dock, and a 1.03 acre open space tract across the street from this park. In the Phase 2 area, two tracts will be dedicated as a park/open space area, and a 15.12 acre Conservation area will also be dedicated.
 - 2. Protection of Environmentally Sensitive Areas and Preservation of Open Space. The PUD master plan protects wetlands within the northwest and northeast corners of the project boundaries, containing approximately 19 acres within Tracts "K" and "L" of Phase I. Open space is preserved through approximately 15 acres within Tract "I" of Phase 2.
 - 3. Abutting Site Characteristics. Fifty-foot landscape buffer. An existing 50-foot landscape buffer occurs along the western and northern project line within the Breckenridge plat. This buffer is noted as a tract on the Breckenridge plat. The Lake Marshall development will not be visible from the homes within Breckenridge and separation between the larger lots in Breckenridge and the smaller lots within Lake Marshall PUD will be provided. S.R. 451 (tollway) abuts a significant portion of the eastern project line, making the area less attractive for large lot residential development.

PLANNING COMMISSION – FEBRUARY 13, 2018 LAKE MARSHALL SUBDIVISION – CHANGE OF ZONING PAGE 4

- 4. No other residential neighborhoods will be impacted by the development. The development abuts SR 451 to the east and Marshall Lake to the north. As mentioned above, a 50-foot wide landscape buffer will separate the Breckenridge development from the subject property. The development will not visible from the surrounding properties.
- 5. The Master Plan proposes a diversity of lot sizes-- (55-feet, 60-feet, and 75-feet lot widths).
- 6. Access to the site is limited because of lake and wetland systems to the north and an odd shape parcel to the south. The southern end of the property is also blocked by a wetland system. Therefore, access to the property is severely limited, leaving Johns Road as the only reasonable access point without impact environmental sensitive areas.
- 7. The Master Plan proposes a gated development with private roads and infrastructure.

<u>Transportation</u> The traffic generated by this project will cause a reduced level of service at the intersection of Johns Road and Bradshaw Road and the intersection of Bradshaw Road and Ocoee Apopka Road. The intersection of Johns Road and Bradshaw Road will require the following roadway improvements to be constructed prior to the issuance of the 87th Certificate of Occupancy for Phase 1, Phase 2, or a combination of Phase 1 and Phase 2:

- 1. A 260- foot northbound left turn lane;
- 2. A 185-foot southbound right turn lane; and
- 3. A 150-foot eastbound turn lane.

The intersection of Bradshaw Road and Ocoee Apopka Road is projected to experience significant delays at the stop sign with the addition project traffic and committed traffic on both roadways. While existing conditions do not warrant a signal, the intersection may meet warrants in the future. It is recommended the Developer be required to conduct a signal warrant analysis for the intersection of Bradshaw Road and Ocoee Apopka Road prior to the issuance of the 251st Certificate of Occupancy. If the City determines a signal is warranted, the Developer will design and install a traffic signal at the intersection within a year of the issuance of the final Certificate of Occupancy.

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

- A. The uses permitted within the PUD district shall be single-family residential uses.
- B. Terms of Expiration for this PUD shall be as follows:

If a Final Development Plan associated with the PUD district has not been approved by the City within three years, and site development has not commenced within four 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 Final Development Plan;

PLANNING COMMISSION –FEBRUARY 13, 2018 LAKE MARSHALL SUBDIVISION – CHANGE OF ZONING PAGE 5

- 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.

<u>COMPREHENSIVE PLAN COMPLIANCE</u>: The proposed use of the property is consistent with the Low Density Residential and Mixed-Use Future Land Use designations and is consistent with the Land Development Code.

SCHOOL CAPACITY REPORT: A capacity enhancement agreement with OCPS or a letter exempting the project from school capacity enhancement is required prior to submittal of a final development plan. An application for School capacity determination and a mitigation agreement has been submitted to OCPS by the application. A final development plan will not be approved by the City until such time the School Board approves a school capacity mitigation agreement.

ORANGE COUNTY NOTIFICATION: Pursuant to Section 7 of the Joint Planning Area agreement, notification to Orange County is not required for a rezoning application as the subject parcels are not adjacent to unincorporated Orange County.

PUBLIC HEARING SCHEDULE:

February 13, 2018 - Planning Commission (5:30 pm) February 21, 2018 - City Council (7:00 pm) - 1st Reading March 7, 2018 - City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:

February 2, 2018 – Public Notice; Letter, Poster February 23, 2018 – Public Notice (Apopka Chief)

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed rezoning to Planned Unit Development (PUD), PUD Master Plan, and the Preliminary Development Plan consistent with the Comprehensive Plan and Land Development Code and recommends approval of the Lake Marshall Subdivision Planned Unit Development Master Plan and Preliminary Development Plan.

Recommended Motion: Recommend to approve the rezoning of the subject parcels from Planned Unit Development (PUD), Mixed-EC (Mixed Employment Center) and I-1 (Restricted Industrial) to Planned Unit Development/Residential (PUD), and approval of the PUD Master Plan\Preliminary Development Plan based on the findings and facts presented in the staff report and exhibits.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (City)	Low Density Residential (0-5 du/ac)	R-3	Marshall Lake, Lake Doe Estates subdivision
East (City)	Industrial, None assigned (SR 451 right-of-way)	I-1, no zoning assigned	Existing agricultural use (John's Nursery), SR 451 right-of-way
South (City)	Low Density Residential (0-5 du/ac), Commercial (max 0.25 FAR)	R-1A, C-1	Vacant property, SR 451 retention pond
West (City)	Low Density Residential (0-5 du/ac)	R-1A, R-2, PUD	Breckenridge residential subdivision buffer tract, vacant property

LAND USE &

TRAFFIC COMPATIBILITY: The property is accessed via Johns Road. Internal streets are private

and are proposed to be owned and maintained by a yet to be established homeowners association. Future land use designations and zoning categories assigned to properties to the north, south, east,

and west are predominantly residential.

COMPREHENSIVE

PLAN COMPLIANCE: The proposed PUD zoning is compatible with policies set forth in the

Comprehensive Plan.

ALLOWABLE

USES: Single-family residential uses as set forth within the Planned Unit

Development Master Plan.

PLANNING COMMISSION –FEBRUARY 13, 2018 LAKE MARSHALL SUBDIVISION – CHANGE OF ZONING PAGE 7

Project: LAKE MARSHALL SUBDIVISION, PHASES 1 & 2

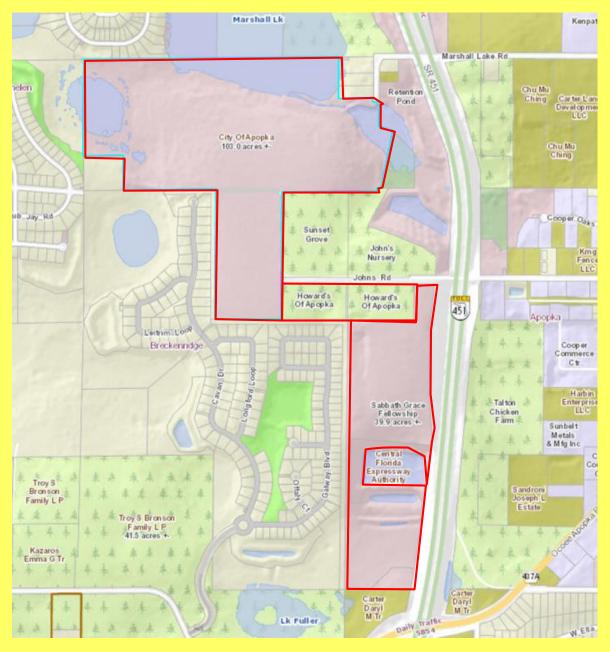
Owned by: City of Apopka; James D. & Deborah Lyda; and Citizens Bank of Florida

Located: North and south of Johns Road; west of SR 451

Parcel ID#s: 08-21-28-0000-00-005; 08-21-28-0000-00-043; 17-21-28-0000-00-014

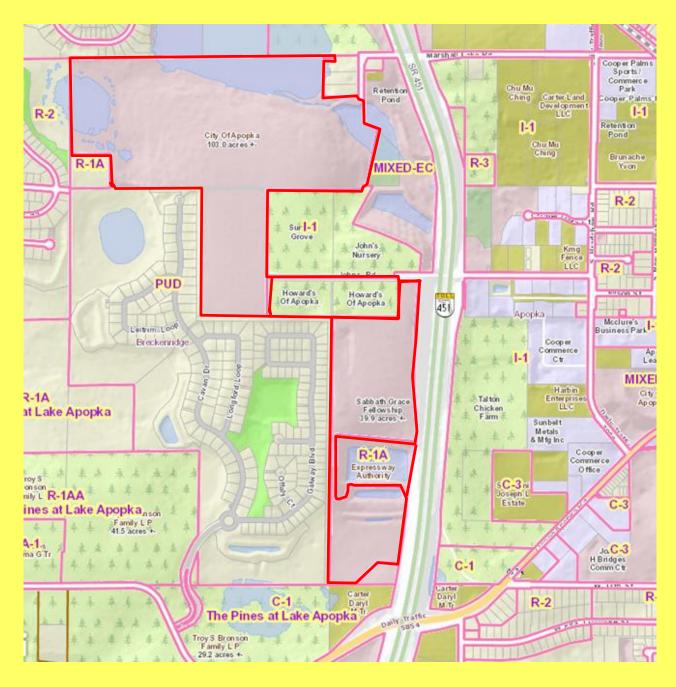


VICINITY MAP



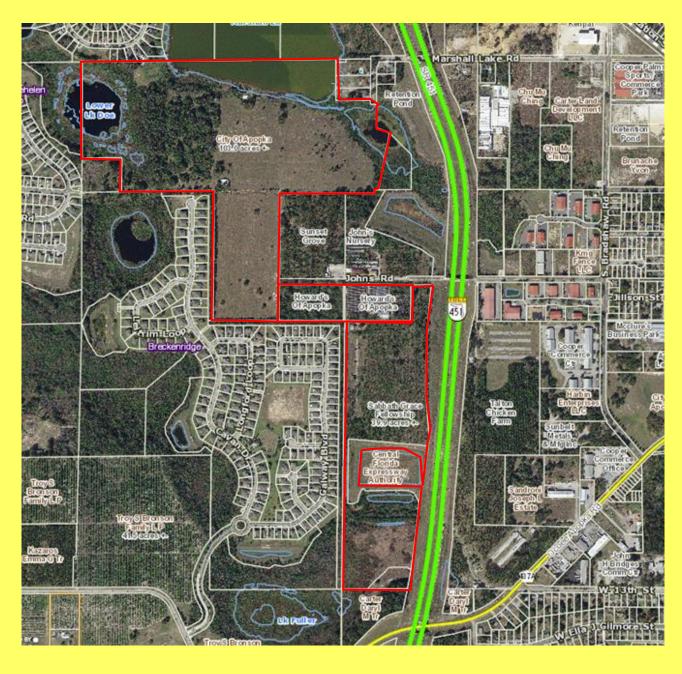


ADJACENT ZONING



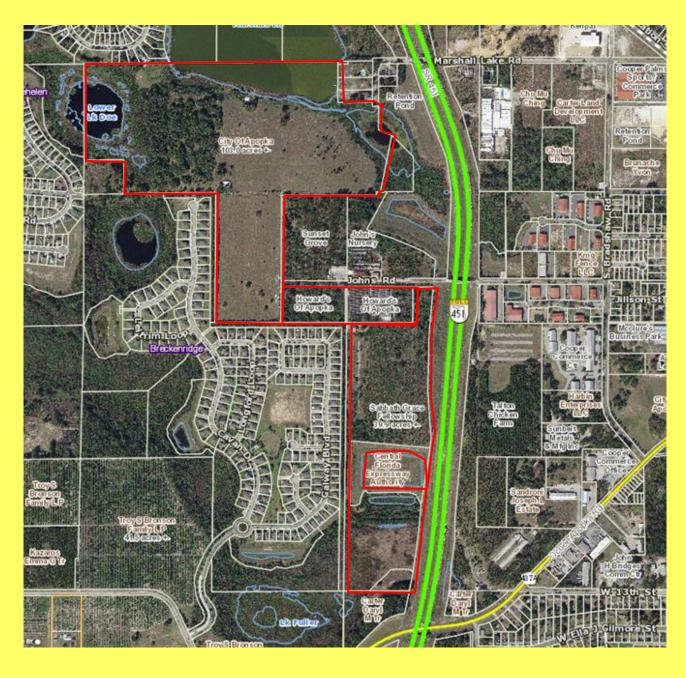
ADJACENT USES







EXISTING USES



LEGAL DESCRIPTION PER PEC - SURVEYING AND MAPPING, LLC DATED: JUNE 2017

OCPA PARCEL ID 28-21-08-0000-00-005

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 2:

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FIRST AMERICAN FILE NUMBER: 2017-1736852

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF FLORIDA, AND IS DISCRIBED AS FOLLOWS:

PUD MASTER PLAN/PDP NARRATIVE:

PHASE 1 OF THE LAKE MARSHALL SUBDIVISION IS MADE UP OF TWO PARCELS LOCATED OFF OF OHN'S ROAD, WEST OF SR 451, WITH A PHYSICAL ADDRESS OF JOHN'S ROAD AND 705 JOHN'S ROAD, APOPKA, FL 32703 WITHIN THE CITY OF APOPKA. THE SUBJECT PROPERTIES HAVE A TOTAL OMBINED AREA OF APPROXIMATELY 114.29 AC, OF WHICH 102.11 AC WILL BE DEVELOPED DURING PHASE LOF THE PROPOSED SUBDIVISION. THE SUBJECT PARCELS ARE CURRENTLY BEING USED AS VACANT RESIDENTIAL AND CONTAINER NURSERY. THE PROPOSED DEVELOPMENT IS RESIDENTIAL SUBDIVISION WITH 177 INDIVIDUAL SINGLE FAMILY LOTS, ASSOCIATED ROADWAYS AND RETENTION/DETENTION AREAS. THE POTABLE WATER, RECLAIMED WATER AND WASTEWATER WILL BE PROVIDED BY CITY OF APOPKA HTHLITIES. A FEE SIMPLE OWNERSHIP SUCH AS A HOME OWNERS ASSOCIATION, WILL BE CREATED FOR ALL LANDS EXCLUSIVE OF THE NDIVIDUAL LOTS TO CONTROL AND MAINTAIN THE LAND. THE JOHN'S ROAD PUBLIC RIGHT-OF-WAY WILL ALSO BE IMPROVED AS PART OF PHASE 1 OF THE LAKE MARSHAL

UTILITY PROVIDERS

GAS: LAKE APOPKA NATURAL GAS DISTRICT ER GARDEN VINELAND R DRLANDO, FL 32803 FACT: ANTONIO GIBSON

PLANNED UNIT DEVELOPMENT MASTER PLAN / PRELIMINARY DEVELOPMENT PLAN

LAKE MARSHALL SUBDIVISION PHASE 1

FOR

CITY OF APOPKA, FLORIDA OCPA PARCEL ID# 28-21-08-0000-00-005 & 28-21-08-0000-00-043



VICINITY MAP



AERIAL MAP



SOILS MAP



FEMA FLOOD MAP

PROJECT TEAM:

SHEET IN	NDEX
	COVER SHEET
C1.0	OVERALL EXISTING CONDITIONS
C1.1	EXISTING CONDITIONS - NORTHEAST
C1.2	EXISTING CONDITIONS - NORTH
C1.3	EXISTING CONDITIONS - NORTHWEST
C1.4	EXISTING CONDITIONS - SOUTH
C1.5	EXISTING CONDITIONS - SOUTHEAST
C2.0	PHASING PLAN
C2.1	MASTER PLAN
C2.2	MASTER PLAN DESIGN STANDARDS
C3.0	OVERALL GEOMETRY PLAN
C3.1	GEOMETRY PLAN - NORTHEAST
C3.2	GEOMETRY PLAN - NORTH
C3.3	GEOMETRY PLAN - NORTHWEST
C3.4	GEOMETRY PLAN - SOUTH
C3.5	GEOMETRY PLAN - SOUTHEAST
C3.6	CURVE & LOT DATA TABLE
C3.7	CROSS SECTIONS
C3.8	FIRE TRUCK ROUTE PLAN
C3.9	LIGHTING PLAN
C4.0	OFFSITE ROW IMPROVEMENTS PLAN
C4.1	OFFSITE ROADWAY SECTIONS
C5.0	OVERALL UTILITY & DRAINAGE PLAN
C5.1	UTILITY & DRAINAGE PLAN - NORTHEAST
C5.2	UTILITY & DRAINAGE PLAN - NORTH
C5.3	UTILITY & DRAINAGE PLAN - NORTHWEST
C5.4	UTILITY & DRAINAGE PLAN - SOUTH
C5.5	UTILITY & DRAINAGE PLAN - SOUTHEAST
C6.0	OVERALL PAVING & GRADING PLAN
C6.1	PAVING & GRADING PLAN - NORTHEAST
C6.2	PAVING & GRADING PLAN - NORTH
C6.3	PAVING & GRADING PLAN - NORTHWEST
C6.4	PAVING & GRADING PLAN - SOUTH
C6.5	PAVING & GRADING PLAN - SOUTHEAST
LS-01	TREE MITIGATION PLAN
LS-02	TREE MITIGATION PLAN
LS-03	TREE MITIGATION PLAN
LS-04	TREE MITIGATION PLAN
LS-05	LANDSCAPE SITE PLAN
LS-06	LANDSCAPE SITE PLAN
LS-07	LANDSCAPE SITE PLAN
LS-08	LANDSCAPE SITE PLAN

SHEET 1 OF 42 NOT FOR CONSTRUCTION

DESCRIPTION

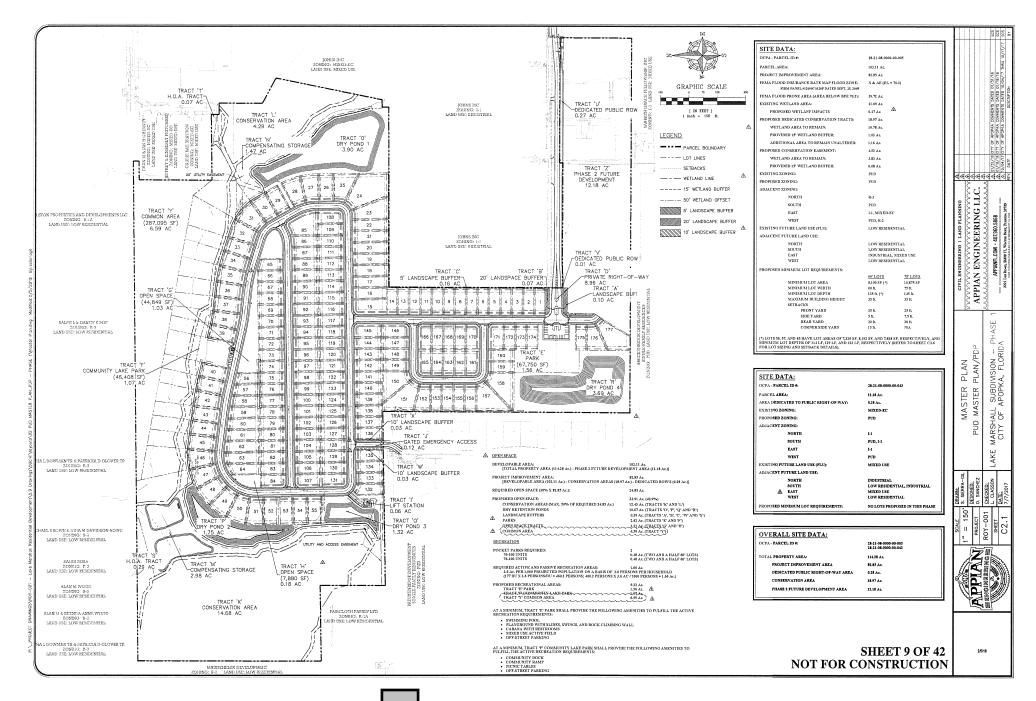
2/5/18

APPIAN ENGINEERING

WINTER PARK, FLORIDA 32789 (407) 960-5868

ENGINEERING CERTIFICATE

PERMITS REQUIRED			A	01/18/18	CITY OF APOPKA COMMENTS DATED 01/18/18			
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LAKE MARSHALL PHASE 1 MASTER PLAN DEVELOPMENT STANDARDS

A. Design Standards

1. LOT CRITERIA:

Description	Single-Family Detached 60' Lot	Single-Family Detached 75' Lot
Lot Setbacks (1)		
Front Porch ⁽²⁾	15'	15'
Front	25'	25'
Rear	20'	20'
Side	5'	7.5'
Side Corner	15'	N/A
Garage	25' (6)	25' (6)
Accessory Structure Rear	5'	5'
Lot Dimensions		
Min. Average Lot Area	8,100 SF ⁽⁵⁾	10,875 SF
Min. Lot Width	60', (3)	75' (4)
Min. Lot Depth	135'(5)	145'
Max. Lot Coverage	75%	75%
Max. Building Height	35'/2 Stories	35'/2 Stories
Min. Living Area	1,800 SF	1,800 SF

- (1) See sheet titled "Curve and Lot Data Table" for depiction of conceptual typical site plans.
- (2) Front porch setback as allowed per City of Apopka Development Design Guidelines 3.2.1.
- (3) Minimum lot width may be reduced to 40' around curves so long as lot width at the building line is 60' minimum.
- (4) Minimum lot width may be reduced to 40' around curves so long as lot width at the building line is 75' minimum.
- (5) Lots 56, 57, and 65 have lot areas of 7,326 SF, 8,192 SF, and 7,838 SF, respectively, and minimum lot depths of 114', 129', and 122', respectively. See sheet titled "Curve and Lot Data Table" of the Lake Marshall Subdivision Phase 1 PUD Master Plan/Preliminary Development Plan for lot sizing and setback details for these lots.
- (6) A deviation from the City of Apopka's requirement of a 30' garage setback is hereby requested.

B. Architectural, Buildings, and Accessory Structures

- 1. Architectural design shall meet the intent of City of Apopka Development Design Guidelines or unless otherwise stated.
- 2. All lots shall have detached single family homes.
- 3. Each individual single-family home shall have a minimum of two (2) bedrooms.
- 4. All lots shall have attached minimum two (2) car garages.
- 5. A deviation from the City of Apopka Development Design Guidelines is hereby requested to allow for side-entry, flush, recessed, and protruding garage styles throughout the Lake Marshall Subdivision.

- 6. Mail delivery for all lots within both phases of the Lake Marshall Subdivision shall occur at mail kiosks with cluster mailbox units. Approval from the Postmaster of the mail kiosks and their location shall be submitted prior to approval of the Final Development Plan.
- 7. AC condenser units & similar equipment placed in the side yard area shall be screened with landscaping or opaque fencing.
- 8. Storage sheds or similar storage facilities shall not be allowed.
- 9. Swimming pools shall be allowed on all lots.
 - a) Swimming Pools must be in-ground type. Above Ground Pools are prohibited.
 - b) Swimming pools and decks are prohibited from projecting beyond the side wall facade.
- 10. Screen enclosures over swimming pools and their respective deck area with non-metal or non-vinyl roofs shall be allowed.
 - a) Screening shall be dark mesh. Opaque, semi-opaque or clear panels on the walls or roofs are prohibited.
- 11. Screen enclosures with metal, vinyl, or screen mesh roofs over non-swimming pool decks are prohibited.
- 12. Architectural Design Standards:
 - a) Architectural styles shall be determined prior to Final Development Plan approval, and these shall meet the intent of to the City of Apopka's Development Design Guidelines except as noted on these Development Standards. Modification or replacement of the exterior elevations can be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering must be approved by City Council.
 - b) A deviation from the City of Apopka Development Design Guidelines is hereby requested for all 60' lots with 50' wide homes to allow for the garage to cover a maximum of 60% of the length of the front primary façade only in the case a three (3) car garage is selected by the homebuyer.
 - c) Front facade materials such as cultured stone veneer, stucco, & fiber cement siding shall be utilized to be consistent with the applicable Architectural Style.
 - d) Minimum roof pitch over the main house and garage shall be 5/12. Roof pitch over porches shall be a minimum of 4/12.
 - e) 30-year asphalt shingle shall be installed on all roofs. 3-tab shingles are prohibited. Single shingle color shall be used for uniformity throughout the community.
 - f) Aluminum fascia and soffit shall be standard for all houses. Single Fascia and soffit color shall be used for uniformity throughout the community.
 - g) Trim around windows and doors shall be painted a different color from the body of the house. Doors may be painted either the same as the trim or separate accent color.
 - h) Pavers shall be installed in front yard driveways and lead walks.
- 13. Front Building Entrance Elevation Design Standards:
 - a) Front porches & porticos at grade level.
 - b) Identical model plan type shall not be constructed on neighboring lots who share a side yard property boundary line without a different elevation style type.
 - c) Identical exterior paint schemes shall not be applied on neighboring lots who share a side yard property boundary line.
 - d) Modification or replacement of the exterior elevations can be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering must be approved by City Council.
- 14. Rear Elevation Design Standards:
 - a) Large expanses of solid wall shall be avoided thru use of windows, wall features, or wall / roof jogs.
 - b) Window grid patterns and window banding & trim shall match front elevation windows.

- c) Identical exterior paint schemes shall not be applied on neighboring lots who share a side yard property boundary line
- d) Modification or replacement of the exterior elevation can be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering must be approved by City Council.
- 15. Mail Kiosk Elevation Design Standards:
 - a) Elevation shall be compatible with the architectural elevation styles of the homes & mail kiosks within the community.
- 16. Individual Lot Front & Rear Yard Fencing Standards:
 - a) Maximum height of a fence shall be 6'-0" above final grade. When abutting a common area wall, the fence height shall taper to the height of the wall across a horizontal distance no less than 8'-0'.
 - b) Rear yard fences shall not project more than five feet (5') beyond rear side wall building corner.

C. Utilities and Infrastructure

- 1. Water service shall be provided by the City of Apopka. The water system shall be designed to City standards.
- 2. Reclaim water service shall be provided by the City of Apopka. The reclaim water system shall be designed to City standards.
- 3. Stormwater management system shall be designed to comply with the design standards of this Master Plan and the St. Johns River Water Management District.
- 4. A final drainage report and soils report will be submitted with the Final Development Plan.
- 5. Sanitary service shall be provided by the City of Apopka. The sanitary system shall be designed to City of Apopka standards.
- 6. Utility easements shall be dedicated to the City of Apopka.
- 7. Drainage easements to be dedicated to the Home Owners' Association unless otherwise required by the City of Apopka.
- 8. All stormwater and utility pipes may be moved to save existing trees in the right-of-way. Any change in the location of these pipes will be shown on the Final Development Plan.
- 9. On-site streets are to be constructed per City of Apopka standards.
- 10. Stabilized access roadways and fire hydrants must be in place before building construction may begin.
- 11. Solid waste collection and public safety (police and fire) provided by the City of Apopka.
- 12. The internal street right-of-way is to be private.
- 13. Five-foot (5') wide sidewalks are to be constructed adjacent to internal roads throughout the entire project in compliance with the City of Apopka Land Development Code. Sidewalk alignment may be adjusted at final development plan to preserve existing trees.
- 14. A five-foot (5') wide sidewalk shall be constructed within the southern side of the Johns Road right-of-way from the main entrance proposed within Parcel ID 28-21-08-0000-00-005 east until the western parcel boundary of Parcel ID 28-21-08-0000-00-043. At this point, a crosswalk will be installed across the Johns Road paved roadway to the northern side of the right-of-way, from where the proposed sidewalk will run east and connect to the existing sidewalk.
- 15. Right-of-way dedication along Johns Road shall be as depicted on sheet C4.0 or the Lake Marshall Subdivision Phase 1 Planned Unit Development Master Plan/Preliminary Development Plan.
- 16. Garages shall be accessed from the adjacent public right-of-way at the front of the lot for all lots.
- 17. Power service within the development shall be underground. No overhead service will be allowed.

- 18. Vehicular, Pedestrian and Accent lighting shall substantially conform the Section 3.10 Lighting of the City of Apopka Development Design Guidelines.
- 19. Based upon the development's daily trip generation of 1,779 vehicles, the provision of one northbound deceleration lane at the intersection of Johns Road and Bradshaw Road is warranted when the development reaches 50 percent (50%) of its Phase 1 development program, or prior to the completion of the 87th residential unit in the entire Lake Marshall Subdivision, whichever comes first.
- 20. A twenty-four-foot (24'), gated emergency access road shall be constructed between lots 135 and 136, connecting the Lake Marshall Subdivision Street C right-of-way to the Breckenridge Subdivision Cavan Drive right-of-way to provide an emergency-only route for both subdivisions. This access road shall be constructed within a 40-foot emergency access easement, pedestrian ingress/egress, and utility easement.
- 21. The potable and reclaimed water mains connecting Breckenridge to the City of Apopka utilities shall be rerouted through Lake Marshall Subdivision H.O.A.-owned tracts to remove them from the rear of lots 132 through 135. Within the Breckenridge Subdivision, these mains will run north through the 40-foot emergency access easement, pedestrian ingress/egress, and utility easement mentioned above.

D. Recreation and Open Space

- 1. Required project open space shall be a minimum of 30% of the developed site area in accordance with City of Apopka LDC Section 2.02.18(D)(19).
- 2. Required project recreation shall be provided at a rate of 3.6 acres per 1,000 population with 2.6 population per dwelling unit.
- 3. Tract "E" shall be an approximate 1.56-acre Park. A specific park site plan and amenities/equipment shall be provided with the Final Development Plan. Park amenities shall include a cabana with restrooms, a swimming pool, a playground, and a mixed-use active field at a minimum. The Community Building shall be a minimum of 900 SF containing, at a minimum, restroom facilities for the building and pool. The swimming pool and deck area shall be a minimum of 3,000 SF and water area a minimum of 2,000 SF. Documentation/calculations that the proposed pool size complies with state health standards will be provided at the Final Development Plan.
- 4. Tract "F" shall be an approximate 1.58-acre Community Lake Park. A specific park site plan and amenities/equipment shall be provided with the Final Development Plan. Community lake park amenities shall include at a minimum one community ramp, one community dock, and picnic tables.
- 5. Tract G and H will incorporate pedestrian circulation, benches, and open play areas. Specific park site plans and amenities/equipment shall be provided with the Final Development Plan.
- 6. All recreation and open space areas within the limits of Phase 1 will be accessible to all homeowners of Phase 2 of the Lake Marshall Subdivision.

E. Buffers and Landscaping

- 1. A twenty-foot (20') buffer for entry wall and landscaping will be provided along each side of the proposed main entrance on Johns Road. These tracts shall be dedicated to and maintained by the H.O.A. The design of these buffer tracts shall generally follow the landscape design appearing on sheets LS-04 and LS-08 of the Master Plan/Preliminary Development Plan. A six foot (6') high wall or fence is provided in these tracts to provide buffering from the adjacent roadway.
- 2. A five-foot (5') wide buffer tract for landscaping will be provided along the rear of lots 1-24 to provide buffering from industrial-zoned properties. This tract shall be dedicated to and maintained

- by the H.O.A. The design of this buffer shall generally follow the landscape design appearing on sheets LS-01, LS-02, LS-04, LS-05, LS-06, and LS-08 of the Master Plan/Preliminary Development Plan.
- 3. A ten-foot (10') wide buffer tract for landscaping will be provided along each side of the proposed emergency access tract for Lake Marshall Subdivision and Breckenridge Subdivision. These tracts shall be dedicated to and maintained by the H.O.A. The design of these buffer tracts shall generally follow the landscape design appearing on sheet LS-06 of the Master Plan/Preliminary Development Plan.
- 4. Entrance feature and community sign details will be provided with the Final Development Plan.
- 5. Final landscape plans for the buffer areas along the proposed main entrance at Johns Road will be provided with the Final Development Plan.
- 6. Tree Planting Conditions. Minimum of three new trees shall be planted per 60' and 75' residential lot. The new trees shall be a minimum of three inches (3") DBH at the time of planting and shall count toward the overall number of required tree replacement inches, if any.
- 7. Tree Protection Plan The Final Development Plan shall include tree protection techniques to prevent harm to any trees designate to be preserved or encroachment into protected natural areas, including but not limited to tree barricades, silt fencing or other similar techniques accepted by the City Engineer.

F. Maintenance and Plat

- 1. The Lake Marshall Home Owners' Association will maintain common areas, fences/walls, and landscaping within the front and <u>corner yards</u> of all lots. The HOA shall also be responsible for maintenance of streets, street lighting, and stormwater collection systems within the right-of-way and drainage easements within the Lake Marshall Subdivision.
- 2. The Final Development Plan shall include the plat document, and the plat shall be in final form.

G. Wetlands and Environmental

- 1. There are three wetland areas within the site. These are located in the northwest, north, and northeast portions of the property.
- 2. According to the FEMA Flood Insurance Rate Map for Orange County, FL, Panel No. 12095-C-0120-F, dated September 25, 2009, the majority of the proposed development is located within Zone X (areas determined to outside the 500-year floodplain) and limited northern portions of Parcel ID 28-21-08-0000-00-005 fall within FEMA flood zone AE. The areas within these portions that will be developed will be removed from the floodplain.
- 3. An erosion control plan will be submitted with the Final Development Plan.
- 4. Tree removal, tree replacement, and landscaping shall comply with Water Wise Ordinance 2069 and shall be consistent with Article V of the City of Apopka Land Development Code.
- 5. Individual lot arbor/clearing permit is required prior to clearing or grading of any lot or issuance of building permit. Placement of the house shall preserve existing trees to the greatest extent practical. Plot plan for each lot shall illustrate tree locations as presented within the PUD Master Plan\Preliminary Development Plan.

H. Development Condition Continuity

The PUD Development Standards shall be printed within the PUD Master Plan and the Final Development Plan.

I. Signage

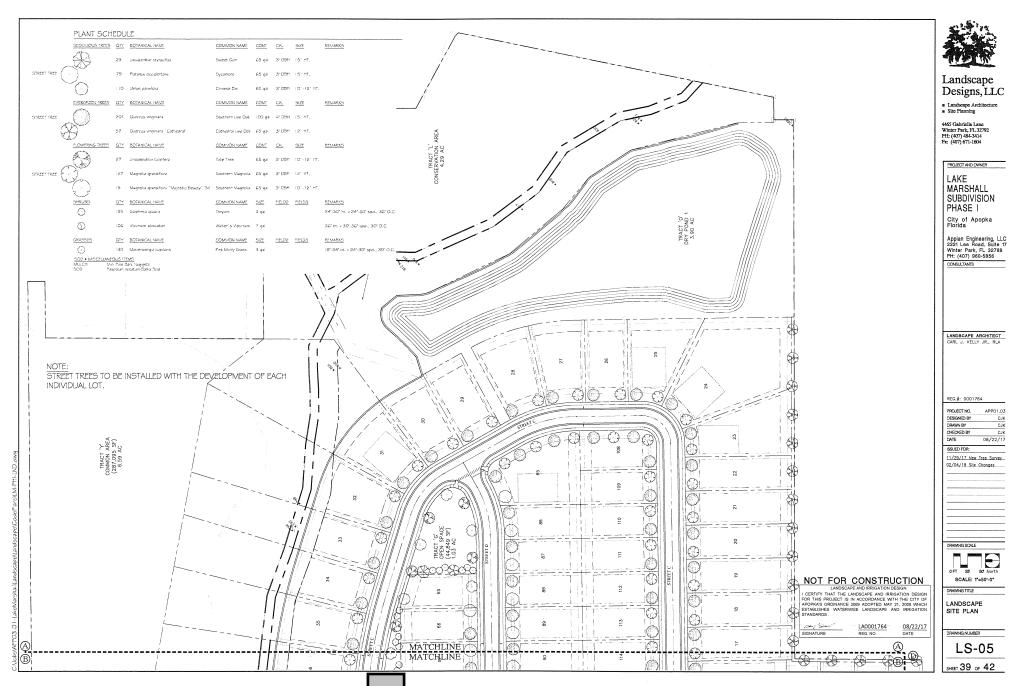
Signage shall comply with Article 8 of the City of Apopka Land Development Code and with the City of Apopka Development Design Guidelines.

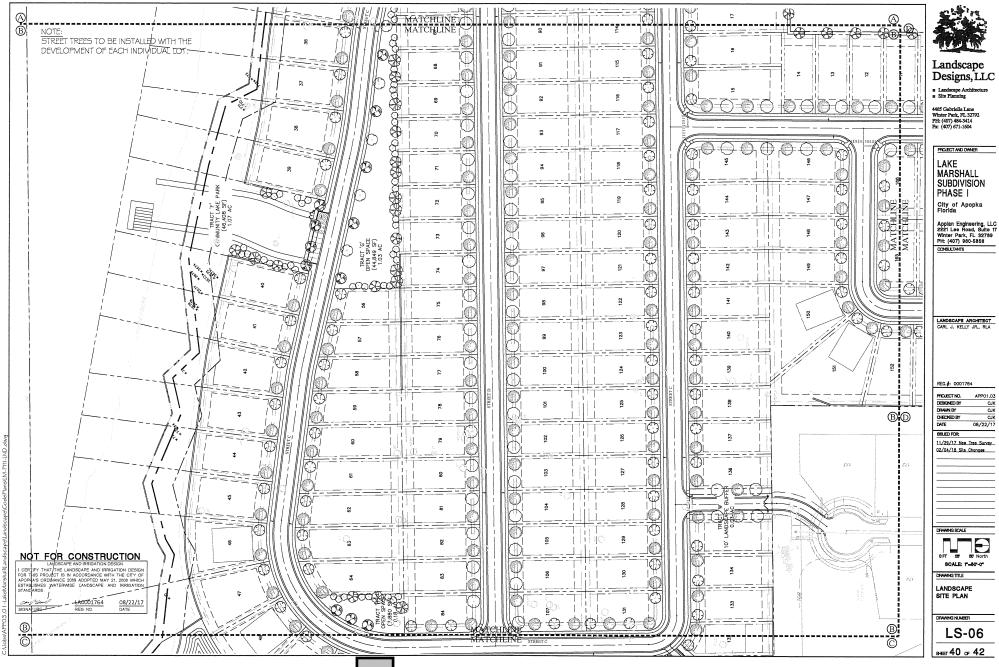
J. Lighting

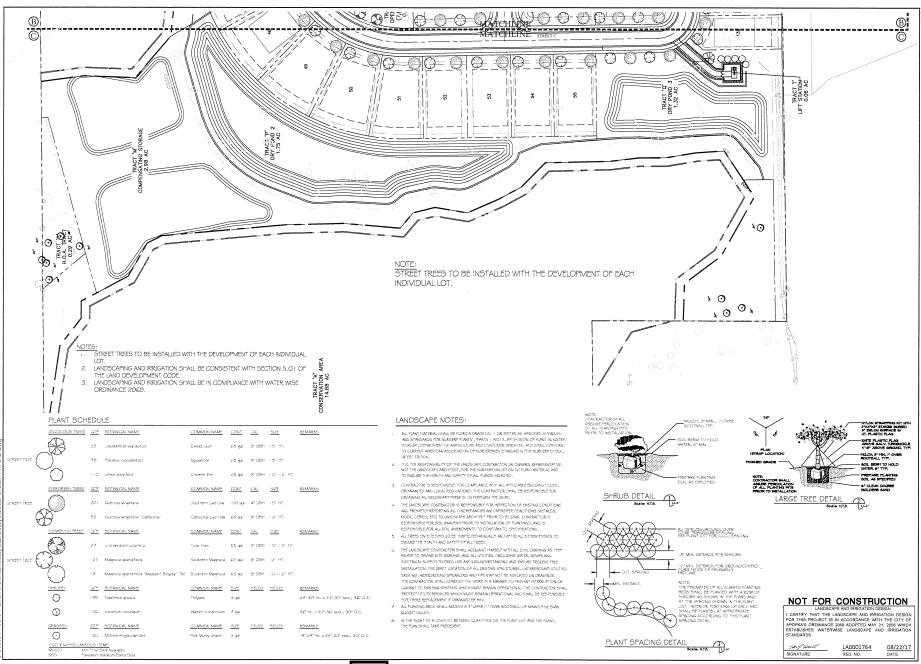
Lighting shall comply with the City of Apopka's City Ordinance No. 2069 and Section 3.10 of the City of Apopka Development Design Guidelines. Street and parking area or pedestrian path light poles shall be decorative type. Details will be provided with the Final Development Plan.

L. Miscellaneous

- 1. Any existing septic tanks or wells shall be properly abandoned prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies.
- 2. All acreages are subject to change with final engineering and final plat review and approval.









Landscape Designs, LLC

m Landscape Architect m Site Planning

4465 Gabriella Lane Winter Park, FL 32792 PH: (407) 484-3414 Px: (407) 671-1604

PROJECT AND OWNER

LAKE MARSHALL SUBDIVISION PHASE I

City of Apopka Fiorida

Applan Engineering, LLC 2221 Lee Road, Suite 17 Winter Park, FL 32789 PH: (407) 960-5856 CONSULTANTS

LANDSCAPE ARCHITECT CARL J. KELLY JR., RL

REG.#: 0001764

PROJECT NO.	APP01.03
DESIGNED BY	CJK
DRAWN BY	CJK
CHECKED BY	CJK
DATE	08/22/17

ISSUED FOR: 11/29/17 New Tree Survey

DRAWING SCALE

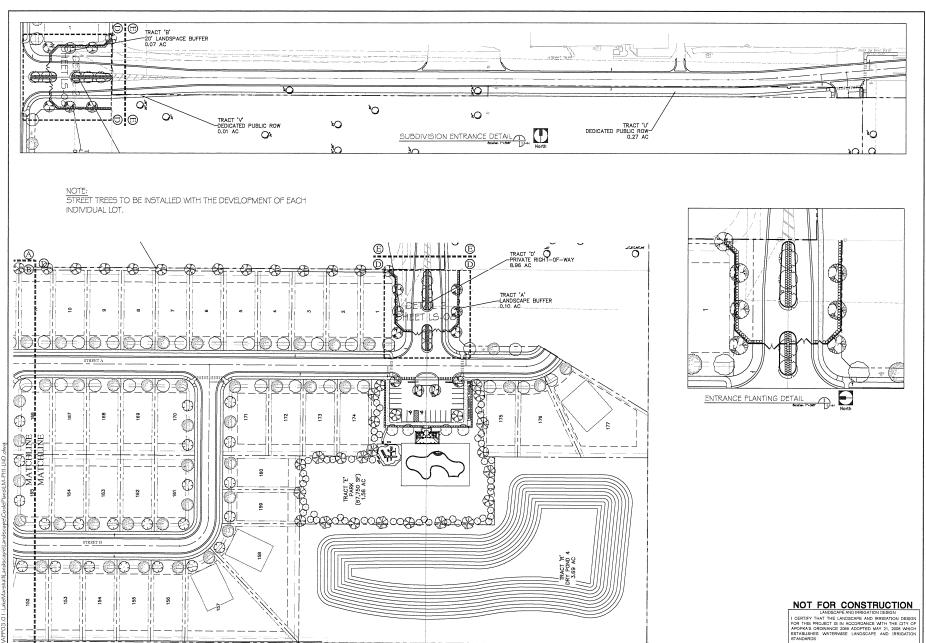
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LANDSCAPE SITE PLAN

DRAWING NUMBER

LS-07

ster 41 or 42





Landscape Designs, LLC

m Landscape Architectum Site Planning

4465 Gabriella Lane Winter Park, FL 32792 PH: (407) 484-3414 Px: (407) 671-1604

PROJECT AND OWNER

LAKE MARSHALL SUBDIVISION PHASE I

City of Apopka Florida

Applan Engineering, LLC 2221 Lee Road, Suite 17 Winter Park, FL 32789 PH: (407) 980-5858 CONSULTANTS

LANDSCAPE ARCHITECT CARL J. KELLY JR., RLA

REG.#: 0001764

APP01.03
CUK
CJK
CJK
08/22/17

ISSUED FOR: 11/29/17 New Tree Survey

02/04/18 Site Changes

DRAWING SCALE

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WAMING TITLE

LANDSCAPE SITE PLAN

DRAWING NUMBER

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SIGNATURE

LA0001764 REG. NO. 08/22/17 DATE LS-08

see 42 or 42

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LEGAL DESCRIPTION PER PEC - SURVEYING AND MAPPING, LLC DATED: JUNE 2017

OCPA PARCEL ID 28-21-08-0000-00-005

FIRST AMERICAN TITLE FILE NUMBER: 2037-3759052

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PLANNED UNIT DEVELOPMENT MASTER PLAN / PRELIMINARY DEVELOPMENT PLAN

FOR

LAKE MARSHALL SUBDIVISION PHASE 2

CITY OF APOPKA, FLORIDA

OCPA PARCEL ID# 28-21-08-0000-00-005, 28-21-08-0000-00-043 & 28-21-17-0000-00-014

PUD MASTER PLAN/PDP NARRATIVE:

PHASE 2 OF THE LAKE MARSHALL SUBDIVISION IS MADE UP OF THREE PARCELS LOCATED OFF OF JOHN'S ROAD, WEST OF SR 451, WITH A PHYSICAL ADDRESS OF 705 & 890 JOHN'S ROAD, APOPKA, FL 32703 WITHIN THE CITY OF APOPKA. THE SUBJECT PROPERTIES HAVE A TOTAL COMBINED AREA OF APPROXIMATELY 154.18 AC, OF WHICH 52.06 AC WILL BE DEVELOPED DURING PHASE 2. THE SUBJECT PARCELS ARE CURRENTLY BEING USED FOR RESIDENTIAL, BOTH VACANT AND NOT VACANT, AND CONTAINER PLANT NURSERY PURPOSES. THE PROPOSED PHASE 2 DEVELOPMENT IS A RESIDENTIAL SUBDIVISION WITH 124 INDIVIDUAL SINGLE FAMILY LOTS, ASSOCIATED ROADWAYS AND RETENTION/DETENTION AREAS. THE POTABLE WATER, RECLAIMED WATER AND WASTEWATER WILL BE PROVIDED BY CITY OF APOPKA UTILITIES. A FEE SIMPLE OWNERSHIP, SUCH AS A HOME OWNERS ASSOCIATION, WILL BE CREATED FOR ALL LANDS EXCLUSIVE





VICINITY MAP



AERIAL MAP



SOILS MAP



PROJECT TEAM: IAMES D. & DEBORAH M. LYD) 226° PARE VILLAGE PLACE APOPEA, FL 32712 DEVFLOPPS AVATAR PROPERTIES, INC MANAGER: MATTHEW YOUNG 1409 S. LAKEMONT AVE. SUITI GELANDO, PL. 1361 PHORE: (407) 166-911 FMAIL: M YOUNG/SAVEOMESIN LANDSCAPE ARCHITECT

	ET INDEX
	COVER
C1.0	GVERALL EXISTING CONDITIONS
C1.1	EXISTING CONDITIONS - WEST
C1.2	EXISTING CONDITIONS - NORTH
C1.3	EXISTING CONDITIONS - SOUTH
CLA	OFFSITE EXISTING CONDITIONS
C2.0	PHASING PLAN
C2.1	MASTER PLAN
C2.2	MASTER PLAN DESIGN STANDARDS
C3.0	OVERALL GEOMETRY PLAN
C3.1	GEOMETRY PLAN - WEST
C3.2	GEOMETRY PLAN - NORTH
C3.3	GEOMETRY PLAN - SOUTH
C3.4	CURVE & LOT DATA TABLE
C3.5	CROSS SECTIONS
C3.6	FIRE TRUCK ROUTE PLAN
C3.7	LIGHTING PLAN
C4.0	OVERALL OFFSITE ROADWAY IMPROVEMENTS
C4.1	OFFSITE ROADWAY IMPROVEMENTS - BRADSHAW RD
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C5.0	OVERALL UTILITY & DRAINAGE PLAN
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C8.0	OVERALL OFFSITE ROADWAY GRADING
C8.1	OFFSITE ROADIVAY ORADING - BRADSHAW RD
CS 2	OFFSITE RGADWAY GRADING - JOHNS RD
LS-01	TREE MITIGATION PLAN
1.S-02	TREE MITIGATION PALN
LS-03	TREE MITIGATION PLAN
LS-04	LANDSCAPE SITE PLAN
LS-05	LANDSCAPE SITE PLAN
LS-06	LANDSCAPE SITE PLAN
	BOUNDARY, TOPO, AND TREE SURVEY

SHEET INDEX

SHEET 1 OF 41 NOT FOR CONSTRUCTION

APPIAN ENGINEERING

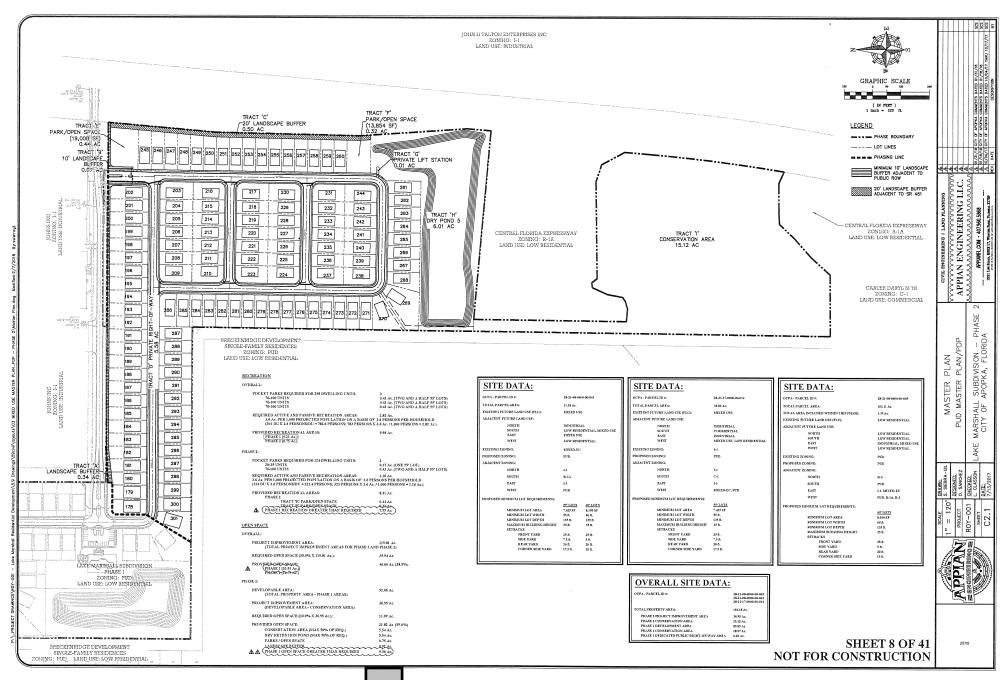
2221 LEE ROAD, SUITE 17 WINTER PARK, FLORIDA 32789 (407) 960-5868

BOARD OF PROFESSIONAL ENGINEERING CERTIFICATE

PERMITS REQUIRED					4
AGENCY	PERMIT TYPE	DATE APPLIED	DATE APPROVED	APPROVAL NO.	1
CITY OF APOPKA	SITE PERMIT				74
S.J.R.W.M.D.	ERP				12
F.D.E.P.	WATER				14
F.D.E.P.	WASTEWATER				1
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LAKE MARSHALL PHASE 2 MASTER PLAN DEVELOPMENT STANDARDS

A. Design Standards

1. LOT CRITERIA:

Description	Single-Family Detached 60' Lot	Single-Family Detached 55' Lot
Lot Setbacks (1)		
Front Porch ⁽²⁾	15'	15'
Front	25'	25'
Rear	20'	20'
Side	5'	7.5'
Side Corner	15'	N/A
Garage	25' (5)	25' (5)
Accessory Structure Rear	5'	5'
Lot Dimensions		
Min. Average Lot Area	8,100 SF	7,425 SF
Min. Lot Width	60', (3)	55' (4)
Min. Lot Depth	135'	135'
Max. Lot Coverage	75%	75%
Max. Building Height	35'/2 Stories	35'/2 Stories
Min. Living Area	1,600 SF	1,600 SF

- (1) See Sheet C3.6 for depiction of conceptual typical site plans.
- (2) Front porch setback as allowed per City of Apopka Development Design Guidelines 3.2.1.
- (3) Minimum lot width may be reduced to 40' around curves so long as lot width at the building line is 60' minimum.
- (4) Minimum lot width may be reduced to 35' around curves so long as lot width at the building line is 55' minimum.
- (5) A deviation from the City of Apopka's requirement of a 30' garage setback is hereby requested.

B. Architectural, Buildings, and Accessory Structures

- 1. Architectural design shall meet the intent of City of Apopka Development Design Guidelines or unless otherwise stated.
- 2. All lots shall have detached single family homes.
- 3. Each individual single-family home shall have a minimum of two (2) bedrooms.
- 4. All lots shall have attached minimum two (2) car garages.
- 5. A deviation from the City of Apopka Development Design Guidelines is hereby requested to allow for side-entry, flush, recessed, and protruding garage styles throughout the Lake Marshall Subdivision.
- 6. Mail delivery for all lots within both phases of the Lake Marshall Subdivision shall occur at mail kiosk with cluster mailbox units. Approval from the Postmaster of the mail kiosks and their location shall be submitted prior to approval of the Final Development Plan.
- 7. AC condenser units & similar equipment placed in the side yard area shall be screened with landscaping or opaque fencing.
- 8. Storage sheds or similar storage facilities shall not be allowed.
- 9. Swimming pools shall be allowed on all lots.

- a) Swimming Pools must be in-ground type. Above Ground Pools are prohibited.
- b) Swimming pools and decks are prohibited from projecting beyond the side wall facade.
- 10. Screen enclosures over swimming pools and their respective deck area with non-metal or non-vinyl roofs shall be allowed.
 - a) Screening shall be dark mesh. Opaque, semi-opaque or clear panels on the walls or roofs are prohibited.
- 11. Screen enclosures with metal, vinyl, or screen mesh roofs over non-swimming pool decks are prohibited.
- 12. Architectural Design Standards:
 - Architectural styles shall be determined prior to Final Development Plan approval, and these shall meet the intent of to the City of Apopka's Development Design Guidelines except as noted on these Development Standards. Modification or replacement of the exterior elevations can be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering must be approved by City Council.
 - b) A deviation from the City of Apopka Development Design Guidelines is hereby requested for all 60' lots with 50' wide homes to allow for the garage to cover a maximum of 60% of the length of the front primary façade only in the case a three (3) car garage is selected by the homebuyer.
 - c) Front facade materials such as cultured stone veneer, stucco, & fiber cement siding shall be utilized to be consistent with the applicable Architectural Style.
 - d) Minimum roof pitch over the main house and garage shall be 5/12. Roof pitch over porches shall be a minimum of 4/12.
 - e) 30-year asphalt shingle shall be installed on all roofs. 3-tab shingles are prohibited. Single shingle color shall be used for uniformity throughout the community.
 - f) Aluminum fascia and soffit shall be standard for all houses. Single Fascia and soffit color shall be used for uniformity throughout the community.
 - g) Trim around windows and doors shall be painted a different color from the body of the house. Doors may be painted either the same as the trim or separate accent color.
 - h) Pavers shall be installed in front yard driveways and lead walks.
- 13. Front Building Entrance Elevation Design Standards:
 - a) Front porches & porticos at grade level.
 - b) Identical model plan type shall not be constructed on neighboring lots who share a side yard property boundary line without a different elevation style type.
 - c) Identical exterior paint schemes shall not be applied on neighboring lots who share a side yard property boundary line.
 - d) Modification or replacement of the exterior elevations can be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering must be approved by City Council.
- 14. Rear Elevation Design Standards:
 - a) Large expanses of solid wall shall be avoided thru use of windows, wall features, or wall / roof jogs.
 - b) Window grid patterns and window banding & trim shall match front elevation windows.
 - c) Identical exterior paint schemes shall not be applied on neighboring lots who share a side yard property boundary line
 - d) Modification or replacement of the exterior elevation can be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering must be approved by City Council.
- 15. Mail Kiosk Elevation Design Standards:

- a) Elevation shall be compatible with the architectural elevation styles of the homes & mail kiosk within the community.
- 16. Individual Lot Front & Rear Yard Fencing Standards:
 - a) Maximum height of a fence shall be 6'-0" above final grade. When abutting a common area wall, the fence height shall taper to the height of the wall across a horizontal distance no less than 8'-0".
 - b) Rear yard fences shall not project more than five feet (5') beyond rear side wall building corner.

C. Utilities and Infrastructure

- 1. Water service shall be provided by the City of Apopka. The water system shall be designed to City standards.
- 2. Reclaim water service shall be provided by the City of Apopka. The reclaim water system shall be designed to City standards.
- 3. Stormwater management system shall be designed to comply with the design standards of this Master Plan and the St. Johns River Water Management District.
- 4. A final drainage report and soils report will be submitted with the Final Development Plan.
- 5. Sanitary service shall be provided by the City of Apopka. The sanitary system shall be designed to City of Apopka standards.
- 6. Utility easements shall be dedicated to the City of Apopka.
- 7. Drainage easements to be dedicated to the Home Owners' Association unless otherwise required by the City of Apopka.
- 8. All stormwater and utility pipes may be moved to save existing trees in the right-of-way. Any change in the location of these pipes will be shown on the Final Development Plan.
- 9. On-site streets are to be constructed per City of Apopka standards.
- 10. Stabilized access roadways and fire hydrants must be in place before building construction may begin.
- 11. Solid waste collection and public safety (police and fire) provided by the City of Apopka.
- 12. The internal street right-of-way is to be private.
- 13. Five-foot (5') wide sidewalks are to be constructed adjacent to internal roads throughout the entire project in compliance with the City of Apopka Land Development Code. Sidewalk alignment may be adjusted at final development plan to preserve existing trees.
- 14. Garages shall be accessed from the adjacent public right-of-way at the front of the lot for all lots.
- 15. Power service within the development shall be underground. No overhead service will be allowed.
- 16. Vehicular, Pedestrian and Accent lighting shall substantially conform the Section 3.10 Lighting of the City of Apopka Development Design Guidelines.
- 17. Based upon the Lake Marshall Subdivision Phase 1 and Phase 2 total daily trip generation of 2,896 vehicles, the provision of one southbound deceleration lane on Bradshaw Road and one eastbound left turn lane on John's Road at the intersection of John's Road and Bradshaw Road to the east of the development are warranted. These are in addition to the northbound deceleration lane on Bradshaw Road warranted prior to the completion of the 87th residential unit within the entire Lake Marshall Subdivision.

D. Recreation and Open Space

- 1. Required project open space shall be a minimum of 30% of the developed site area in accordance with City of Apopka LDC Section 2.02.18(D)(19).
- 2. Required project recreation shall be provided at a rate of 3.6 acres per 1,000 population with 2.6 population per dwelling unit.

- 3. All parks and open space within the limits of Phase 1 of the Lake Marshall Subdivision shall be accessible to and account towards required recreation and open space areas for Phase 2 per the Lake Marshall Subdivision Phase 1 Planned Unit Development Master Plan/Preliminary Development Plan.
- 4. Tracts E and F will incorporate pedestrian circulation, benches, and open play areas. Specific park site plans and amenities/equipment shall be provided with the Final Development Plan.

E. Buffers and Landscaping

- 1. A twenty-foot (20') densely vegetated/landscaped tract will be provided along the rear of Lots 242-257 and Tracts 'E' and 'F' to provide buffering from the adjacent SR 451 right-of-way. This tract shall be dedicated to and maintained by the H.O.A. The design of this buffer tract shall generally follow the landscape design appearing on sheets LS-02 and LS-04 of the Master Plan/Preliminary Development Plan.
- 2. A minimum ten-foot (10') wide buffer tract for landscaping will be provided along the rear of lots 175-199 to provide buffering from the Johns Road right-of-way. This tract shall be dedicated to and maintained by the H.O.A. The design of this buffer shall generally follow the landscape design appearing on sheets LS-01, LS-02, LS-04, and LS-05 of the Master Plan/Preliminary Development Plan.
- 3. Main access for Phase 2 will be through the Main Entrance located within the Phase 1 limits of the Lake Marshall Subdivision.
- 4. Entrance provided within the Phase 2 limits is to be a secondary, resident-only access, which will also be accessible to Phase 1 of the Lake Marshall Subdivision.
- 5. Entrance feature and community sign details will be provided with the Final Development Plan.
- 6. Final landscape plans for the buffer areas along the proposed main entrance at John's Road will be provided with the Final Development Plan.
- 7. Tree Planting Conditions. Minimum of three (3) new trees shall be planted per 55' and 60' residential lot. The new trees shall be a minimum of three inches (3") DBH at the time of planting and shall count toward the overall number of required tree replacement inches, if any.
- 8. Tree Protection Plan The Final Development Plan shall include tree protection techniques to prevent harm to any trees designate to be preserved or encroachment into protected natural areas, including but not limited to tree barricades, silt fencing or other similar techniques accepted by the City Engineer.

F. Maintenance and Plat

- 1. The Lake Marshall Home Owners' Association will maintain common areas, fences/walls, and landscaping within the front and <u>corner yards</u> of all lots. The HOA shall also be responsible for maintenance of streets, street lighting, and stormwater collection systems within the right-of-way and drainage easements within the Lake Marshall Subdivision.
- 2. The Final Development Plan shall include the plat document, and the plat shall be in final form.

G. Wetlands and Environmental

- 1. There is one wetland area onsite. It is entirely located within the Tract 'I' Conservation Area.
- 2. There are no areas within a FEMA floodplain onsite.
- 3. An erosion control plan will be submitted with the Final Development Plan.

- 4. Tree removal, tree replacement, and landscaping shall comply with Water Wise Ordinance 2069 and shall be consistent with Article V of the City of Apopka Land Development Code.
- 5. Individual lot arbor/clearing permit is required prior to clearing or grading of any lot or issuance of building permit. Placement of the house shall preserve existing trees to the greatest extent practical. Plot plan for each lot shall illustrate tree locations as presented within the PUD Master Plan\Preliminary Development Plan.

H. Development Condition Continuity

The PUD Development Standards shall be printed within the PUD Master Plan and the Final Development Plan.

I. Signage

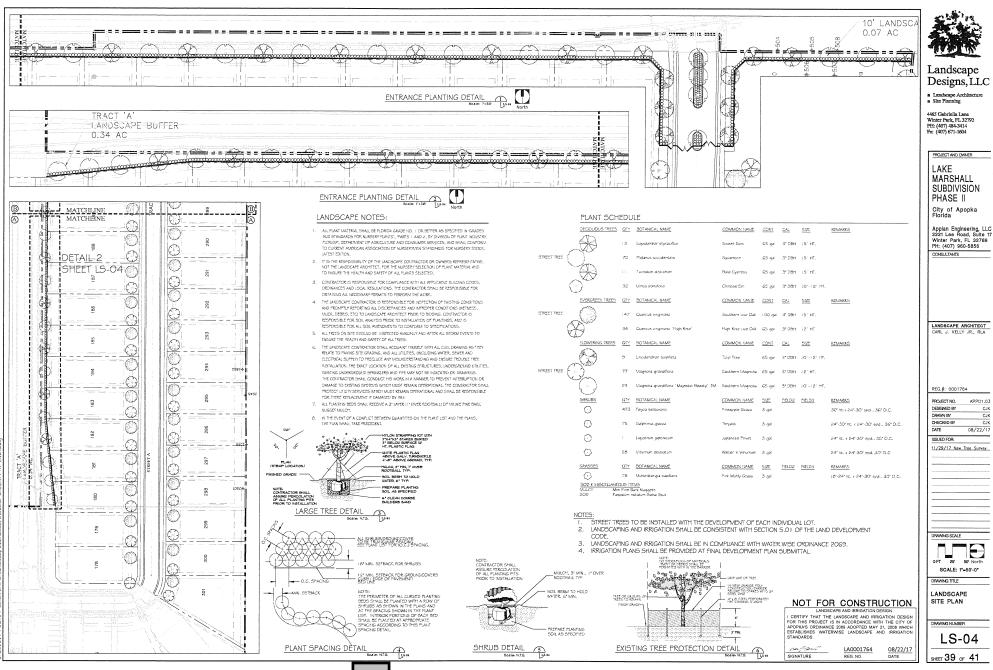
Signage shall comply with Article 8 of the City of Apopka Land Development Code and with the City of Apopka Development Design Guidelines.

J. Lighting

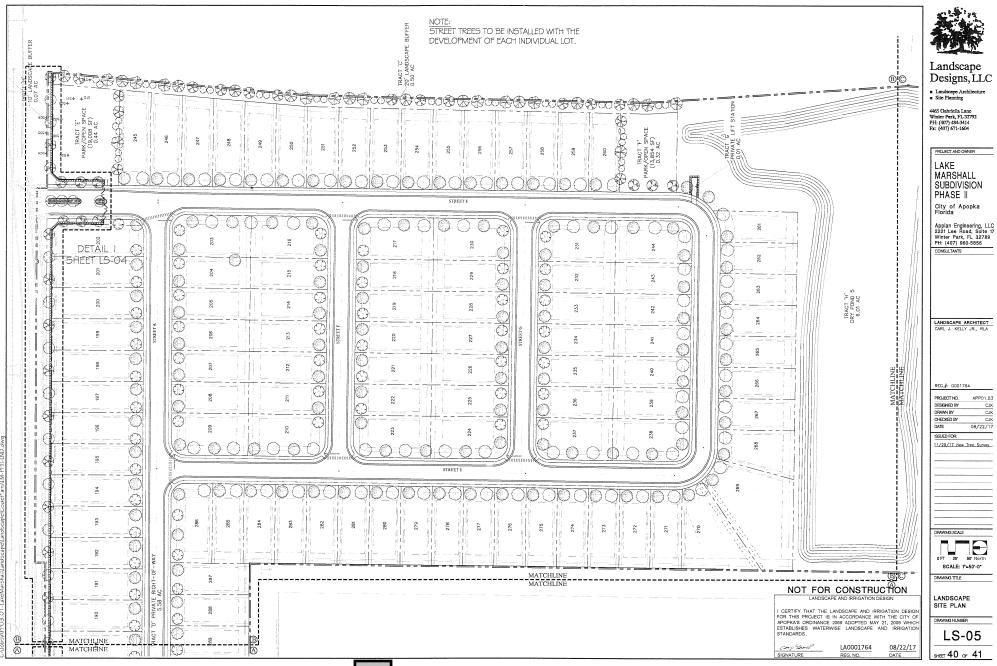
Lighting shall comply with the City of Apopka's City Ordinance No. 2069 and Section 3.10 of the City of Apopka Development Design Guidelines. Street and parking area or pedestrian path light poles shall be decorative type. Details will be provided with the Final Development Plan.

L. Miscellaneous

- 1. Any existing septic tanks or wells shall be properly abandoned prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies.
- 2. All acreages are subject to change with final engineering and final plat review and approval.



PROJECT NO.	APP01.03
DESIGNED BY	CJK
DRAWN BY	CJK
CHECKED BY	CJK
DATE	08/22/17



ROJECT NO.	APP01.03
ESIGNED BY	CJK
RAWN BY	CJK
HECKED BY	CJK
ATE	08/22/17

Planning Commission February 13, 2018 Page 45

Backup material for agenda item:

2. COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – Iglesia Getsemani, Inc. from "County" Commercial to "City" Commercial (Maximum of 0.25 FAR) for property located at 2575 West Orange Blossom Trail. (Parcel ID No. 06-21-28-7172-02-021)



CITY OF APOPKA PLANNING COMMISSION

X PUBLIC HEARING
ANNEXATION
PLAT APPROVAL
OTHER:

DATE: February 13, 2018

FROM: Community Development

EXHIBITS: Land Use Report

Vicinity Map

Adjacent Zoning Map Future Land Use Map Adjacent Uses Map

Existing Uses

SUBJECT: COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE

AMENDMENT - IGLESIA GETSEMANI, INC.

PARCEL ID NUMBER: 06-21-28-7172-02-021

Request: COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE

AMENDMENT

FROM: "COUNTY" COMMERCIAL (3.0 FAR)
TO: "CITY" COMMERCIAL (MAX. FAR 0.25)

SUMMARY

OWNER: Iglesia Getsemani, Inc.

APPLICANT: Iglesia Getsemani, Inc.

LOCATION: 2575 W. Orange Blossom Trail

EXISTING USE: Place of worship and single-family residence

CURRENT ZONING: "County" C-1

DEVELOPMENT POTENTAIL: Maximum 15,612 sq. ft. commercial use (.25 floor area ratio)

PROPOSED ZONING: "City" C-1 (Commercial) (Note: this Future Land Use Map amendment

request is being processed along with a request to change the Zoning Map designation from "County" C-1 to "City" C-1 and an application for

annexation.)

TRACT SIZE: 1.43 +/- acres

MAXIMUM ALLOWABLE

DEVELOPMENT UNDER EXISTING: Up to 187,350 sq. ft. commercial use. ("County" 3.0 FAR) ZONING DISTRICT: PROPOSED: Up to 15,621 sq. ft. commercial use. (City" .025 FAR)

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 Recreation Director

PLANNING COMMISSION – FEBRUARY 13, 2018 SMALL SCALE FUTURE LAND USE AMENDMENT – IGLESIA PAGE 2

ADDITIONAL COMMENTS: The applicant intends to annex the existing house of worship and single family residence to unite this parcel with the abutting eastern parcel, which is located within the City's jurisdiction and is used for a parking lot by the Church.

The annexation for the subject property was approved by the city council, for a second reading, on December 20, 2017 by ordinance 2613.

A request to assign a Future Land Use Designation of "Commercial" is compatible with the designations assigned to abutting properties. City parcels to the east share this same Future Land Use designation. The commercial uses act as a transition space between the residential neighborhood to the north and the arterial road, and an industrial park to the south. The FLUM application covers approximately 1.43 acres.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Land Use Report). Based on the findings of the Land Use report, the proposed FLUM amendment is compatible with the surrounding and nearby land uses and the character of the general area.

<u>COMPREHENSIVE PLAN COMPLIANCE</u>: The existing and proposed use of the subject property is consistent with the Commercial (max. 0.25 FAR) Future Land Use designation and the City's proposed C-1 Zoning.

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

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on January 12, 2018.

PUBLIC HEARING SCHEDULE:

February 13, 2018 - Planning Commission (5:30 pm) February 21, 2018 - City Council (7:00 pm) - 1st Reading March 7, 2018 - City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:

January 26, 2018 -- Public Notice (Letters, Apopka Chief, Site Posting) February 2, 2018 -- Public Notice (Apopka Chief)

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Commercial for the property owned by Iglesia Getsemani Inc.

Planning Commission Recommended Motion: Find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the change of Future Land Use Designation from "County" Commercial to "City" Commercial, subject to the findings of the Staff Report.

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:

Direction	Future Land Use	Zoning	Present Use
North (County)	Low Density Residential (0-4 du/ac)	R-1	Single-family residence
East (County)	Low Density Residential (0-4 du/ac)	R-1	Woodlands
South (County)	Low Density Residential (0-4 du/ac)	P-D	Assisted Living Facility
West (City)	Commercial (max 0.25 FAR)	C-1	Strip Mall

II. LAND USE ANALYSIS

North: Abutting the subject property to the north is W. Highland Avenue and the Plymouth Landing subdivision.

West: West of the subject property is a series of commercial and single family residential properties in unincorporated orange county.

South: State Route 441, W. Orange Blossom Trail is south and adjacent to the subject property. Across from this arterial road is an industrial park

East: Abutting the subject property to the east are commercial properties, of which, two are owned by Iglesia Getsemani and are currently used for parking.

Therefore, staff supports the proposed future land use changes.

Other Information:

Wekiva River Protection Area: No Area of Critical State Concern: No

DRI / FQD: No

<u>JPA</u>: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within "Core Area" of the JPA.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. While located within the Wekiva River Basin Study Area, the subject property is not located within the Protection Area. The proposed amendment is consistent with the adopted mandates and requirements. The proposed Future Land Use Map (FLUM) amendment has been reviewed against the best available data, with regard to aquifer and groundwater resources. The City of Apopka's adopted Comprehensive Plan addresses aquifer recharge and stormwater run-off through the following policies:

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

<u>Karst Features:</u> The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are no karst features on this property.

Analysis of the character of the Property: The proposed amendment is consistent with the Comprehensive Plan, including Policy 3.1.i Commercial ture Land Use designation.

PLANNING COMMISSION – FEBRUARY 13, 2018 SMALL SCALE FUTURE LAND USE AMENDMENT – IGLESIA PAGE 4

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

CALCULATIONS:

ADOPTED (County designation): No impact on City population PROPOSED (City designation): No impact on City population

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

Habitat for species listed as endangered, threatened or of special concern: Per policy 4.1 of the Conservation Element, a habitat study is required for developments greater than ten (10) acres in size. This site is less than ten acres. A habitat study will not be required at the time of a development plan application.

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

Sanitary Sewer Analysis

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

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

- 2. Projected total demand under existing designation: 2,803 GPD
- 3. Projected total demand under proposed designation: 2,335 GPD
- 4. Capacity available: Yes
- 5. Projected LOS under existing designation: 81 GPD/Capita
- 6. Projected LOS under proposed designation: 81 GPD/Capita
- 7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

- 2. Projected total demand under existing designation: 3,737 GPD
- 3. Projected total demand under proposed designation: 3,114 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 program r needed as a result of the proposed amendment: None

PLANNING COMMISSION – FEBRUARY 13, 2018 SMALL SCALE FUTURE LAND USE AMENDMENT – IGLESIA PAGE 5

8. Parcel located within the reclaimed water service area: Yes

Solid Waste

- 1. Facilities serving the site: <u>City of Apopka</u>
- 2. If the site is not currently served, please indicate the designated service provider: <u>City of Apopka</u>
- 3. Projected LOS under existing designation: 37 lbs/ day
- 4. Projected LOS under proposed designation: 31 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: <u>CUP No. 3217</u>

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: N/A acres
- 3. Projected facility under proposed designation: N/A acres
- 4. Improvement/expansions already programmed or needed as a result of the proposed amendment: N/A

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



Iglesia El Getsemani, Inc. 1.43 +/- acres

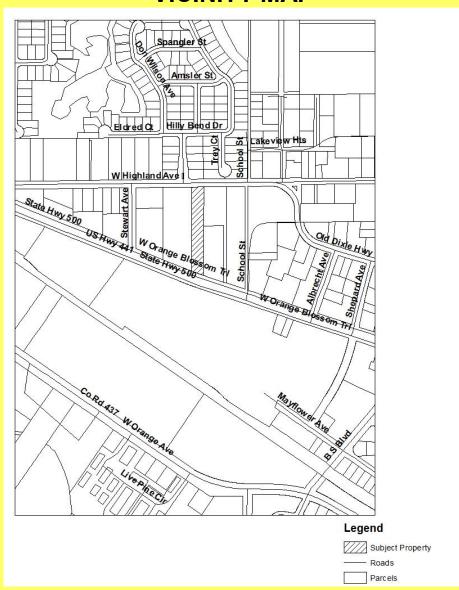
Proposed Small Scale Future Land Use Amendment:

From: "County" Commercial
To: "City" Commercial
Proposed Change of Zoning:
From: "County" C-1

To: "City" C-1

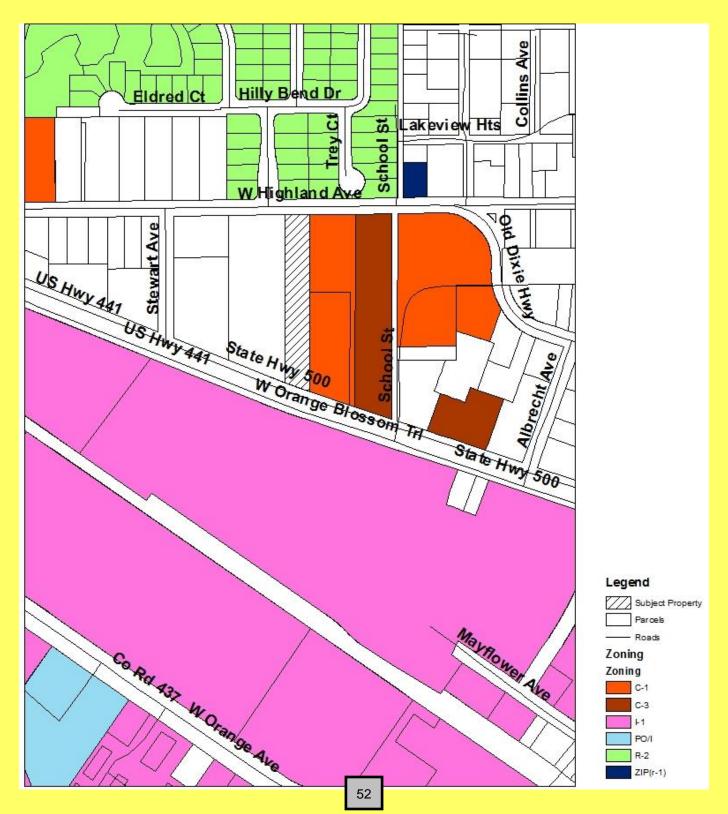
Parcel ID #: 06-21-28-7172-02-021

VICINITY MAP



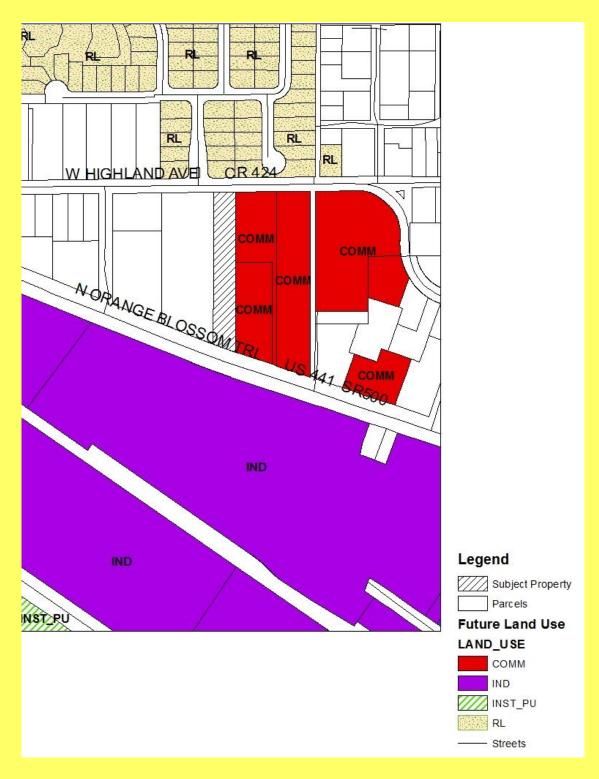


ADJACENT ZONING MAP





FUTURE LAND USE MAP





ADJACENT USES MAP



Planning Commission February 13, 2018 Page 55

Backup material for agenda item:

 CHANGE OF ZONING – Iglesia Getsemani, Inc., from "County" C-1 (Commercial) to "City" C-1 (Commercial) for property located at 2575 West Orange Blossom Trail. (Parcel ID No. 06-21-28-7172-02-021)



CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING DATE: February 13, 2018

SITE PLAN

PLAT APPROVAL

OTHER:

FROM: **Community Development**

Zoning Report **EXHIBITS**: Vicinity Map

> Adjacent Zoning Map Adjacent Uses Map

SUBJECT: CHANGE OF ZONING – IGLESIA GETSEMANI, INC.

PARCEL ID NUMBER: 06-21-28-7172-02-021

CHANGE OF ZONING Request:

> "COUNTY" C-1 (COMMERCIAL) FROM: TO: "CITY" C-1 (COMMERCIAL)

SUMMARY

OWNER: Iglesia Getsemani, Inc.

APPLICANT: Iglesia Getsemani, Inc.

LOCATION: 2575 W. Orange Blossom Trail

EXISTING USE: Place of worship and single family residence

CURRENT ZONING: "County" C-1

Maximum 15,612 sq. ft. office use (.25 floor area ratio) **DEVELOPMENT POTENTAIL:**

PROPOSED ZONING: "City" C-1 (Commercial) (Note: this Change of Zoning request is being

> processed along with a request to amend the Future Land Use from "County" Commercial (3.0 FAR) to "City" Commercial (Max. 0.25 FAR)

and a request for annexation.

TRACT SIZE: 1.43 +/- acres

MAXIMUM ALLOWABLE

DEVELOPMENT UNDER EXISTING: Up to 187,350 sq. ft. commercial use ("County" 3.0 FAR)

ZONING DISTRICT: PROPOSED: Up to 15,612 sq. ft. ("City" .025 FAR)

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 Recreation Director **ADDITIONAL COMMENTS:** Presently, the subject property has not yet been assigned a "City" zoning category. The site is used as a church. The applicant is requesting the City assign a zoning classification of C-1 (Retail Commercial District) to the property. Abutting the eastern parcel line for the subject sites is a parcel that is owned by the same church, which is currently used as the parking lot.

The annexation of the subject property was reviewed and approved by the City Council, on December 20, 2017 through ordinance number 2613.

The place of worship, located on the subject property, is in unincorporated Orange County. The parking lot for this religious use is one parcel to the east, and the parcel is in the city limits. This parking lot has "City" C-1 zoning and Commercial Future Land Use. The existing zoning and Future Land Use designations of Iglesias's parking lot will complement the zoning and Future Land Use designations for the place of worship.

A request to assign a change of zoning to C-1 (Retail Commercial District) is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The change of zoning request is being processed in conjunction with a future land use amendment from "County" Commercial to "City" Commercial.

<u>COMPREHENSIVE PLAN COMPLIANCE</u>: The existing and proposed use of the property is consistent with the proposed Office (Max. 25% Floor Area Ratio) Future Land Use designation and the proposed City C-1 (Retail Commercial District) zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

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

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on January 12, 2018.

PUBLIC HEARING SCHEDULE:

February 13, 2018 Planning Commission, (5:30 pm) February 21, 2018 City Council, (7:00 pm) - 1st Reading March 7, 2018 City Council, (1:30 pm) - 2nd Reading

DULY ADVERTISED:

January 26, 2018 - Public Notice (Letters, Apopka Chief, Site Posting) February 2, 2018 - Public Notice (Apopka Chief)

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" C-1 to "City" C-1 for the property owned by Iglesia Getsemani, Inc., and located at 2575 W. Orange Blossom Trail.

Recommended Motion: Find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" C-1 to "City" C-1 for the property owned by Iglesia Getsemani, Inc..

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (City)	Residential Low	R-2	Single Family Home Subdivision
East (City)	Commercial	C-1	Parking Area/Commercial Structure
South (City)	Industrial	I-1	Industrial Park
West (County)	Commercial	C-3	Office/Warehouse

LAND USE & TRAFFIC COMPATIBILITY:

The subject property fronts and is accessed by a county collector (W. Highland Road) and an arterial road (W. Orange Blossom Trail).

COMPREHENSIVE PLAN COMPLIANCE:

The proposed C-1 zoning is consistent with the proposed Future Land Use designation, "Commercial" (Max. 25% FAR) and with the character of the surrounding area. Development Plans shall not exceed the density allowed in the adopted Future Land Use designation.

C-1 DISTRICT REQUIREMENTS:

Floor Area Ratio (%): 25% max.

Minimum Site Area: 10,000 sq. ft.

Minimum Lot Width 100 ft.

Setbacks: Front: 10 ft. (From property line)

Rear: 10 ft. Side: 10 ft. Corner 15 ft.

Based on the above zoning standards, the subject parcel does meet code requirements for the C-1 (Commercial) district.

ALLOWABLE USES:

- 1. Any nonresidential permitted use in the PO/I or CN districts
- 2. Retail establishments
- 3. Banks, savings and loan and other financial institutions
- 4. Bowling alleys, skating rinks, billiard parlors and similar amusement centers, provided such activities and facilities are enclosed within a sound-proof building
- 5. Churches and schools

- 6. Day nurseries, kindergartens and other child care centers
- 7. Drive-in restaurants, with property lines no closer than 200 feet from any residential districts or uses
- 8. Florist shops, the products of which are displayed and sold wholly within an enclosed building
- 9. Hotels, motels, bed and breakfast facilities
- 10. Personal service establishments such as barbershops, beauty parlors, professional and other offices, parking garages and lots, laundry and dry cleaning pickup station, self-service coin-operated laundry and dry cleaning establishments, shoe shine and repair, tailoring, travel services, watch and clock repair and locksmiths, etc
- 11. Post offices
- 12. Restaurants
- 13. Theaters, enclosed in structures
- 14. Clubs and lodges
- 15. Funeral parlors, when the sole use of the facility shall be for funeral rites
- 16. Animal clinics for the treatment of small animals, excluding farm animals, but including those animals no larger than a dog, commonly kept as pets in a residence, provided the care, treatment or housing of such animals shall not be allowed on the outside
- 17. Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district and which are not prohibited as specified in this code. Use determination shall be based upon the community development director's recommendation



Iglesia El Getsemani, Inc. 1.43 +/- acres

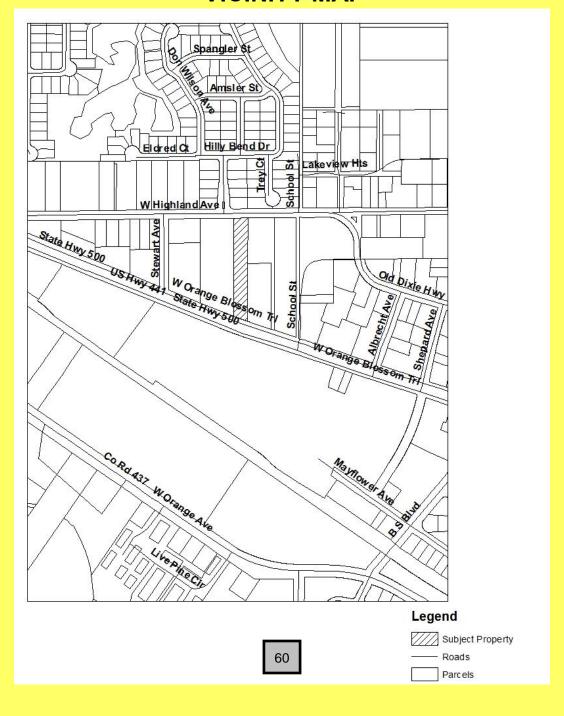
Proposed Small Scale Future Land Use Amendment:

From: "County" Commercial
To: "City" Commercial
Proposed Change of Zoning:

From: "County" C-1 To: "City" C-1

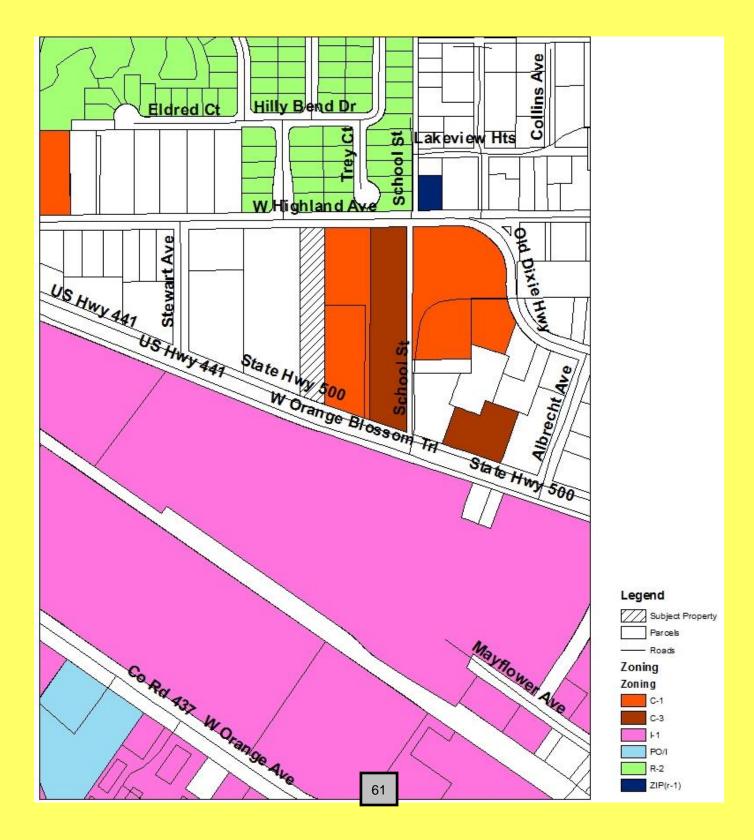
Parcel ID #: 12-21-28-6896-00-181

VICINITY MAP



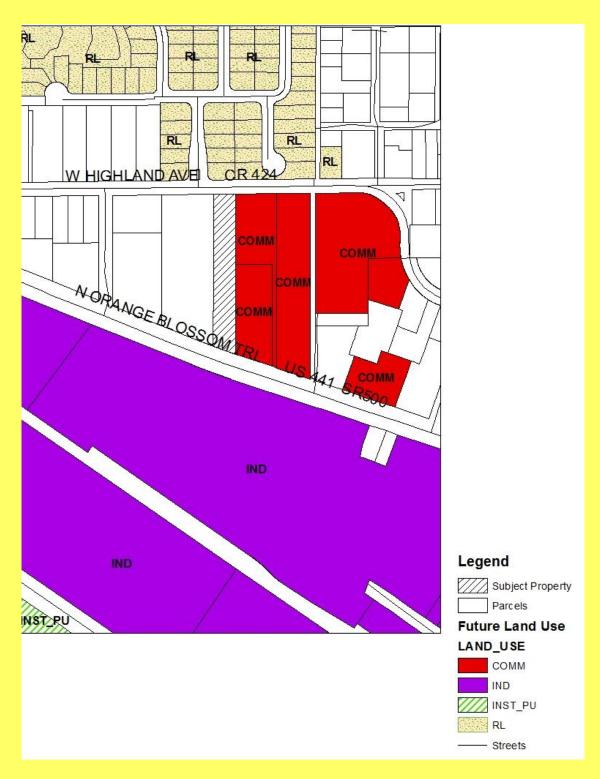


ADJACENT ZONING MAP



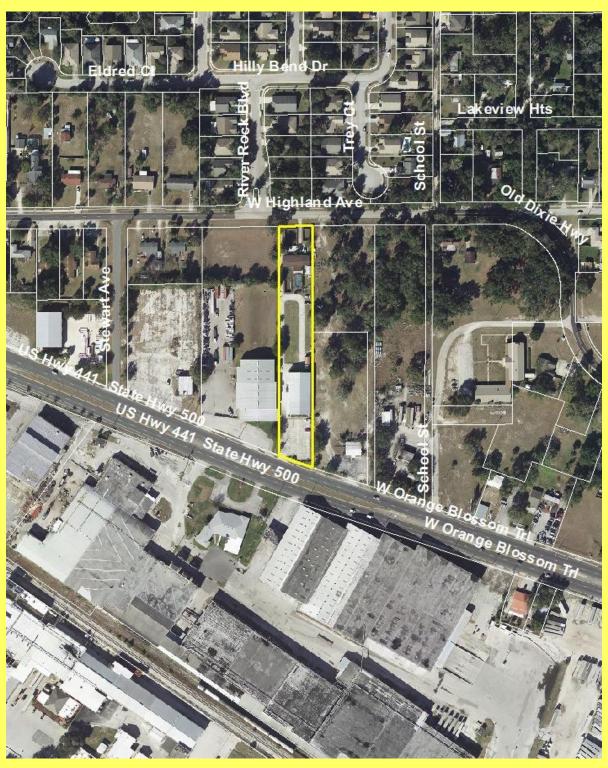


FUTURE LAND USE MAP





ADJACENT USES MAP



Planning Commission February 13, 2018 Page 64

Backup material for agenda item:

4. CHANGE OF ZONING – From "County" A-1 (Agricultural) to "City" Planned Unit Development (PUD) for the properties owned by A. D. Raulerson, Sr. & A. D. Raulerson; and Curtis & Karen Pumphrey and located north of Lester Road; west of Rock Springs Road. (Parcel ID Nos. 28-20-28-0000-00-084; 28-20-28-0000-00-040; 28-20-28-0000-00-077)



CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING DATE: February 13, 2018

SITE PLAN

PLAT APPROVAL

OTHER:

FROM: Community Development

EXHIBITS: Zoning Report

> Vicinity Map Zoning Map Adjacent Uses

Ex. A - San Sebastian Reserve Full

PUD Master Plan

Ex. B - Subdivision Plan

Ex. C - Amenity/Open Space Plan

Ex. D - Landscape Plan Ex. E - Building Elevations

Ex. F. – Development Design Stnd.

CHANGE OF ZONING - A.D. RAULERSON, SR. & A.D. RAULERSON, JR; AND **SUBJECT:**

CURTIS & KAREN PUMPHREY

PARCEL ID NUMBERS: 28-20-28-0000-00-084; 28-20-28-0000-00-040; 28-20-28-0000-00-077

CHANGE OF ZONING Request:

"COUNTY" A-1 (AGRICULTURAL) FROM:

"CITY" PUD (PLANNED UNIT DEV./RESIDENTIAL) TO:

SUMMARY

OWNER: A.D Raulerson, Sr. & A.D. Raulerson, Jr. and Curtis and Karen Pumphrey

APPLICANT: Apopka Development II, LLC c/o Richard C. Wohlfarth, P.E.

LOCATION: North of Lester Road and west of Rock Springs Road

EXISTING USE: Pumphrey parcel – warehousing; Raulerson Parcels: warehousing and vacant

land

"County" A-1 **CURRENT ZONING:**

DEVELOPMENT POTENTIAL: Residential single family development with minimum lot widths of 40 feet

PROPOSED ZONING: "City" PUD (Planned Unit Development)

TRACT SIZE: 23.14 +/- acres

MAXIMUM ALLOWABLE

DEVELOPMENT UNDER 11 dwelling units **EXISTING:**

112 Lots, Detached Single-Family Residences **ZONING DISTRICT:** PROPOSED:

DISTRIBUTION

Finance Director Public Ser. Director Mayor Kilsheimer

Commissioners (4) HR Director City Clerk City Administrator Irby IT Director Fire Chief

Recreation Director Community Dev. Director Police Chief

PLANNING COMMISSION – FEBRUARY 13, 2018 A.D. RAULERSON, SR. & A.D. RAULERSON, JR; AND CURTIS & KAREN PUMPHREY – CHANGE OF ZONING PAGE 2

<u>ADDITIONAL COMMENTS</u>: Presently, the subject property has not yet been assigned a "City" zoning category. The applicant is requesting the City assign a zoning classification of PUD (Planned Unit Development) to the property to accommodate lot widths smaller than the minimum required width of 70 feet through an alternative plan.

The subject properties were annexed into the City of Apopka on October 4, 2017, through the adoption of Ordinance No. 2595.

The intent of the PUD zoning ordinance is to accommodate lots that are smaller in width than the regularly required residential zoning districts. The narrowest lot width allowed in other City zoning districts is 70 feet in the R-2 and R-3 zoning districts.

PROJECT DESCRIPTION: The proposed development, San Sebastian Reserve, is a private and gated subdivision of 112 detached, single family homes. The site comprises of 23.2 acres, of which, 4.43 acres will be dedicated for recreation space. Residential lots have a minimum lot width of 40 feet and a minimum lot size of 4,400 square feet. Additional information, including the conceptual subdivision layout is displayed in the attached conceptual master plan.

A request to assign a change of zoning to PUD is compatible to the adjacent zoning classifications and with the general character of abutting properties and the surrounding area. East of the subject properties is an arterial road, Rock Springs Road, as well as commercially zoned properties. A mobile home park (Rock Springs Mobile Home Park) and a townhome community (Wekiva Park Townhomes) are located to the south of the subject properties. A single family subdivision, with 40 feet lot widths will act as a transitional use between the larger lot community to the north (Alexandria Place) and the other previously mentioned surrounding uses.

The change of zoning request is being processed in conjunction with a future land use amendment from "County" Rural to "City" Commercial. On February 21, 2018, the City Council will vote on Ordinance 2600, which proposes to change the future land use of the subject properties from "County" Residential Low Density to "City" Residential Medium Low.

<u>**DEVIATIONS:**</u> The applicant is requesting two deviations to the City's development standards. For a PUD master plan, a deviation from the City's Land Development Code does not represent a variance but a development standard or zoning condition unique to and approved as part of the PUD zoning.

- 1. Typical lot width standard. The applicant is requesting a deviation from Land Development Code Section 2.02.18(D)(11) requiring the minimum single family lot size within a PUD to be a minimum of 70 feet in width unless City Council finds that a proposed alternative development is adequate to protect public health, safety and welfare based on substantial evidence. The plan shows a minimum40-foot wide single family lot with lot size minimum of 4,400 square feet.
- 2. Number of canopy trees required per single family lot. Due to size of each lot and size of canopy trees at its maturity, the applicant is also requesting a deviation from Section 3.6 of the Development Design Guidelines that requires a minimum of three trees on each lot. The plan shows two trees on each lot with varying types including oak, red maple and crepe myrtle. In lieu of
- 3. Garage standard/architectural design. The second deviation is Section 3.2.1 of the Development Design Guidelines that require front-entry garages to be setback a minimum of 30 feet from the property line. Two models of the four typical lot detail on the plans show that one lot layout is 25 feet from the property line and another shows 28 feet from the property line. The applicant asserts that the variation garage setbacks provides a visual break along the streetscape.

Justification for Deviation. The following justifications are provided for the three deviations that are proposed:

1. Lot Width and Size. The Master Plan provides an enhanced recreation/amenities package. The amenities include a cabana, gazebo, swimming pool, playg 66 dog park and mail kiosk. In addition, landscape buffers

PLANNING COMMISSION – FEBRUARY 13, 2018 A.D. RAULERSON, SR. & A.D. RAULERSON, JR; AND CURTIS & KAREN PUMPHREY – CHANGE OF ZONING PAGE 3

are provided adjacent to the Alexandria Place residential community. Such buffer is not required next to abutting single family residential development if a minimum 70-foot wide lot were provided.

- 2. Lot Tree Planting Requirement. With a minimum lot size of 4,400 square feet and a minimum lot width of 40 feet, insufficient lot area occurs with the lot to plant the required three canopy trees. As alternative, one canopy and one understory tree, or only two canopy trees (depending on the lot) will be planted, and the other required tree will be planted within the landscape buffers, park areas, or other open space within the project site. Additional trees beyond the requirements of the buffer areas are provided, particularly on the northern perimeter of the site to account for the number of trees required for each lot. The plan also shows additional on-street parking throughout the community to off-set the reduced garage setback for those lots with 25' and 28' setbacks
- 3. Due to the shape of the overall site as well as the provision of buffers adjacent to existing residential community, compliance with a minimum open space area of 30%, the provision of over-flow parking areas, and more so because of a confined typical lot depth of 110 feet, the Master Plan offers a 25 foot long driveway instead of the required 30-foot long driveway. Also, typical lot depth at 110 feet combined with the ground floor area of some of the proposed house plans restricts available pace within a 4,400 square foot lot to accommodate a 30-foot long driveway. Further, the San Sebastian residential community is planned as a gate, private community.

<u>PUD DEVEOPMENT AND ZONING CONDITIONS</u>: That the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

The 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-1 zoning category except where otherwise addressed in this ordinance.
- B. If a Final Development Plan associated with the PUD district has not been approved by the City within three years after approval of these Master Plan provisions, the approval of the Master Site Plan\PDP provisions will expire. At such time, the City Council may:
 - 1. Permit a single six-month extension for submittal of the required Final Development Plan;
 - 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Site Plan provisions and any conditions of approval; or
 - 3. Rezone the property to a more appropriate zoning classification.
- C. The following PUD development standards shall apply to the development of the subject property:
 - 1. Exhibit "F" describes the development standards applicable to this PUD/PDP Master Site Plan.
 - 2. Unless otherwise addressed within the PUD development standards, the R-1 zoning standards will apply to the subject property.

<u>COMPREHENSIVE PLAN COMPLIANCE</u>: The existing and proposed use of the property is consistent with the proposed Residential Medium Low (0-7.5 du/ac) Future Land Use designation and the proposed Planned Unit Development Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: A capacity enhance or a letter exempting the project from school capacity en agreement with Orange County Public Schools (OCPS) nent is required prior to submittal of a final development

PLANNING COMMISSION – FEBRUARY 13, 2018 A.D. RAULERSON, SR. & A.D. RAULERSON, JR; AND CURTIS & KAREN PUMPHREY – CHANGE OF ZONING PAGE 4

plan. An application for School Capacity Determination and a mitigation agreement has been submitted to OCPS by the application. A final development plan will not be approved by the City until such time the School Board approves a school capacity mitigation agreement.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on January 12, 2018.

PUBLIC HEARING SCHEDULE:

Planning Commission, February 13, 2018 (5:30 pm) City Council, February 21, 2018 (7:00 pm) - 1st Reading City Council, March 7, 2018 (1:30 pm) - 2nd Reading

DULY ADVERTISED:

January 26, 2018 - Public Notice (Letters, Apopka Chief, Site Posting) February 23, 2018 - Public Notice (Apopka Chief)

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" A-1 to "City" PUD for the property owned by A.D Raulerson, Sr. & A.D. Raulerson, Jr. and Curtis and Karen Pumphrey, and located north of Lester Road and west of Rock Springs Road.

Recommended Motion: Planning Staff recommends finding the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommends approval of the proposed Change of Zoning from "County" A-1 to "City" PUD| (Commercial) for the property owned by A.D Raulerson, Sr. & A.D. Raulerson, Jr. and Curtis and Karen Pumphrey, and located north of Lester Road and west of Rock Springs Road, subject to the PUD Development and Zoning Conditions provided in the staff report.

Planning Commission: Find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from "County" A-1 to "City" PUD| (Commercial) zoning for the property owned by A.D Raulerson, Sr. & A.D. Raulerson, Jr. and Curtis and Karen Pumphrey, subject to the PUD Development and Zoning Conditions provided in the staff report, and subject to the City Council's approval of the associated large scale future land use amendment.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (County)	"County" Low Density Residential	"County" R-1AA	Alexandria Place Residential Subdivision
East (County)	"County" Low Density Residential	"County" A-1	Vacant\single family homes
South (County)	"County" Low Medium Density Residential	"County" MHP	Mobile home park (RSPI MHC LLC)
West (City)	Residential Low (0-5 du\ac)and Residential Very Low Suburban (0-3.5 un\ac)	R-1 (ZIP); R-1A; "County" A-1	City stormwater pond; vacant land owned by RSPI MHC LLC

LAND USE & TRAFFIC COMPATIBILITY:

The concept plan proposes accesses on Rock Springs Road and West Lester Road.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed PUD zoning is consistent with the proposed Future Land Use designation, "Residential Medium Low" (0-7.5 du/ac) and with the character of the surrounding area and future proposed development. Development Plans shall not exceed the density allowed in the adopted Future Land Use designation.

SITE ARCHITECTURAL DESIGN REQUIREMENTS AND MAINTENANCE:

- 1. Architectural design shall meet the intent of City of Apopka Land Development Code and Development Design Guidelines.
- 2. A twenty (20) foot buffer tract for perimeter wall and landscaping will be provided along the Lester Road frontage. This tract shall be dedicated to and maintained by the Homeowners' Association (HOA). The design of these buffer tracts shall generally follow the landscape design appearing on sheets L1.0 of the Master Plan/Preliminary Development Plan. A six (6') foot high wall is provided in these tracts to provide buffering from the adjacent roadways.
- 3. A ten (10) foot wide buffer tract for perimeter fence and landscaping will be provided on the eastern and western property line. These tracts shall be dedicated to and maintained by the HOA. The design of this buffer shall generally follow the landscape design appearing on sheets L 1.0 to L1.1 of the Master Plan/Preliminary Development Plan. A six (6') foot high vinyl fence is provided in these tracts to buffer the adjacent agriculture-zoned properties.
- 4. Garage must be flushed with front wall of the single family structure. Setback to wall shall be a minimum of 25' from front property line.
- 5. Country European, or Craftsman architectural styles or themes shall be applied test, community buildings, and mail kiosk. Architectural style ele 69 shall be applied to front façade only. See sheet "B-1.0"

for conceptual front elevations. Modification or replacement of the exterior elevations on Sheet "B-1.0" shall be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering shall be approved by City Council.

- 6. Front facade materials such as cultured stone veneer, stucco, & fiber cement siding shall be utilized to be consistent with the applicable Architectural Style.
- 7. 30-year asphalt shingle shall be installed on all roofs. 3-tab shingles are prohibited. Single shingle color shall be used for uniformity throughout the community.
- 8. Aluminum fascia and soffit shall be standard for all houses. Single Fascia and soffit color shall be used for uniformity throughout the community.
- 9. Window Banding/trim and front door shall be painted an accent color.
- 10. Pavers shall be installed at front yard driveways, lead walks, porches, and porticoes.
- 11. Model plan type shall not be constructed adjacent to the same model plan type without a different elevation style type.
- 12. Specific elevation style types of homes shall have similar wall finishes, window grid patterns, window banding & trim, roof lines and slopes, etc. Applied to each lot width model plan type front elevations.
- 13. Identical exterior paint schemes shall not be applied on adjacent lots.
- 14. Modification or replacement of the exterior elevation on approved Final Development Plans shall be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering shall be approved by City Council.
- 15. Fencing is prohibited in front yards.
- 16. Fencing at rear yards of 40' wide or garage front loaded lots shall be tan vinyl opaque style fencing. No fence shall exceed the height of an abutting common area wall. Rear yard fences shall not project more than 5' beyond rear side wall building corner.
- 17. Swimming pools shall be allowed on single-family detached with rear yards of 20' or greater.
- 18. Swimming pools must be in-ground type. Above-ground pools are prohibite 70

- 19. Swimming pools and decks are prohibited from projecting beyond the side wall facade.
- 20. Screen enclosures over swimming pools and their respective deck area shall be single story with dome or angled roofs. Enclosure structural members shall be bronze. Screening shall be dark mesh. Solid opaque or clear panels on the walls or roofs are prohibited.
- 21. Screen enclosures with metal, vinyl, or screen mesh roofs over non-swimming pool decks are prohibited.
- 22. Screen enclosure shall maintain the same side yards as the main dwelling structure.
- 23. Trash recycle bin pads (minimum 6'x4') shall be provided within the rear yard or trash recycle bins to be left in the garage.
- 24. Elevations for mail kiosk shall be compatible with the architectural elevation styles of the homes within the community.
 - a. Modification to the approved mail kiosk elevation shall be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering shall be approved by City Council.
- 25. Outdoor storage areas (boats, trailers, recreational vehicles, etc.) are not provided within the development and will be prohibited through the HOA documents.
- 26. Landscaping requirements for existing platted lots of record and structures may be approved in a lesser amount than required after review by the development review committee.
- 27. The HOA will maintain all lots, common areas, roadway tracts, fences\walls, and landscaping within all lots.
- 28. The HOA shall be responsible for maintenance of streets, on-street parallel parking spaces, and street lighting and stormwater collection systems within the private rights-of-way within the San Sabastian Subdivision.

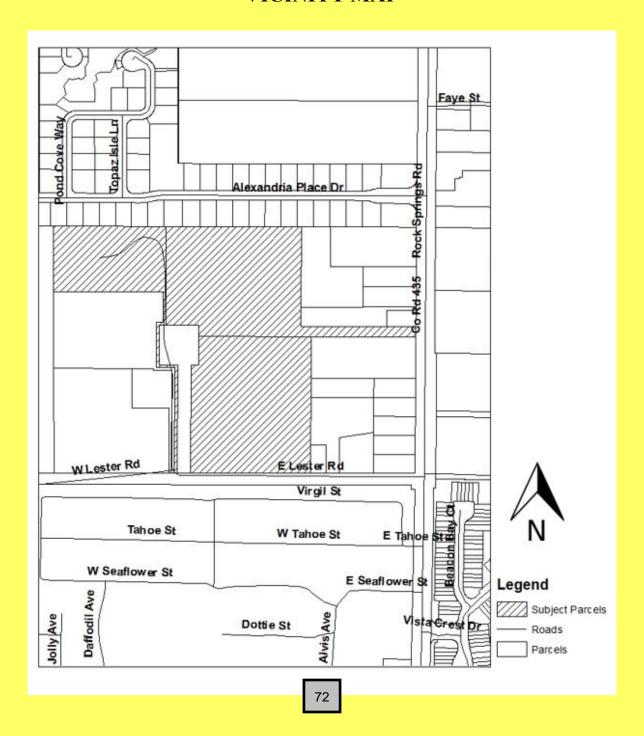
ALLOWABLE USES: As described in the PUD Recommendations herein provided above.

A. D. Raulerson Sr & A. D. Raulerson, Jr and Curtis & Karen Pumphrey Property Owners 23.14 +/- Acres

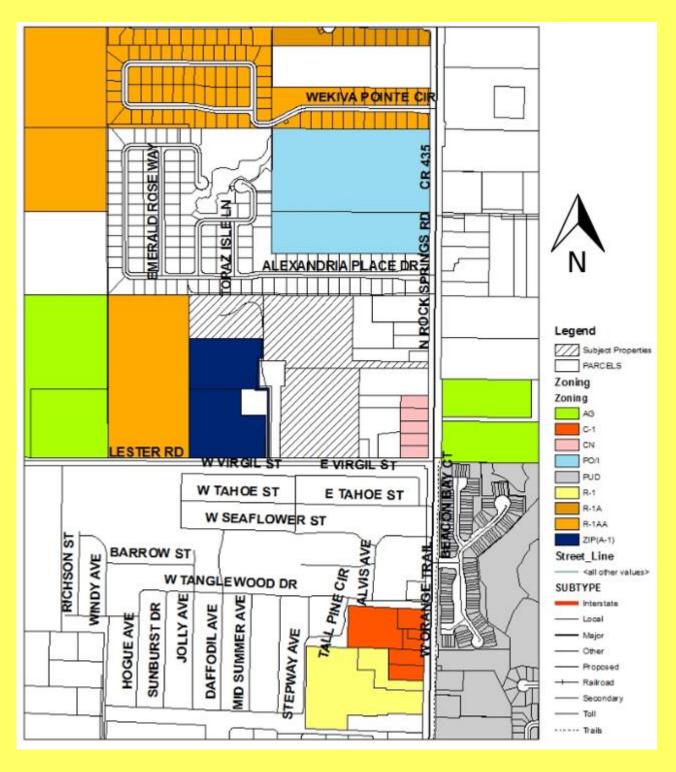
Proposed Rezoning: From: "County" A-1 To: "City" R-3

Parcel ID #s: 28-20-28-0000-00-084; 28-20-28-0000-00-040; 28-20-28-0000-00-077

VICINITY MAP



ADJACENT ZONING MAP



ADJACENT USES MAP



PARCEL 1 (O.R.B. 6302, PG. 1942)
A PARCEL OF LAND LYING IN SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY FLORIDA, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS; FROM THE SOUTH EAST CORNER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST,
RUN THEROE NORTH 145'16" WEST, 750.00 FEET, ALONG THE EAST LINE OF SAID SECTION 28; THENCE SOUTH 87'59'45" WEST,
50.00 FEET PARALLEL WITH THE SOUTH LINE OF SAID SECTION 28 FOR THE POINT OF BEGINNING OF THIS DESCRIPTION; CONTINUE

50.00 FEET PARALLEL WITH THE SOUTH LINE OF SAID SECTION 28 FOR THE POINT OF BEGINNING OF THIS DESCRIPTION; CONTINUE THENCE SOUTH 87'59'45" WEST 1143.99 FEET TO THE EAST LINE OF PARCEL PREVIOUSLY DEEDED FOR A WELL LOT, THENCE NORTH 02'00'11" WEST, 59.60 FEET TO THE NORTHEAST CORNER OF THE AFOREMENTIONED WELL LOT; THENCE SOUTH 87'59'49" WEST, 173.12 FEET ALONG THE NORTH LINE OF THE SAID WELL LOT; THENCE NORTH 01'49'26" WEST 519.15 FEET TO THE NORTH LINE OF THE SOUTH NOR HALF (S 1/2) OF THE SOUTHHEAST ONE QUARTER (SE 1/4) OF SECTION 28; THENCE NORTH 88'02'24" EAST 714.27 FEET ALONG THE NORTH LINE OF SAID SOUTH ONE HALF (S 1/2) OF THE SOUTHEAST ONE QUARTER (SE 1/4) TO THE NORTHEAST CORNER OF THE WEST ONE—HALF (W 1/2) OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 28; THENCE SOUTH 01'49'16" EAST, 524.00 FEET ALONG THE EAST LINE OF THE SAID WEST ONE HALF (W 1/2) OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF THE SOUTHEAST ONE QUARTER (SE 1/4) THENCE NORTH 88'02'24" OF SAID SECTION 28; THENCE NORTH 149'16" EAST, 524.00 FEET ALONG THE EAST LINE OF THE SAID WEST ONE HALF (W 1/2) OF THE SOUTHEAST ONE QUARTER (SE 1/4); THENCE NORTH 145'16"

88'02'24" EAST 603.10 FEET TO A POINT 50.00 FEET WEST OF THE EAST LINE OF SAID SECTION 28; THENCE SOUTH 01'45'16"

FROM THE SOUTH FAST CORNER OF SECTION 28 TOWNSHIP 20 SOUTH RANGE 28 FAST RUN THENCE NORTH 01'45'16" WEST

A DISTANCE OF 550.01 FEET; THENCE NORTH 01'45'16" WEST, A DISTANCE OF 54.16 FEET; THENCE NORTH 88'02'24" EAST, A DISTANCE OF 550.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ROCK SPRINGS ROAD; THENCE SOUTH 01'45'16" EAST, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 54.04 FEET TO THE POINT OF BEGINNING;

PARCEL 2 (O.R.B.10532, PG. 3926)
A PARCEL OF LAND LYING IN SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; FROM THE SOUTH EAST CORNER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST RUN SOUTH 87:59 49" WEST 60.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 28 FOR A POINT OF BEGINNING OF THIS DESCRIPTION; CONTINUE THENCE SOUTH 87:59 49" WEST 630.44 FEET; THENCE RUN NORTH 01:41'41" WEST 601.62 FEET TO THE SOUTH LINE OF A PREVIOUSLY DEEDED WELL LOT, THENCE NORTH 87:59'49" EAST 38.50 FEET TO THE SOUTHEAST CORNER OF THE AFOREMENTIONED WELL LOT; THENCE NORTH 01:41'41" WEST 148.40 FEET ALONG THE EAST LINE OF AFOREMENTIONED WELL LOT; THENCE NORTH 87:59'45" EAST 593.99 FEET TO A POINT 600.00 FEET WEST OF THE EAST LINE OF AFOREMENTIONED SECTION 28, AND 750.00 FEET NORTH OT THE SOUTH LINE OF AFOREMENTIONED SECTION 28, THENCE SOUTH 01:45'16" EAST 750.00 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 30.00 FEET THEREOF FOR ROAD; LESS AND EXCEPT THE SOUTH 326.71 FEET OF THE WEST 20.00 FEET OF THE ABOVE DESCRIBED PARCEL 2;

750.00 FEET, ALONG THE EAST LINE OF SAID SECTION 28; THENCE SOUTH 87'55'-45" WEST, 50.00 FEET PARALLEL WITH THE SOUTH LINE OF SAID SECTION 28 FOR THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 87'59'45" WEST,

LEGAL DESCRIPTION:

LESS AND EXCEPT THE FOLLOWING DESCRIBED LANDS;

PARCEL 3 (O.R.B. 9759, PG. 6283)

MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN

SAN SEBASTIAN RESERVE (P.U.D)

PROJECT ADDRESS: 2122 ROCK SPRINGS ROAD ORANGE COUNTY, FLORIDA

TAX I.D. PARCEL NUMBERS: 28-20-28-0000-00-040 (A PORTION OF) 28-20-28-0000-00-077 (ENTIRE PARCEL)

PARCEL ADDRESS: 213 W. LESTER ROAD 2122 ROCKSPRINGS ROAD 251 W. LESTER ROAD

DRAWING INDEX

C-1.0 MASTER PLAN DEVELOPMENT STANDARDS C-1.1 PRELIMINARY DEVELOPMENT PLAN C-1.2 PRELIMINARY DEVELOPMENT PLAN C-1.3 AMENITY/OPEN SPACE PLAN C-2.0 **EXISTING CONDITIONS PLAN** C-2.1 **EXISTING CONDITIONS PLAN UTILITY SERVICE PLAN** C-3.0 C-3.1 UTILITY SERVICE PLAN C-4.0 PRELIMINARY DRAINAGE PLAN PRELIMINARY DRAINAGE PLAN C-4.1 C-5.0 GENERAL DETAILS STANDARD UTILITY DETAILS C-5.1 C-5.2 STANDARD UTILITY DETAILS C-5.3 STANDARD UTILITY DETAILS C-5.4 STANDARD UTILITY DETAILS C-6.0 FIRE TRUCK TURN ANALYSIS L0-1.00 LANDSCAPE NOTES L1-1.00 MASTER LANDSCAPE PLAN L1-1.01 LANDSCAPE PLAN EAST L1-1.02 LANDSCAPE PLAN WEST **PLANTING LIST AND REQUIREMENTS** L1-1.10 L1-1.20 LANDSCAPE DETAILS B-1.0 **BUILDING ELEVATIONS BOUNDARY/TOPOGRAPHIC SURVEY**

SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST

28-20-28-0000-00-084 (ENTIRE PARCEL)

DECEMBER 2017



LOCATION MAP

SUITE 101

APOPKA, FL 407-448-0157

KAREN@COSTAVERDEIMPORTS.COM

BIO-TECH CONSULTING INC. 407-894-5969 PHONE 407-894-5970 FAX 407-963-2751 CELL

APPLICANT/DEVELOPER: APOPKA RESERVE DEVELOPMENT, LLC CONTACT: RICHARD C. WOHLFARTH, P.E. 2300 MAITLAND CENTER PARKWAY MAITLAND, FLORIDA 32751 407-660-2120 OFFICE 407-350-9090 CELL

RWOHLFARTH@IBIGROUP.COM BI GROUP (FLORIDA), INC. CONTACT: RICHARD C. WOHLFARTH, P.E. 2300 MAITLAND CENTER PARKWAY MAITLAND, FLORIDA 32751 WILSON.WAY@IBIGROUP.COM RWOHLFARTH@IBIGROUP.COM

GEOTECHNICAL CONSULTANT: G.E.O. ENGINEERING & SCIENCES, INC.
CONTACT: GABI STEPHAN, VICE PRESIDENT LONGWOOD, FLORIDA 32750

S-1.0 - S1.4

407-402-1819 CFLL

1) GATED COMMUNITY, PRIVATE STREETS

MAINTENANCE FREE COMMUNITY, ALL LOTS AND COMMON AREAS TO BE MAINTAINED BY THE HOME OWNERS ASSOCIATION

DESCRIPTION

a) POOL/CABANA PLAYGROUND

d) LAKE OVERLOOK
4) ENHANCED PEDESTRIAN WALKWAYS

a) 8' PATH, ADJACENT TO THE LAKE LARGE HOUSES (1,660 SF TO 2,600 SF)

AVERAGE DENSITY LESS THAN 5 DU/ACRE



TELECOMMUNICATIONS

WASTEWATER

WOHLFARTH CONSULTING GROUP LLC

ALTAMONTE SPRINGS, FL 32714 (407) 750-3123

AGENCY PERMIT TYPE DATE APPROVED APPROVAL NO. EXPIRATION DATE CITY OF APOPKA SKINIAD FDEP WATER FDEP SEWER		PERMITS REQUIRED								
S.RWMD ERP STEP WATER	E	EXPIRATION DATE	APPROVAL NO.	DATE APPROVED	PERMIT TYPE	AGENCY				
FDEP WATER	/5				FDP	CITY OF APOPKA				
FDEP WATER FDEP SEWER	/6				ERP	SJRWMD				
FDEP SEWER					WATER	FDEP				
	- 7s	3 1 2 1			SEWER	FDEP				
	— 1/s									
	1									
	RE									

407-350-9090 CELL

LAND DEVELOPMENT &

DUKE ENERGY

75

PARCEL 3 (O.R.B. 9759, PG. 6283)

A PART OF THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGIN AT THE SOUTHEAST CORNER OF SAID EAST ONE—HALF (E 1/2) OF THE SOUTHWEST ONE—QUARTER (SW 1/4) OF THE SOUTHEAST ONE—QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, THENCE SOUTH 87'59'49''

WEST ALONG THE SOUTHERLY LINE OF SAID SECTION 28 FOR 15.00 FEET; THENCE NORTH 01'46'12'' WEST, PARALLEL WITH THE EAST LINE OF THE AFORESAID EAST ONE—HALF (E 1/2) OF THE SOUTHWEST ONE—QUARTER (SW 1/4) OF THE SOUTHEAST ONE—QUARTER (SE 1/4) FOR 586.62 FEET; THENCE SOUTH 87'59'49'' WEST FOR 83.51 FEET; THENCE NORTH 01'46'12'' WEST FOR 238.00 FEET; THENCE NORTH 87'59'49'' EAST FOR 35.35 FEET; THENCE NORTH 10'46'12'' WEST FOR 238.00 FEET; THENCE NORTH 87'59'49'' EAST FOR 35.35 FEET; THENCE NORTH 10'46'12'' WEST FOR 238.00 FEET; THENCE NORTH 87'59'49'' EAST FOR 35.35 FEET; THENCE NORTH 10'46'12'' WEST FOR 238.00 FEET; THENCE NORTH 87'59'49'' EAST FOR 35.35 FEET; THENCE NORTH 10'46'12'' WEST FOR 35.35 FEET; THENCE NORTH 10'46'12'' EAST ALONG THE WEST LINE OF THE SOUTHHEAST ONE—QUARTER (SE 1/4); THENCE NORTH 10'46'12'' EAST ONE—HALF (E 1/2) OF THE SOUTHHEAST ONE—QUARTER (SE 1/4) FOR 540' WEST ALONG 35.40' WEST ALONG 35.41', PAGE 1427, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA THENC

ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 28; THENCE SOUTH 01'46'12" EAST ALONG SAID EAST LINE, FOR 601.62 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPTING THEREFROM THE SOUTHERLY 30 FEET FOR ROAD RIGHT-OF-WAY.

OWNER: A D RAULERSON 251 W. LESTER ROAD 407-448-0157

A D RAULERSON, JR 2122 ROCK SPRINGS ROAD

CURTIS AND KAREN PUMPHREY 213 W. LESTER ROAD 407-448-0157

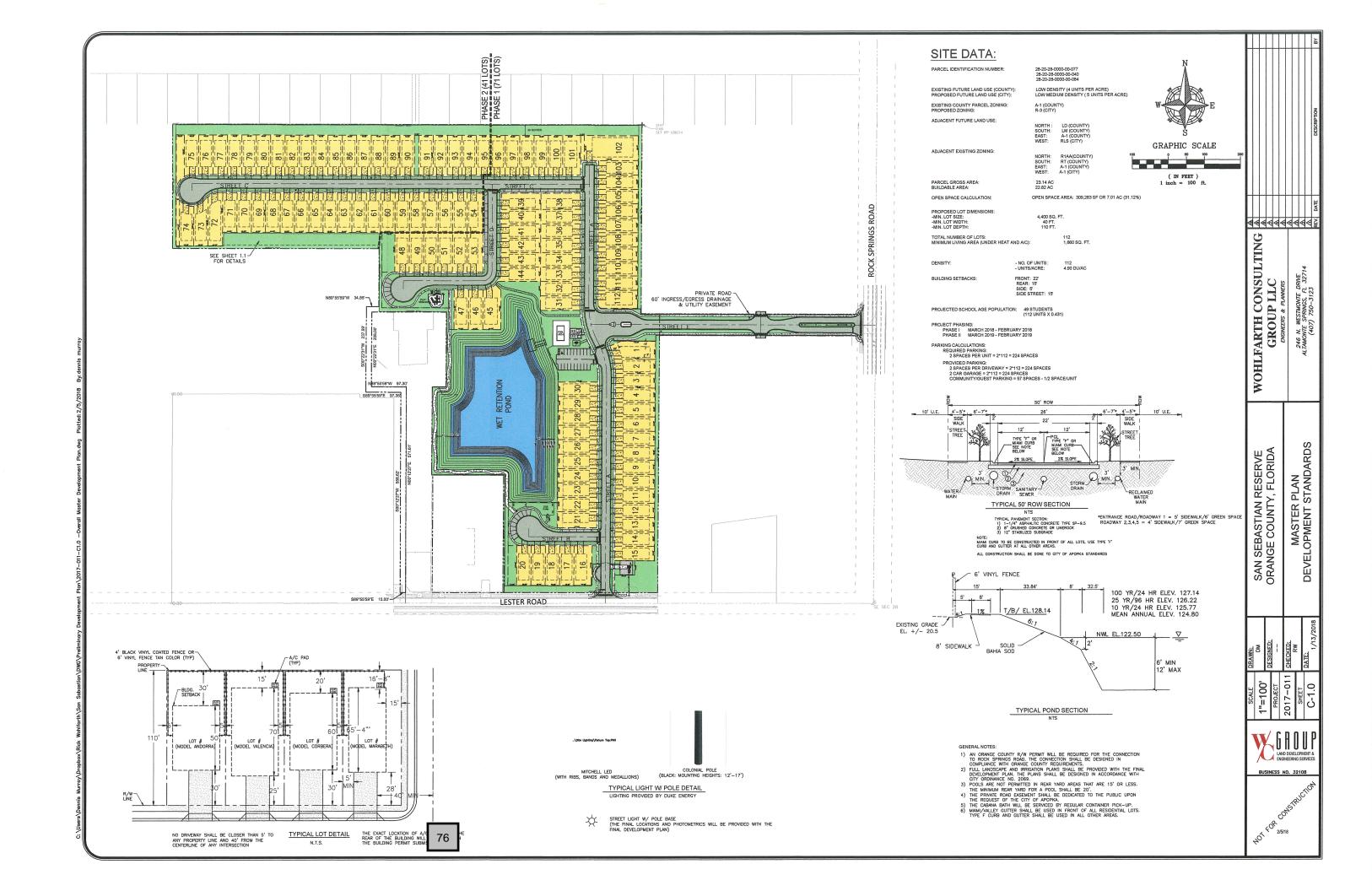
ENVIRONMENTAL CONSULTANT CONTACT: JOHN MIKLOS PRESIDENT DANNY GOUGH, PROJECT MANAGER 2002 EAST ROBINSON STREET ORLANDO, FLORIDA32803

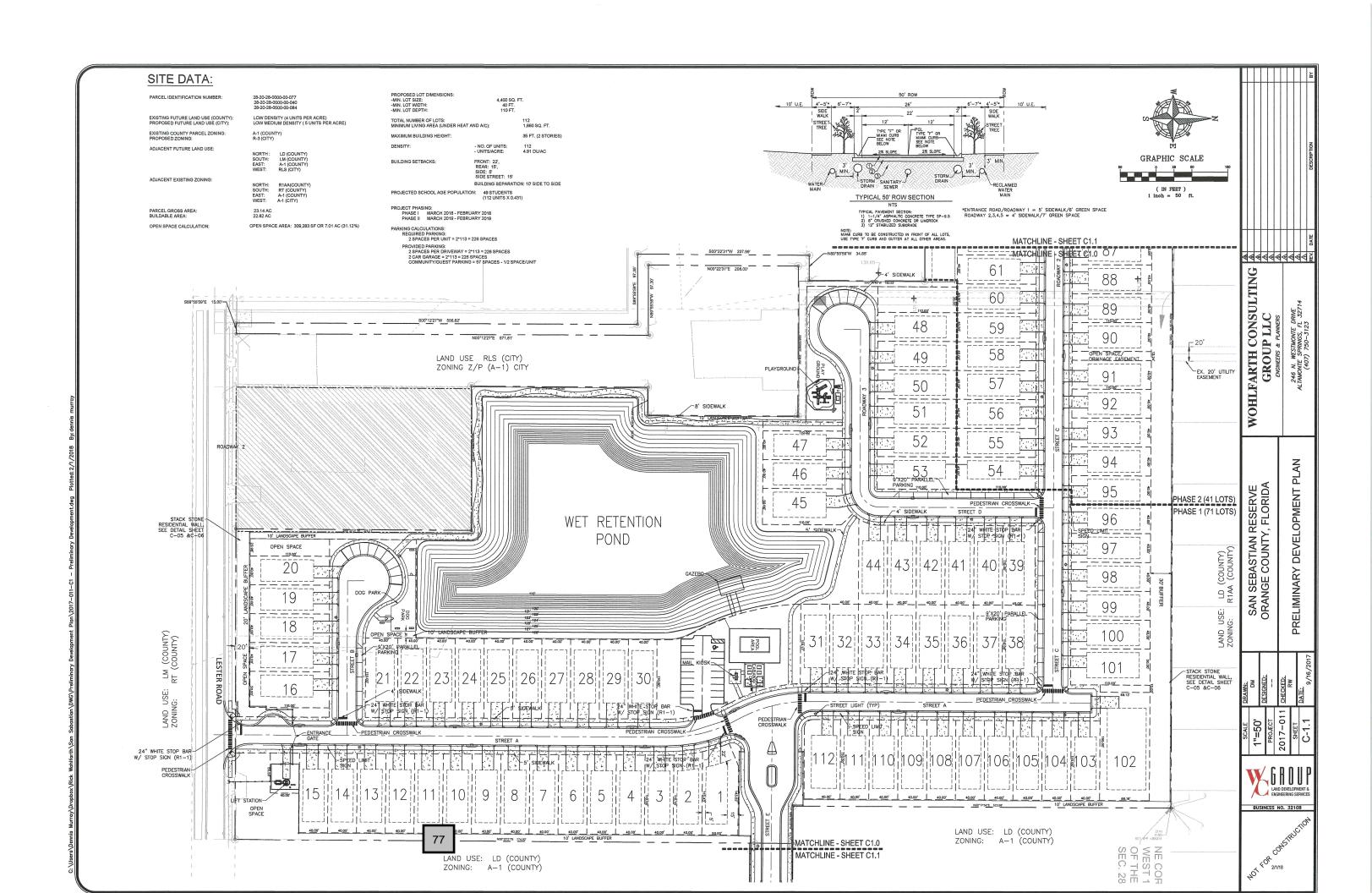
WOHLFARTH CONSULTING GROUP, LLC CONTACT: RICHARD C. WOHLFARTH, P.E. 246 N. WESTMONTE DRIVE RWOHLFARTH@WCGROUP.CO

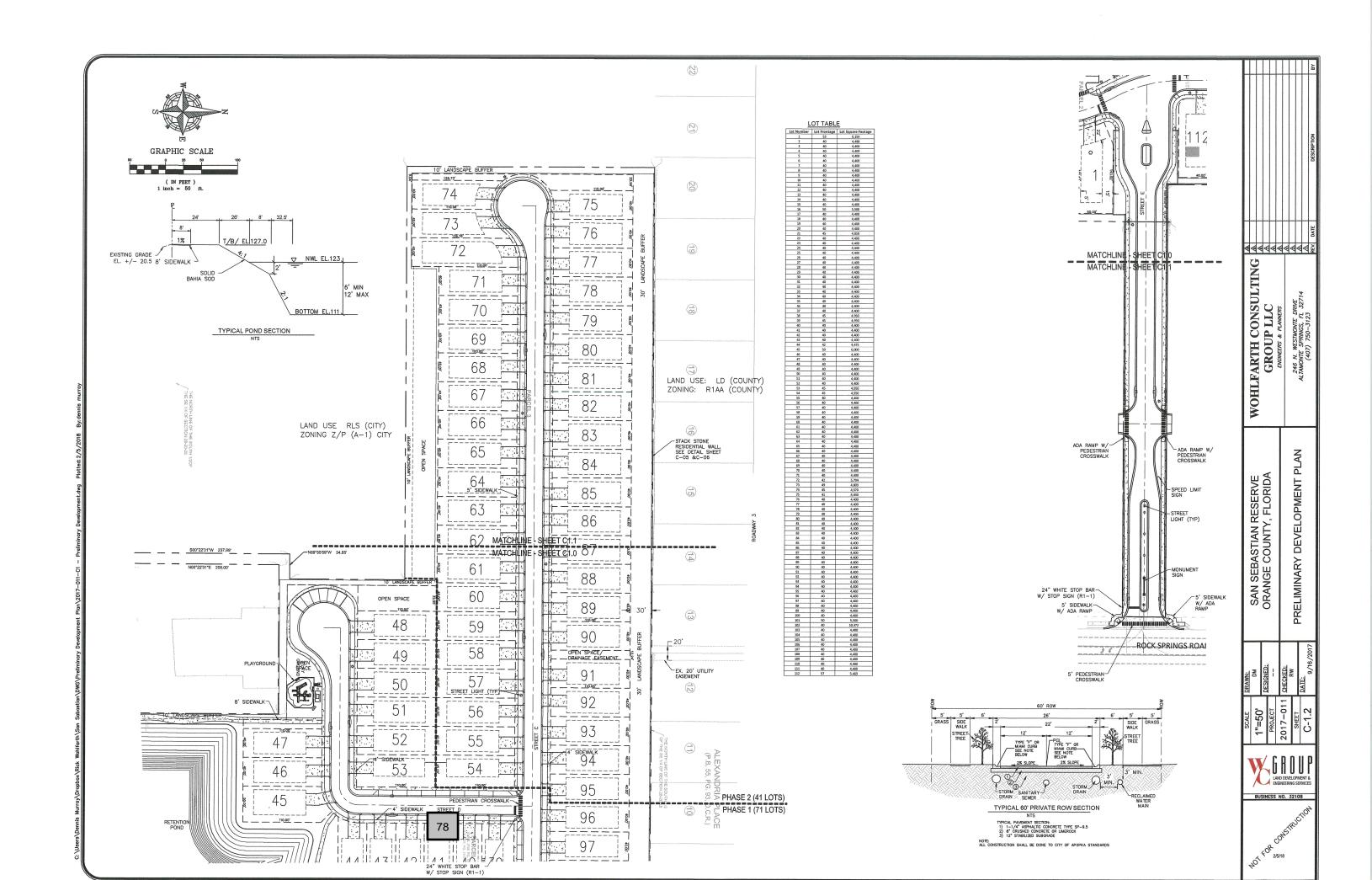
IBLGROUP (FLORIDA) INC. CONTACT: WILSON E. WAY, PSM 2300 MAITLAND CENTER PARKW 407-660-2120 OFFICE 407-350-9090 CELL

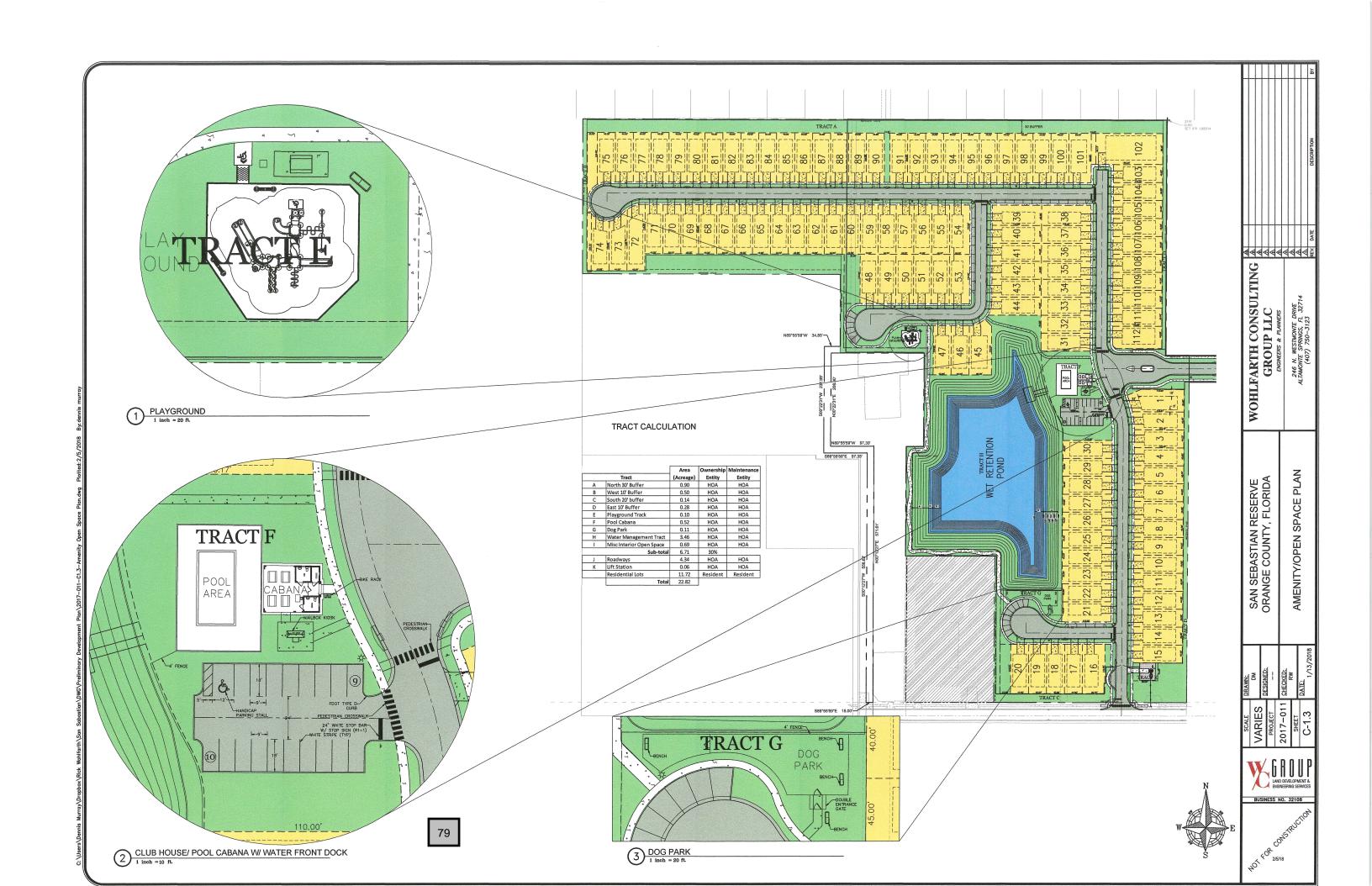
3) ENHANCED RECREATION

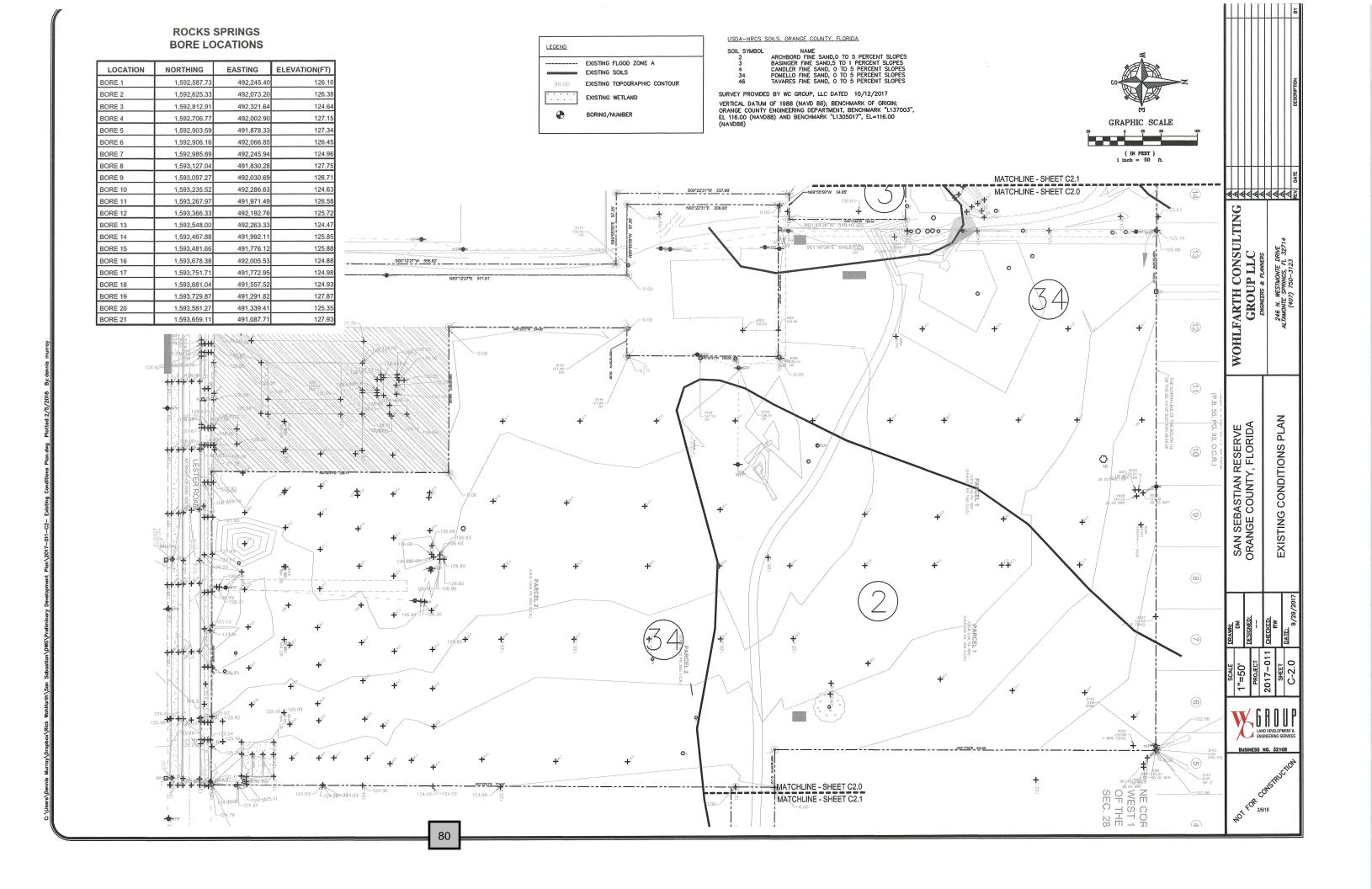
ENGINEER'S PROJECT NO. 2017-011

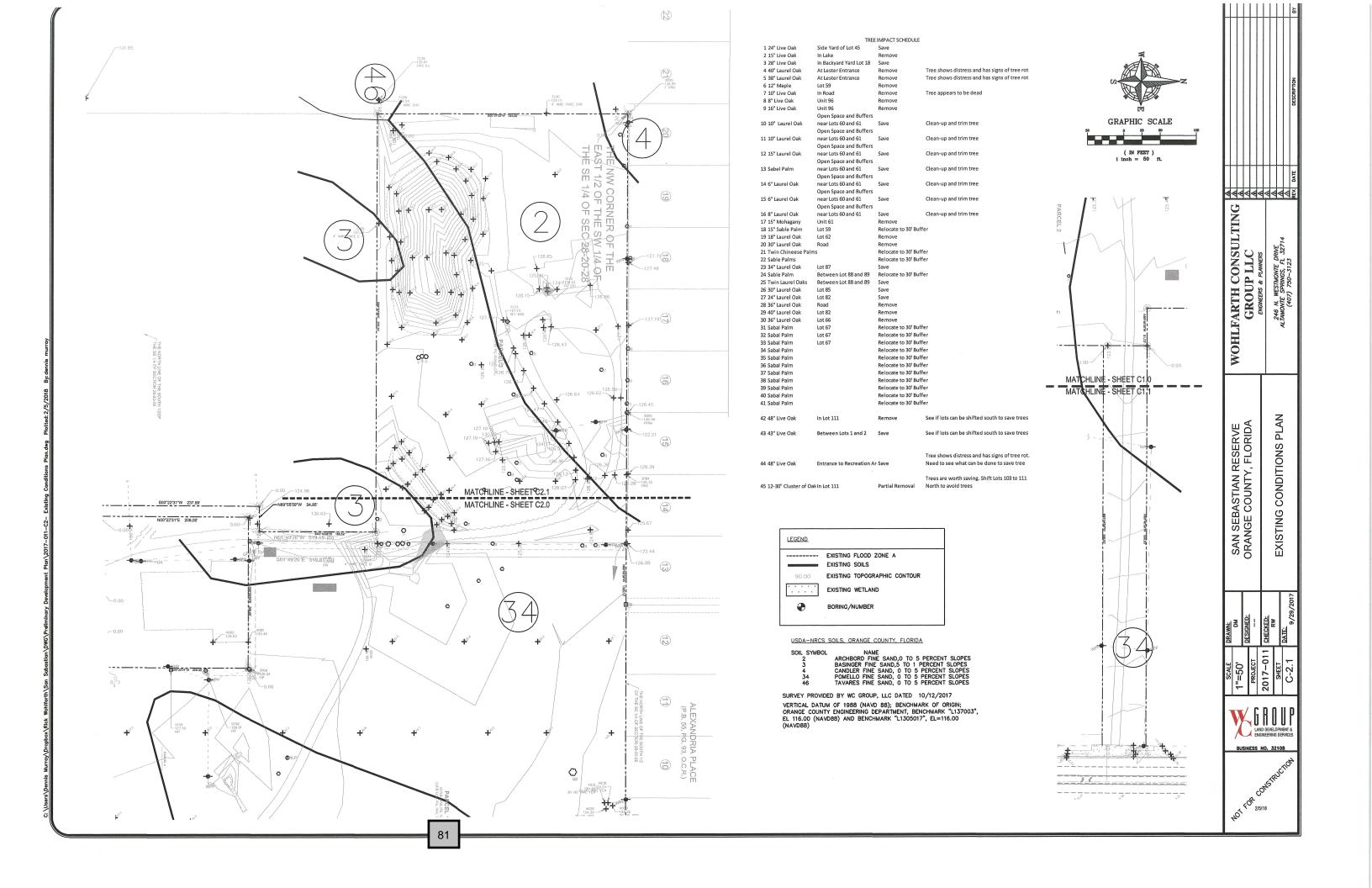


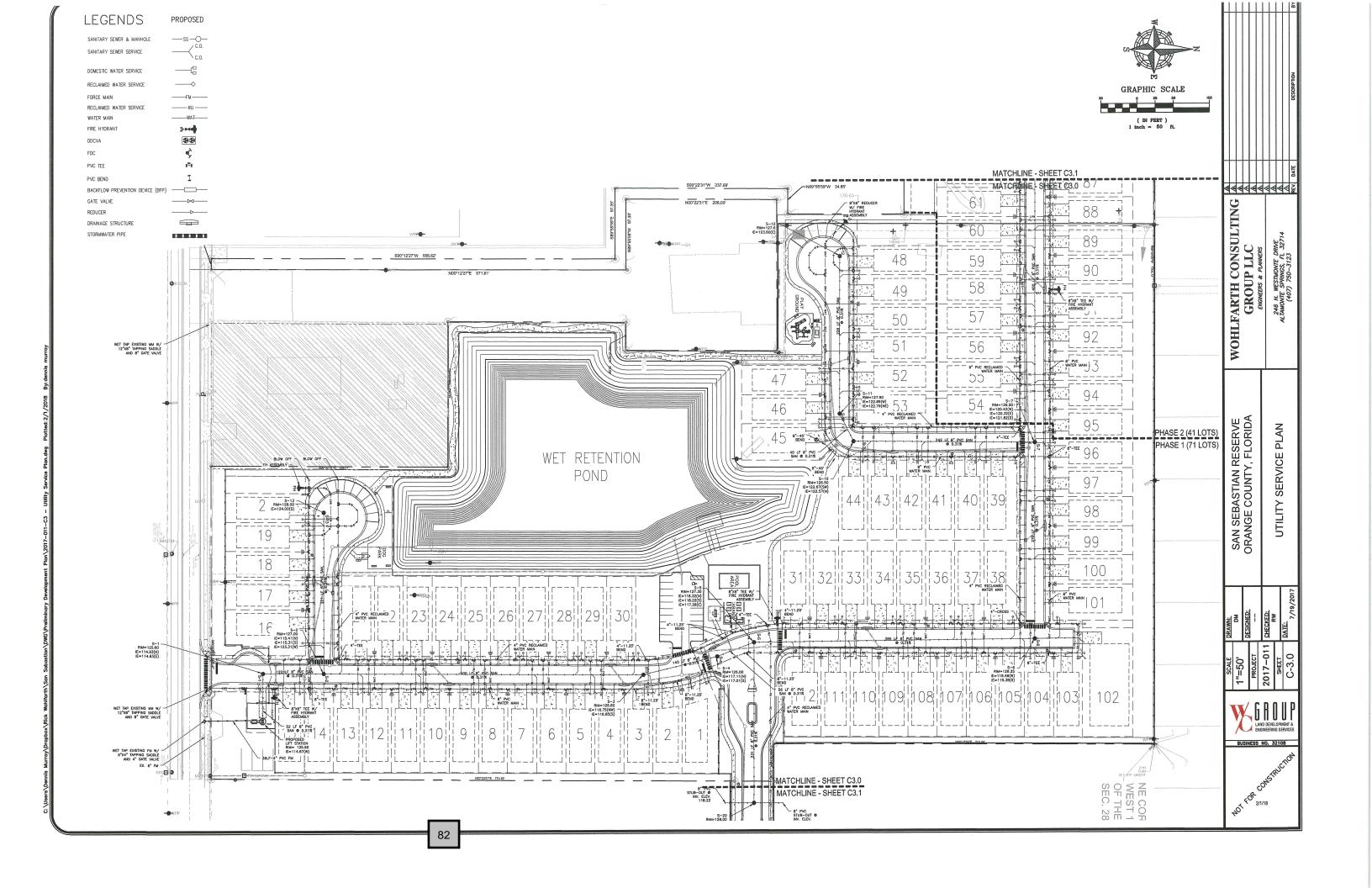


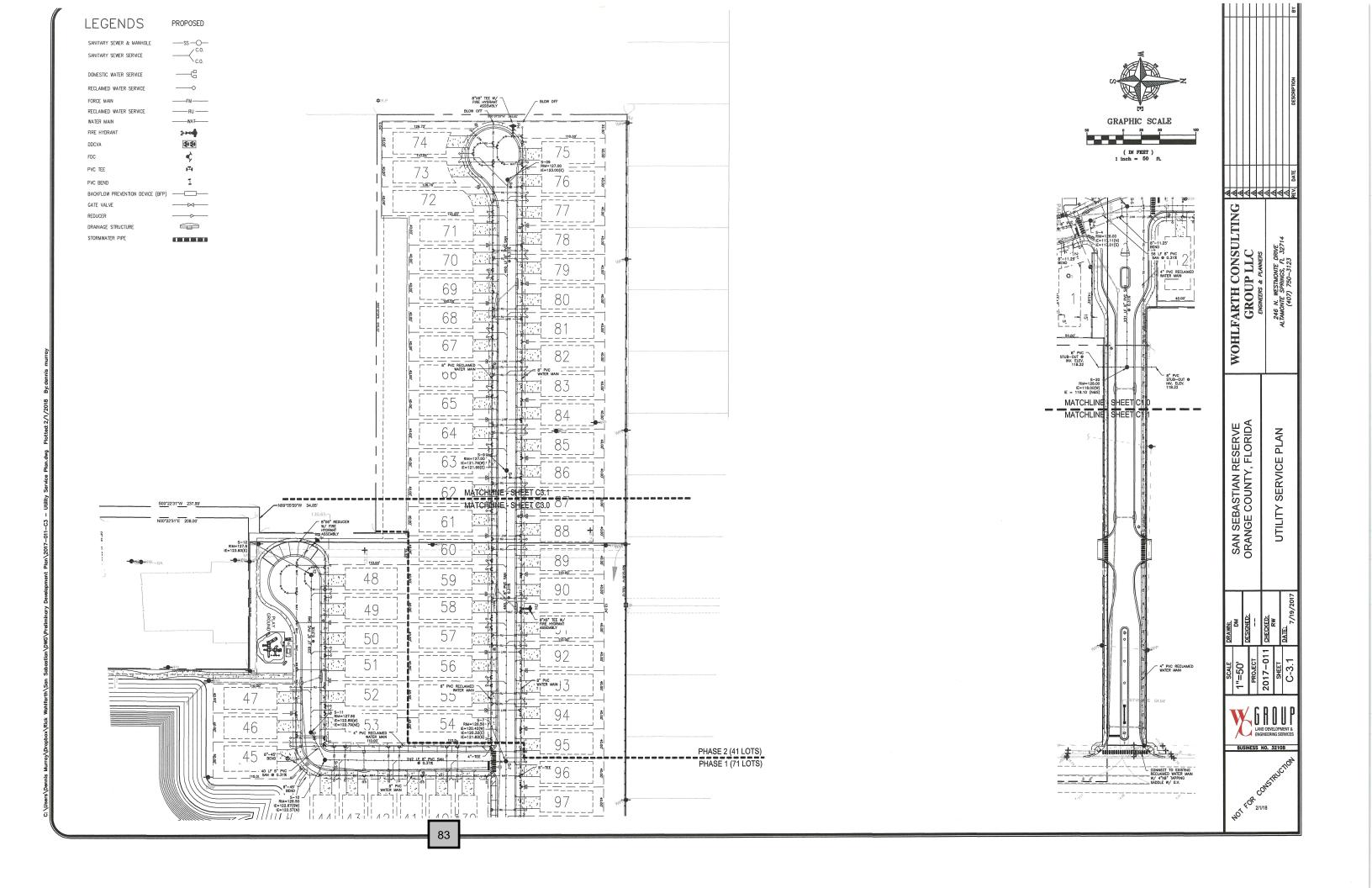


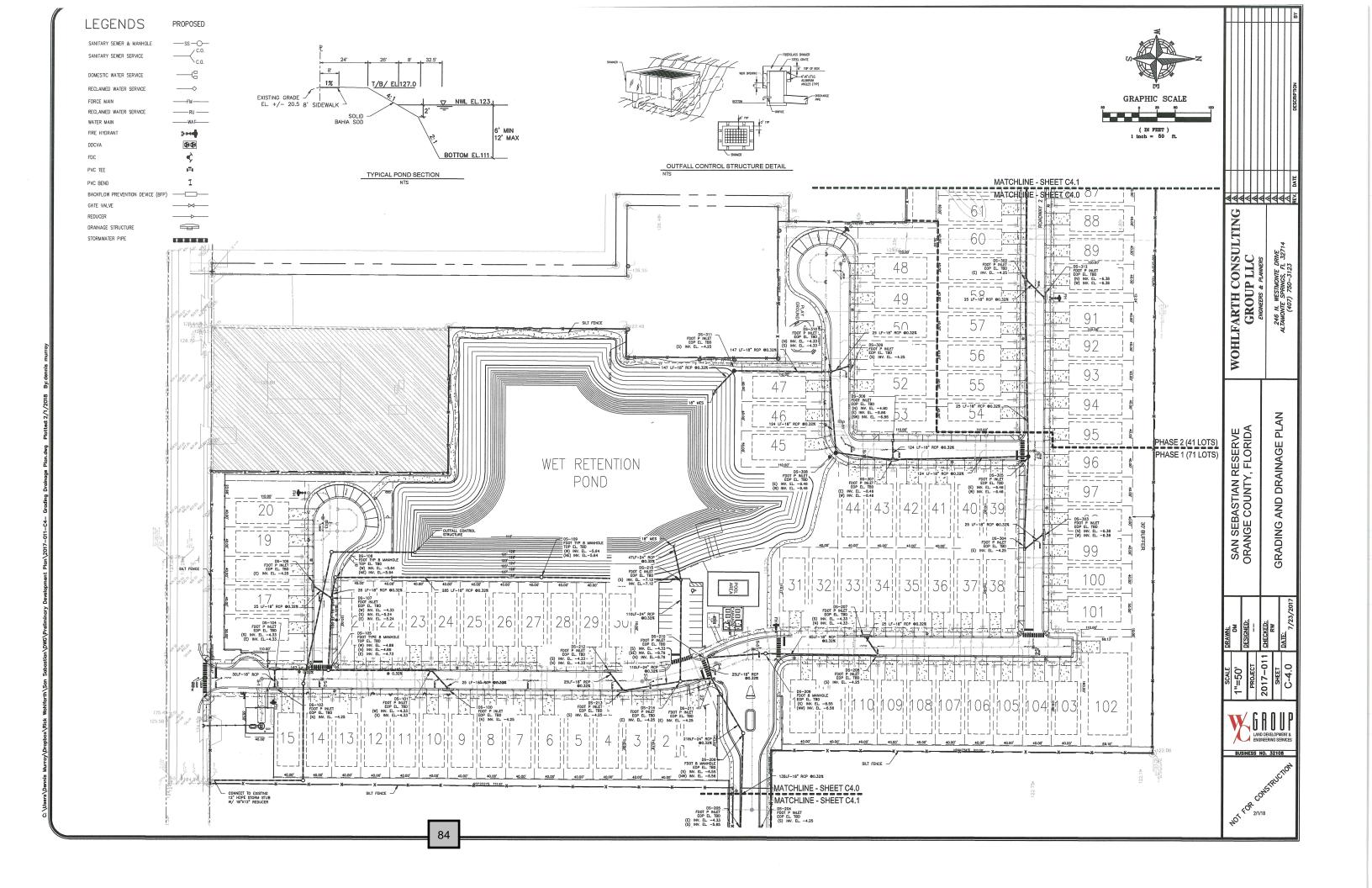


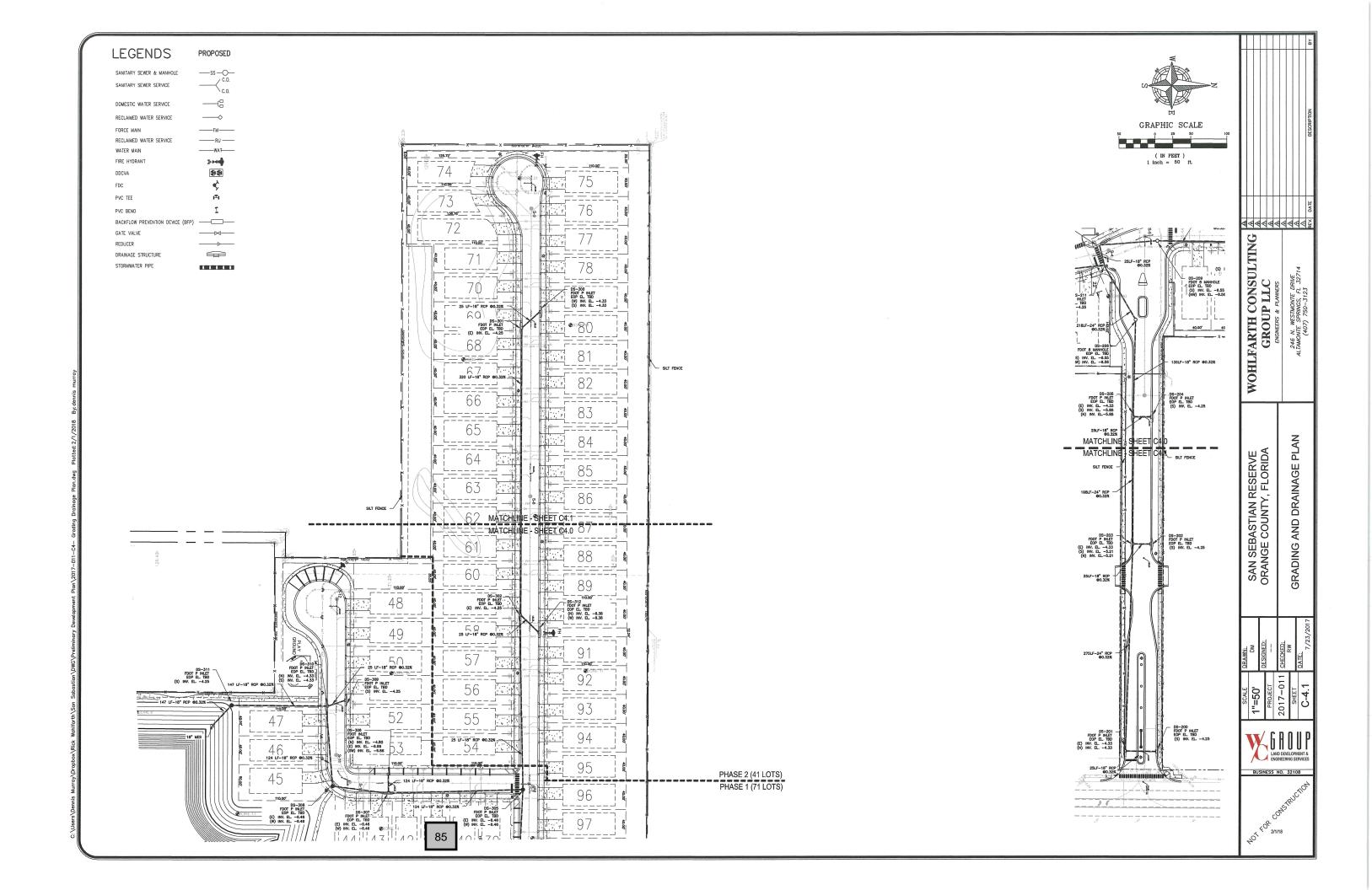












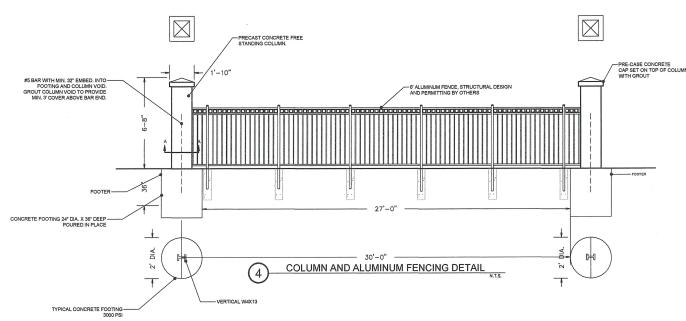




2 TYPICAL 6' PVC FENCE



3 PLAYGROUND





COLUMN AND ALUMINUM FENCING DETAIL

G R U LAND DEVELOPMENT & ENGINEERING SERVICE

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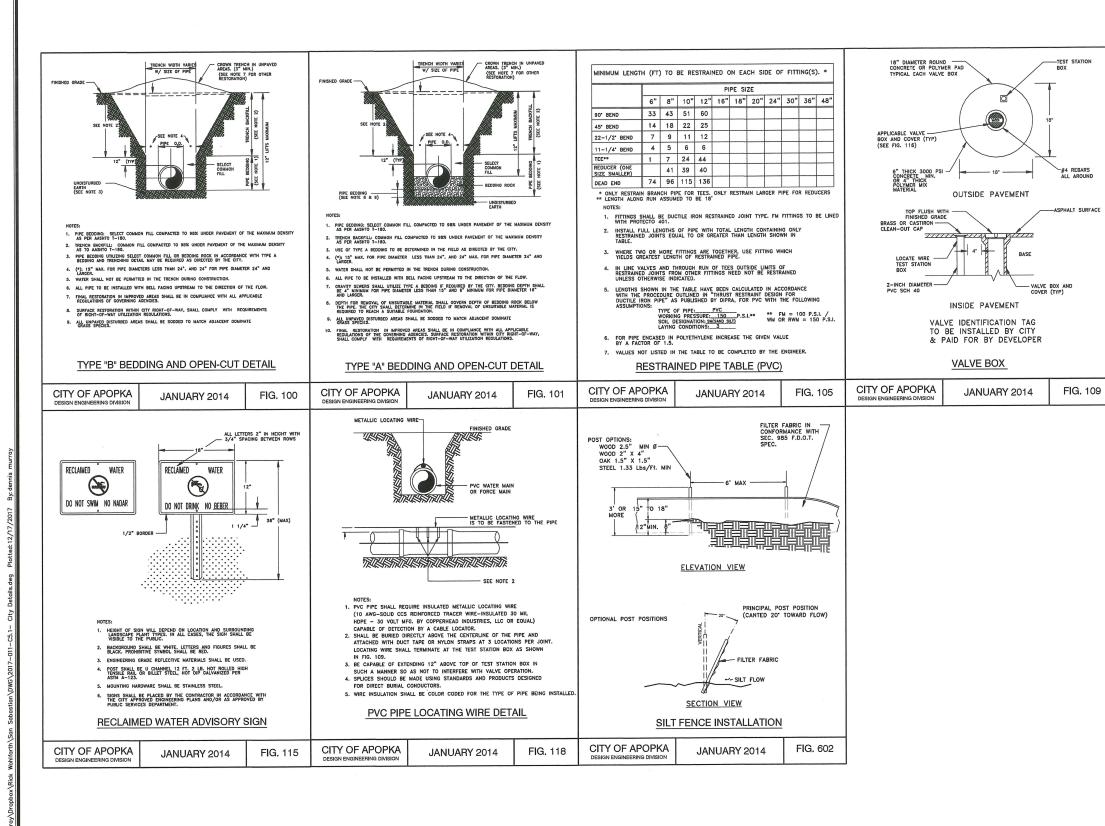
WOHLFARTH CONSULTING GROUP LLC

ENGINEERS & PLANNERS

SAN SEBASTIAN RESERVE ORANGE COUNTY, FLORIDA

246 N. V ALTAMONTE (407

GENERAL DETAILS



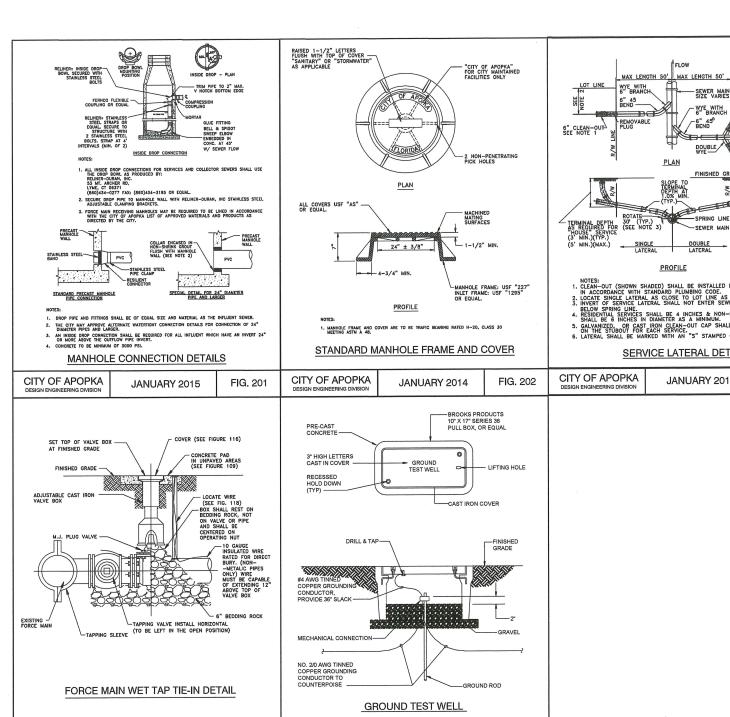
ৰৰৰৰৰৰৰৰ WOHLFARTH CONSULTING GROUP LLC 246 N. ALTAMONTE (40 SAN SEBASTIAN RESERVE ORANGE COUNTY, FLORIDA CITY OF APOPKA STANDARD DETAILS PROJECT 2017-011 C-5.1 **W**GROU €⁰12/17/117

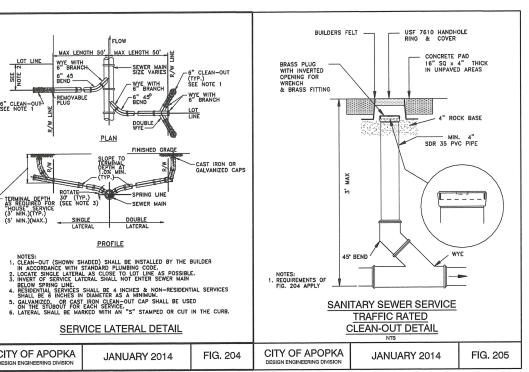
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CITY OF APOPKA

JANUARY 2014







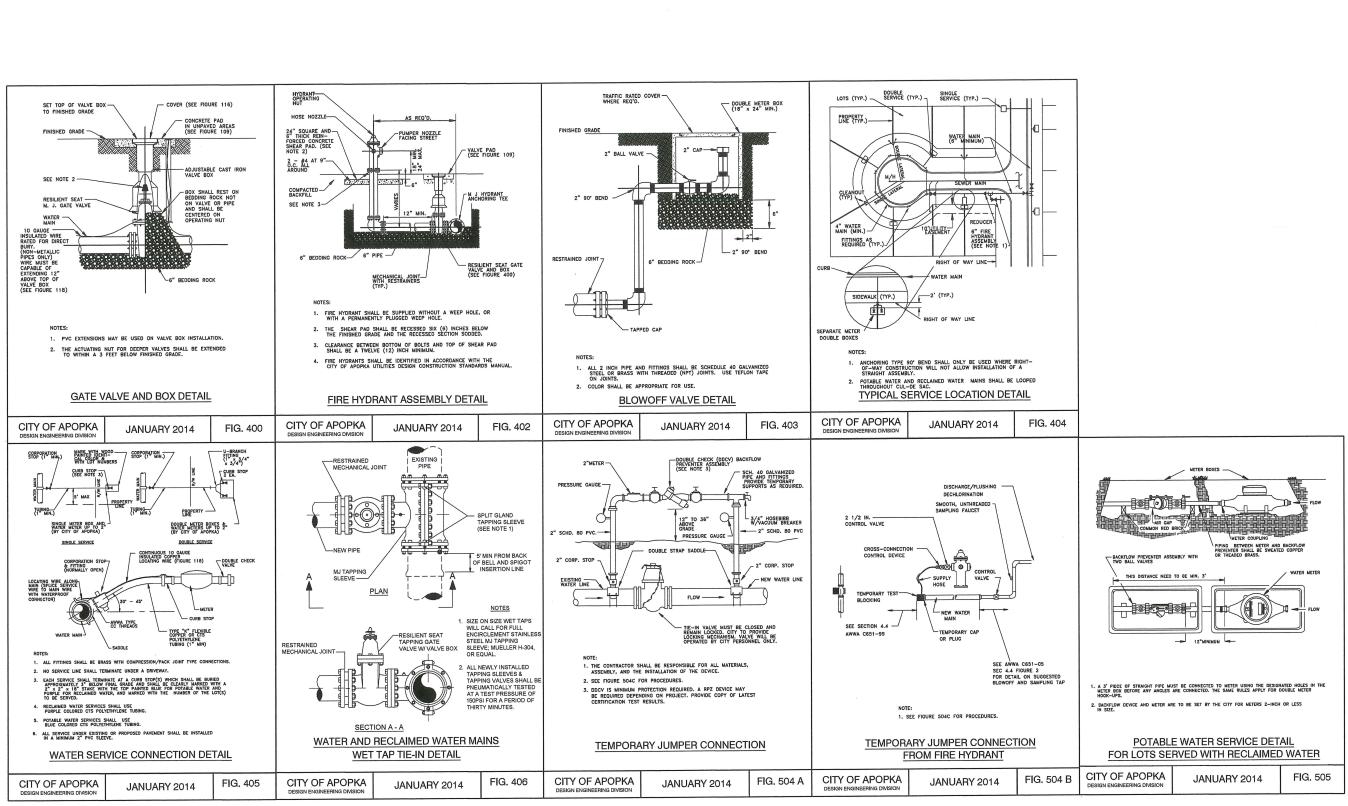


JANUARY 2014

FIG. 307 B

CITY OF APOPKA

FIG. 206

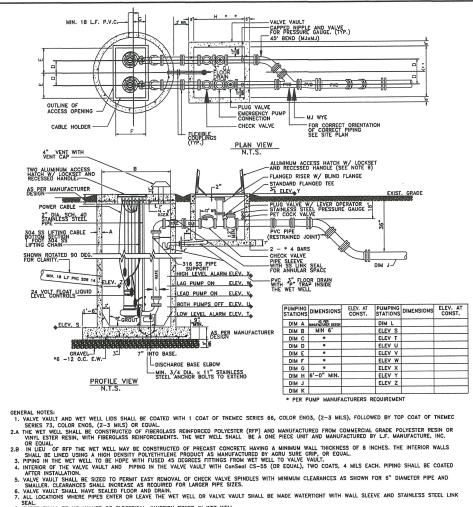


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BUSINESS NO. 32108

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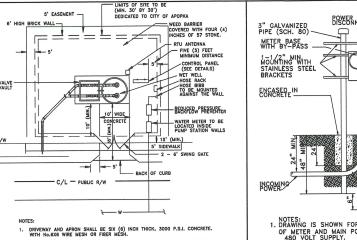
- ALL LOGATIONS WHERE THE SEAL.
 SEAL.
 THERE SHALL BE NO VALVES OR ELECTRICAL JUNCTION BOXES IN WET WELL.
 THERE SHALL BE NO VALVE VAULT COVERS SHALL BE ALUMINUM WITH 316 S.S. HARDWARE LOCK BRACKET. SIZE AS REQUIRED BY PUMP MANUFACTURER AND
 WET WELL AND VALVE VAULT COVERS SHALL BE ALUMINUM WITH 316 S.S. HARDWARE LOCK BRACKET. SIZE AS REQUIRED BY PUMP MANUFACTURER AND

PUMP STATION DETAIL

CITY OF APOPKA DESIGN ENGINEERING DIVISION

JANUARY 2014

FIG. 301



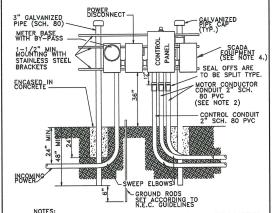
- 2. POWER TO THE PUMP STATION SHALL BE THROUGH UNDERGROUND CONDUIT FROM SUPPLY SOURCE IN RIGHT-OF-WAY.
- 3. GATE TO BE DECORATIVE BLACK POWDER COATED ALUMINUM W/PICKET SPACING = OR < 4"
- = OK < 4".

 4. WALLS ARE TO BE BRICK OR DECORATIVE STONE.

 5. WET WELL LID MUST OPEN TOWARD CONTROL PANEL (HINGE SIDE TOWARD PANEL).

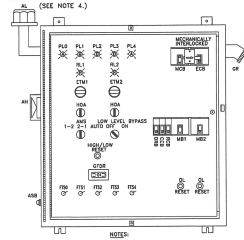
 6. LIFT STATION WALL TO BE PLACED AT LEAST 15FT. BEHIND THE R/W LINE.

PUMP STATION TYPICAL SITE PLAN



- NOTES:
 . DRAWING IS SHOWN FOR 230 VOLT POWER SUPPLY. THE LOCATION OF METER AND MAIN POWER DISCONNECT SHALL BE REVERSED FOR 480 VOLT SUPPLY.
- 2. WHEN TWO (2) SEPARATE CONDUCTOR—TYPE MOTORS ARE USED, CONDUIT SHALL BE INCREASED TO THREE (3) INCH. 3. POWER SUPPLY SHALL BE UNDERGROUND TO THE PUMP STATION AND SHALL BE THREE (3) PHASE FROM A THREE (3) PHASE SOURCE ONLY.
- 4. STUB OUT UNISTRUT LONG ENOUGH TO ACCOMODATE A 24"x24" SCADA EQUIPMENT CABINET. CITY TO INSTALL SCADA EQUIPMENT CABINET.

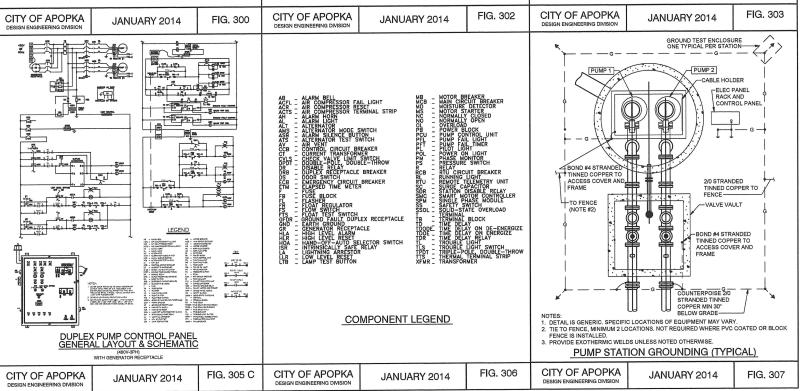
DUPLEX PUMP STATION CONTROL PANEL
INSTALLATION DETAIL



1. OUTER DOOR REMOVED TO SHOW DEADFRONT LAYOUT NEMA TYPE 3R 304 S.S. ENCL. WITH CONTINUOUS HINGE ALL HARDWARE STANLESS STEEL TYPICAL, ACTUAL LAYOUT MAY VARY WITH HORSEPOWER

2. SERIES 3 (Q-FRAME) CIRCUIT BREAKERS 3. GENERATOR OUTLET FOR 230V – PYLE NATIONAL MODEL JRE4100/460V – CROUSE HINDS MODEL AR 2042.
4. THE HEIGHT OF THE ALARM LIGHT WILL NEED TO BE MADE VISIBLE FROM OUTSIDE THE LIFT STATION.

DUPLEX PUMP STATION CONTROL PANEL FRONT LAYOUT



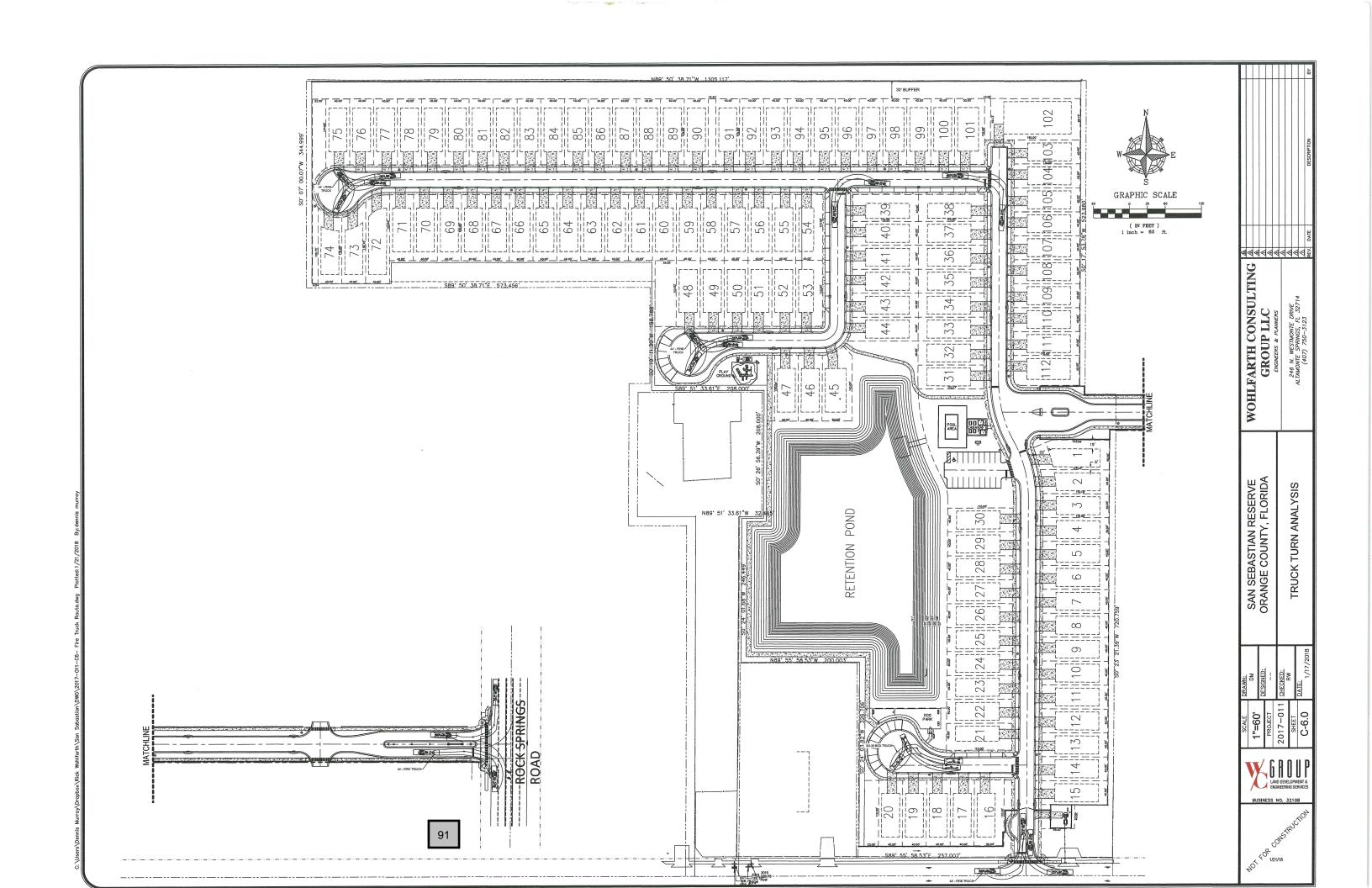


VXGROUF

BUSINESS NO. 32108

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LANDSCAPE GENERAL NOTES

- All existing trees to remain and all relocated plant material shall be rotected from damage or injury and shall be barricaded or other uitably flagged and protected from injury.
- suitably itagged and protected from injury.

 2. The Contractor shall be responsible for verifying all underground utilities prior to digging in any area. The Contractor shall notify all necessary utility companies 48 hours minimum prior to digging for verification of all underground utilities, irrigation and all other obstructions and coordinate with Owner's Representative prior to initiating operations. Drawings are prepared according to the best information available at the time of preparition these decreases. reparing these documents
- The Contractor is responsible to ensure proper watering and maintenance of new and relocated materials during the warranty period.
- Contractor is to report any discrepancies between the construction drawing is and field conditions to the Owner immediately.
- 5 The Contractor shall be responsible for the guarantee of all plant material for a period of twelve (12) months from the date substantial completion. Substamtia completion constitutes the beginning of guarantee period
- 6. Contractor shall tamiliarize himself/herself with existing site conditions prior to initialing planting. All existing site 'urnishings, paving, landscape and other elements to remain shall be protected from any damage throughout all construction phases unless otherwise noted.
- Landscape Contractor shall coordinate all work with related contractors and with the general construction of the project in order not to impede the progress of the work of others or the Contractor's own work. Landscape contractor shall provide schedule of his/her works two weeks in advance, beginning two weeks prior to commencing landscape trade construction.
- Contractor shall be responsible to remove existing ground cover for all plant ing beds as specified prior to planting relocated material. Contractor shall be responsible to reviace all portions of existing landscape and hardscape areas damaged while completing planting installation with sarre grass or materials: species to the satisfaction of the Owner.
- The Contractor shall bear all costs of testing of soils, amendments, etc. associated with the work and included in the specifications. Prior to commencement of the landscape planting work the Contractor shall provide complete soil tests with recommendations for the installation area.
- 10. All plant material that may need to be replaced shall be in full and strict accordance to Florida. No. 1 grade, according to the "Grades and Standards for Nursery Plants", published by the Florida Department of Agriculture and Consumer Services, the oroject manual and/or specifications. Plant material in some cases may exceed Florda No. 1 grade in order to meet the minimum requirements for the project.
- Landscape Contractor shall field stake the location of all plant material prior to initiating installation for the review and approval of the Owner and/or Landscape Architect.
- 12. Landscape Contractor shall field adjust location of plant material as necessary to avoid damage to all existing underground utilities and/onexisting above ground elements. All changes required shall be complate the Contractor's expense and shall be coordinated with the Owner and the Landscape Architect.
- Any substitutions in size and/or plant material must be approved by the Landscape Architect or Owner prior to modification of the contract, purchasing and delivery of plants. All plants will be subject to approval by Landscape Architect and/or Owner before planting ca egin. All plant materials will not incude any plants considered to be wasive to South Florida's native plant communities.
- Contractor shall refer to the landscape planting details, general notes and the project manual and/or specifications for further and complete landscape planting instructions.
- 15 Landscape Contractor shall coordinate all planting work with Landscape Confractor shall coordinate air pianing work with permanent or temporary inrigation work. Landscape Contractor shall be responsible for all hand watering as required by Owner to supplement irrigation watering and rainfall. Lancscape Contractor shall be responsible for hand watering in all planting areas, regardless of the status of existing or proposed irrigation.
- 16. Landscape Contractor shall clean the work areas at the end of each working day. Rubbish and debris shall be collected and deposited off-site daily. All materials, products and equipment shall be stored in an organized fashion as directed by the
- 17. Landscape Contractor shall regrada all areas disturbed by plant removal, relocation and/or instalation work. Landscape Contractor shall replace (by equal size and quality) any and all existing plant material disturbed or damaged by plant removal, relocation, and/or installation work.
- Site distance concerns must be maintained for clear site visibility from thirty (30) inches to seventy two (72) inch tree trunks excluded as specified
- 20. Burlap material, wire cages, plastic straps, etc., must be cut and removed from top one - third (1/3) of root ball, Remove all sylon/ non organic material.
- 21. Trees grown in grow bags or grow bag type material are
- 22. All planting materials shall meet or exceed Florida Grade # 1 as specified in Grades and Stardards for Nursery Plants and Part II, Palms and Trees,
- All installed lancscape and design specifications shall meet or exceed the minimum requirements as shown in the City of Apopka Development Code.
- 24. The Contractor shall not relocate or demolish any existing trees or palms om site before appropriate tree relocation and clearing and grubbing permits are obtained from the ADJ.

TREE PROTECTION AND RELOCATION NOTES

All trees and palms will be evaluated for protection and relocation. Relocated trees will be the following specifications. Trees to be removed will be mitigated as required.

WORK TO BE PERFORMED AND WORK INCLUDED

 A. Provide the following:
 Prepare and reocate trees and palms designated for relocation within the project boundaries into holding areas, to include all aspects of preparation, acclimatization, holding, relocation, protection, and maintenance.

Protection and care of existing trees and palms to remain within the project boundaries.

- Installation and operation of temporary irrigation system and hand watering as
- equired by these specifications. r by these specifications. hopent of holding areas as necessary in support the phasing of the project.
- Establishment or notining areas as necessary to support the project. Follow-up maintenance as required by these specifications. Labor, materials, equipment and services to complete all preparation, relocations and protection work as indicated on the drawings, as specified herein, or both.
- 2.1 PREPARATION FOR RELOCATION OF TREES AND PALMS

Crown Pruning
 All pruning on site shall conform to ANSI Standard A-300, 2001.

B. Fertilization and Watering

- All Trees and Palms to be relocated shall be treated with wetting agents, fertilizers.
- An i rives and Pains to the relocators share the related with vesting agains, retinuct root stirrulants, and soil conditioners at the time of relocation. See specifications. Form and maintain an earth berm 6" high outside the proposed root ball prior to watering and apply 3" approved mulch within saucer. Water application shall saturate the root ball to its entire depth.

All trees and palms to be relocated are to be provided with an automatic irrigation system which provides 2 bubbler heads to each tree and palm, prior to root pruning.

Provide irrigation timer, or battery powered valve to water trees to be relocated. Hand watering in lieu of automatic system shall not be allowed, however hand watering shall be performed to avoid lapses should the automatic system be inoperable for more than 24 hours and during the initial planting period as specified.

Barricade all existing trees and palms with six foot (ℓ ') chain link fence or other barricade

Root Pruning Technique - All trees shall be excavated by digging a trenc:h 36" deep, either by hand or with a trenching machine designed for this purpose. Hand cut broadlea tree roots after trenching to produce clean cuts with no splits or tears. Trees to be root runed shall have a minimum root ball size of 10" per 1" of caliper measured at DBH for road leaf trees, 30" for Sabal Palms, 42" for Coconut Palms, Sabal palms shall not require

Timing - All broadleaf trees are to be relocated shall be maintained for a minimum of ten (10) weeks after root pruning prior to relocation. All ralms except Sabal Phalms, shall be maintained a minimum of four (4; weeks prior to relocation.

2.2 RELOCATION OF TREES AND PALMS

Preparation - Trees and palms shall be thoroughly soaked to the full depth of the root ball daily for seven consecutive days prior to relocation. Accurately locate position and elevation where all trees are intended to be planted, for verification by Landscape Architect. Verify that no overhead or underground utilities, existing or proposed, conflict with proposed locations.

B. Digging and Handling

Determine line of previous root pruning and excavate around root mass to leave area outsid e line of root pruning undisturbed. Digging shall be accomplished so as to produce clean cuts: on all roots without tearing or splitting. Trenching shall be a minimum of 48" deep.

Trees shall be handled in such a way as to avoid damage to bark and limbs subject to support cables or chains. Attach padded support cables or chains at multiple points where possible..

Root balls shall be undercut prior to lifting. Do not force tree from ground prior to undercutting Ball depth to be determined upon assessing conditions at time of trenching, to keep intact the

Trees shall be properly wrapped during moving so trunks will not be scarred and damaged aand to avoid broken limbs. Broken limbs or scarred trunks shall cause tree to be unacceptable am rejected at the Owner's option. Foot balls and foliage shall be kept moist during all phases σ

Partially backfill tree pits with 12" of approved planting soil prior to setting tree. This layer of soil to be thoroughly drenched prior to relocation to achieve a stable platform at the correct elevation so that the top of root ball is 1" above proposed grade.

Backfilling - Flood bottom foil layer to settle tree into best position and to remove air pockets. Continue to flood root ball as planting soil is deposited to insure removal of all air pockets. Produce saucer to retain water per drawings.

Bracing - Support tree with mach nery until bracing is complete. Buttresses may support

Irrigation - Install bubbler heads on all trees and palms. Connect each tree's system Irrigation - Install butboler release of all ir trees all or plans. Conflict each reless system immediately to water source. Additionally, all transplanted trees and palms shall be hand watered daily for a period of six (3) weeks after transplanting. The irrigation system is designed for maintaining plant material only, and does not provide the volume of water required immediately after transplanting. Set time to run daily, to provide an equivalent of 6" of rain peer week for 30 days, then reduce to equivalent of 3" per week.

2.3 PROTECTION AND CARE OF EXISTING TREES AND PALMS TO REMAIN

Watering - Existing irrigation shall remain operable to the greatest extent possible during construction. All on site trees to remain shall be graphical with together the first trees to remain shall be graphical with together the first trees to remain shall be graphical with together the first trees to remain shall be graphically as the first t watering – existing injection start entirely behave with gleekers extent possible to construction. All on site trees to emain shall be supplied with temporary ingelion to remain operable until permanent irrigation is operable. Existing irrigation system to be demolished may be utilized as the temporary irrigation system.

barricade approved by Cl outside the tree drip lines 92

Ims with six foot (6') chain link fence or other shall be installed at an offset distance two feet (2')

py to the extent practical, prior to any construction

SOIL PREPARATION AND SOIL MIX

- 1. All plants noted for removal shall be removed and properly disposed of off-site at contractor's expemse unless
- Apply Roundup (marufactured by Monsanto Corp. or equal.) according to manufacturer's rate and specification
 within limits of all areas to be planted. Protect existing plants to remain from overspray or spray within root zone.
 Contractor to ensure total weed eradication from all areas to be planted.
- 3. Before replacing topsoil, rake subsoil surface clear of stones (1" diameter and larger), debris, rubbish, and remaining
- 4. Scarify subsoil to a depth of six inches (6").
- 5. Contractor to apply "Surflan" or equal, or approved pre-emergent herbicide in accordance with mamufacturer's rate annual
- 6. PLANTING SOIL MIXES

Existing soil may be used for planting mixes at owner's discretion if deemed suitable by testing prowided by A&L southern laboratories to meet the required speci-

2.4 Soil Amendments

SOIL CONDITIONERS

- Aluminum Sulfate: Manufacturer's standard commercial grade.
- Peat: Federal Specifications Q-P-166Type 1, Class B, Sphagnum moss Peat: redefal Specializations CPT-not type 1, Glass B. Spraightain mess Pesticides: As recommended by applicable Agricultural Public Agencies Herbicides and Sterilizers:

 1. "Ronstar" pra-emergent herbicide or approved equal 2. "Roundup" systemic herbicide σ approved equal

E. Soil Amendments

- a. All fertilizers shall be manufactured from quality materials, be free from impurities, uniform i composition meet recognized standards for effectiveness and be free flowing and suitables for polication with approved equipment.
- b. All fertilizer shall be delivered to the site in bags or other convenient containers, each fully I abeled ming to the applicable state fertilizer laws, bearing the grade and the trade name of trhe
- Die Hard Root Reviver Endo and Ectomycorrizal inoculant, as manufactured by Die hard,

- c. Die Hard Root Reviver Endo and Ectomycorrizal inoculant, as manufactured by Die hard, 1.800.628.6373 or approved equal.
 d. Die Hard Transplant One Step Endo and Ectomycorrizal inoculant, as manufactured by IDie hard, 1.800.628.6373 or approved equal.
 d. Time release, Palim Mix fertilize with minor elements or approved equal.
 e. Time release, Tree and Shrub Mix fertilizer, 6-6-6, vith minor elements or approved Equal.
 f. Granular Triple Super Phosphab as manufactured by Mic Agrico. 708.970.3000.
 g. Agriform Planting Tablets, 8-8-8 plus minors, as manufactured by Grace Slerra, 408.263.8080 or
- Scott's Turf Starter (16-25-12) or approved equal.
- Wetting agent to be Terra Sorb or approved equal.

 Soil conditioner to be "Super Lesco Wet", as manufactured by Lesco, Inc. or Approved Equal.
- 7. Florida peat shall be free of deleterious materials that would be harmful to plant growth, shall be free of nematodes, shall be of uniform quality, and shall have a pH value between 5.3 and 6.5 (as determ ined in accordance with ASTM E70). Florida peat shall be sterilized to make free of all viable nut grass and other
- 8. Topsoil shall be natural, fertile, agricultual soil capable of sustaining vigorous plant growth. It shall be of uniform composition throughout, with acmixture of subsoil. It shall be free of stones, lumps, live plants an their roots, sticks, and other extraneous matter. Spread toosoil mixture to minimum depth of four innches (3*) throughout all lawn areas, and twelve inches (8") in all areas to be landscaped.
- 9. Remove all rocks and other objects over one inches (1") in diameter. 10. Smooth all soil mixture to five inches (5" below top of surrounding pavement edges. This allows room for 3" of
- mulch and 2" clear space below top of pavement. 11. Smooth topsoil mixture to two inches (2") below finish grade in areas to be sodd ed.
- Topsoil shall not be extremely acid or altaline, nor contain texic substances which may be harmful to plant growth
 The topsoil pH shall be in the range of pH 5.5 to 6.5. If necessary, the Contractor shall apply the appropriate soil
 amendments adjusting soil pH to assure a pH range of 5.5 to 6.5. 13. Finish grade all topsoil areas to a smooth, even surface, assuring positive drainage away from the sitructures and
- eliminate any low areas which may collect water. 14. Contractor shall assure percolation and drainage of all planting pits prior to planting. Contractor will be onsible for all plants lost due to the ack of percolation

PLANTING SPECIFICATIONS

- The Contractor is responsible for naintaining, in full al planting areas (incuding watering, spreaying, mulching, mowing, fertilizing, etc.) until the joo is accepted, in full, by the Owner and/or Landscape Architect.
- All root balls shall conform to the sze standards set forth in "American Standards for Nursery Stock". All plant material shall be protected during transport and delivery to final location with shade c loth or other acceptable means of windburn prevention.
- All trees must be guyed or staked as shown in the details.
- Installation- All plant material shall be installed in a sound, workman- like manner and according to accepte good planting and tree relocation procedures with the quality of plant materials as hereinafter (described. All elements of landscaping shall be installed so as to mest all applicable ord nances and code reequirements.
- There shall be no chains or cables used on trees or palms. Handle with two inch (2") minimum width nylon
- Contractor shall assure drainage and percolation of all planting pits prior to installation of plantt material.

 Contractor shall fill all tree pits withwater before planting to assure that proper drainage and prercolation is available. Corract if required to assure percolation. Contractor is responsible for replacement of all plants lost divide to increment drainage and present and plants lost divide to increment drainage.
- Contractor to request final acceptance of project in writing. If all work is satisfactory and complete in accordance with conditions of contract documents, then the Owner and the Landscape Architect shall declare the project substantially complete.
- 9. Contractor to replace rejected plant material within one (1) week of written notice
- Contractor shall mulch all plant material throughout and completely to a three inch (3") depth of loose, weed
- 10. Plant Material which is not installed at the direction of the landscape architect or owner will be property of the contractor unless it becomes relocated on site. The Contractor shall provide the owner a credit for any plant material not inscalled on the site.

LANDSCAPE NOTES (ORANGE COUNTY)

1) TO SCHEDULE A LANDSCAPE INSPECTION FOR ALL COMPLETED PERMITS, CALL ALL ASSOCIATED PERMIT 1) TO SCHEDULE A LANDSCAPE INSPECTION FOR ALL COMPLETED PERMITS, CALL ALL ASSOCIATED PERMIT NUMBERS INTO THE AUTOMATED INSPECTION SYSTEM AT (407) 883-825 AND REQUEST A CODE "270" ZONINGILANDSCAPE INSPECTION, INSPECTIONS ARE CONDUCTED ON TUESDAYS AND FRIDAYS ONLY AND SHALL BE CALLED IN BY MIDNINGIP PRIOR TO DAY OF INSPECTION. "" ANY TREES DESIGNATED TO BE PRESERVED ON THIS PLAN BUT THAT ARE SUBSCOLENTLY REMOVED SHALL BE CONSIDERED A VIOLATION PER S EC. 15-281(E) AND AS SUCH, SHALL BE REPLACED IN INCHES ON SITE AT A 2:1 RATIO (NON-SPECIMEN TREES) AS AN ALTERNATIVE, THE VIOLATION MAY BE SATISFIED BY PAYMENT IN TO THE COUNTY TREE FUND AT A RATE OF \$100 PER INCH AND \$212 PER INCH RESPECTIVELY OR BY SOME COMBINATION OF PLANTING AND PAYMENT, MITIGATION SHALL BE STATISFIED BY TO RELEASE OF ZONING HOLD(S). "" NEWLY PLANTED TREES SHALL BE INSPECTED FOR REMOVAL OF ALL NON-BIODEGRADABLE BURLAP AND STRAPPING FROM THE TOP OF THE ROOT BALL METAL STRAPPING HOMES SHALL BE REMOVED OR BENT DOWN ALONG SIDE OF THE ROOT BALL MIT AND COVERED WITH SOIL SO AS TO NOT PROTEUDE ABOVE GRADE. TO NOT PROTRUDE ABOVE GRADE, MULCH SHALL BE APPLIED 12"-18" AWAY FROM THE TREE TRUNK IN ORDER TO REDUCE INTERCEPTION OF WATER TO THE TREE ROOTS. GO TO HTTP://HORT FAS UEL EDUMOODY/OVER-MULCHING. SHTML FOR MORE INFORMATION.

2) MILLOH PER SEC 24-8/B)(4) SHALL BE ORGANIC AND SHALL ALL BE SPECIFIED IN PLANT BEDS AND 2) MULCH, PER SEC. 24-8(B)(4) SHALL BE ORGANIC AND SHALL ALL BE SPECIFIED IN PLANT BEDS AND AROUND INDIVIDUAL TREES. WHEN APPLIED TO TREES, MULCH SHALL NOT BE PLACED ON TOP OF THE ROOT BALL OR BE PLACED AGAINST THE TRUNK. MULCH SHALL BE APPLIED A MINIMUM OF 12" TO 18" FROM THE TRUNK FOR ANY SIZED TREE. MATERIALS THAT DO NOT BIODEGRADE SUCH AS ROCK AND SHELL, ARE NOT DEEMED ACCEPTABLE. FAILURE TO INSTALL MULCH (AND TYPE OF MULCH) AS PROVIDED IN THE SPECIFICATION ABOVE MAY RESULT IN A FAILED INSPECTION. SEE HTTP://HORT.IFAS.UFL.EDUWOODY/OVER-MULCHING.SHTML FOR MORE INFORMATION.

3) ALL AREAS TO RECEIVE 100% COVERAGE USING AN UNDERGROUND IRRIGATION SYSTEM WITH A RAIN SENSOR. IRRIGATION CONTRACTOR TO PROVIDE SHOP DRAWINGS TO LANDSCAPE ARCHITECT OF INSTALLED IRRIGATION SYSTEM.

4) I HEREBY CERTIFY THAT THESE LANDSCAPE, IRRIGATION, AND TREE MITIGATION SHEETS ARE DESIGNED IN COMPLIANCE WITH THE ORANGE COUNTY CODE(S) CHAPTER 15 AND CHAPTER 24. THE IRRIGATION HAS BEEN DESIGNED AND WILL BE INSTALLED PER CHAPTER 37, SECTIONS 601-613.

5) THE IRRIGATION SYSTEM TO BE INSTALLED WILL BE A TEMPORARY SYSTEM FOR THE PURPOSE OF

6) ALL EXISTING INVASIVE EXOTIC PLANTS, AS LISTED ON THE FLORIDA EXOTIC PEST PLANT COUNCIL'S INVASIVE SPECIES LIST SHALL BE REMOVED. (ANY DISTURBANCE OF WETLAND AREAS REQUIRES COMPLIANCE WITH CH.15 OF THIS CODE AND REVIEW BY THE COUNTY'S ENVIRONMENTAL PROTECTION

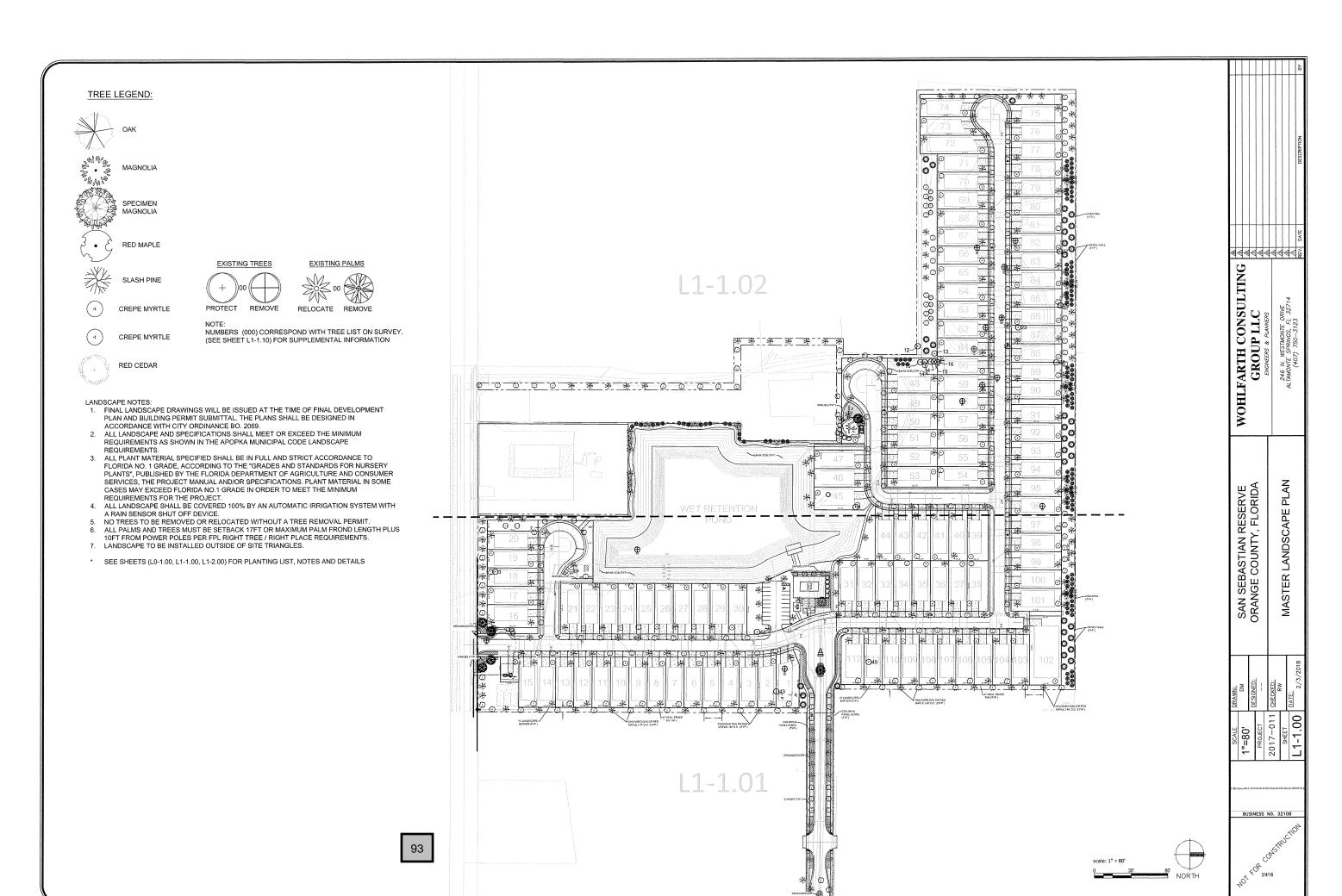
RESIDENTIAL PSP NOTES:

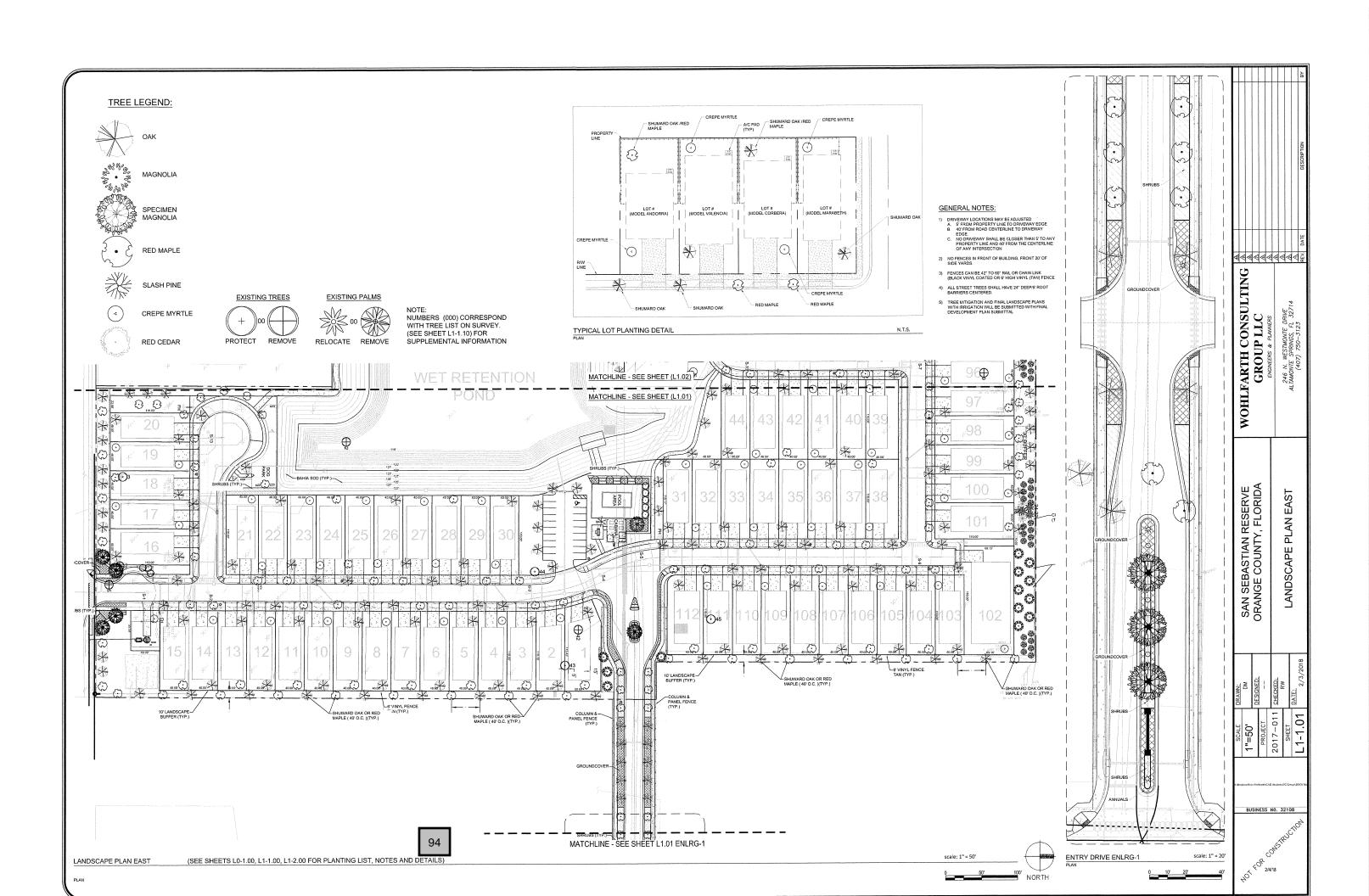
- . Residential PSPID is shall comply with Section 15-306 concerning minimum number of trees per lot. 2. Any trees proposed to be preserved on this approved PSP tree preservation plan that are sub emoved, shall be considered a violation and as such shall be replaced (in inches) on site at a 2:1 ratio for Nonspecimen trees and at 4:1 for Specimen trees per Section 15-281(e). As an alternative, the violation may be satisfied via payment into the Orange County Tree Fund or by some combination of payment and onsite planting. The current fee, as may be amended by the BCC, is \$106.00 per inch. Mitigation must take place at time of permitting (or the recording of the plat, if the violation is discovered prior to platting). The removal of such trees, if any, shall not result in a net loss in the required number of trees per Section 15-306 of the
- Orange County Code. Ordings Source and Initigation per lot is the responsibility of each lot owner and shall be consistent with this tree survey / removal / replacement plan.

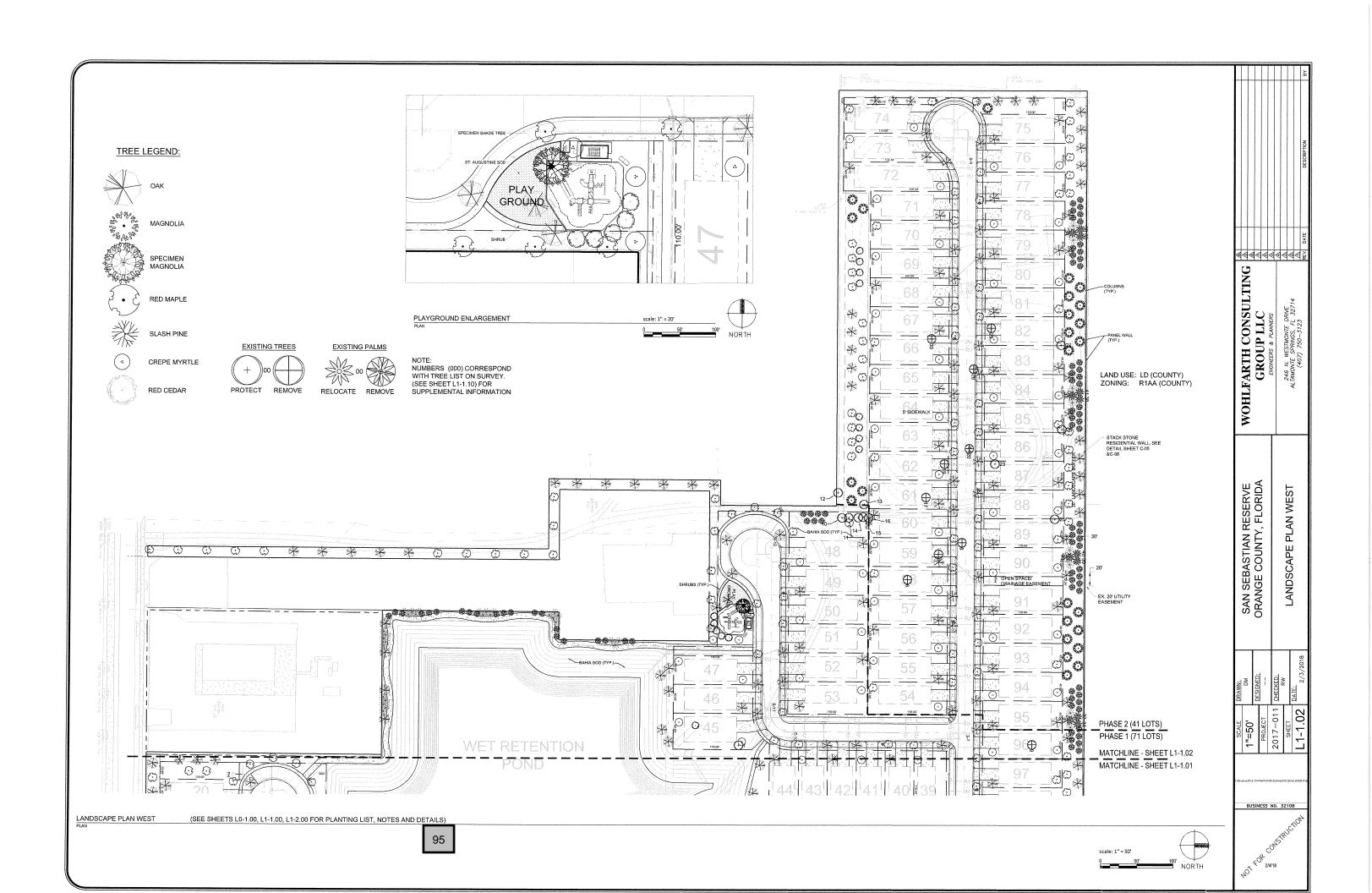
 4. Any trees proposed to be preserved on this plan shall not have any fill or excavation at points closer than
- six feet from the base of the tree or at the radius of the drip-line of the protected tree or stand of trees, whichever is greater.
- 5. Payment of any tree mitigation fees shall take place prior to the recording of the plat 6. A Tree Preservation/Mitigation Plan is included with this PSP submittal. Due to final site engineering evaluation, up to (but no more than) 10% of the amount of trees (in inches) shown to be preserved may be removed, provided such removals are reflected in an adjusted Tree Preservation/Mitigation Plan submitted and approved by the Zoning Arbor Office prior to removals. Such removals and mitigations shall be in accordance with regular mitigation regulirements, and shall not be considered a violation. However, any proposal or removal of more than 10% shall require that the Tree Preservation/Mitigation Plan (and PSP) return to DRC for a Change Determination, where the proposal for excess removal may be considered a Substantial Change, and/or may consider the removals to be a violation of the Tree Preservation/Mitigation Plan (and PSP) thereby requiring penalty mitigation to be provided.

48 HOURS BEFORE YOU DIG 1-800-432-4770 or 811 IT'S THE LAW IN FLORID

<u>ৰিৰ</u>ৰৰৰৰৰৰ CONSULTING JP LLC WESTMONTE DRIVE SPRINGS, FL 32714 7) 750-3123 ARTH (GROU) 246 N. W TAMONTE (40) RESERVE Y, FLORIDA NOTES SAN SEBASTIAN FOR SANGE COUNTY ANDSCAPE 011 2017 BUSINESS NO. 32108 ço^x [⟨]Q, ω







TREE #	DISCOSSITION	TVDE (DOIELEUR)			
1	DISPOSITION Protect	TYPE (SCIENTIFIC)	TYPE (COMMON)	DBH	GENERAL NOTES
2	Remove	Quercus virginiana	Live Oak	24" DBH	Lot 45 Side Yard
3	Protect	Quercus virginiana	Live Oak	15" DBH	In Lake
4	Remove	Quercus virginiana	Live Oak	28" DBH	Lot 18 Back Yard
5	Remove	Quercus laurifolia	Laurel Oak	40" DBH	Lester Entrance Tree Rot
6	Remove	Quercus laurifolia	Laurel Oak	38" DBH	Lester Entrance Tree Rot
7	Remove	Acer rubrum	Florida Red Maple Live Oak	12" DBH	Lot 59
8	Remove	Quercus virginiana Quercus virginiana	Live Oak	10" DBH 8" DBH	Dead
9	Remove	Quercus virginiana	Live Oak	16" DBH	Lot 96
10	Protect	Quercus laurifolia	Laurel Oak	10" DBH	Lot 96
11	Protect	Quercus laurifolia	Laurel Oak	10" DBH	Adj Lot 60-61 Clean and Trim Branch Adj Lot 60-61 Clean and Trim Branch
12	Protect	Quercus laurifolia	Laurel Oak	15" DBH	
13	Protect	Sabal palmetto	Sabal Palm	וס טפור	Adj Lot 60-61 Clean and Trim Branch Adj Lot 60-61 Clean and Trim Fronds
14	Protect	Quercus laurifolia	Laurel Oak	6" DBH	Adj Lot 60-61 Clean and Trim Fronds Adj Lot 60-61 Clean and Trim Branch
15	Protect	Quercus laurifolia	Laurel Oak	6" DBH	Adj Lot 60-61 Clean and Trim Branch
16	Protect	Quercus laurifolia	Laurel Oak	8" DBH	Adj Lot 60-61 Clean and Trim Branch
17	Remove	Swietenia mahagoni	Mahogany Tree	15" DBH	Lot 61
18	Relocate	Sabal palmetto	Sabal Palm	30' CT Double	Lot 59 Relocated to Buffer
19	Remove	Quercus laurifolia	Laurel Oak	18" DBH	Lot 62
20	Remove	Quercus laurifolia	Laurel Oak	30" DBH	LOUGE
21	Relocate	Livistona chinensis	Chinese Palm		Twins Relocated to Buffer
22	Relocate	Sabal palmetto	Sabal Palm		Relocated to Buffer
23	Protect	Quercus laurifolia	Laurel Oak	34" DBH	Lot 87
24	Relocate	Sabal palmetto	Sabal Palm	15' CT	Lot 88 - Lot 89 Relocated to Buffer
25	Protect	Quercus laurifolia	Laurel Oak	10" DBH	Twins Lot 88 - Lot 89
26	Protect	Quercus laurifolia	Laurel Oak	30" DBH	Lot 85
27	Protect	Quercus laurifolia	Laurel Oak	24" DBH	Lot 82
28	Remove	Quercus laurifolia	Laurel Oak	36" DBH	Road
29	Remove	Quercus laurifolia	Laurel Oak	40" DBH	Lot 82
30	Remove	Quercus laurifolia	Laurel Oak	36" DBH	Lot 66
31	Relocate	Sabal palmetto	Sabal Palm		Lot 67 Relocated to Buffer
32	Relocate	Sabal palmetto	Sabal Palm		Lot 67 Relocated to Buffer
33	Relocate	Sabal palmetto	Sabal Palm	100000000000000000000000000000000000000	Lot 67 Relocated to Buffer
34	Relocate	Sabal palmetto	Sabal Palm		Relocated to Buffer
35	Relocate	Sabal palmetto	Sabal Palm		Relocated to Buffer
36	Relocate	Sabal palmetto	Sabal Palm		Relocated to Buffer
37	Relocate	Sabal palmetto	Sabal Palm		Relocated to Buffer
38	Relocate	Sabal palmetto	Sabal Palm		Relocated to Buffer
39	Relocate	Sabal palmetto	Sabal Palm		Relocated to Buffer
40	Relocate	Sabal palmetto	Sabal Palm	10 March 24 Control (1997)	Relocated to Buffer
41	Relocate	Sabal palmetto	Sabal Palm		Relocated to Buffer
42	Remove	Quercus virginiana	Live Oak	48" DBH	Lot 111
43	Protect	Quercus virginiana	Live Oak	43" DBH	Lot 1 - Lot 2
44	Protect	Quercus virginiana	Live Oak	48" DBH	Rec. Entrance Tree in distress
45	Protect	Quercus virginiana	Oak Cluster	12-30" " DBH	Lot 111

Trees													
2 1/2" bdh/8' at planting													
Mature Height at 25'													
						Required	Total Required	Total Required	Provided	Total Provided			Differen
Lots	3	Per Unit				112	336		224			-112	
Street (30' on center/25' f	rom corne	r			***************************************	-	 						
Street A		1860				62	235	47	176			-59	
Street B		520				17		13					
Street C		2160				72		54					
Street D		1100				37		28					
Street E		1400				47		35					
												0.000	
Buffer		length	Required	Width	SF								
South Lester Road		304.9	10	20	6098	11			19				
East, South of Entrance		700	5	10	7000	12			18				
East, North of Entrance		510	5	10	5100	9			13				
West, Lester to Lot 61		1390	5	10	13900	24			44				
South, Lot 61 to Lot 74		570	5	10	5700	10			25				
West		345	5	10	3450	6			9				
Tract I1		430		35	15050	1			25				
North		1305	5	30	39150	23			103				
Primary Entry		190	6			6	96		34	290			
							667		690				
						TOTAL REQUIRED						57	
									TOTAL PR	OVIDED	66	7+	
Code Requirements	-	***************************************				····							
Lot Trees			3 Trees fo	r Lot		Development Design Guidelines, July 2016							
Street Trees	1 tree per 30', 25' from intersection					Development Design Guidelines, July 2016							

Trees are 2 1/2 inch BDH/8' Ht. Planting Mature at 25'

NOTES:

- 1. FINAL LANDSCAPE DRAWINGS WILL BE ISSUED AT THE TIME OF FINAL DEVELOPMENT PLAN AND BUILDING PERMIT SUBMITTAL. THE PLANS SHALL BE DESIGNED IN ACCORDANCE WITH CITY ORDINANCE BO. 2069.
- 2. ALL LANDSCAPE AND SPECIFICATIONS SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS AS SHOWN IN THE APOPKA MUNICIPAL CODE LANDSCAPE REQUIREMENTS.

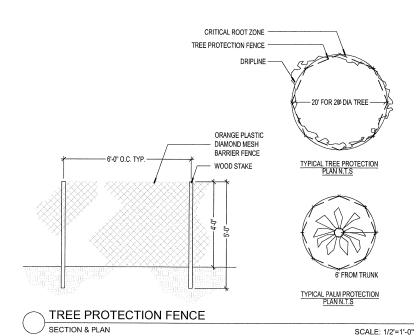
 3. ALL PLANT MATERIAL SPECIFIED SHALL BE IN FULL AND STRICT ACCORDANCE TO FLORIDA NO. 1
- GRADE, ACCORDING TO THE "GRADES AND STANDARDS FOR NURSERY PLANTS", PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, THE PROJECT MANUAL AND/OR SPECIFICATIONS. PLANT MATERIAL IN SOME CASES MAY EXCEED FLORIDA NO.1 GRADE IN
- ORDER TO MEET THE MINIMUM REQUIREMENTS FOR THE PROJECT.

 4. ALL LANDSCAPE SHALL BE COVERED 100% BY AN AUTOMATIC IRRIGATION SYSTEM WITH A RAIN
- SENSOR SHUT OFF DEVICE.

 NO TREES TO BE REMOVED OR RELOCATED WITHOUT A TREE REMOVAL PERMIT.

 ALL PALMS AND TREES MUST BE SETBACK 17FT OR MAXIMUM PALM FROND LENGTH PLUS 10FT FROM POWER POLES PER FPL RIGHT TREE / RIGHT PLACE REQUIREMENTS.

 LANDSCAPE TO BE INSTALLED OUTSIDE OF SITE TRIANGLES.
- * SEE SHEETS (L0-1.00, L1-1.00, L1-2.00) FOR PLANTING LIST, NOTES AND DETAILS



*NOTE: Pinus elli	otti, Junipe	erus silicico	ola, Sabal palmetto utilize 3:1	planting requirement value	·		
TREES	CODE	QTY	BOTANIAL NAME	COMMON NAME	MIN CONT	SIZE	DBH
	QUS	272	Quercus shumardii	Shumard Oak	45 Gal.	10'-12' Ht 5'-6' Sprd.	2.5in
	MAG-S	9	Magnolia grandiflora	Southern Magnolia - Specimen	200 Gal.	9'-12' Ht 10' Sprd.	3.5in
	MAG-S	38	Magnolia grandiflora	Southern Magnolia	100 Gal.	10' Ht 5' Sprd.	2.5in
	JUS	22	Juniperus silicicola	Southern Red Cedar Tree	45 Gal.	8'-10' Ht 4'- 5' Sprd.	2.5in
	ACR	190	Acer rubrum	Florida Red Maple	45 Gal.	12'-14" Ht 6'-8' Sprd.	2.5in
	PIE	105	Pinus elliottii	Slash Pine	45 Gal.	12'-14' Ht 5' Sprd.	2.5in
	LAS	106	Lagerstroemia spp.	Crape Myrtle	30 Gal.	10'-14' Ht. Standard	2.5in
PALMS	CODE	QTY	BOTANIAL NAME	COMMON NAME	MIN CONT	SIZE	DBH
	LIX	1	Livistonia chinensis	Chinese Fan Palm		Existing	
	SPX	38	Sabal palmetto	Sabal Palm	Field Grown	8' - 20' Ht. Grade #1	
SHRUBS	CODE	QTY	BOTANIAL NAME	COMMON NAME	MIN CONT	SIZE	NOTES
	ILV		Ilex Vomitoria	Yaupon Holly	5 gal.	36" Ht.	30"o.c.
	LOC		Loropetalum chinense	Chinese fringe flower	5 gal.	36" Ht.	30"o.c.
	VIS		Viburnum suspensum	Mapleleaf	5 gal.	36" Ht.	30"o.c.
	JAS		Jasminum simplicifolium	Wax Jasmine	5 gal.	36" Ht.	30"o.c.
GROUNDCOVER	CODE	QTY	BOTANIAL NAME	COMMON NAME	MIN CONT	SIZE	NOTES
	ANN		Annuals	Annual Mix	FLAT	CONTRACTOR TO VERIFY	
	PAN		Paspalum notatum	Bahia Sod		CONTRACTOR TO VERIFY	weed free
	STS		Stenotaphrum secundatum	St. Augustine Sod		CONTRACTOR TO VERIFY	weed free
	ASJ		Asiatic jamine	Asian Jasmine		CONTRACTOR TO VERIFY	weed free
	ARG		Arachis glabrata	Perennial Peanut		CONTRACTOR TO VERIFY	weed free

NOTE: ALL PLANT MATERIAL TO MEET OR EXCEED THE ORANGE COUNTY FLORIDA MUNICIPAL CODE REQUIREMENTS

FINAL LANDSCAPE PLANS AND QUANTITES TO BE SUBMITTED AT TIME OF FINAL DEVELOPMENT PLAN

PLANTING SCHEDULE

BUSINESS NO. 32108

9

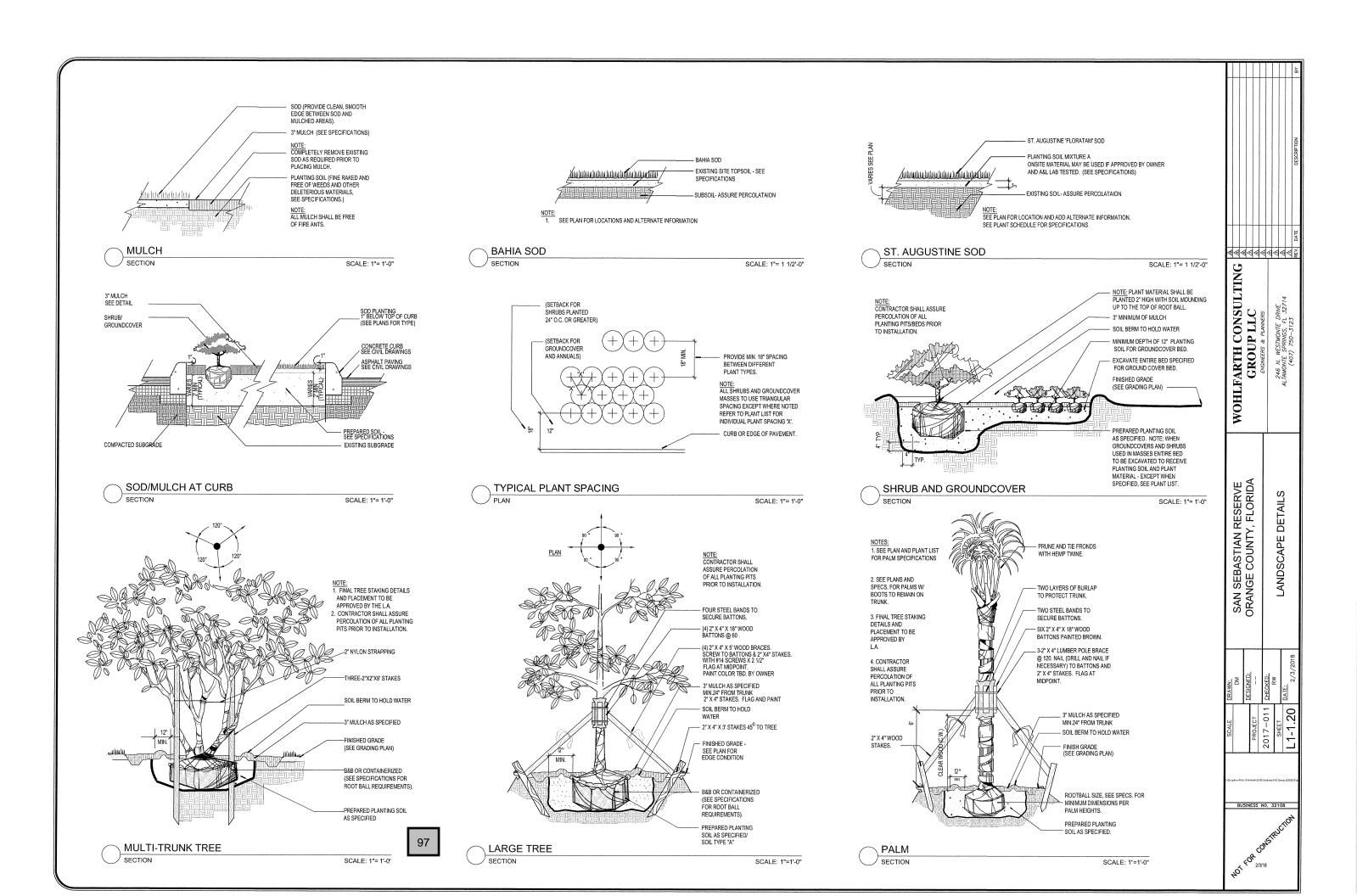
PLANTING LIST AND REQUIREMENTS

SAN SEBASTIAN RESERVE ORANGE COUNTY, FLORIDA

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WOHLFARTH CONSULTING GROUP LLC

96





LEGAL DESCRIPTION SURVEY NOTES: SCHEDULE B-II, HACKLEMAN, OLIVE & JUDD, P.A. ISSUING OFFICE FILE NUMBER 17-11312, DATED SEPTEMBER 18, 2017 AT 8:00AM CORNERS ARE SET IRON PIPE & CAP, WOHL LB 8214, UNLESS OTHERWISE NOTED. D IMPROVEMENTS AND/OR ENCROACHMENTS, IF ANY, WERE NEITHER PARCEL 1 (O.R.B. 6302, PG, 1942) A PARCEL OF LAND LYING IN SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; ALL PROPERTY CORNERS AR BELOW GROUND IMPROVEME ITEM #1 THROUGH ITEM #7 ARE STANDARD COMMITMENT ITEMS AND ARE NOT PLOTTABLE. ITEM #8 EASEMENT TO FLORIDA POWER CORPORATION AS CONTAINED IN INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 4096, PAGE 4209, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA DOES AFFECT THE SUBJECT PROPERTY AND IS SHOWN HEREON. NVESTIGATED NOR LOCATED UNLESS SPECIFICALLY NOTED BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE SOUTH EAST CORNER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, RUN THENCE NORTH Of 45 16 WEST, 75.0.00 FEET, ALONG THE EAST LINE OF SAID SECTION 28. THENCE SOUTH 87*5945 WEST, 50.00 FEET THAN ALL WITH THE STAIN LINE OF SAID SECTION 29 FOR THE POINT OF BEGINNING OF THIS DESCRIPTION, FEET THAN ALL WITH THE STAIN S THIS SURVEY IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL F THE CERTIFYING SURVEYOR. LEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 89.) BENCHMARK OF ORIGIN: ORANGE COUNTY ENGINEERING DEPARTMENT, BENCHMARK "L1370003", EL-116.00(NAVD86) AND BENCHMARK "L1305017", EL-116.(NAVD88). SURVEY (FIELDWORK) WAS PERFORMED ON 106/17. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY THIS FIRM. FND IND 0.15'N, 0.25'E LESS AND EXCEPT THE FOLLOWING DESCRIBED LANDS: FROM THE SOUTH EAST CORNER OF SECTION 28, TOWNISHIP 20 SOUTH, RANGE 28 EAST, RUN THENCE NORTH 01/45/16" WEST, 750.00 FEET, ALONG THE EAST LINE OF SAID SECTION 28, THENCE SOUTH 87°59/45" WEST, 50.00 FEET PARALLEL WITH THE SOUTH LINE OF SAID SECTION 28 FOR THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 87°59/45" WEST, A DISTANCE OF 550.01 FEET, THENCE NORTH 01/45/16" WEST, A DISTANCE OF 550.01 FEET, THENCE NORTH 01/45/16" WEST, A DISTANCE OF 550.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ROCK SPRINGS ROAD, THENCE SOUTH 01"45/16" EAST, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 54.04 FEET TO THE POINT OF BEGINNING; PARCEL 2 (O.R.B. 10532, P.G. 3926) A PARCEL OF LAND LYING IN SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; FND IR 0.34' N, 0.33' E FROM THE SOUTH EAST CORNER OF SECTION 28. TOWNSHIP 20 SOUTH, RANGE 28 EAST RUN SOUTH 87'59'49' WEST 600.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 28 FOR A POINT OF BEGINNING OF THIS DESCRIPTION; CONTINUE THENCE SOUTH 87'59'49' WEST 503.04 FEET, THENCE RUN NORTH 0'14'14' WEST 601.62 FEET TO THE SOUTH LINE OF A PREVIOUSLY DEEDED WELL LOT, THENCE HORTH 87'59'49' EAST 38.50 FEET TO THE SOUTH LINE OF A PREVIOUSLY DEEDED WELL LOT, THENCE HORTH 0'14'14' WEST 148.40 FEET ALONG THE EAST LINE OF AFOREMENTIONED WELL LOT, THENCE NORTH 0'14'14' WEST 148.40 FEET ALONG THE EAST LINE OF AFOREMENTIONED WELL LOT, THENCE NORTH 87'59'49' EAST 593.99 FEET TO A POINT 600.00 FEET WEST OF THE EAST LINE OF AFOREMENTIONED SECTION 28. AND 750.00 FEET NORTH OF THE SOUTH LINE OF AFOREMENTIONED SECTION 28. THENCE SOUTH 0'145'16' EAST 750.00 FEET TO THE POINT OF BEGINNING, LESS THE SOUTH 30.00 FEET THEREOF FOR ROAD; N89°50'39"W THE NW CORNER OF TH 652,56' (C) 652,28' (M) EAST 1/2 OF THE SW 1/4 OF THE SE 1/4 OF SEC 28-20-28 LESS AND EXCEPT THE SOUTH 326.71 FEET OF THE WEST 200.00 FEET OF THE ABOVE DESCRIBED PARCEL 2: PARCEL 3 PARCEL 3 (O. R.B. 975) P.G. 6283) A PART OF THE EAST ONE HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE SOUTHEAST ONE QUARTER (EE 1/4) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. BEGIN AT THE SOUTHEAST ONE-QUARTER (EE 1/4) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 20 LOUTH, RENDE 26 EAST, THENCE SOUTH 67°5949° WEST ALONG THE SOUTHEAST ONE-QUARTER (EW 1/4) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, THENCE SOUTH 67°5949° WEST ALONG THE SOUTHEAST ONE-QUARTER (SW 1/4) OF SECTION 28, FOR 15.00 FEET; THENCE SOUTH 67°5949° WEST ALONG THE SOUTHEAST ONE-QUARTER (SW 1/4) OF THE WEST FOR 83.00 FEET; THENCE NORTH 10°5949° WEST FOR 83.51 FEET; THENCE NORTH 10°5949° WEST PARALLEL WITH THE WESTERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 27/48, PAGE 1830 OF THE PUBLIC RECORDS OF GRANGE COUNTY, FLORIDA FOR 198.93 FEET; THENCE SOUTH BE 30°321° WEST, PARALLEL WITH THE NORTH LINE OF THE AFORESAID EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF TOGETHER WITH (O.R.B. 4086, PG. 4209, O.C.R.) S88°03'21"W 595.03' (D)

SAID LANDS SITUATE, LYING AND BEING IN ORANGE COUNTY, FLORIDA, CONTAINING 23,1362 ACRES MORE OR LESS

34.88' (D)

FND IR 0.07' S, 13,79' W

83.51' (D

N89°55'59"W 97.30' (C) N87°59'49"E 83.51' (D)

9°55'59"E 97.35' (C)

S89°51'34"E

99.77' (C) N87°59'49"E

95.53' (D)

LB 836 0.26' N, 3.21' E

EAST LINE OF PARCEL 3

N89°55'59"W 34,85' (C)

N87°59'49"E 35.35' (D)

SET IPC

S00°26'46"W

S01°41'41"E

10.00' (D)

WEST LINE

NORTH LINE OF

87°59'49"W 173,12' (D)

SOUTH LINE OF

WELL LOT

SET IPC

DETAIL "A"

SCALE 1"=50'

WELL LOT (O.R.B. 3141, PG. 1427, O.C.R)

WELL LOT

NE CORNER OF

EAST LINE OF

FND IP 0.58'N, 3.22'E

WELL LOT

N89°55'59"W 38 50' (C)

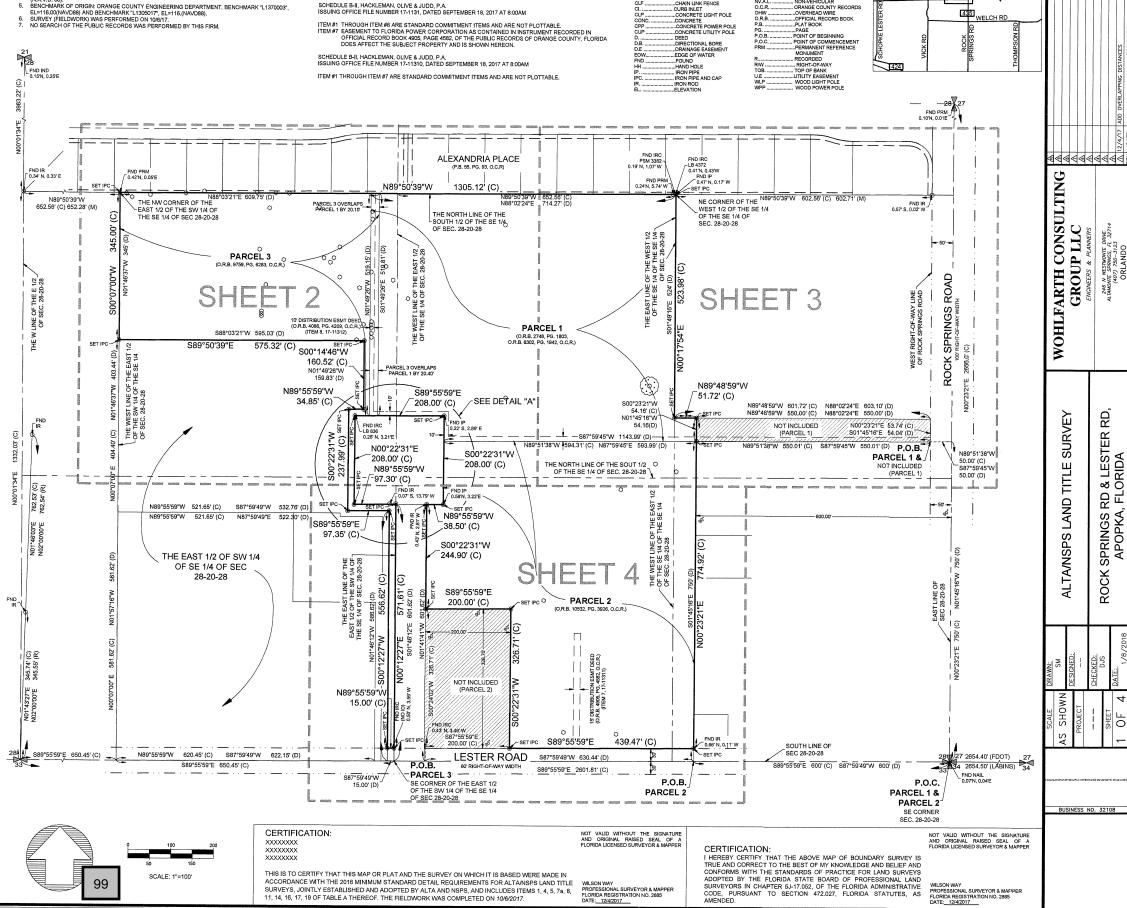
N87°59'49"F 38.50' (D)

SETIPO

SE CORNER OF

∠WELL LOT FND IP 0.22' S, 2.89' E

OF PARCEL 1



LEGEND:

ELEC. MTR...

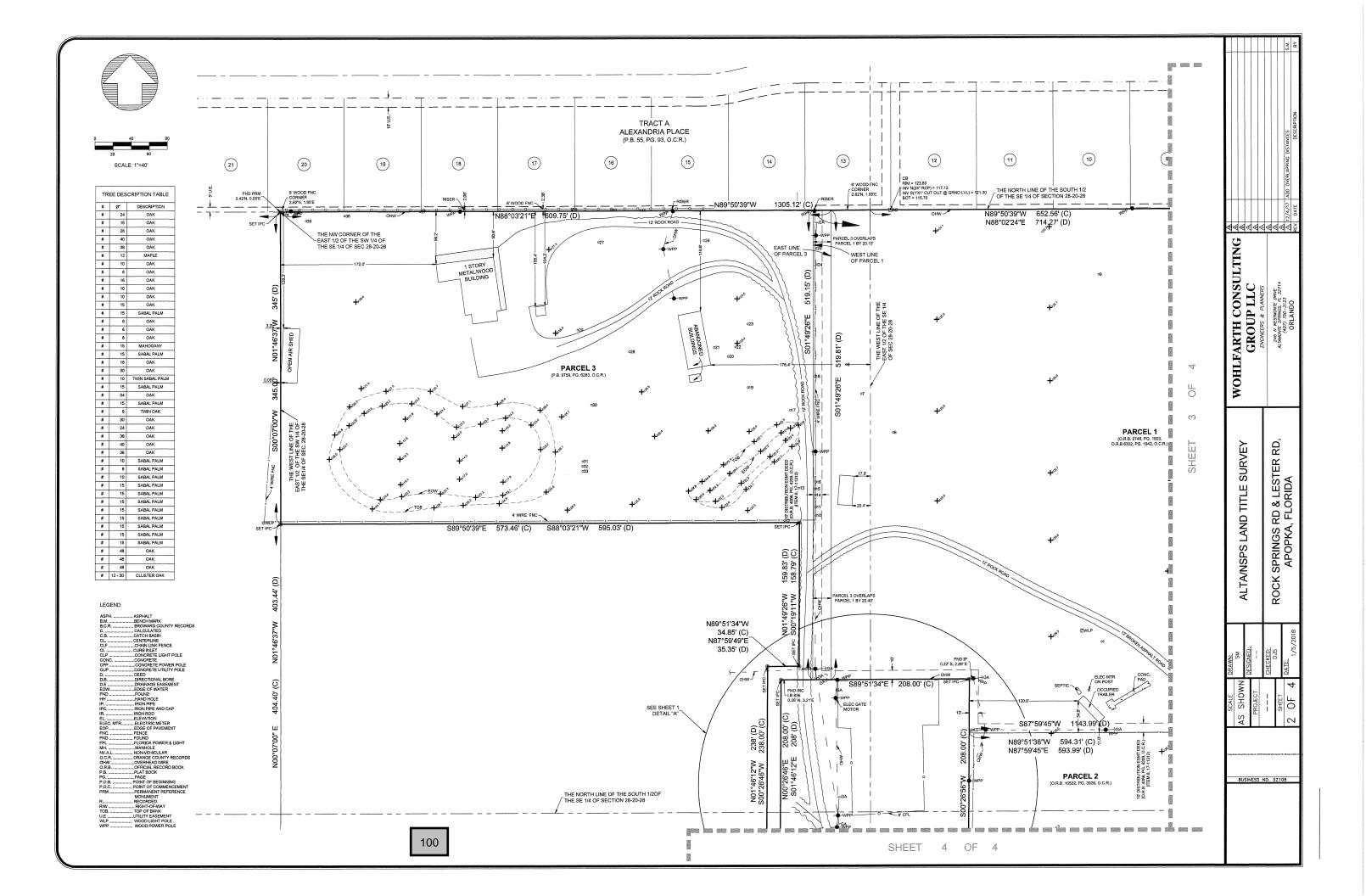
....ELECTRIC METER

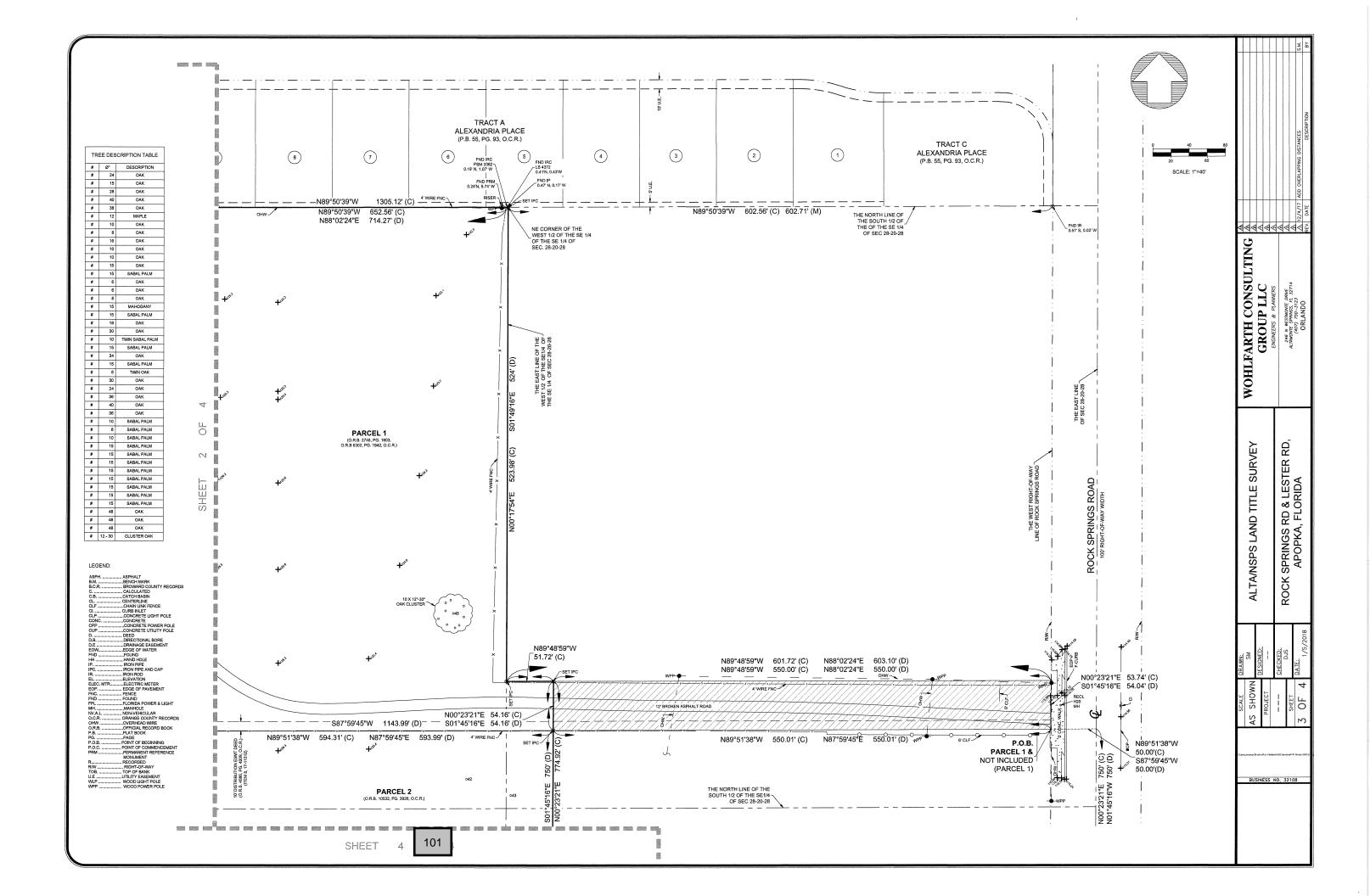
PONKAN RD

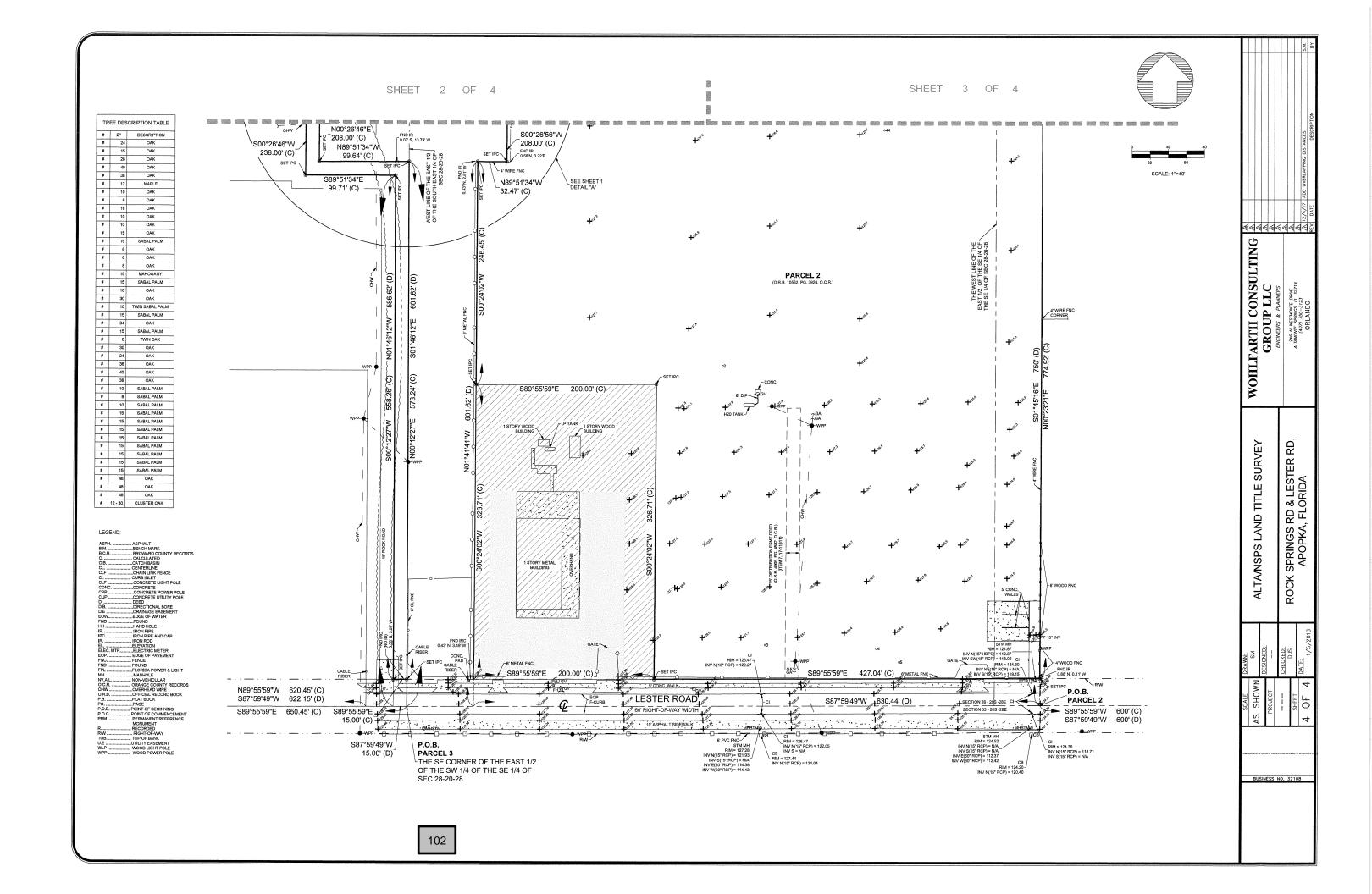
ESTER RO

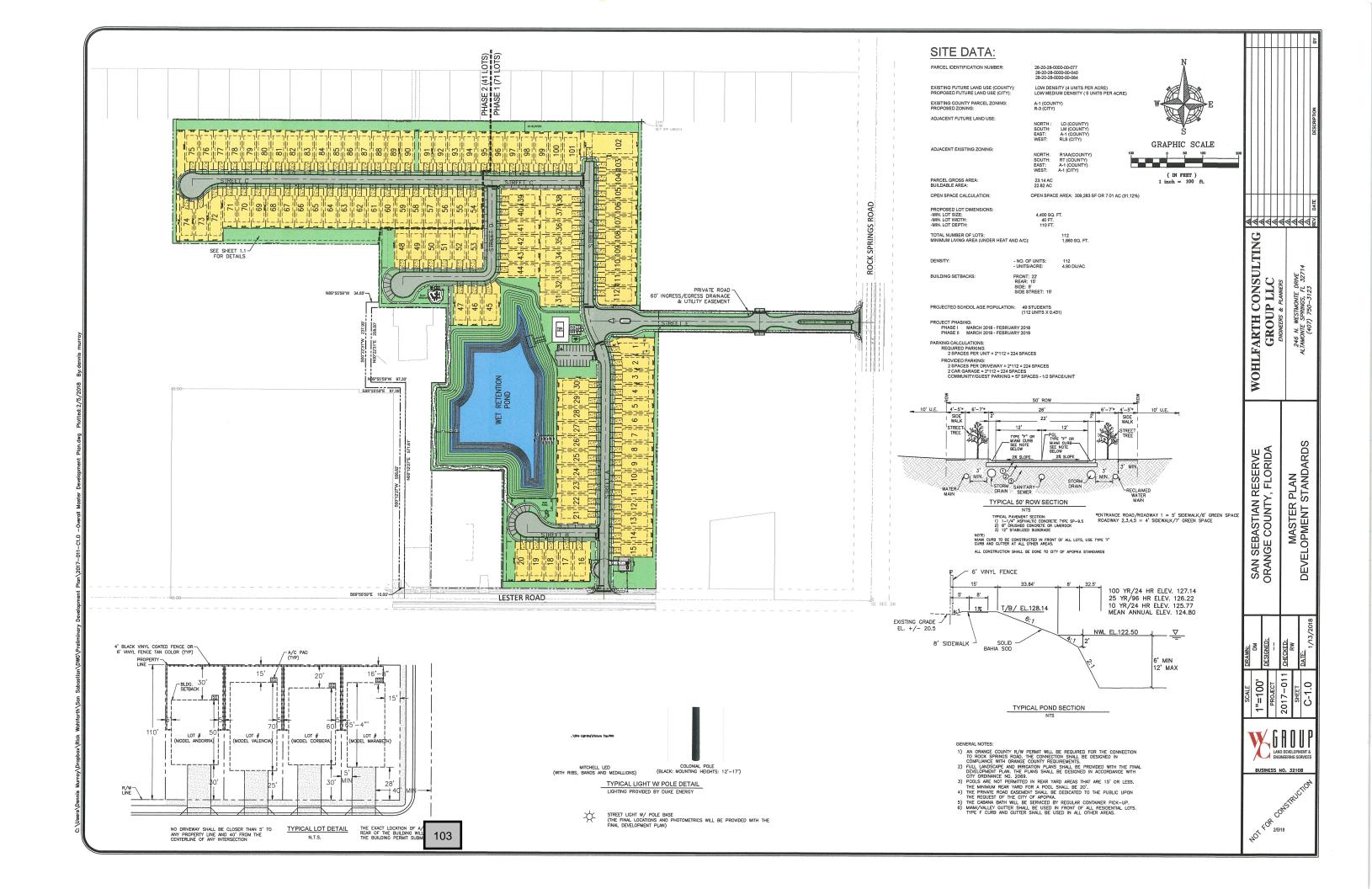
SITE

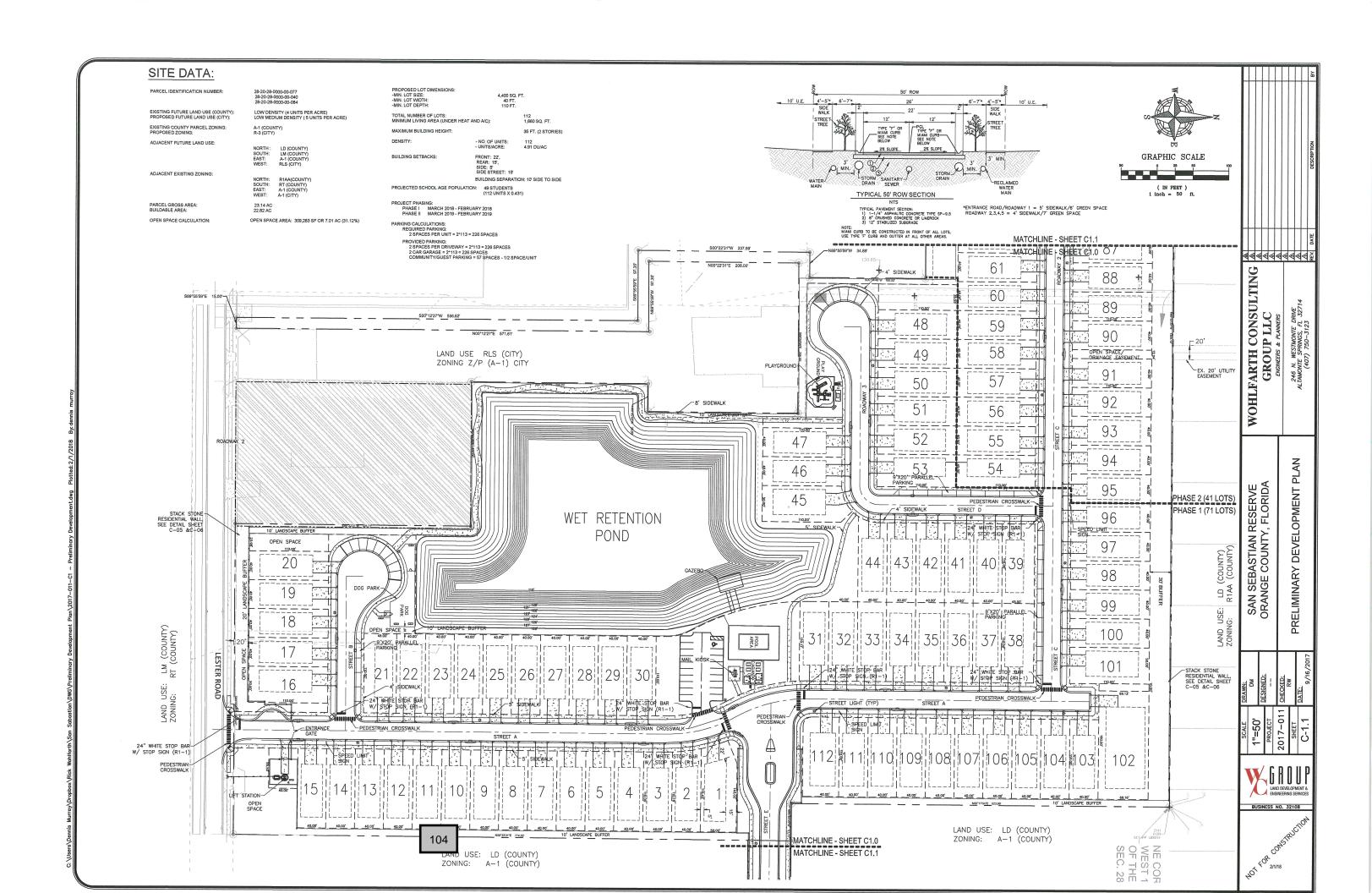
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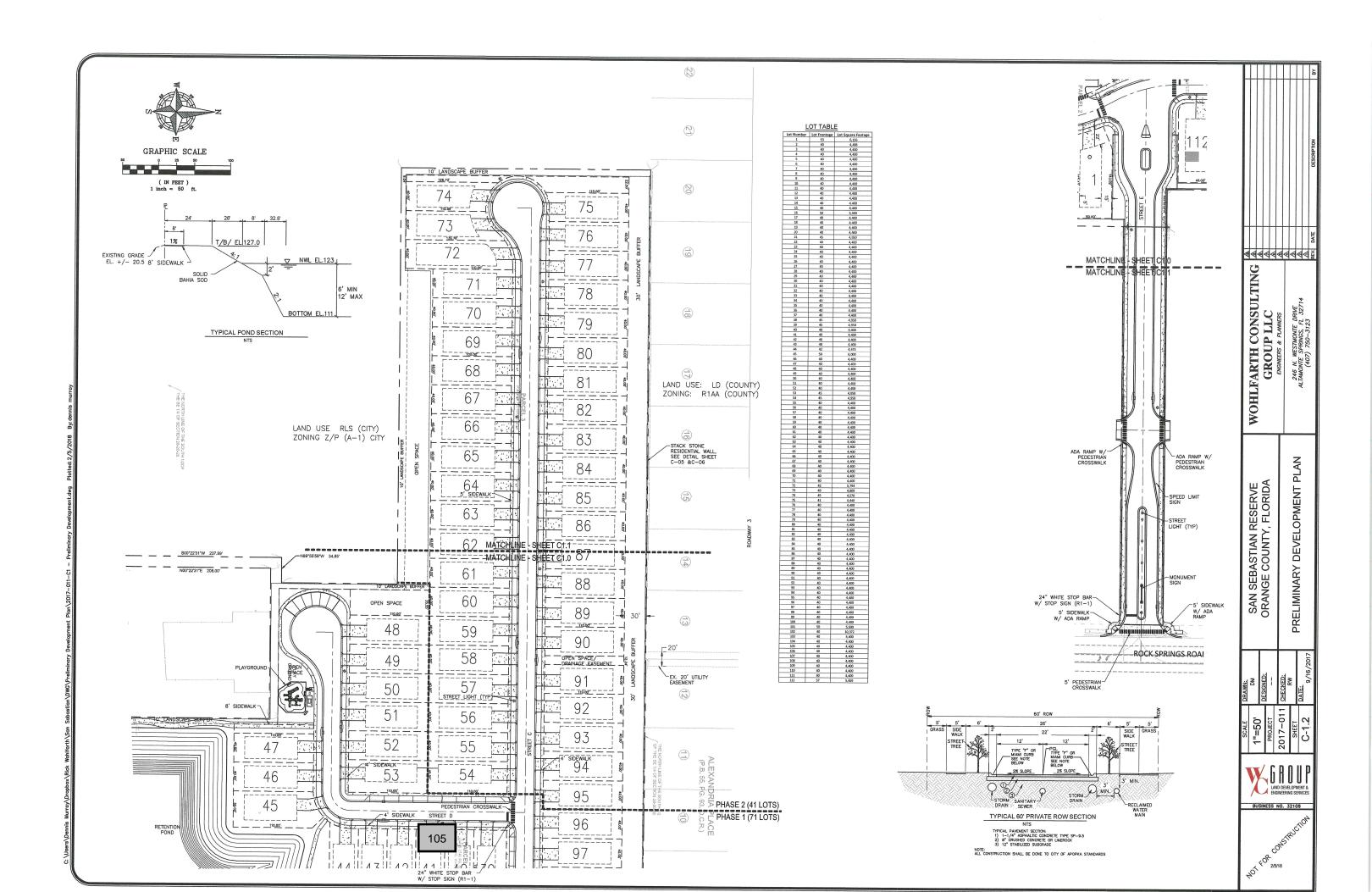


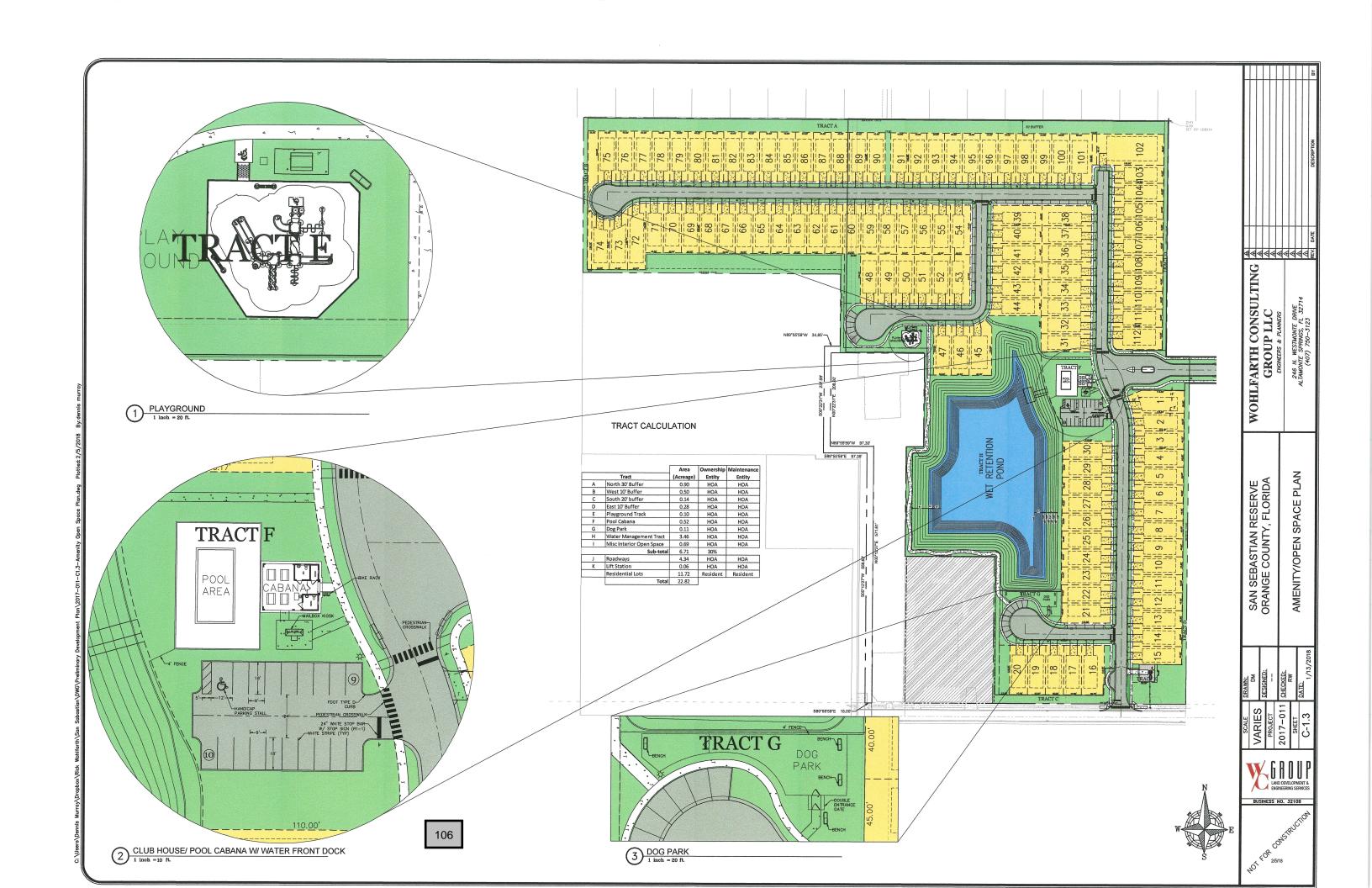


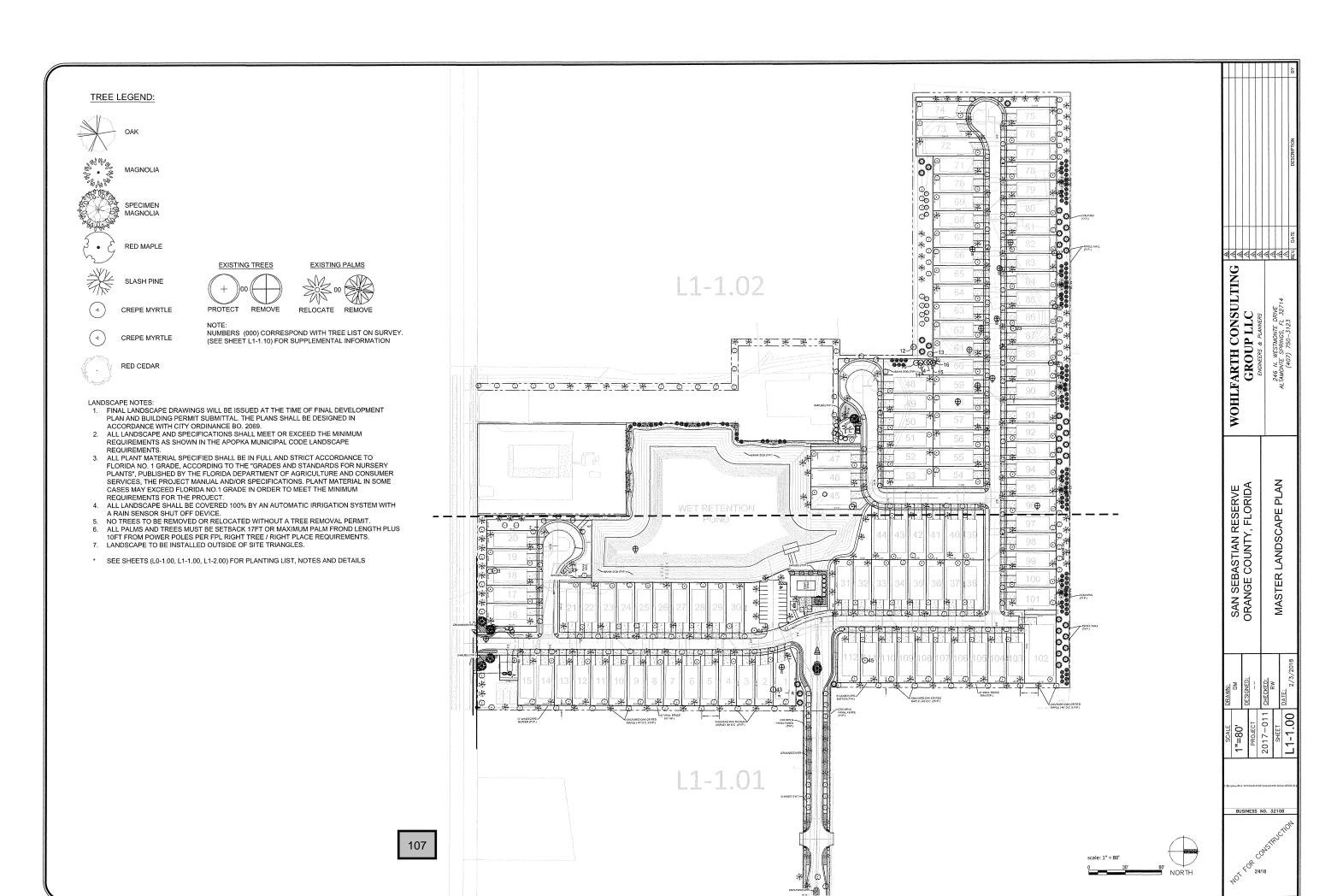


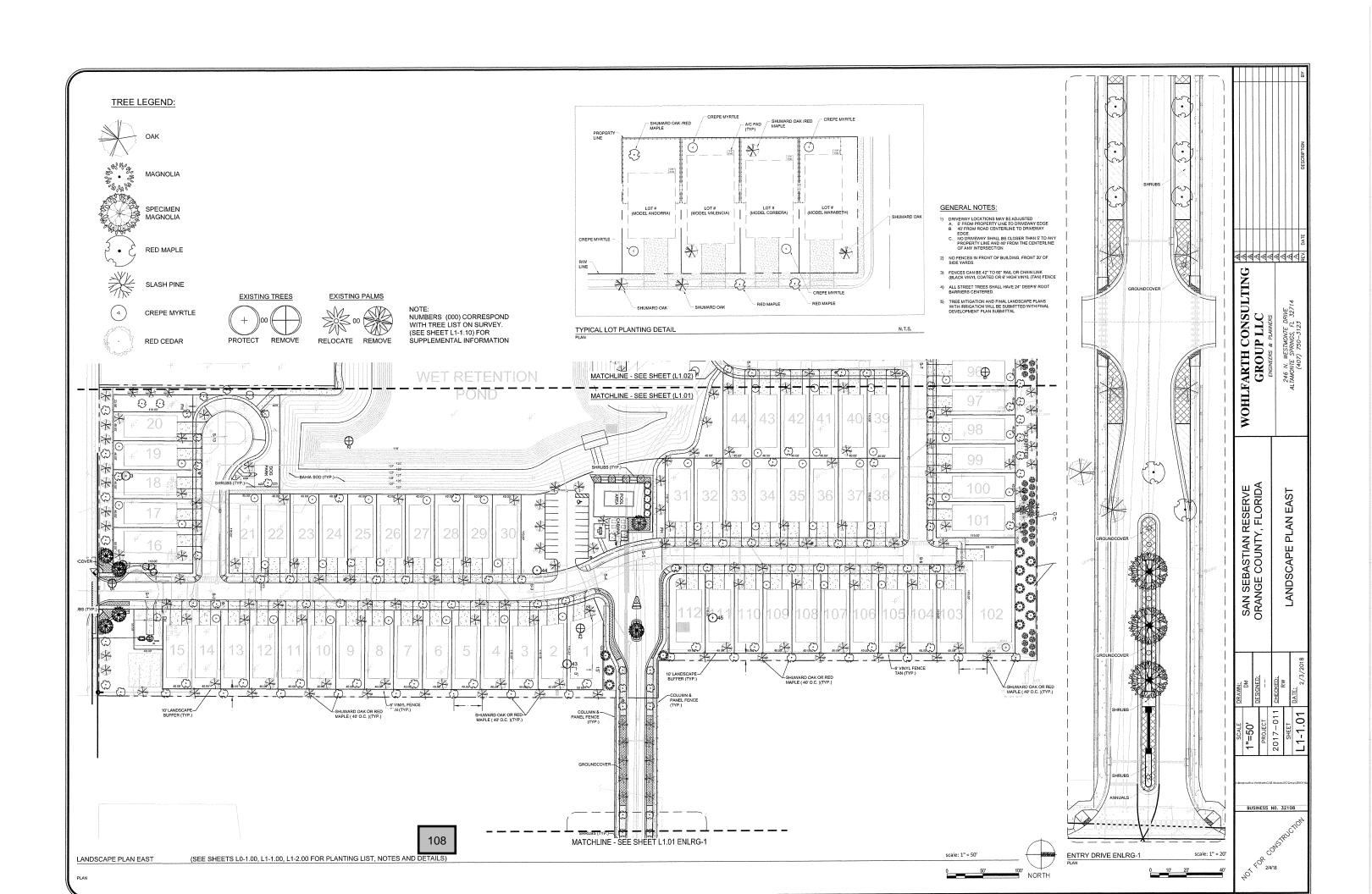


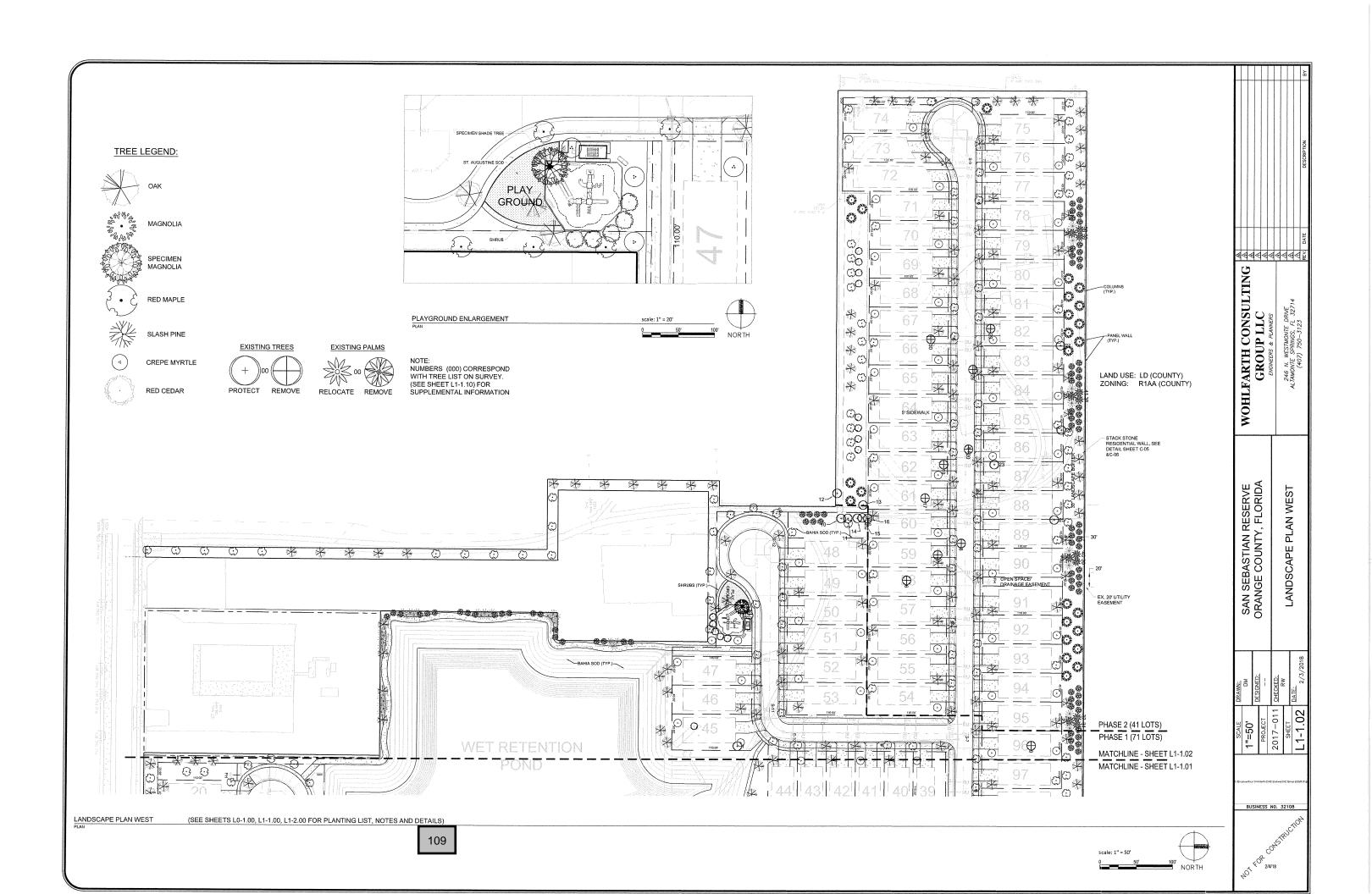












REE#	DISPOSITION	TYPE (SCIENTIFIC)	TYPE (COMMON)	DBH	GENERAL NOTES	
1	Protect	Quercus virginiana	Live Oak	24" DBH	Lot 45 Side Yard	
2	Remove	Quercus virginiana	Live Oak	15" DBH	In Lake	
3	Protect	Quercus virginiana	Live Oak	28" DBH	Lot 18 Back Yard	
4	Remove	Quercus laurifolia	Laurel Oak	40" DBH	Lester Entrance Tree Rot	
5	Remove	Quercus laurifolia	Laurel Oak	38" DBH	Lester Entrance Tree Rot	
6	Remove	Acer rubrum	Florida Red Maple	12" DBH	Lot 59	
7	Remove	Quercus virginiana	Live Oak	10" DBH	Dead	
8	Remove	Quercus virginiana	Live Oak	8" DBH	Lot 96	
9	Remove	Quercus virginiana	Live Oak	16" DBH	Lot 96	
10	Protect	Quercus laurifolia	Laurel Oak	10" DBH	Adj Lot 60-61 Clean and Trim Branch	
11	Protect	Quercus laurifolia	Laurel Oak	10" DBH	Adj Lot 60-61 Clean and Trim Branch	
12	Protect	Quercus laurifolia	Laurel Oak	15" DBH	Adj Lot 60-61 Clean and Trim Branch	
13	Protect	Sabal palmetto	Sabal Palm		Adj Lot 60-61 Clean and Trim Fronds	
14	Protect	Quercus laurifolia	Laurel Oak	6" DBH	Adj Lot 60-61 Clean and Trim Branch	
15	Protect	Quercus laurifolia	Laurel Oak	6" DBH	Adj Lot 60-61 Clean and Trim Branch	
16	Protect	Quercus laurifolia	Laurel Oak	8" DBH	Adj Lot 60-61 Clean and Trim Branch	
17	Remove	Swietenia mahagoni	Mahogany Tree	15" DBH	Lot 61	
18	Relocate	Sabal palmetto	Sabal Palm	30' CT Double	Lot 59 Relocated to Buffer	
19	Remove	Quercus laurifolia	Laurel Oak	18" DBH	Lot 62	
20	Remove	Quercus laurifolia	Laurel Oak	30" DBH		
21	Relocate	Livistona chinensis	Chinese Palm		Twins Relocated to Buffer	
22	Relocate	Sabal palmetto	Sabal Palm		Relocated to Buffer	
23	Protect	Quercus laurifolia	Laurel Oak	34" DBH	Lot 87	
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27	Protect	Quercus laurifolia	Laurel Oak	24" DBH	Lot 82	
28	Remove	Quercus laurifolia	Laurel Oak	36" DBH	Road	
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43	Protect	Quercus virginiana	Live Oak	43" DBH	Lot 1 - Lot 2	
44	Protect	Quercus virginiana	Live Oak	48" DBH	Rec. Entrance Tree in distress	
45	Protect	Quercus virginiana	Oak Cluster	12-30" " DBH	Lot 111	

Trees											
2 1/2" bdh/8' at planting Mature Height at 25'	elece, . i i i i			tudina dalambahahaha	laktuurinen siinenkiri, ser ku yaa siirone, sai						
						Required	Total Required	Provided	Total Pro	vided	Differer
Lots	3	Per Unit				112	336		224		-112
Street (30' on center/25' f	rom corn	er									
Street A		1860				62	235	47	176		-59
Street B		520				17		13	170		
Street C		2160				72		54			
Street D		1100				37		28			
Street E		1400				47		35			
									1000		
Buffer		length	Required	Width	SF	1					
South Lester Road		304.9	10	20	6098	11			19		
ast, South of Entrance		700	5	10	7000	12			18		
ast, North of Entrance		510	5	10	5100	9			13		
West, Lester to Lot 61		1390	5	10	13900	24			44		
South, Lot 61 to Lot 74		570	5	10	5700	10			25		
West		345	5	10	3450	6			9		
Fract I1		430		35	15050	1			25		
North		1305	5	30	39150	23			103		
Primary Entry		190	6			6	96		34	290	
							667		690		
									TOTAL RE	QUIRED	667
									TOTAL PR	OVIDED	667+
Code Requirements		***				·					
ot Trees			3 Trees fo	r Lot		T	Develor	ment Design	Guideline	s. July 2016	<u> </u>
treet Trees	1 tree per 30', 25' from intersection				Development Design Guidelines, July 2016 Development Design Guidelines, July 2016						

NOTES:

Trees are 2 1/2 inch BDH/8' Ht. Planting Mature at 25'

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- 2. ALL LANDSCAPE AND SPECIFICATIONS SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS AS SHOWN IN THE APOPKA MUNICIPAL CODE LANDSCAPE REQUIREMENTS.

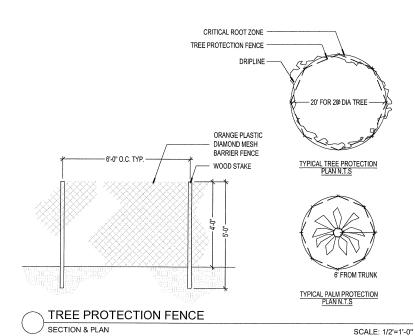
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- SENSOR SHUT OFF DEVICE.

 NO TREES TO BE REMOVED OR RELOCATED WITHOUT A TREE REMOVAL PERMIT.

 ALL PALMS AND TREES MUST BE SETBACK 17FT OR MAXIMUM PALM FROND LENGTH PLUS 10FT FROM POWER POLES PER FPL RIGHT TREE / RIGHT PLACE REQUIREMENTS.

 LANDSCAPE TO BE INSTALLED OUTSIDE OF SITE TRIANGLES.
- * SEE SHEETS (L0-1.00, L1-1.00, L1-2.00) FOR PLANTING LIST, NOTES AND DETAILS



			ola, Sabal palmetto utilize 3:1		T		
TREES	CODE	QTY	BOTANIAL NAME	COMMON NAME	MIN CONT	SIZE	DBH
	QUS	272	Quercus shumardii	Shumard Oak	45 Gal.	10'-12' Ht 5'-6' Sprd.	2.5in
	MAG-S	9	Magnolia grandiflora	Southern Magnolia - Specimen	200 Gal.	9'-12' Ht 10' Sprd.	3.5in
	MAG-S	38	Magnolia grandiflora	Southern Magnolia	100 Gal.	10' Ht 5' Sprd.	2.5in
	JUS	22	Juniperus silicicola	Southern Red Cedar Tree	45 Gal.	8'-10' Ht 4'- 5' Sprd.	2.5in
	ACR	190	Acer rubrum	Florida Red Maple	45 Gal.	12'-14" Ht 6'-8' Sprd.	2.5in
	PIE	105	Pinus elliottii	Slash Pine	45 Gal.	12'-14' Ht 5' Sprd.	2.5in
	LAS	106	Lagerstroemia spp.	Crape Myrtle	30 Gal.	10'-14' Ht. Standard	2.5in
PALMS	CODE	QTY	BOTANIAL NAME	COMMON NAME	MIN CONT	SIZE	DBH
	LIX	1	Livistonia chinensis	Chinese Fan Palm		Existing	
	SPX	38	Sabal palmetto	Sabal Palm	Field Grown	8' - 20' Ht. Grade #1	
SHRUBS	CODE	QTY	BOTANIAL NAME	COMMON NAME	MIN CONT	SIZE	NOTES
	ILV		llex Vomitoria	Yaupon Holly	5 gal.	36" Ht.	30"o.c.
	roc		Loropetalum chinense	Chinese fringe flower	5 gal.	36" Ht.	30"o.c.
	VIS		Viburnum suspensum	Mapleleaf	5 gal.	36" Ht.	30"o.c.
	JAS		Jasminum simplicifolium	Wax Jasmine	5 gal.	36" Ht.	30"o.c.
GROUNDCOVER	CODE	QTY	BOTANIAL NAME	COMMON NAME	MIN CONT	SIZE	NOTES
	ANN		Annuals	Annual Mix	FLAT	CONTRACTOR TO VERIFY	
	PAN		Paspalum notatum	Bahia Sod		CONTRACTOR TO VERIFY	weed free
	STS		Stenotaphrum secundatum	St. Augustine Sod		CONTRACTOR TO VERIFY	weed free
	ASJ		Asiatic jamine	Asian Jasmine		CONTRACTOR TO VERIFY	weed free
	ARG		Arachis glabrata	Perennial Peanut		CONTRACTOR TO VERIFY	weed free
	1						

NOTE: ALL PLANT MATERIAL TO MEET OR EXCEED THE ORANGE COUNTY FLORIDA MUNICIPAL CODE REQUIREMENTS.

FINAL LANDSCAPE PLANS AND QUANTITES TO BE SUBMITTED AT TIME OF FINAL DEVELOPMENT PLAN

PLANTING SCHEDULE

BUSINESS NO. 32108

9

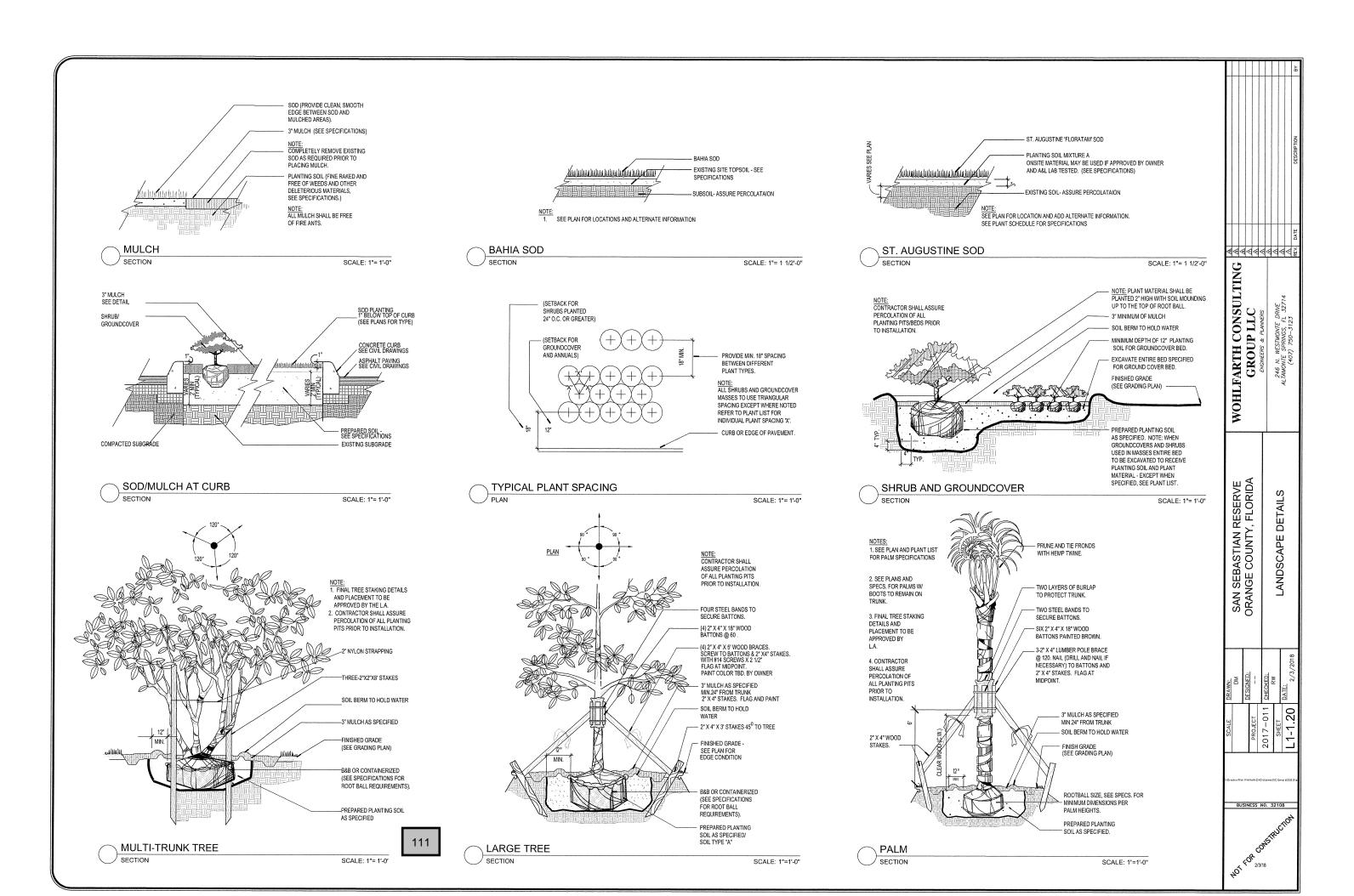
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WOHLFARTH CONSULTING GROUP LLC

246 N. 4LTAMONTE

PLANTING LIST AND REQUIREMENTS

SAN SEBASTIAN RESERVE ORANGE COUNTY, FLORIDA





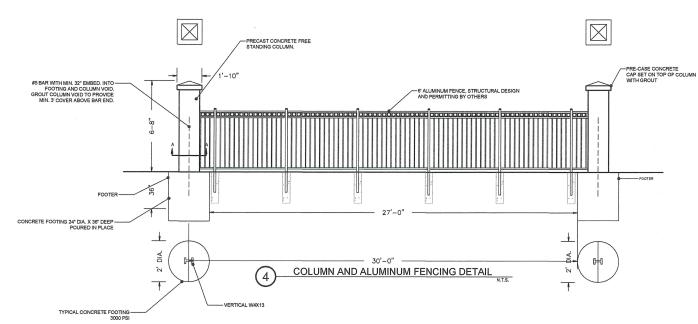
1 STACKED STONE RESIDENTIAL DETAIL



2 TYPICAL 6' PVC FENCE



3 PLAYGROUND





5 COLUMN AND ALUMINUM FENCING DETAIL

LAND DEVELOPMENT & ENDINEERING SERVICES

BUSINESS NO. 32108

< 6St 11/2/17

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WOHLFARTH CONSULTING GROUP LLC

GROUP & PLONNERS

SAN SEBASTIAN RESERVE ORANGE COUNTY, FLORIDA

GENERAL DETAILS

246 N. WESTMONTE DRIVE ALTAMONTE SPRINGS, FL 32714 (407) 750–3123



Planning Commission February 13, 2018 Page 114

Backup material for agenda item:

5. CHANGE OF ZONING – TGINF, LLC from C-1 TO R-3 for property located at 501 Old Dixie Highway. (Parcel ID No. 09-21-28-0000-00-006)



CITY OF APOPKA PLANNING COMMISSION

X PUBLIC HEARING
ANNEXATION
PLAT APPROVAL
OTHER:

DATE: February 13, 2018

FROM: Community Development

EXHIBITS: Zoning Report Vicinity Map

Adjacent Zoning Map Adjacent Uses Map Existing Uses

SUBJECT: TGINF, LLC – CHANGE OF ZONING

PARCEL ID NUMBER: 09-21-28-0000-00-006

Request: CHANGE OF ZONING

FROM: C-1 RETAIL COMMERCIAL DISTRICT

TO: R-3 RESIDENTIAL MULTIPLE-FAMILY DISTRICT

SUMMARY

OWNER/APPLICANT: TGINF, LLC

LOCATION: 501 Old Dixie Highway

EXISTING USE: Woodlands

FUTURE LAND USE: Residential Medium Low (0-7.5 Dwelling Units per Acre)

CURRENT ZONING: C-1 Retail Commercial District

PROPOSED

DEVELOPMENT: Townhome Subdivision

TRACT SIZE: 15.7 +/- acres

MAXIMUM ALLOWABLE

DEVELOPMENT: 171,294 sq. ft. Commercial Use

PROPOSED: 117 Dwelling Units (92 proposed on Preliminary Development Plan)

DISTRIBUTION

Mayor Kilsheimer Finance Director Public Ser. Director

Commissioners (4) HR Director City Clerk
City Administrator Irby IT Director Fire Chief

Community Development Director Police Chief Recreation Director

G:\CommDev\PLANNING ZONING\REZONING\2017\TGINF

PLANNING COMMISSION - FEBRUARY 13, 2018 TGINF- REZONING PAGE 2

<u>ADDITIONAL COMMENTS</u>: The subject parcel was annexed into the City of Apopka on December 17, 2003 through the adoption of Ordinance 1619.

A request to assign a change of zoning to R-3 (Residential Multiple-Family District) is compatible with the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The proposed townhome subdivision will act as a transitional use between the commercial properties on Old Dixie Highway and West Orange Blossom Trail and the single family residential subdivision to the north. The property owner is requesting the R-3 zoning classification for the development of a proposed townhome subdivision. This use is consistent with the proposed Residential Medium Low Future Land Use Designation. The proposal to rezone the property to R-3 (Residential Multiple-Family District) is compatible with the general character of the surrounding zoning and uses.

The change of zoning application covers approximately 15.73 acres.

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

<u>COMPREHENSIVE PLAN COMPLIANCE</u>: The proposed use of the property is consistent with the Residential Medium Low (0-7.5 d/u per acre) Future Land Use designation and with the proposed R-3 zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: A capacity enhancement agreement and or school mitigation agreement with OCPS or a letter exempting the project from school capacity enhancement is required prior to submittal of a final development plan.

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 January 12, 2018.

PUBLIC HEARING SCHEDULE:

February 13, 2018 – Planning Commission (5:30 pm) March 7, 2018 - City Council (1:30 pm) - 1st Reading March 21, 2018 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

December 26, 2017 – Public Notice and Notification March 9, 2018 – Ordinance Heading & ¹/₄ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan. The Development Review Committee recommends adoption of the change in zoning from C-1 (Commercial) to R-3 (Residential Multiple Family), subject to the adoption of the associated large scale future land use amendment, for the property owned by TGINF, LLC.

Recommended Motion: Find the proposed rezoning consistent with the Comprehensive Plan and Land Development Code and to recommend a change of zoning from C-1 (Commercial) to R-3 (Residential Multiple Family), for property owned by TGINF, LLC, subject to the adoption of the associated large scale future land use amendment.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (City)	Residential Low	R-2	Single Family Subdivision
East (City and County)	Res. Medium Low & Low Medium Density Residential	R-1	Single Family Homes
South (City and County)	Commercial	C-1 & C-2	Commercial & Vacant Properties
West (City and County)	Institutional/Public Use & Institutional	PO/I & R-2	Apopka Elementary School & Single Family Homes

LAND USE &

TRAFFIC COMPATIBILITY: The subject property fronts and is accessed by a local roadway (Old Dixie Highway) and has access to a stub-out on Shirley Drive to the north. The proposed R-3 (Multiple Family Residential) zoning district is consistent and compatible with the adjacent zoning classifications and uses within the surrounding area.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed R-3 zoning is consistent with the City's Residential Medium Low (0-7.5 du/ac) Future Land Use designation and with the character of the surrounding area and future proposed development. The R-3 zoning classification is one of the acceptable zoning categories allowed within the Residential Medium Low Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

R-3 DISTRICT **REQUIREMENTS:**

R-3,	Residential							
	Single-Family	7,500sf	<u>70</u>	25	*7.5	20	25	1,350
	Duplex	15,000sf	140	25	10	20	25	1,350
	Multiple-Family							
	Rental/Apartments	1 AC	None	±t .	***	tt	25	750
	Fee Simple, Condo or Townhouse	1 AC	None	#	***	#	25	1,350

^{**}Distance Between Buildings: 50' front to front and 50' rear to rear

Based on the above zoning standards, the subject parcels comply with code requirements for the R-3 district.

BUFFERYARD **REQUIREMENTS:**

- Areas adjacent to all road rights-of-way shall provide a minimum 25-foot landscaped bufferyard.
- Areas adjacent to agricultural uses or districts shall provide a minimum of property line with landscaping and a six-foot-high ten feet abutt masonry wall

PLANNING COMMISSION - FEBRUARY 13, 2018 TGINF- REZONING PAGE 4

- 3. Areas adjacent to residential uses or districts shall provide a six-foot-high masonry wall within a minimum of 50-foot landscaped bufferyard.
- 4. Industrial uses adjacent to nonresidential, nonindustrial uses or districts shall provide one of the following:
 - a. A minimum of 25-feet abutting the property with landscaping and an earth berm, measuring three feet with a 3:1 slope; or
 - b. A minimum six-foot-high masonry wall within a minimum of tenfoot landscaped bufferyard.

ALLOWABLE USES:

- 1. Any use permitted in the R-2 zoning district.
- 2. Multifamily dwellings, including, but not limited to, triplex, quadruplex, townhouses, condominium, and apartment complexes.

TGINF, LLC Property Owner 15.73 +/- Acres

Proposed Large Scale Future Land Use Amendment:

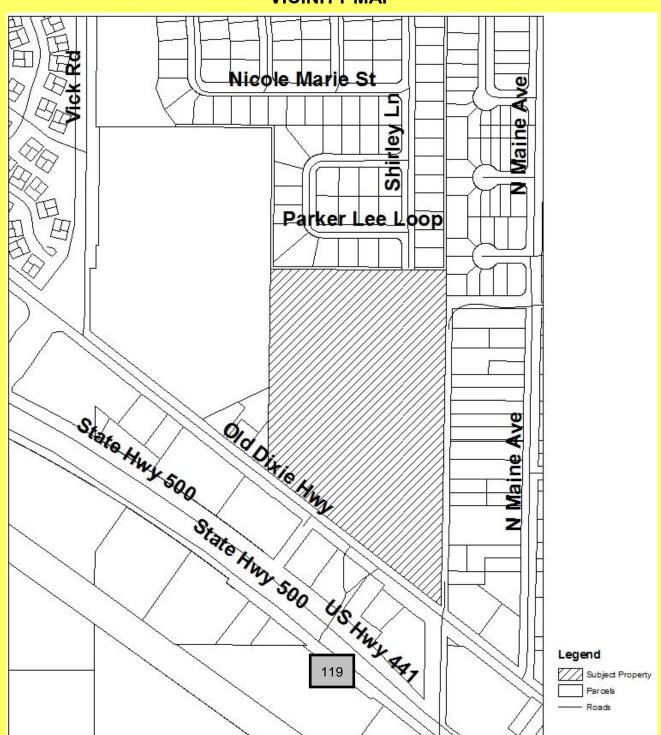
From: Commercial

To: Residential Medium Low (0-7.5 du/ac)
Proposed Change of Zoning:
From: C-1 (Commercial)

To: R-3 (Residential Multiple Family)
Parcel ID #s: 09-21-28-0000-00-006

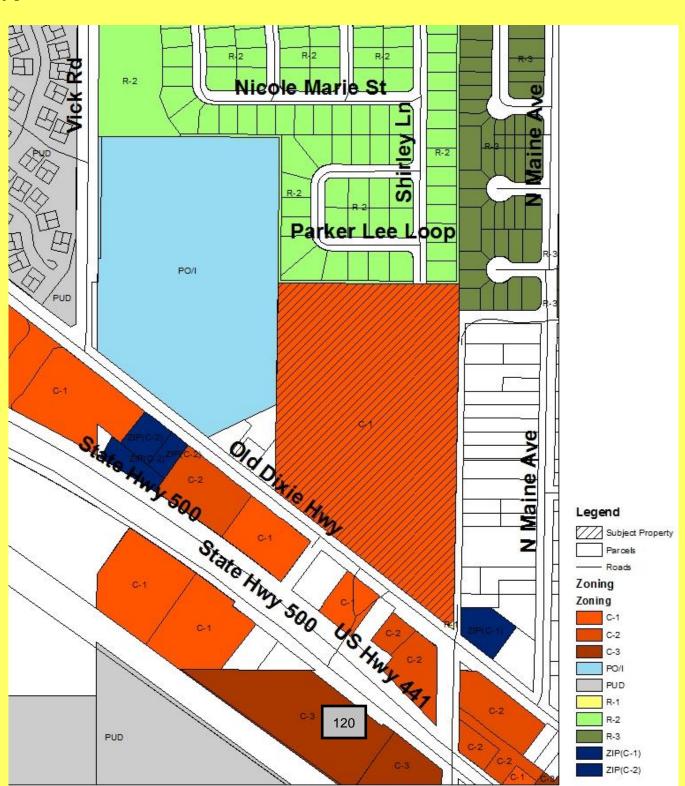


VICINITY MAP



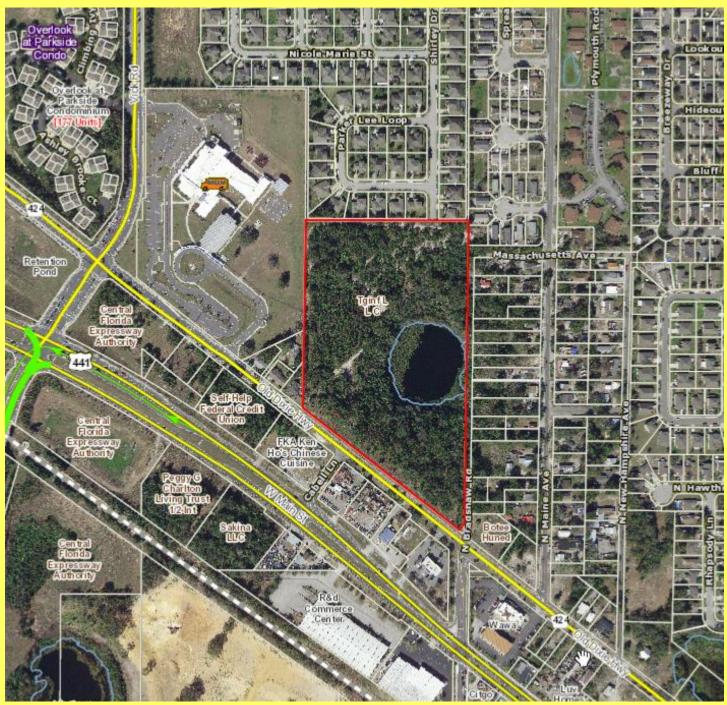


ADJACENT ZONING





EXISTING USES



Planning Commission February 13, 2018 Page 122

Backup material for agenda item:

6. COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – VBRO Enterprises, Inc. from "County" Low Density Residential (0-4 du/ac) to "City" Commercial (Maximum of 0.25 FAR) for property located at 41 East Lester Road. (Parcel ID No. 28-20-20-0000-00-024)



CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING DATE: February 13, 2018

ANNEXATION PLAT APPROVAL

OTHER:

FROM: Community Development

EXHIBITS: Land Use Report

Vicinity Map

Adjacent Zoning Map Adjacent Uses Map Existing Uses

COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE **SUBJECT:**

AMENDMENT – VBRO ENTERPRISES, INC.

28-20-28-0000-00-018 **PARCEL ID NUMBER:**

COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE **Request:**

AMENDMENT - VBRO ENTERPRISES, INC.

FROM: "COUNTY" LOW DENSITY RESIDENTIAL (0-4 DU/AC)

TO: "CITY" COMMERCIAL (MAX. 0.25 FAR)

SUMMARY

OWNER: VBRO Enterprises, Inc.

APPLICANT: William E. Burkett

LOCATION: 41 East Lester Road

EXISTING USE: Single-family residence

CURRENT ZONING: "County" A-1

Maximum 9,119 sq. ft. commercial use (.25 floor area ratio) DEVELOPMENT POTENTAIL:

PROPOSED ZONING: "County" A-1 (Agriculture) (Note: this Future Land Use Map amendment

> request is being processed along with a request to annex and a request to change the Zoning Map designation from "County" A-1 to "City" PUD,

Commercial Neighborhood).

TRACT SIZE: 0.84 + / - acres

MAXIMUM ALLOWABLE

DEVELOPMENT UNDER EXISTING: 3 Single Family Homes

ZONING DISTRICT: PROPOSED: Up to 9,119 sq. ft. commercial use

DISTRIBUTION

Mayor Kilsheimer Finance Director Public Ser. Director

Commissioners (4) HR Director City Clerk City Administrator Irby IT Director Fire Chief

Recreation Director Community Dev. Director Police Chief

<u>ADDITIONAL COMMENTS</u>: A request to assign a Future Land Use Designation of "Commercial" is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 0.84 acre. Combined with the parcel to the east and several other parcels along the west side of Rock Springs Road, this parcel is proposed to be developed as a small commercial retail plaza. A proposed zoning of Planned Unit Development will tailor the site to appropriate commercial and office uses compatible to residential development further to the west along Lester Road. This proposed shopping plaza will be located at the northwest corner of Lester Road and Rock Springs Road.

The east-adjacent properties, facing an arterial road have a "Commercial" Future Land Use designation. The Wekiva Plaza Shopping Center is approximately a half mile south of the subject property.

In conjunction with state requirements, staff have analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Land Use Report). Based on the findings of the Land Use report, the proposed FLUM amendment is compatible with the surrounding and nearby land uses and the character of the general area.

<u>COMPREHENSIVE PLAN COMPLIANCE</u>: The proposed zoning of the subject property, "Commercial Neighborhood" is consistent with the Commercial (max. 0.25 FAR) Future Land Use designation.

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

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on January 12, 2018.

PUBLIC HEARING SCHEDULE:

Planning Commission, February 13, 2018 (5:30 pm) City Council February 21, 2018 (7:00 pm) - 1st Reading City Council, March 7, 2018 (1:30 pm) - 2nd Reading

DULY ADVERTISED:

January 26, 2018- Public Notice (Letters, Apopka Chief, Site Posting) February 2, 2018 - Public Notice (Apopka Chief)

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Office for the property owned by VBRO Enterprises, Inc., and located at 41 East Lester Road.

Planning Commission Recommended Motion: Find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the change of Future Land Use Designation from "County" Low Density Residential to "City" Commercial, subject to the findings of the Staff Report.

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:

Direction	Future Land Use	Zoning	Present Use
North (County)	Low Density Residential	A-1	Single Family House
East (City)	Commercial	CN	Vacant
South (County)	Low Medium Density Residential	R-T	Mobile Home Park (Rock Springs/Palm Isle MHP)
West (County)	Low Density Residential	A-1	Single Family House

II. LAND USE ANALYSIS

North: Abutting the subject property to the north is a single family home on a moderately wooded property.

West: The previously mentioned property is also west of the subject parcel. Beyond that is another single family home.

South: Lester Road is south adjacent to the property, the Rock Springs/Palm Isle Mobile Home Park is across from Lester Road.

East: Abutting the subject property to the east are vacant parcels, zoned CN, with a Commercial Future Land Use designation.

The proposed future land use designation of "City" Commercial serves as a transitional land use between the residential uses to the west and south.

Therefore, staff supports the proposed future land use changes.

Other Information:

Wekiva River Protection Area: No Area of Critical State Concern: No

DRI / FQD: No

<u>JPA</u>: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within "Core Area" of the JPA.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. While located within the Wekiva River Basin Study Area, the subject property is not located within the Protection Area. 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
- 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

<u>Karst Features:</u> The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are no karst features on this property.

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

CALCULATIONS:

Future Population:

Adopted (County Designation) 3 X 2.659 = 7 Persons no impact on population

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

<u>Habitat for species listed as endangered, threatened or of special concern</u>: Per policy 4.1 of the Conservation Element, a habitat study is required for developments greater than ten (10) acres in size. This site is less than ten acres. A habitat study will not be required at the time of a development plan application.

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

Sanitary Sewer Analysis

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

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

- 2. Projected total demand under existing designation: <u>588</u> GPD
- 3. Projected total demand under proposed designation: 1,372 GPD
- 4. Capacity available: Yes
- 5. Projected LOS under existing designation: <u>81</u> GPD/Capita
- 6. Projected LOS under proposed designation: <u>81 GPD/Capita</u>
- 7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

2. Projected total demand under existing designation: 630 GPD

- 3. Projected total demand under proposed designation: 1,829 GPD
- 4. Capacity available: Yes
- 5. Projected LOS under existing designation: <u>177</u> 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: <u>City of Apopka</u>
- 2. If the site is not currently served, please indicate the designated service provider: City of Apopka
- 3. Projected LOS under existing designation: <u>28</u> lbs/ day
- 4. Projected LOS under proposed designation: 18 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: <u>CUP No. 3217</u>

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 design 127 100 year 24 hour design storm

4. Improvement/expansion: On site retention / detention ponds

Recreation

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



VBRO Enterprises 0.84 +/- acres

Proposed Small Scale Future Land Use Amendment:

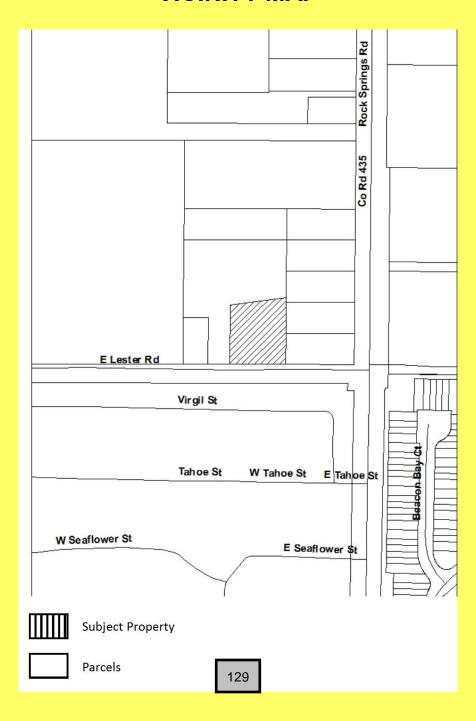
From: "County" Low Density Residential

To: "City" Commercial Proposed Change of Zoning:

From: "County" A-1
To: CN

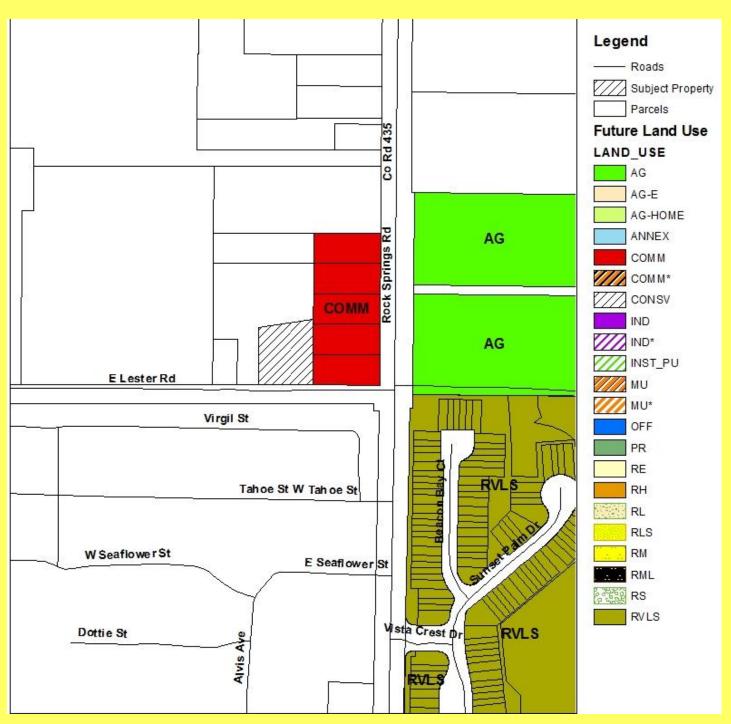
Parcel ID #: 28-20-28-0000-00-018

VICINITY MAP





FUTURE LAND USE MAP





ADJACENT USES MAP



Legend

Subject Parcel

131

Planning Commission February 13, 2018 Page 132

Backup material for agenda item:

7. CHANGE OF ZONING – VBRO Enterprises, Inc., from "County" A-1 (Agricultural) to "City" CN for property located at 41 East Lester Road. (Parcel ID No. 28-20-20-0000-00-024)



CITY OF APOPKA PLANNING COMMISSION

X PUBLIC HEARING DATE: February 13, 2018

SITE PLAN

PLAT APPROVAL

OTHER:

FROM: Community Development

EXHIBITS: Zoning Report

Vicinity Map

Adjacent Zoning Map Adjacent Uses Map

SUBJECT: CHANGE OF ZONING – VBRO ENTERPRISES, INC.

PARCEL ID NUMBER: 28-20-28-0000-00-018, 28-20-28-0220-00-010, 28-20-28-0220-00-020, 28-20-28-

0220-00-030, 28-20-28-0220-00-040, 28-20-28-0220-00-050

Request: CHANGE OF ZONING

FROM: "COUNTY" A-1 (AGRICULTURE) AND "CITY" CN

TO: "CITY" PUD (PLANNED UNIT DEVELOPMENT/COMMERCIAL)

SUMMARY

OWNER: VBRO Enterprises, Inc.

APPLICANT: William E. Burkett

LOCATION: North of East Lester Road and West of Rock Springs Road

EXISTING USE: Single-family residence

CURRENT ZONING: "County" A-1 and "City" CN

DEVELOPMENT POTENTAIL: Maximum 36,619 sq. ft. commercial use (.25 floor area ratio)

PROPOSED ZONING: "City" PUD (Planned Unit Development Commercial) (Note: this Change

of Zoning request is being processed with an application for 41 E. Lester Road for annexation and with a request to amend the Future Land Use from "County" Low Density Residential (0-4 du/ac) to "City" Commercial (Max.

0.25 FAR)

TRACT SIZE: 3.36 +/- acres

MAXIMUM ALLOWABLE

DEVELOPMENT UNDER EXISTING: 3 single-family homes and 27,500 sq. ft. commercial use

ZONING DISTRICT: PROPOSED: 36,619 sq. ft. commercial use

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 Recreation Director

<u>ADDITIONAL COMMENTS</u>: The applicant desires to combine six small parcels at the northwest corner of North Rock Springs Road and Lester Road into a small commercial or office shopping center. For the five parcels abutting Rock Springs Road, "City" CN (Neighborhood Commercial) is currently assigned to each. For the sixth parcel, which fronts Lester Road and which was recently annexed into the City, the zoning is "County" A-1.

The intent of the PUD (Planned Unit Development) zoning request is to allow a restaurant at the intersection of E. Lester Road and N. Rock Springs Road. Restaurants are prohibited in the current CN zoning category. A request to rezone to C-1 (Retail Commercial District), to accommodate a restaurant, would potentially allow undesirable uses such as motels, laundry facilities, and outside storage of merchandise, equipment or commodities.

A request to assign a change of zoning to PUD, for commercial use, is compatible with the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The subject properties have 500 linear feet of frontage along Rock Springs Road, an arterial road. Other commercial properties, such as the Wekiva Plaza Shopping Center, are in the vicinity of the subject property.

The applicant has voluntarily agreed to restrict the type of commercial uses that may be incompatible for allocation that serves as a gateway into an area dominated by existing and future residential neighborhoods along Lester Road, from Rock Springs Road to Plymouth-Sorrento Road.

<u>PUD DEVEOPMENT AND ZONING CONDITIONS</u>: That the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

A. The uses permitted within the PUD district shall be:

- 1. All permitted uses listed in the PO/I (Professional Office/Institutional) and CN (Commercial Neighborhood) district, except those listed as prohibited below.
- 2. Restaurants, with or without outdoor seating,
- 3. Adult day care, not to exceed 7,000 square feet net floor area.
- 4. Retail businesses, except those listed as prohibited,
- 5. Banks,
- 6. Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district and which are not prohibited as specified in this code. Use determination shall be based upon the community development director's recommendation.

B. The uses prohibited within the PUD district shall be:

- 1. Tobacco Store
- 2. Laundromat businesses
- 3. Medical Marijuana Dispensary
- 4. Veterinary and pet grooming facilities
- 5. Motorized Vehicle Service Stations
- 6. New or used motorized vehicle sales
- 7. Plumbing Shops
- 8. Appliance Stores
- 9. Tattoo/Piercing Parlors
- 10. Adult entertainment as defined in section

PLANNING COMMISSION – FEBRUARY 13, 2018 VBRO ENTERPRISES – CHANGE OF ZONING PAGE 3

- 11. Auto title loan, paycheck advance facilities, and other "personal credit institutions"
- 12. Pawn shops.
- 13. Employment agencies.
- 14. Modular, mobile and pre-fab home display and sales.
- 15. Mini-warehouse and self-storage facilities.
- 16. Outside storage of supplies, materials, equipment, merchandise, and activities.
- 17. Motorized Truck stops or terminal as defined by this code.
- 18. Flea markets (indoor and outdoor).
- 19. Motorized automotive and transportation related businesses including new and used retail automotive part stores, mechanic shops, new and used car sales, boat sales, vehicle rental, etc.
- 20. Bail bonds businesses.
- 21. Blood banks, blood donor stations, plasmapheresis facilities, or other similar bio-donating uses; provided however, that this prohibition shall not include the practice of the following duly licensed professionals: physicians, dentists, orthodontists or pharmacists, or other health care practitioners, which may perform incidental bio-donating functions and procedures; provided, further, however, that this prohibition shall not apply to *bona fide* blood drives and similar events conducted by non-profit blood banks for a non-commercial purpose.
- 22. Soup kitchens; provided however, that this prohibition shall not apply to the *bona fide* charitable activities of *bona fide* churches, synagogues, mosques and other places of worship that are occupied and in operation on the effective date of this ordinance.
- 23. Outdoor parks and recreational areas.
- 24. Bowling alleys, skating rinks, billiard parlors and similar amusement centers.
- 25. Assisted Living Facilities.
- C. Development Design Standards for this PUD, in addition to the Development Design Standards set forth in the Land Development Code (LDC)shall be as follows:
 - 1. Drive through restaurants shall be limited to one drive aisle and no more than one menu board.
 - 2. Drive through establishments without food and beverage sales are limited to two service drive aisles.
 - 3. The development must have a unified architectural theme.
 - 4. The development shall have a plaza or prominent architectural feature at the corner of Rock Springs. Road and Lester Road. Examples include: statue, fountain, corner entrance, clock tower)
 - 5. Outdoor seating encouraged at restaurant(s).
 - 6. The development must have at least two separate buildings, each building shall have a footprint not greater than 15,000 square feet floor area.
 - 7. Driveways must be at least 50 feet away from the southeastern corner of the development.
 - 8. Building frontage along Rock Springs Road and Lester Road must resemble store fronts with windows and either faux or real entrances.
 - 9. If any conflict occurs between the above design standards and the LDC, the above standards shall apply.
- D. Terms of Expiration for this PUD shall be as follows:

If a Final Development Plan associated with the PUD district has not been approved by the City within three years, and site development has not commenced within four 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 Final 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.
- E. The requisite Master Plan shall be submitted with or as part of the Preliminary Development Plan application.

<u>COMPREHENSIVE PLAN COMPLIANCE</u>: The proposed Planned Unit Development zoning of the property is consistent with the proposed Commercial (Max. 25% Floor Area Ratio) Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed rezoning will not generate any residential development and, thus, will not have an impact on public schools.

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 January 12, 2018.

PUBLIC HEARING SCHEDULE:

Planning Commission, February 13, 2018 (5:30 pm) City Council February 21, 2018 (7:00 pm) - 1st Reading City Council, March 7, 2018 (1:30 pm) - 2nd Reading

DULY ADVERTISED:

January 26, 2018- Public Notice (Letters, Apopka Chief, Site Posting) February 2, 2018 - Public Notice (Apopka Chief)

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" A-1 and "City" CN to "City" PUD for the property owned by VBRO Enterprises, Inc., and located at 41 E. Lester Road, 2038 Rock Springs Road, 2030 Rock Springs Road, 2022 Rock Springs Road, 2014 Rock Springs Road, and 2006 Rock Springs Road.

Recommended Motion: Find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" A-1 and "City" CN to "City" PUD for the property owned by VBRO Enterprises, Inc., subject to the PUD development and zoning standards within the Staff Report.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (County)	Low Density Residential	A-1	Single Family House
East (City)	Agriculture	AG	Greenhouse Operations
South (County)	Low Medium Density Residential	R-T	Mobile Home Park
West (County)	Low Density Residential	A-1	Single Family House

LAND USE & TRAFFIC COMPATIBILITY:

The subject property fronts and is accessed by a county collector, East Lester Road and a major arterial road, N. Rock Springs Road.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed Planned Unit Development zoning, with the proposed development and zoning standards in the Staff Report, is consistent with the proposed Future Land Use designation, "Commercial" (Max. 25% FAR) and with the character of the surrounding area. Development Plans shall not exceed the intensity allowed in the adopted Future Land Use designation.

BUFFERYARD REQUIREMENTS:

The CN zoning buffer requirement shall apply:

- 1. Areas adjacent to all road rights-of-way shall provide a minimum tenfoot landscaped bufferyard.
- 2. Areas adjacent to agricultural and residential uses or districts shall provide a minimum six-foot-high masonry wall within a ten-foot landscaped bufferyard.
- 3. Areas adjacent to nonresidential uses or districts shall provide a minimum of five-foot landscaped bufferyard.
- 4. Landscaping requirements for existing platted lots of record and structures may be approved in a lesser amount than required after review by the development review committee.



VBRO Enterprises 3.36 +/- acres

Proposed Small Scale Future Land Use Amendment:

From: "County" Low Density Residential

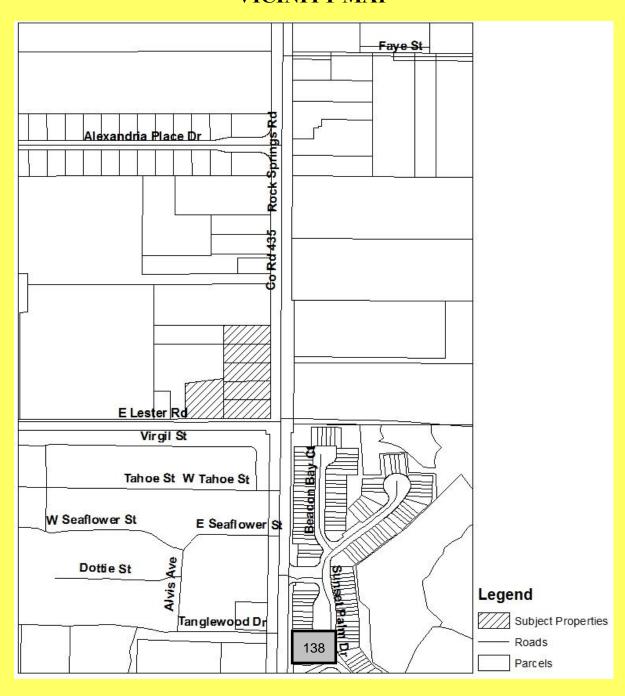
To: "City" Commercial Proposed Change of Zoning: From: "County" A-1 and "City" CN

To: PUD

Parcel ID #: 28-20-28-0000-00-018; 28-20-28-0220-00-010; 28-20-28-0220-00-020;

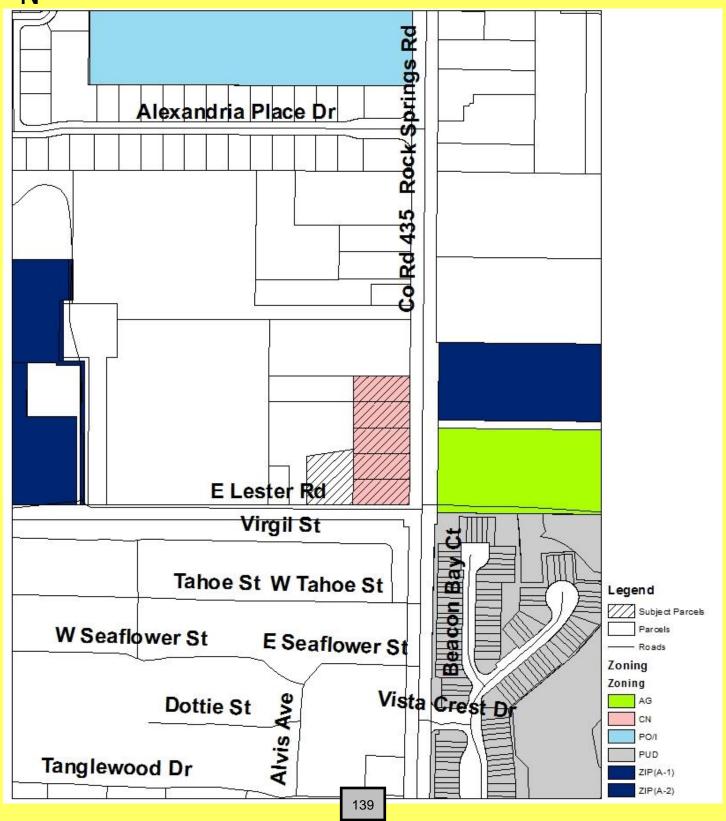
28-20-28-0220-00-030; 28-20-28-0220-00-040; 28-20-28-0220-00-050

VICINITY MAP





ADJACENT ZONING MAP





ADJACENT USES MAP



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Backup material for agenda item:

8. VARIANCE - Request a variance of Apopka Code of Ordinances, Part III, Land Development Code, Sections 2.02.01(A) and 2.02.06(G)(1)(c) "Rear yards shall be a minimum of 20 feet" to allow a deck to extend within the required rear-yard setback for the property owned by Belvedere Estates, Inc., c/o Shirish Suchak and located at 1586 Golfside Village Boulevard.



CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING MEETING OF: February 13, 2018

SPECIAL REPORTS Community Development FROM:

PLAT APPROVAL **EXHIBITS:** Vicinity Map OTHER: Variance

Applicant Request

SUBJECT: 1586 GOLFSIDE VILLAGE BOULEVARD -SETBACK VARIANCE

REQUEST

Request: APPROVE A VARIANCE OF THE APOPKA CODE OF ORDINANCES,

PART III, LAND DEVELOPMENT CODE, ARTICLE II, SECTION

2.02.07(G)(1).

SUMMARY:

OWNER: Belvedere Estates, Inc.; Shirish Suchak (President)

LOCATION: 1586 Golfside Village Boulevard

PARCEL ID #: 32-20-28-2536-00-650

Residential Low LAND USE:

ZONING: R-3

EXISTING USE: Single Family Residential

TRACT SIZE: 0.14 +/- Acres (6,094 S.F.)

DISTRIBUTION:

Mayor Kilsheimer Finance Director Public Ser. Director

Commissioners (4) **HR** Director City Clerk City Administrator Irby IT Director Fire Chief

Recreation Director Community Dev. Director Police Chief

VARIANCE REQUEST SUMMARY

- 1. Variance Request Number 1 Code Standard, Sections 2.02.01(A) and 2.02.06(G)(1)(c) Rear yards shall be a minimum of 20 feet.
- 2.
- a. Applicant Request -- Allow a deck to extend within the required rear-yard setback.

VARIANCE PROCESS

Per Land Development Code Section 10.02.00, the Planning Commission must follow two steps to approve a variance:

- Step 1: Section 10.02.02.A, Limitations on Granting Variances. The Planning Commission "shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved." This is known as a physical hardship. If the Planning Commission makes this determination, then it must take action on the seven variance criteria set forth in Section 10.02.02.B.
- Step 2: Section 10.02.02.B, Required Findings. Once a "physical hardship" has been determined, the Planning Commission shall not vary from the requirements of any provision of the LDC unless it makes a positive finding, based on substantial competent evidence, on the seven variance criteria.

APPLICABLE CITY CODES:

- 1. Section 2.02.01(A) Single-family development shall meet the requirements set forth in the R-2 zoning district.
- 2. Section 2.02.06(G)(1)(c) Rear yards shall be a minimum of 20-feet.

<u>Variance Request</u>: Allow placement of a deck to expand within the required 20-foot rear yard setback.

Variance Hardship Determination (Step 1): The first step of the variance determination process is to determine if a hardship occurs pursuant to Section 10.02.02.A, "whether the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved."

Applicant's Response. Due to the existing size of the rear yard setback, it currently does not allow for a reasonable size deck.

Staff Response. No objection. This single family home was built in 1989. Errol Golfside Village was possibly approved without having established setback standards that do not address accessory uses. The current Land Development Code was adopted in 1993. Errol Golfside Village subdivision plat was recorded in 1981.

Seven Variance Criteria Findings (Step 2): If the Planning Commission accepts the hardship in Paragraph A. above, the second step is to make a finding on the seven criteria below. The Planning Commission must make a positive finding, based on substantial competent evidence, on each of the following seven criteria:

PLANNING COMMISSION – FEBRUARY 13, 2018 SHIRISH SUCHAK - 1586 GOLFSIDE VILLAGE BOULEVARD- SETBACK VARIANCE REQUEST PAGE 3

1. There are practical difficulties in carrying out the strict letter of the regulation [in] that the requested variance relates to a hardship due to characteristics of the land and not solely on the needs of the owner.

Applicant's Response: Due to the existing size of the rear yard setback, it currently does not allow for a reasonable size deck.

Staff's Response: No objection.

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

Applicant's Response: The proposed variance incurs a cost of construction.

Staff's Response: No objection.

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

Applicant's Response: The proposed variance will not increase congestion on the surrounding streets. The extension of the deck will not create special conditions and circumstances.

Staff's Response: No objection.

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

Applicant's Response: The extension of the deck should increase the property value.

Staff's Response: City staff does not hold professional expertise to address property values.

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

Applicant's Response: The effect of the approval of the requested extension of the deck within the required rear yard setback would allow more time spent outside and enjoy the entire property.

Staff Response: No objection.

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

Applicant's Response: The deck extension will be completed in compliance with the rest of the Code. The extension of the existing deck does not affect Golfside Village Boulevard or create safety hazards.

Staff Response: No objections.

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

PLANNING COMMISSION – FEBRUARY 13, 2018 SHIRISH SUCHAK - 1586 GOLFSIDE VILLAGE BOULEVARD- SETBACK VARIANCE REQUEST PAGE 4

Applicant's Response: The proposed deck extension would allow for more relaxation in the outdoors.

Staff Response: No objections.

RECOMMENDED ACTION:

Planning Commission Role: Based on the information provided by the applicant at the hearing for the variance requested, Planning Commission must first determine that sufficient substantially competent information indicates "whether a need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved." If so, then the Planning Commission must find that substantially competent information occurs to accept each of the seven variance criteria.

Planning Commission has authority to take final action. Approve, deny, or approve with conditions.

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

PLANNING COMMISSION – FEBRUARY 13, 2018 SHIRISH SUCHAK - 1586 GOLFSIDE VILLAGE BOULEVARD- SETBACK VARIANCE REQUEST PAGE 5

Owner: **Belvedere Estates Inc., Shirish Suchak (President)**

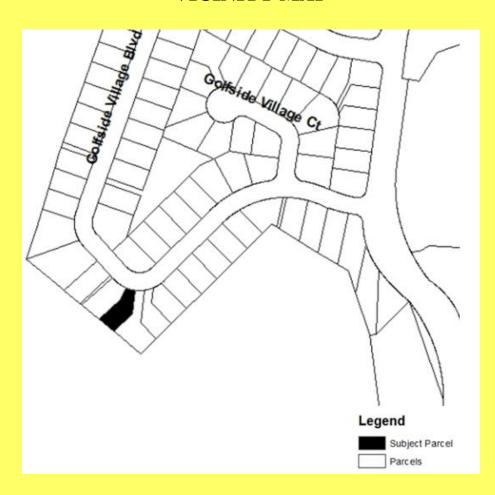
Applicant:
Parcel I.D. No:
Location: **Shirish Suchak** 32-20-28-2536-00-650

1586 Golfside Village Boulevard

Total Acres: 0.14 +/- Acre



VICINITY MAP





AERIAL MAP

