

## City of Apopka Planning Commission Meeting Agenda March 13, 2018 <br> 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. APPROVAL OF MINUTES:

1 Approve minutes of the Planning Commission regular meeting held February 13, 2018.

## IV. PUBLIC HEARING:

1. COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE AMENDMENT - From "County" Rural to "City" Commercial (Max. 0.25 FAR) for property owned by Kenney Harry Charles McAllister and located on the Northwest corner of North Hermit Smith Road and U.S. 441 intersection. (Parcel ID No. 01-21-27-0000-00-001)
2. CHANGE OF ZONING - From "County" A-1 (Agricultural) to "City" Planned Unit Development (PUD/Commercial) for property owned by Kenney Harry Charles McAllister and located on the Northwest corner of North Hermit Smith Road and U.S. 441 intersection. (Parcel ID No. 01-21-27-0000-00-001)
3. CHANGE OF ZONING - OAK POINTE - From "County" A-1 (Agricultural) to "City" Planned Unit Development (PUD/Residential); and amendment of Ordinance No. 2584 to incorporate property into the legal description therein, for properties owned by Jason C. Revelle and Thompson Hills Estates, LLC, and located east of Ocoee-Apopka Road, north of McCormick Road. (Parcel ID \#s: 29-21-28-0000-00-037; 29-21-28-0000-00-011; 29-21-28-0000-00-016; 29-21-28-0000-00-033; 29-21-28-0000-00-038; 32-21-28-0000-00-004; 32-21-28-0000-00-030)
4. PLAT - BINION RESERVE SUBDIVISION - Owned by Gail W. Brown, c/o Jeffrey A. Sedloff, P.E., June Engineering Consultants, Inc. and located at 1078 South Binision Road. (Parcel ID \#: 18-21-28-0000-00057)
5. FINAL DEVELOPMENT PLAN/PLAT - LAKE GEM COMMERCE PARK - Owned by Property Industrial Enterprises, LLC, c/o Michael Cooper and located at 511 and 611 Marshall Lake Road. (Parcel ID \#s: 09-21-28-0000-00-011 and 08-21-28-0000-00-029)
6. FINAL DEVELOPMENT PLAN - SELF HELP CREDIT UNION - Owned by Self Help Credit Union c/o Randy Chambers, President and located at 667 West Orange Blossom Trail. (Parcel ID \#: 09-21-28-5900-04-010)
7. FINAL DEVELOPMENT PLAN/PLAT - ZARABROOKE SUBDIVISION - Owned by Zarabrooke, LLC, c/o Barry Kalmanson and located at 829 Paradiso Court. (Parcel ID \#: 05-21-28-0000-00-056)

## V. SITE PLANS:

## VI. OLD BUSINESS:

## VII. NEW BUSINESS:

## VIII. 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:

1 Approve minutes of the Planning Commission regular meeting held February 13, 2018.

## MINUTES OF THE PLANNING COMMISSION MEETING HELD ON FEBRUARY 13, 2018, AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

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

ABSENT: Patrice Phillips, Orange County Public Schools (Non-voting)
STAFF PRESENT: David Moon, AICP - Planning Manager, Richard Earp - City Engineer, Patrick Brackins - City Attorney, Bobby Howell - Senior Planner, Pamela Richmond - Senior Planner, Phil Martinez - Planner I, Jean Sanchez - Planner I, and Jeanne Green - Recording Secretary.

OTHERS PRESENT: Sandra Martinez, Denise Prescott, Michael Rowe, Nina Rowe, Carrie Wiercioch, Scott Hill, Mabel Brinkle, Jose Luccioni, Zurong Cai, Lisa Ramlal, Luke Classon, Kim Pritchard, Suzanne Kidd, Richard Wohlfarth, Teresa Sargeant, and Shirish Suchak

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

WORKSHOP - Sunshine Law \& Meeting Procedures - Patrick Brackin, City Attorney, presented a video prepared by Cliff Shepard, Esq., entitled "Let the Sunshine In" on the Sunshine Law.

Mr. Brackin reviewed the Public Meetings Law; and procedures for Quasi-Judicial Hearings. A copy of the presentation has been made a part of the minutes.

In response to a comment by Ms. Laurendeau about an e-mail she had received regarding a project that will be coming before the Planning Commission in the future, Mr. Brackin stated that e-mails on this nature are public records. The recipient should not delete them and should forward them to the Clerk.

In response to a question by Mr. Sprinkle, Mr. Brackin stated that form at the back of the packet entitled "Affidavit of Annual Board Meeting Training" was there for the use of the Planning Commission but was not mandatory but helpful.

APPROVAL OF MINUTES: Chairperson Greene asked if there were any corrections or additions to the regular meeting minutes of January 9, 2018, at 5:30 p.m.

Motion: Tony Foster made a motion to approve the Planning Commission minutes from the regular meeting held on January 9, 2018, at 5:30 p.m. and seconded by Jose Molina. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0).

QUASI-JUDICIAL - CHANGE OF ZONING - CITY OF APOPKA; JAMES D. \& DEBORAH M. LYDA; AND CITIZENS BANK OF FLORIDA - Chairperson Greene stated this is a request to recommend approval of the Change of Zoning from Planned Unit Development, Mixed-EC, and I-1 to Planned Unit Development (Residential); and the PUD Master Plan/Preliminary Development Plan for the properties owned by City of Apopka; James D. \& Deborah M. Lyda; and Citizens Bank of Florida, located south of Marshall Lake and west of SR 451.

Chairperson Greene stated this item is quasi-judicial and anyone giving testimony during a quasi-judicial hearing must be sworn in. He asked that all those who planned to speak during this hearing to stand and raise their right hand to be sworn in.

Attorney Brackins swore-in staff, petitioners, and affected parties for the quasi-judicial hearing item.
Chairperson Greene asked if there were any affect ties in attendance that wished to speak.

Carrie Wiercioch, 857 Marshall Lake Road, stated she is an affected party as she resides adjacent to the subject properties.

Kim Pritchard, 849 Marshall Lake Road, stated she is an affected party as she resides adjacent to the subject properties.

Sandra Martinez, 779 Cavan Drive, stated she is an affected party as she resides adjacent to the subject properties.

The Planning Commission unanimously agreed that Ms. Wiercioch, Ms. Pritchard, and Ms. Martinez are affected parties.

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

Staff Presentation: Bobby Howell, AICP, Senior Planner, stated this is a request to recommend approval of the Change of Zoning from Planned Unit Development, Mixed-EC, and I-1 to Planned Unit Development (Residential); and the PUD Master Plan/Preliminary Development Plan for the proposed Lake Marshall Subdivision, Phases 1 and 2, owned by the City of Apopka, James D \& Deborah M. Lyda, and Citizens Bank of Florida and located south of Marshall Lake and west of SR 451. The applicant is Appian Engineering, LLC. The existing use is vacant land and the proposed use is a single family subdivision with 301 lots to be developed in two phases. The future land use designation is Low Density Residential, MixedUse. The tract size is $154.18+/$ - acres.

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.

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.

Lot Size.

| Typical Lot <br> Width | Number of units | Percentage of <br> development | Typical lot area <br> (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 | $\mathbf{3 0 1}$ | $\mathbf{1 0 0 \%}$ |  |

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.

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 condition unique to and approved as part of the Planned 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.

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.
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.

Transportation 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 $251^{\text {st }}$ 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.

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

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.

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.

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.

Staff recommended approval of 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.

Petitioner Presentation: Luke Classon, Appian Engineering, 2221 Lee Road, Suite 17, Winter Park, stated he was in attendance on behalf of Appian Engineering and they represent the developer. We have design plans that are being reviewed at this time. There will not be access off of Marshall Lake Road. Access will be off of Johns Road and an emergency only access to the south through the existing Breckenridge development. He said he was available to answer any questions.

In response to Mr. Molina's questions, Mr. Classon stated the deviation requesting the front setback be a minimum of 25 -foot setback instead of the required 30 foot so that they can add that five feet to the back yard. He said they looked at large vehicles, such as an F-150 with a trailer hitch, that depth is less than 25 feet. Home buyers don't typically use their front yards, they normally play in the back. The minimum lot depth is 130 feet with a maximum of 140 feet. It is to increase the yield it is to increase the quality.

Mr. Classon explained that the deviation regarding garages is being requested because the applicant is proposing three garage types - protruding, flush, and recessed. Side entry garages are not an option on 55foot, 60 -foot, and 75 -foot wide lots. Providing the three garage options will help to break up the monotony of each home being offset the same distance from the sidewalk.

Mr. Classon stated that 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.

Mr. Classon said there are two entrances one is on Johns Road which is being extended to the west with a large landscaping feature for an entrance way that will be gated. The second access point will only be for residents; and there will be a locked emergency gate accessible through Breckenridge and will benefit both developments.

In response to questions by Ms. Laurendeau, Mr. Classon stated the setback is from the back of the sidewalk to the front point of the building must be 25 feet. With the 2 -car garage, 4 parking stalls being provided. Two in the driveway and two in the garage. There is a potential for 5 if the buyer opts for the 3-car garage.

## Affected Party Presentation:

Ms. Pritchard expressed her opposition to providing access to Marshall Lake to the 301 residences proposed in Lake Marshall Phases $1 \& 2$. She requested that motorized vehicles (boats, jet skis, etc.) not be permitted on the lake. She expressed concern with regard to the existence and condition of the ramp and dock on the property; and the impacts to the ecosystem of the lake.

Chairperson Greene stated that the Development Review Committee (DRC) is aware of providing access to Marshall Lake to the residences or the use of motorized vehicles on the lake.

In response to a question by Chairperson Greene, Ms. Pritchard stated she does not want anyone to have access to the lake.

In response to a question by Mr. Foster, Ms. Pritchard stated that she currently has access to the lake but does not want anyone else to have access.

Ms. Wiercioch stated that any new developments along the lake should not provide access to the lake. She stated the lake is too small and shallow for motorized vehicles. She expressed her opposition to providing access to Marshall Lake to the 301 residences proposed in Lake Marshall Phases $1 \& 2$. She requested that motorized vehicles (boats, jet skis, etc.) not be permitted on the lake. She expressed concern with regard to the existence and condition of the ramp and dock on the property; and the impacts to the ecosystem of the lake.

In response to questions by Ms. Martinez, Mr. Classon stated that the 50 foot natural landscape buffer between her home in Breckenridge and the retention pond in Lake Marshall would remain. There will only be a fence around the retention pond.

In response to questions by Chairperson Greene, Mr. Moon stated this plan is different from what was previously submitted because there are more properties included and the plan is more creative.

Mr. Classon stated that the emergency access on the south will be more beneficial to the Breckenridge community.

In response to question by Mr. Molina, Mr. Classon stated there is currently a concrete ramp and a dilapidated dock. The dock is going to be replaced.

Chairperson Greene opened the meeting for public hearing.

Mike Rowe, 651 Lake Doe Boulevard, opposed allowing access to the lake because it is too shallow and expressed concerns that trees along the lake would be removed.

Mr. Classon stated that they would not be making a connection to Lake Marshall. The area next to the lake has been designated as conservation area.

In response to a question by Chairperson Greene, Mr. Moon stated that staff was unable to find a state agency that makes a determination on whether a water body is navigable. He said that access to the lake would have to be determined by finding out who owns the lake. He stated the Planning Commission could direct staff to research who owns the lake and who has legal access.

Mr. Brackins stated that his office can look into that.
Scott Hill, 635 Lake Doe Boulevard, stated he lives right on the water. He stated that when the lake is dry you can walk across it. The lake is owned by multiple owners. There is a lot of wildlife. He stated that the St. Johns River Water Management District would be the entity to contact to find out is the lake is useable as is being proposed.

Nina Rowe, 651 Lake Doe Boulevard, expressed her opposition to allowing speed boats on the lake and the noise impact on the area. She stated that only those who live along the lake should have access.

Ms. Pritchard stated that she is not opposed to the development being proposed; but wants only the lots adjacent to the lake to have access.

In response to a question by Mr. Hill, Mr. Classon stated that at this time he does not have information regarding the proposed prices of the homes.

In response to a question by Ms. Laurendeau, Mr. Moon stated that it is not feasible to fence off the lake,
Mr. Simpson suggested that language be included in the HOA covenants and restrictions about access to the lake.

With no one else wishing to speak, Chairperson Greene closed the public hearing.
Motion: Linda Laurendeau made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend approval of the change of zoning from Planned Unit Development, Mixed-EC, and I-1 to Planned Unit Development (Residential); and the PUD Master Plan/Preliminary Development Plan 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. Motion seconded by Tony Foster. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, and Roger Simpson. Jose Molina and John Sprinkle voted no. (4-2). (Vote taken by poll.)

LEGISLATIVE - COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE AMENDMENT - IGLESIA GETSEMANI, INC. - 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 Future Land Use amendment from "County" Commercial to "City" Commercial (Maximum of 0.25 FAR) for the property owned by Iglesia Getsemani, Inc. and located at 2575 West Orange Blossom Trail.

Staff Presentation: Phil Martinez, Planner I, stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; and to recommend approval of the Future Land Use amendment from "County" Commercial to "City" Commercial (Maximum of 0.25 FAR) for the property owned by Iglesia Getsemani, Inc. and located at 2575 West Orange Blossom Trail. The existing use is a church with a single-family residence. The current zoning is "County" C -1 which is being processed at the same time as the future land use amendment to "City" $\mathrm{C}-1$. The existing maximum allowable development is up to $187,350 \mathrm{sq}$. ft. and the proposed is up to $15,621 \mathrm{sq}$. ft. The tract size is $1.43+/-$ acres. (Staff report incorporated into the record.)

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.

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.

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 January 12, 2018.

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.

Staff recommended that the Planning Commission 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.

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: Roger Simpson 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" Commercial to "City" Commercial (Maximum of 0.25 FAR) for the property owned by Iglesia Getsemani, Inc. and located at 2575 West Orange Blossom Trail. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

QUASI-JUDICIAL - CHANGE OF ZONING - IGLESIA GETSEMANI, INC. - Chairperson Greene stated this is a request to find the proposed Change of Zoning consistent with the Comprehensive Plan; and to recommend approval of the Change of Zoning from "County" $\mathrm{C}-1$ (Commercial) to "City" $\mathrm{C}-1$ (Commercial) for the property owned by Iglesia Getsemani, Inc. and located at 2575 West Orange Blossom Trail.

Attorney Brackins 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. Martinez stated this is a request to find the proposed Change of Zoning consistent with the Comprehensive Plan; and to recommend approval of the Change of Zoning from C-1 (Commercial) to "City" C-1 (Commercial) for the property owned by Iglesia Getsemani, Inc. and located at 2575 West Orange Blossom Trail. The existing use is a church with a single-family residence. The current Future Land Use is "County" Commercial (3.0 FAR) and is being processed at the same time as the change of zoning to "City" Commercial (Max. 0.25 FAR). The existing maximum allowable development is up to 187,350 sq. ft . and the proposed is up to $15,621 \mathrm{sq}$. ft . The tract size is $1.43+/-$ acres. (Staff report incorporated into the record.)

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 $\mathrm{C}-1$ (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.

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.

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.

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.

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.

Staff recommended that the Planning Commission 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.

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.

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: Jose Molina 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" C-1 to "City" C-1 for the property owned by Iglesia Getsemani, Inc. and located at 2575 West Orange Blossom Trail. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (7-0). (Vote taken by poll.)

QUASI-JUDICIAL - CHANGE OF ZONING - A. D. RAULERSON, SR. \& A. D. RAULERSON, JR. AND CURTIS \& KAREN PUMPHREY - Chairperson Greene stated this is a request to find the proposed Change of Zoning consistent with the Comprehensive Plan; and to recommend approval of the 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.

Attorney Brackins 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.
Jose Luccioni, 25 E. Lester Road, stated that his property is adjacent to the subject property.
The Planning Commission unanimously agreed that Mr. Luccioni is an affected party.
Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Jean Sanchez, Planner I, stated this is a request to find the proposed Change of Zoning consistent with the Comprehensive Plan; and to recommend approval of the 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. The applicant is Apopka Development II, LLC, c/o Richard C. Wohlfarth, P.E. The existing use on the Raulerson Parcel is warehousing and vacant land; and warehousing on the Pumphrey parcel. The potential development is a single-family development with a minimum lot width of 40 feet. The existing maximum allowable development under the current zoning is 11 dwelling units and the proposed development is 112 lots. The tract size is $23.14+/-$ acres. (Staff report incorporated into the record.)

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.

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.

Deviations: 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 minimum 40 -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 he 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, playground, dog park and mail kiosk. In addition, landscape buffers 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.

PUD Development and Zoning Conditions: 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 $\backslash$ 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:
4. Exhibit " $F$ " describes the development standards applicable to this PUD/PDP Master Site Plan.
5. Unless otherwise addressed within the PUD development standards, the R-1 zoning standards will apply to the subject property.

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.

A capacity enhancement agreement with Orange County Public Schools (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.

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.

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.

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 $\mid$ (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.

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.

Petitioner Presentation: Richard C. Wohlfarth, P.E., Wohlfarth Consulting Group, LLC, 246 N. Westmonte Drive, Altamonte Springs, stated he represents Apopka Development II, LLC. With regard to the requested deviations they would be providing enhanced recreation amenities. He stated that the minimum lot area will be $1,660 \mathrm{sq}$. ft . and the maximum will be $2,700 \mathrm{sq}$. ft . Except for one two-story single family lot, they are requesting a deviation of the required lot width of 70 ' to be 40 '. The home prices are expected to range from $\$ 200,000$ to $\$ 300,000$. There is an additional 50 parking spaces in an overflow parking area.

In response to a question by Ms. Laurendeau, Mr. Wohlfarth stated that the original plans were too dense for the area so they came up with an alternative that provides a transition from the mobile home park and the properties to the north.

In response to questions by Mr. Molina, Mr. Wohlfarth stated there will be two gated entrances off of Lester Road. The cul-de-sacs have been designed to accommodate emergency vehicles.

In response to a question by Mr. Simpson, Mr. Wohlfarth stated they would be providing a traffic study that will provide that the level of service requirements are met. The distance between the traffic signal on Lester and this project is approximately 800 ft . to $1,000 \mathrm{ft}$.

Affected Party Presentation: In response to a question by Mr. Luccioni, Mr. Wohlfarth stated there will be a PVC fence installed adjacent to his property.

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 add a condition to require an emergency access to 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.

Motion died due to the lack of a Second.
Motion: Tony Foster 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 (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. Motion seconded by Roger Simpson. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Roger Simpson, and John Sprinkle. Jose Molina voted no. (5-1). (Vote taken by poll.)

Due to a previous engagement, Tony Foster left the meeting at 7:38 p.m.
QUASI-JUDICIAL - CHANGE OF ZONING - TGINF, LLC - Chairperson Greene stated this is a request to find the proposed Change of Zoning consistent with the Comprehensive Plan; and to recommend approval of the 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.

Attorney Brackins 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. Martinez stated this is a request to find the proposed Change of Zoning consistent with the Comprehensive Plan; and to recommend approval of the Change of Zoning from "C-1 (Retail Commercial) to R-3 (Residential Multi-Family) for the property owned by TGINF, LLC and located at 501 Old Dixie Highway. The existing use is woodlands and the proposed use is townhomes. The maximum allowable development is 171,294 sq. ft . Commercial Use and the proposed maximum allowable development is 117 Dwelling Units ( 92 proposed on Preliminary Development Plan). The tract size is 15.7 $+/-$ acres.

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).

The proposed use of the property is consistent with the Residential Medium Low ( $0-7.5 \mathrm{~d} / \mathrm{u}$ 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.

A capacity enhancement agreement and $\backslash$ 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.

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.

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.

Staff recommended the Planning Commission 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.

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.

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 approval of the change of zoning from "C-1 (Retail Commercial) to R-3 (Residential Multi-Family) for the property owned by TGINF, LLC and located at 501 Old Dixie Highway. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (5-0). (Vote taken by poll.)

LEGISLATIVE - COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE AMENDMENT - VBRO ENTERPRISES, INC. - 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" Low Density Residential (0-4 du/ac) to "City" Commercial (Max. 0.25 FAR) for the property owned by VBRO Enterprises, Inc. and located at 41 E. Lester 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" Low Density Residential ( $0-4 \mathrm{du} / \mathrm{ac}$ ) to "City" Commercial (Max. 0.25 FAR) for the property owned by VBRO Enterprises, Inc. and located at 41 E . Lester Road. The applicant is Burkett Engineering, c/o William E. Burkett, P.E. The existing use is a single family residence. The potential development is 9,119 sq. ft. commercial use. The current zoning is "County" A- 1 and the proposed zoning is "City" Planning Unit Development (PUD/Commercial Neighborhood). The proposed
zoning is being processed as the same time of the small scale future land use amendment. The existing maximum allowable development is 3 dwelling units and the proposed is up to $9,119 \mathrm{sq}$. ft . of commercial use. The tract size is $0.83+/$ - acres.

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 adjacent properties to the east, face 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.

The proposed zoning of the subject property, "Commercial Neighborhood" is consistent with the Commercial (max. 0.25 FAR) Future Land Use designation.

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 January 12, 2018.

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.

Staff recommended the Planning Commission 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.

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.

Bill Burkett, Burkett Engineering, 105 E Robinson St, Orlando, stated he was available to answer any questions.

Chairperson Greene opened the meeting for public hearing.
In response to a question by Mr. Luccioni, Mr. Moon stated that buffer requirements would be addressed at the time the preliminary development plan is submitted.

With no one else wishing to speak, Chairperson Greene closed the public hearing.
Motion: Linda Laurendeau 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" Low Density Residential (0-4 du/ac) to "City" Commercial (Max. 0.25 FAR) for the property owned by VBRO Enterprises, Inc. and located at 41 E. Lester Road. Motion seconded by Roger Simpson. Aye votes were cast by James Greene, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle. (5-0). (Vote taken by poll.)

QUASI-JUDICIAL - CHANGE OF ZONING - VBRO ENTERPRISES, INC. - 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/Neighborhood Commercial) for the property owned by VBRO Enterprises, Inc. and located at 41 E. Lester Road.

Attorney Brackins 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. Martinez stated this is a request to recommend approval of the Change in Zoning from "County" A-1 (Agriculture) to "City" Planned Unit Development (PUD/Neighborhood Commercial) for the property owned by VBRO Enterprises, Inc. and located at 41 E. Lester Road. The applicant is Burkett Engineering, c/o William E. Burkett, P.E. The existing use is a single family residence. The potential development is 9,119 sq. ft. commercial use. The current zoning is "County" A- 1 and the proposed zoning is "City" Planning Unit Development (PUD/Commercial Neighborhood). The proposed zoning is being processed as the same time of the small scale future land use amendment. The existing maximum allowable development is 3 dwelling units and the proposed is up to $9,119 \mathrm{sq}$. ft . of commercial use. The tract size is $0.83+/-$ acres. (Staff report incorporated into the record.)

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.

PUD Development and Zoning Conditions: 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 $\mathrm{PO} / \mathrm{I}$ (Professional Office/Institutional) and CN (Commercial Neighborhood) district, except those listed as prohibited below.
2. Restaurants, with or without outdoor seating, including fast-casual restaurants. Fast-casual restaurant is defined as an establishment whose principal business is the sale of food or beverage that is made to order, for consumption within the building, or off the premises as carryout orders. The principal method of operation includes, but is not limited to, the following characteristics: food or beverages may be served in non-disposable container; Limited table service may be available. Order and pay at the counter. The food is made fresh and is either brought to the table by a server or the customer is called back to the counter. Price points are generally higher than fast food. Food is perceived to be higher quality and healthier than food from standard fast food restaurants. May have drive-through service as allowed by the development design standard in Paragraph C.
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. Coffee Shops.
7. 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:
8. Tobacco Store
9. Laundromat businesses
10. Veterinary and pet grooming facilities
11. Motorized Vehicle Service Stations
12. New or used motorized vehicle sales
13. Plumbing Shops
14. Appliance Stores
15. Tattoo/Piercing Parlors
16. Adult entertainment as defined in section 10-98 of the Apopka Municipal Code
17. Auto title loan, paycheck advance facilities, and other "personal credit institutions"
18. Pawn shops.
19. Employment agencies.
20. Modular, mobile and pre-fab home display and sales.
21. Mini-warehouse and self-storage facilities.
22. Outside storage of supplies, materials, equipment, merchandise, and activities.
23. Motorized Truck stops or terminal as defined by this code.
24. Flea markets (indoor and outdoor).
25. 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.
26. Bail bonds businesses.
27. 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.
28. 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.
29. Outdoor parks and recreational areas.
30. Bowling alleys, skating rinks, billiard parlors and similar amusement centers.
31. 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:
32. Drive through restaurants shall be limited to one drive aisle and no more than one menu board.
33. Drive through establishments without food and beverage sales are limited to two service drive aisles.
34. The development must have a unified architectural theme.
35. 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)
36. Outdoor seating encouraged at restaurant(s).
37. The development must have at least two separate buildings, each building shall have a footprint not greater than 15,000 square feet floor area.
38. Driveways must be at least 50 feet away from the southeastern corner of the development.
39. Building frontage along Rock Springs Road and Lester Road must resemble store fronts with
windows and either faux or real entrances.
40. 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.

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.

The proposed rezoning will not generate any residential development and, thus, will not have an impact on 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 January 12, 2018.

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.

Staff recommended the Planning Commission 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.

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.

Petitioner Presentation: Mr. Burkett said he was available to answer any questions.
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: Jose Molina 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/Neighborhood Commercial) for the property owned by VBRO Enterprises, Inc. and located at 41 E. Lester Road. Motion seconded by Roger Simpson. Aye votes were cast by James Greene, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (5-0). (Vote taken by poll.)

QUASI-JUDICIAL - VARIANCE - BELVEDERE ESTATES, INC. - Chairperson Greene stated this is a request to approve a variance of Apopka Code of Ordinances, Part III, Land Development Code, Sections $2.02 .01(\mathrm{~A})$ and $2.02 .06(\mathrm{G})(1)(\mathrm{c})$ "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.

Attorney Brackins 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, provided an introduction to the variance process. He said that the Land Development Code, Section 10.02.00, states the Planning Commission must follow two steps to approve a variance. Section 10.02.02.A, states the 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. Section 10.02.02.B provides the 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.

Ms. Sanchez stated this is a request to approve 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. The existing use is a single family residence. The future land use is Residential Low and the zoning is R-3. The tract size is $0.14+/-$ acres or 6,094 sq. ft.

## 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 $2.02 .06(G)(1)(\mathrm{c})$ - Rear yards shall be a minimum of 20 -feet.

The applicant's request is to allow placement of a deck to expand within the required 20 -foot rear yard setback.

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.

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:

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.

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

Staff Response: No objections.
Based on the information provided by the applicant at the hearing for the variance requested, the role of the Planning Commission is to 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. The Planning Commission has authority to take final action. It may approve, deny, or approve with conditions.

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 questions by Mr. Molina, Mr. Moon stated that the home will back up to an undeveloped area that is part of a proposed assisted living facility. He said the deck will be raised with four columns supporting the structure.

In response to a questions by Mr. Molina, Mr. Suchak stated a contractor will build the deck. The highest elevation will be 10 to 11 feet from the ground. Plans will be provided as the time the building permit is submitted.

## 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 determine that sufficient substantially competent information has been provided that a hardship occurs pursuant to the City of Apopka Code of Ordinances, Part III, Land Development Code, 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 property owned by Belvedere Estates, Inc., c/o Shirish Suchak and located at 1586 Golfside Village Boulevard. The Motion was seconded by John Sprinkle. Aye votes were cast by James Greene, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (5-0). (Vote taken by poll.)

Motion: Jose Molina made a motion to approve the 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 rearyard setback for the property owned by Belvedere Estates, Inc., c/o Shirish Suchak and located at 1586 Golfside Village Boulevard. The Motion was seconded by Roger Simpson. Aye votes were cast by James Greene, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (5-0). (Vote taken by poll.)

OLD BUSINESS: None.
NEW BUSINESS: None.
ADJOURNMENT: The meeting was adjourned at 8:08 p.m.

James Greene, Chairperson

James K. Hitt, FRA-RA
Community Development Director

Planning Commission
March 13, 2018
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## Backup material for agenda item:

1. COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE AMENDMENT - From "County" Rural to "City" Commercial (Max. 0.25 FAR) for property owned by Kenney Harry Charles McAllister and located on the Northwest corner of North Hermit Smith Road and U.S. 441 intersection. (Parcel ID No. 01-21-27-0000-00-001)

## CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING SITE PLAN SPECIAL REPORTS
$\qquad$ OTHER:

MEETING OF: March 13, 2018
FROM: Community Development
EXHIBITS: Future Land Use Report
Vicinity Map
Future Land Use Map
Zoning Map
Adjacent Uses Map

| SUBJECT: | COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE <br> AMENDMENT - KEENEY HARRY CHARLES MCALLISTER |
| :--- | :--- |
| PARCEL ID NO: | 01-21-27-0000-00-001 |
| REQUEST: | SMALL SCALE FUTURE LAND USE AMENDMENT |
|  | FROM: "COUNTY" RURAL <br> TO: "CITY" COMMERCIAL (MAXIMUM OF 0.25 FAR) |

SUMMARY:
OWNER: Keeney Harry Charles McAllister
APPLICANT: Tannath Design, Inc.
LOCATION:
EXISTING USE: Woodlands
CURRENT ZONING: "County" A-1 (ZIP)
PROPOSED DEVELOPMENT: Convenience Market w/ vehicle fuel service (This parcel will be used for landscape buffer area.)
"City" PUD (Note: this Future Land Use amendment request is being processed along with a request to change the zoning classification from "County" A-1 (ZIP) to "City" PUD (Planned Unit Development).

TRACT SIZE: $0.04+/-$ acres
MAXIMUM ALLOWABLE DEVELOPMENT:

| EXISTING: | Vacant |
| :--- | :--- |
| PROPOSED: | Up to 479 sq. ft. service station |

FUNDING SOURCE: N/A

## DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director HR Director
IT Director
Police Chief

Public Services Director Recreation Director City Clerk Fire Chief

ADDITIONAL COMMENTS: The subject parcel was annexed into the city on January 17, 2018 by Ordinance Number 2627. Presently, the subject property does not have a "city" future land use designation or "city" zoning classification assigned. The applicant's intent for the "Commercial" Future Land Use Designation is to incorporate this parcel with the north-adjacent parcel, 1102 Hermit Smith Road. The applicant is applying for "Planned Unit Development" for the two parcels to accommodate a service station.

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

## Future Land Use Element

## 1. Policy 3.1.i

## Commercial

Primary uses shall be for business, commerce, and convenience shopping which may be neighborhood or community oriented. The maximum floor area ratio shall be .25 gross floor area. Institutional land uses of less than five acres; and public facilities or utilities of less than five acres. Planned Unit Development uses may include: (Policy 3.1.i)

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

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

## ORANGE COUNTY NOTIFICATION:

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

## PUBLIC HEARING SCHEDULE:

March 13, 2018 - Planning Commission (5:30 pm)
March 21, 2018 - City Council (7:00 pm) - $1^{\text {st }}$ Reading
April 4, 2018 - City Council (1:30 pm) - $2^{\text {nd }}$ Reading and Adoption

## DULY ADVERTISED:

February 23, 2018 - Public Notice and Notification

## RECOMMENDATION ACTION:

The Development Review Committee recommends approval to transmit a change in Future Land Use from "County" Rural to "City" Commercial for the property owned by Kenney Harry Charles McAllister Trust, subject to the information and findings in the staff report.

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

## LAND USE REPORT

## I. RELATIONSHIP TO ADJACENT PROPERTIES:

| Direction | Future Land Use | Zoning | Present Use |
| :--- | :--- | :--- | :--- |
| North (City) | "County" Rural | "County" A-1 (ZIP | Woodlands |
| East (City) | "County" Rural | "City" A-1 (ZIP) | Woodlands/Grasslands |
| South (County) | Rural (1 D/U per 10 Acres) | "County" C-3 \& R-3 | Single-family homes |
| West (City) | "County" Rural | "County" A-1 (ZIP) | Woodlands |

The concept plan shows proposed accesses on S.R. 441 and Hermit Smith Road.

## II. LAND USE ANALYSIS

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

Properties to the south and west are developed as existing single-family homes, which properties to the east and north are vacant, but have a future land use designation and zoning classification that permit singlefamily residential.

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

## Wekiva River Protection Area: No

Area of Critical State Concern: No
DRI / FQD: No
JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the "Northern Area" of the JPA. The proposed FLUM Amendment request for a change from "County" Rural ( $0-10 \mathrm{du} / \mathrm{ac}$ ) to "City" Commercial (Max. 0.25 FAR) is consistent with the terms of the JPA (Second Amendment). Tannath Design, Inc., is the applicant of the proposed future land use amendment and proposed change of zoning for the Property, and has been notified of the hearing schedule.

Transportation: Road access to the site is from West Orange Blossom Trail to the South and Hermit Smith Road to the East.

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

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


## PLANNING COMMISSION - MARCH 13, 2018 <br> KEENEY HARRY CHARLES MCALLISTER - SMALL SCALE FUTURE LAND USE AMENDMENT PAGE 5

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

Analysis of the character of the Property: The current use of the Property is vacant and heavily wooded.

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

## CALCULATIONS:

ADOPTED: 1 Unit(s) x $2.659 \mathrm{p} / \mathrm{h}=3$ persons
PROPOSED: N/A, no residential
Housing Needs: This amendment will not negatively impact the housing needs as projected in the Comprehensive Plan.

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

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

## Sanitary Sewer Analysis

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

If the site is not currently served, please indicate the designated service provider: City of Apopka
2. Projected total demand under existing designation: 196 GPD
3. Projected total demand under proposed designation: 72 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: $\quad 81$ GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

GPD / Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka
2. Projected total demand under existing designation: $\qquad$
3. Projected total demand under proposed designation: 96 GPD
4. Capacity available:__Yes
5. Projected LOS under existing designation: 177 GPD / Capita
6. Projected LOS under proposed designation: 177 GPD / Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: Yes

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: $12 \mathrm{lbs} /$ day
4. Projected LOS under proposed designation: 1 lbs / day
5. Improved/expansions already programmed or needed as a result of the proposed amendment:None

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

Infrastructure Information
Water treatment plant permit number:_ CUP No. 3217
Permitting agency:_St. John's River Water Management District
Permitted capacity of the water treatment plant(s): 9.353 MGD
Total design capacity of the water treatment plant(s): 33.696 MGD
Availability of distribution lines to serve the property: Yes
Availability of reuse distribution lines available to serve the property: Yes
Drainage Analysis

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

## Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System ; 3 acre / 1000 capita
2. Projected facility under existing designation: 0.009 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

Standards set forth in the City's Land Development Code will require any development plans to provide parkland and recreation facilities and open space for residents residing with the new development.

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

PLANNING COMMISSION - MARCH 13, 2018
KEENEY HARRY CHARLES MCALLISTER - SMALL SCALE FUTURE LAND USE AMENDMENT PAGE 8

## Kenney Harry Charles McAllister <br> 0.04 +/- acres

## Proposed Small Scale Future Land Use Amendment:

From: "County" Rural
To: "City" Commercial
Proposed Change of Zoning:
From: A-1 (ZIP)
To: PUD
Parcel ID \#: 01-21-27-0000-00-001

## VICINITY MAP



PLANNING COMMISSION - MARCH 13, 2018
KEENEY HARRY CHARLES MCALLISTER - SMALL SCALE FUTURE LAND USE AMENDMENT PAGE 9


## FUTURE LAND USE MAP



Legend
$\qquad$
Future Land Use LAND_USE

PLANNING COMMISSION - MARCH 13, 2018
KEENEY HARRY CHARLES MCALLISTER - SMALL SCALE FUTURE LAND USE AMENDMENT PAGE 10


## ADJACENT ZONING



PLANNING COMMISSION - MARCH 13, 2018
KEENEY HARRY CHARLES MCALLISTER - SMALL SCALE FUTURE LAND USE AMENDMENT
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## ADJACENT USES



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## Backup material for agenda item:

2. CHANGE OF ZONING - From "County" A-1 (Agricultural) to "City" Planned Unit Development (PUD/Commercial) for property owned by Keeny Harry Charles McAllister and located on the Northwest corner of North Hermit Smith Road and U.S. 441 intersection. (Parcel ID No. 01-21-27-0000-00-001)

## CITY OF APOPKA PLANNING COMMISSION

X
PUBLIC HEARING SITE PLAN SPECIAL REPORTS OTHER:

MEETING OF: March 13, 2018
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Zoning Map
Adjacent Uses Map

SUBJECT:
PARCEL ID NO:

## REQUEST:

CHANGE OF ZONING - KEENEY HARRY CHARLES MCALLISTER
01-21-27-0000-00-001
CHANGE OF ZONING
FROM: "COUNTY" A-1 (AGRICULTURRAL)
TO: "CITY" PLANNED UNIT DEVELOPMENT (PUD/COMMERCIAL)

## SUMMARY:

OWNER:
APPLICANT:
LOCATION:
EXISTING USE:
CURRENT ZONING:
DEVELOPMEN POTENTIAL:
PROPOSED ZONING:

TRACT SIZE:
MAXIMUM ALLOWABLE DEVELOPMENT:

Keeney Harry Charles McAllister
Tannath Design, Inc.
Northwest corner of North Hermit Smith Road and U.S. 441 intersection
Vacant - Woodlands
"County" A-1 (ZIP)
Maximum 482 sq. ft. commercial use (Max. 0.25 floor area ratio)
"City" PUD (Note: this Future Land Use amendment request is being processed along with a request to amend the Future Land Use from "County" Rural to "City" Commercial (Max. 0.25 FAR)
$0.04+/-$ acres

EXISTING: Vacant
PROPOSED: Up to 479 sq. ft. service station

## FUNDING SOURCE: N/A

DISTRIBUTION
Mayor Kilsheimer
Commissioners City Administrator
Community Development Director

Finance Director HR Director
IT Director
Police Chief

Public Services Director Recreation Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: 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, which will be incorporated with the PUD in the north adjacent parcel.

The subject parcel was annexed into the city on January 17, 2018 by Ordinance Number 2627.
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.

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the proposed Commercial (Max. 25\% Floor Area Ratio) Future Land Use designation and the City's proposed Planned Unit Development 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 February 12, 2018.

## PUBLIC HEARING SCHEDULE:

Planning Commission, March 13, 2018 (5:30 pm)
City Council, March 21, 2018 (7:00 pm) - $1^{\text {st }}$ Reading
City Council, April 4, 2018 (1:30 pm) - 2nd Reading

## DULY ADVERTISED:

February 23, 2018 -- Public Notice and Notification- (Apopka Chief, letter, posting)
March 23, 2018 - Public Notice (Apopka Chief)

## RECOMMENDATION ACTION:

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" A-1 to "City" PUD for the property owned by Kenney Harry Charles McAllister, and located at 3591 W. Orange Blossom Trail.

Recommended Motion: Planning Staff recommends finding 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 Kenney Harry Charles McAllister, and located at 3591 W. Orange Blossom Trail.

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) | "County" Rural | "City" A-1 (ZIP) | Woodlands |
| East (City) | "County" Rural | A-1 (ZIP) | Woodlands/Grasslands |
| South (County) | Rural (1 D/U per 10 Acres) | "County" C-3 \& R-3 | Single-Family Homes |
| West (City) | "County" Rural | "County" A-1 (ZIP) | Woodlands |

LAND USE \& TRAFFIC COMPATIBILITY:

## COMPREHENSIVE PLAN COMPLIANCE:

## BUFFERYARD REQUIREMENTS:

The concept plan for the PUD proposes accesses on West Orange Blossom Trail and Hermit Smith Road.

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

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

## PUD CONDITIONS:

1. This Planned Unit Development will be incorporated to the north adjacent PUD at 1102 Hermit Smith Rd.
2. The use for this property shall be open space and buffering for the north adjacent development at 1102 Hermit Smith Rd.

PLANNING COMMISSION - MARCH 13, 2018
KENNEY HARRY CHARLES MCALLISTER - CHANGE OF ZONING
PAGE 4


N

## Kenney Harry Charles McAllister <br> 0.04 +/- acres

Proposed Small Scale Future Land Use Amendment:
From: "County" Rural
To: "City" Commercial
Proposed Change of Zoning:
From: A-1 (ZIP)
To: PUD
Parcel ID \#: 01-21-27-0000-00-001
VICINITY MAP


PLANNING COMMISSION - MARCH 13, 2018
KENNEY HARRY CHARLES MCALLISTER - CHANGE OF ZONING
PAGE 5


N

## ADJACENT ZONING MAP



PLANNING COMMISSION - MARCH 13, 2018
KENNEY HARRY CHARLES MCALLISTER - CHANGE OF ZONING
PAGE 6


## ADJACENT USES MAP



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## Backup material for agenda item:

3. CHANGE OF ZONING - OAK POINTE - From "County" A-1 (Agricultural) to "City" Planned Unit Development (PUD/Residential); and amendment of Ordinance No. 2584 to incorporate property into the legal description therein, for properties owned by Jason C. Revelle and Thompson Hills Estates, LLC, and located east of Ocoee-Apopka Road, north of McCormick Road. (Parcel ID \#s: 29-21-28-0000-00-037; 29-21-28-0000-00-011; 29-21-28-0000-00-016; 29-21-28-0000-00-033; 29-21-28-0000-00-038; 32-21-28-0000-00-004; 32-21-28-0000-00-030)

## CITY OF APOPKA PLANNING COMMISSION

CONSENT AGENDA
PUBLIC HEARING SPECIAL REPORTS OTHER: PUD Master Plan

MEETING OF: $\quad$ March 13, 2018
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Adjacent Zoning Map
Adjacent Uses Map
Existing Use Map
Ex. A - Revelle Survey -- Location
Ex. B - Master Site Plan Sheet
Ex. C - Landscape Plan Sheet
Ex. D - Entire PUD Master Plan\PDP Plan

SUBJECT:
CHANGE OF ZONING - OAK POINTE - FROM "COUNTY" A-1 TO "CITY" PLANNED UNIT DEVELOPMENT (PUD); AND AMENDMENT OF ORDINANCE 2584 TO INCORPORATE PROPERTY INTO THE LEGAL DESCRIPTION THEREIN

PARCEL ID NUMBERS:
29-21-28-0000-00-037; 29-21-28-0000-00-011; 29-21-28-0000-00-016; 29-21-28-0000-00-033; 29-21-28-0000-00-038; 32-21-28-0000-00-004; 32-21-28-0000-00-030

REQUEST:
RECOMMEND APPROVAL OF THE CHANGE OF ZONING FROM: "COUNTY" A-1
TO: "CITY" PLANNED UNIT DEVELOPMENT (PUD)

SUMMARY:

OWNERS:
APPLICANT:
LOCATION:
EXISTING USE:

FLUM DESIGNATION:

CURRENT ZONING:
PROPOSED DEVELOPMENT:

PROPOSED ZONING:
TRACT SIZE:

Jason C. Revelle, Thompson Hills Estates, LLC
Evans Engineering, Inc.
East of Ocoee-Apopka Road, north of McCormick Road
Single-family residential (Revelle Parcel\Jones Addition) and Existing Oak Pointe PUD Residential Community (vacant)

Residential Low ( $0-5$ units per acre), both the Revelle Parcel and the existing Oak Pointe PUD.
"County" A-1, City of Apopka PUD
Add the 0.97 acre Revelle parcel to boundaries of the Oak Pointe PUD, and increase the number of townhomes in the Oak Pointe PUD from 106 to 120 unit for a total of 118 single family homes; 120 townhome units (238 units total)

Planned Unit Development (PUD)
Parcel to be rezoned -- 0.97 acres (+/-)
Total PUD area -- $69.38+/-$ acres

[^0]Finance Director HR Director IT Dir Police48

Public Services Director Recreation Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: On December 20, 2017 the City Council approved Ordinance 2584, which approved a PUD Master Plan for a 69.7 acre residential development known as Oak Pointe. The approved Oak Pointe PUD Master Plan consists of 118 single-family and 106 townhome units. Prior to the approval of Ordinance 2584, the property owner of the Oak Pointe PUD entered into an agreement to purchase a 0.96 acre parcel located at 1751 Irmalee Lane, which is currently owned by Jason C. Revelle. The Revelle Parcel (aka Jones Additon) is surrounded by and interior to the Oak Pointe PUD. The legal description for Ordinance 2584, and the approved Oak Pointe PUD Master Plan did not include the legal description Mr. Revelle's property. As a result, the applicant is requesting the following actions:

1) Rezone Mr. Revelle's property from Orange County A-1 to City of Apopka PUD (Planned Unit Development).
2) Incorporate the legal description of Mr. Revelle's property into the overall legal description of Ordinance 2584 (the Oak Pointe PUD).
3) Amend the Oak Pointe PUD Master Plan to include six townhome units on Mr. Revelle's property, and eight additional townhomes within the existing Oak Pointe PUD, adjacent to Tract L-3, for an increase in the amount of townhomes in the Oak Pointe PUD from 106 to 120. There will be no increase in the amount of single-family units located within the Oak Pointe PUD. No other changes are proposed to the Oak Pointe PUD.
4) The Revelle parcel, when incorporated into the Oak Pointe PUD, will be owned by Thompson Hill Estates LLC, and will be subject the terms and conditions sheet forth in the Oak Pointe PUD and its development agreement.

PROJECT DESCRIPTION: The amended PUD Master Plan includes 120 townhomes and 118 single family homes within a gated community with private streets. A single master homeowners association will serve both the single family homes and townhomes. The following development standards are proposed:

- Single family lots typically have a minimum width of 70 feet and a minimum lot area of $8,400 \mathrm{sq}$. ft ., a minimum house livable area of $1,500 \mathrm{sq}$. ft., and a minimum two-car enclosed garage. A small percentage of single family lots ( $6.8 \%$ totaling 8 lots) have a minimum typical lot width of 65 feet and a minimum lot area of $7,800 \mathrm{sq}$. ft., also with a minimum house livable area of $1,500 \mathrm{sq}$. ft . and a minimum two-car enclosed garage. No three-car garages are allowed.
- Townhomes will have a minimum lot width of 23 feet and a minimum lot area of $2,530 \mathrm{sq}$. ft. All townhome units offer a one-car enclosed garage. No two-car enclosed garages are proposed by the developer. Seventy-five (75) units have a one-car driveway; 31 units have a two-car driveway. OnStreet parking and a parking lot are provided for the townhomes and community park (Tract K-6).
- Two parks are provided and will be accessible to all residents. Tract N-1 provides a community swimming pool and a cabana with a parking lot. A second community park provides outdoor recreation on 2.03 acres (Tract K-6) and includes a fenced-in dog park.
- Access to the Oak Pointe Community will occur through a road connection to McCormick Road and a future road connection to Ocoee-Apopka Road. A gate will be located at both the north and south entrances. An emergency gate will be located on the eastern boundary, connecting to Pelock Drive within the Apopka Woods community.
- Perimeter buffers include: a ten foot buffer with a six-foot high brick wall along the western property line adjacent to S.R. 429, a six-foot high vinyl fence within a ten foot buffer next to the Apopka Woods community and next to the County's Northwest Reclamation facility.

Existing Conditions: The Oak Point PUD consists of 69.38 acres serviced by a gated private right-of-way noted on the Master Plan as Street "I". The site typically has a flat topography with no wetlands. The property is located along the north side of McCormick Road. The City of Ocoee is situated along the south side of McCormick Road. The proposed residential PUD Master Plan abuts land zoned commercial located to the south. The commercial land is not part of the PUD and is located between McCormick Road and the single family residential area delineated on the Master Plan. Located to the east of the site is Apopka Woods a 76 lot, single family residential neighborhood. Typical lots within Apopka Woods have a minimum width of 70 feet and a minimum land area of $7,500 \mathrm{sq}$. ft. The Orange County Northwest Reclamation Water Facility is located on portions of the northern and northwest boundaries of the property. Directly to the south of Oak Pointe is a private gated residential community located in the City of Ocoee; McCormick Woods, with typical lot sizes of $70 \times 125$ ( $8,750 \mathrm{sq} . \mathrm{ft}$.).

Annexation History: The subject properties were annexed into the City via Ordinance 1651 on December 18, 2002.

Amenities: The Master Plan includes two recreation tracts:

1. $\operatorname{Tract} \mathrm{N}-1-0.8$ acres

- Swimming Pool.
- Pool area surrounded by a 36 " viburnum hedge, crepe myrtles, magnolia trees, live oak trees, and approved ground cover.
- Pool parking lot - 13 parking plus one handicap parking space.
- Bike rack located adjacent to parking lot.
- 2,200 +/- SF Cabana located next to the pool surrounded by landscaping that blends with the pool landscaping.
- The cabana will be partially open, with the open area surrounded by a four foot metal guardrail/ fence.
- A paved sidewalk from the Cabana connects to the sidewalk along Street I.
- An outdoor shower will be placed on both the east and west sides of the building.
- The pool and cabana are appropriately located near the center of the development, easily accessible to both the single family residential units and the townhome.

2. Tract K-6-2.05 acres

- Two multi-purpose playing fields.
- Mulched walking trail around the perimeter of the Tract.
- Paved sidewalk will placed along the west side of the park, connecting Street I with the Tot Lot, Dog Park, and parking lot.
- Paved sidewalk will connect the parking lot at Tract O-1 with the paved sidewalk along the west side of the park.
- Three picnic tables.
- Litter receptacle - 24" X 30" size.
- Eight benches, each with armrests.
- Tot Lot with playground equipment - slides, climbing equipment.
- Dog park with five foot high vinyl coated chain link fence, screened with a viburnum hedge.
- Dogipot aluminum pet station with pet was
- Dog park will be handicap accessible.
- Bike rack located in Tract K-5, between the parking lot and sidewalk along the west side of the park.
- Pedestrian level lighting
- Park area surrounded by a viburnum hedge, sabal palms, crepe myrtles, magnolia trees, live oak trees, and approved ground cover.

PUD RECOMMENDATIONS: That the zoning classification for the Revelle Parcl is proposed to be PUD and the amendment to the Oak Point PUD incorporates the Revelle property into its boundaries. A summary of the amendments are as follows:

Amendment

1. The Oak Pointe PUD is amended to include the Ravelle property. (Parcel identification number: 29-21-28-0000-00-037)
2. The Ravelle property shall be subject to all the development standards and conditions set forth in Ordinance 2584.
3. The Ravelle property shall be subject to any Development Agreement approved by the City Council for the Oak Pointe PUD.
4. The maximum number of townhome units for the Oak Pointe PUD is increased from 106 to 120.

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Residential Low Future Land Use designation and is consistent with the Land Development Code subject to the recommended DRC development conditions.

SCHOOL CAPACITY REPORT: The current capacity enhancement agreement must be amended with OCPS or a letter provided by OCPS prior to City approval of a final development.

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 parcel being incorporated into the PUD is not adjacent to unincorporated Orange County. As a courtesy, the City notified Orange County and the City of Ocoee on February 21, 2018.

## PUBLIC HEARING SCHEDULE:

March 13, 2018 - Planning Commission (5:30 pm)
April 4, 2018 - City Council (1:30 pm) - 1st Reading
April 18, 2018 - City Council (7:00 pm) - 2nd Reading

## DULY ADVERTISED:

February 27, 2018 - Public Notice; Letter, Poster
February 23, 2018 - Public Notice (Apopka Chief)

## RECOMMENDED ACTION:

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and Land Development Code and recommends approval of the amended Oak Pointe Planned Unit Development Master Plan/Preliminary Development Plan subject to the DRC Conditions of Approval.

Recommended Motion: Find the proposed amendments to be consistent with the Comprehensive Plan and Land Development Code, and recommend to approve the rezoning of the Revelle Parcel from Orange County "A-1" to City of Apopka PUD (Planned Unit Development), and amend Ordinance 2584 to incorporate the Revelle Parcel into the legal description of Ordinance 2584, and the amended Oak Pointe PUD Master Plan/Preliminary Development Plan to increase the maximum number of townhomes to 120.

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) | Rural (0-1 du/10 ac) | A-1 | Northwest Water Reclamation Facility |
| East (City) | Residential Low (0-5 du/ac) | R-2 | Apopka Woods subdivision |
| South (City) | Commercial (max 0.25 FAR) | C-1 | Vacant commerciallMcCormick Rd |
| West (City \& "City" Mixed Use \& "County" Rural <br> County) |  <br> (0-1 du/10 ac) | SR 429 ROW \& Retention Pond |  |

## LAND USE \&

TRAFFIC COMPATIBILITY: The property has access to a Major Arterial roadway (McCormick Road) and future access to Ocoee Apopka Road to the north. A proposed internal spine road be a private gated road and provide connectivity to both Ocoee Apopka Road to the north and McCormick Road to the south for future residents of Oak Pointe. Future land use designations and zoning categories assigned to properties to the north, south, east, and west are predominantly residential and rural.

## COMPREHENSIVE PLAN COMPLIANCE:

The proposed PUD zoning is compatible with policies set forth in the Comprehensive Plan.

## ALLOWABLE USES:

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


N

Thompson Hills Estates LLC (Oak Pointe PUD)
0.97 +/- Acres

Proposed Change of Zoning:
From: Orange County A-1
To: Planned Unit Development (New Master Site Plan)
Parcel ID \#: 29-21-28-0000-00-037
VICINITY MAP


PLANNING COMMISSION - MARCH 13, 2018 OAK POINTE - CHANGE OF ZONING
PAGE 8

## ZONING MAP



PLANNING COMMISSION - MARCH 13, 2018 OAK POINTE - CHANGE OF ZONING
PAGE 9


## ADJACENT USES






## OAK POINTE

(f.k.a.) THOMPSON HILLS ESTATES

## CITY OF APOPKA, FLORIDA <br> PUD/ MASTER PLAN

## MASTER \& PRELIMINARY DEVELOPMENT PLANS

## PARCEL ID. NUMBERS:

29-21-28-0000-00-011, 29-21-28-0000-00-016, 29-21-28-0000-00-033
PORTIONS OF
29-21-28-0000-00-038, 32-21-28-0000-00-004, 32-21-28-0000-00-030

| TABLE $O F$ | CONTENTS |
| :---: | :--- |
| SHEET NO. | DESCRIPTION |
|  | 1.0 |
| 2.0 | COVER SHEET |
| 2.1 | DEVELOPMENT DESIGN STANDARDS |
| 3.0 | EXISRAL DETAILS AND SECTIONS |
| 4.0 | MASTER SONDITIONS PLAN |
| $5.1-5.4$ | PRELIMINARY DEVELOPMENT PLAN |
| 6.0 | MASTER SIGNAGE PLAN |
| 7.0 | FENCING PLAN |
| 8.0 | FIRE ACCESS PLAN |
| 9.0 | PARKING ANALYSIS |
| S1 | BOUNDARY SURVEY |
| L1-L4 | TREE REMOVAL PLAN |
| L5-L6 | MASTER LANDSCAPE PLANS |
| L7-L9 | COMMUNITY LANDSCAPE PLANS |
| L10 | ENTRANCE LANDSCAPE PLAN |
| L11 | POOL AND CABANA LANDSCAPE PLAN |
| L12 | TOWNHOMES LIFT STATION \& PARK LANDSCAPE PLANS |
| A1-A3 | ARCHITECTURAL ELEVAATIONS |
|  |  |

## NOVEMBER 13, 2017

```
APPLICANT OWNER
THOMPSON HILLS ES
207 ISLAND DRIVE.
PHONE:'(5661)746-8348
CONTACT: MALCOLM JNES
```

SURVEYOR
ROGER A. HAGLER, P.L.S.M.
PROFESSIONAL LAND SURVEYORS, MAPPERS 585 ORANGE AVE.
SEBASTIAN, FLORIDA 32958
PHONE:
(772)205-1231
CONTACT: ROGER A. HAGLER, P.L.S.M

## ENGINEER <br>  719 IRMA AVENUE ORLANDO, FLORIDA 32803 PHONE: (407) $872-1515$ CONTACT: DAVID EVANS, P.E. <br> GEOTECHNICAL ENGINEER ARDAMAN \& ASSOCIATES 8008 SOUTH ORANGE AVENU 8008 SOUTH ORANGE AVENUE ORLANDO, FORDI 32809 PHONE: ( 407 ) $855-3860$ CONTACT: CHUCK CUNINGHAM

## STATEMENT OF INTENDED USE

THE DEVELOPMENT OF A 224 LOT SINGLE FAMILY SUBDIVISION PROJ ECT ADRESS 1527 W. MCCORMICK ROAD APOPKA, FLORIDA 32703


UTILITY COMPANIES





为

note:
ALL RESIDENTIAL ARCHITECTURAL APPEARANCE SHAL
BE IN ACCORDANCE WITH THE APOPKA DEVELOPMENT BESIGN GUIDELINES, OR ALTERNATIVE DEVELOPMENT DESIG STANDARDS, SUBJECT TO APPROVAL BY THE COMMUNITY DEVELOPMENT DEPARTMENT

PLAN PROVIDED FOR:

- BRELD SET
$\square$ PERMIT REVEW SET
CONSTRUCTION SE
$\square$ RECORD DRAWING



## E乌EVANS <br> 711 IRMA AVENUEMES <br> ORLANDO, ${ }^{2}$ FLORIDA ${ }_{3} 3803$

$\frac{\text { VICINITY MAP }}{\text { N.T.S. }}$
LEGAL DESCRIPTION


Lot Criteria

| Setback Table |  |  | Single Family | Townhomes |
| :---: | :---: | :---: | :---: | :---: |
| Front Porch(1) |  |  | 19' | N/A |
| Front (Garage) |  |  | $30^{\prime}$ | $22^{\prime}$ |
| Front (Building) |  |  | $25^{\prime}$ | $22^{\prime}$ |
| Rear |  |  | $20^{\prime}$ | 15' |
| Side |  |  | 7.5' | 10' Ext. $0^{\prime} \mathrm{lnt}$. |
| Side Street(2) |  |  | 15' | 15 ' |
| Accessory Structure Rear |  |  | 5' | N/A |
| Lot Dimensions |  |  |  |  |
| Minimum Lot Area |  |  | 7,800 SF (0.179 AC) | 2,530 SF |
| Minimum Lot Width |  |  | 70' * | $23^{\prime}$ |
| Minimum Lot Depth |  |  | 120' | 110' |
| Max lot coverage |  |  | 75\% | 75\% |
| Max Building Height |  |  | 35' / 2 stories | 35 '/2 stories |
| Minimum Living Area |  |  | 1,500 SF | 1,350 SF |
| *MINIMUM LOT WIDTH NOTE: |  |  |  |  |
| THE Following Lots of A Minimum Lot wioth of 65 ': 9, 13, 17, 21, $69,73,77,79$ |  |  |  |  |
|  | Count | Percentage |  |  |
| $65^{5}$ Width Lots | 8 | 6.8\% |  |  |
| $70^{\circ}$ Width Lots | 110 | 93.2\% |  |  |
| Total lots | 118 | 100.0\% |  |  |

SINGLE- FAMILY LOT DATA:

| Lot Number | $\begin{array}{\|l} \hline \text { Lot Width* } \\ (\mathrm{ft} .) \end{array}$ | $\begin{aligned} & \text { Lot Area } \\ & \text { (ac.) } \end{aligned}$ | Lot Number | $\begin{aligned} & \text { Lot Width* } \\ & \text { (ft.) } \end{aligned}$ | $\begin{aligned} & \text { Lot Area } \\ & \text { (ac.) } \end{aligned}$ | Lot Number | ${ }_{\text {Lot With* }}{ }_{\text {cte }}$ | ${ }_{\text {Lectat }}^{\text {Lacea }}$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 70.0 | ${ }^{0.193}$ | ${ }^{41}$ | 70.0 | ${ }_{0}^{0.223}$ | ${ }^{81}$ | 70.0 | 0.193 |
| 2 | 70.0 | ${ }_{0} 0.193$ | ${ }^{42}$ | ${ }^{70.0}$ | ${ }_{0} 0.23$ | 82 | 70.0 | 0.193 |
| 3 | 70.0 | ${ }_{0}^{0.193}$ | ${ }^{43}$ | ${ }^{70.0}$ | 0.223 | ${ }^{83}$ | ${ }^{10.1}$ | 0.346 |
| 4 | ${ }^{70.0}$ | 0.193 | 44 | ${ }_{7} 7.5$ | ${ }_{0} 0.243$ | ${ }^{84}$ | 70.0 | 0.222 |
| 5 | 70.0 | 0.192 | 45 | 70.0 | 0.226 | ${ }^{85}$ | 70.0 | 0.222 |
| 6 | ${ }^{76.3}$ | 0.288 | 46 | 70.0 | 0.226 | ${ }^{86}$ | 70.0 | 0.222 |
| 7 | ${ }^{70.6}$ | 0.401 | ${ }^{47}$ | ${ }^{70.0}$ | 0.226 | ${ }^{87}$ | 70.0 | 0.222 |
| 8 | 71.0 | ${ }_{0} 0.440$ | ${ }^{48}$ | 77.9 | 0.250 | ${ }^{88}$ | 85.9 | 0.305 |
| 9 | 65.0 | 0.251 | 49 | 79.7 | 0.255 | ${ }^{89}$ | ${ }^{105.1}$ | 0.331 |
| 10 | 70.0 | 0.228 | 50 | 70.0 | 0.226 | 90 | 70.0 | 0.223 |
| 11 | ${ }^{70.0}$ | ${ }_{0}^{0.195}$ | 51 | 70.0 | 0.226 | 91 | ${ }^{70.0}$ | 0.223 |
| 12 | 70.7 | 0.213 | 52 | 70.0 | 0.226 | 92 | 70.0 | 0.223 |
| 13 | 66.3 | 0.181 | 53 | 70.0 | 0.193 | 93 | 70.0 | 0.223 |
| 14 | ${ }^{71.4}$ | 0.194 | 54 | ${ }^{70.0}$ | 0.193 | 94 | ${ }^{10.1}$ | 0.346 |
| 15 | 71.4 | 0.194 | 55 | 70.0 | 0.193 | 95 | 110.2 | 0.348 |
| 16 | ${ }^{71.4}$ | 0.194 | ${ }_{5}^{56}$ | 70.0 | 0.193 | ${ }_{96}$ | 70.0 | 0.223 |
| 17 | 66.3 | 0.181 | 57 | ${ }^{70.0}$ | 0.193 | 97 | 70.0 | 0.223 |
| 18 | 71.4 | 0.194 | 58 | 70.0 | 0.193 | 98 | 70.0 | 0.223 |
| 19 | 71.4 | 0.194 | 59 | 70.0 | 0.194 | 99 | 70.0 | 0.223 |
| 20 | 71.4 | 0.194 | 60 | 70.0 | 0.207 | 100 | 105.0 | 0.331 |
| ${ }_{2}$ | 66.5 | 0.181 | 61 | 70.0 | 0.223 | 101 | 105.0 | 0.331 |
| 22 | 70.5 | 0.233 | 62 | 92.4 | 0.238 | 102 | 70.0 | 0.223 |
| ${ }^{23}$ | ${ }^{71.1}$ | ${ }_{0}^{0.291}$ | ${ }^{63}$ | 70.0 | 0.193 | 103 | 70.0 | 0.223 |
| 24 | 71.2 | 0.248 | 64 | 70.0 | 0.193 | 104 | 70.0 | 0.223 |
| 25 | 70.0 | 0.193 | 65 | 70.0 | 0.193 | 105 | 70.0 | 0.223 |
| 26 | 70.0 | 0.193 | ${ }_{6} 6$ | 70.0 | 0.193 | 106 | ${ }^{110.3}$ | 0.348 |
| 27 | 70.0 | 0.193 | 67 | 70.0 | 0.193 | 107 | 110.3 | 0.346 |
| 28 | ${ }^{77.5}$ | 0.243 | ${ }_{68}$ | 70.0 | 0.193 | 108 | 70.0 | 0.222 |
| 29 | 70.0 | 0.222 | 69 | 65.0 | 0.179 | 109 | 70.0 | ${ }_{0} .222$ |
| 30 | ${ }^{70.0}$ | 0.222 | 70 | 70.0 | 0.193 | 110 | ${ }^{70.0}$ | 0.222 |
| 31 | ${ }_{82.6}$ | 0.275 | 71 | 70.0 | 0.193 | 111 | 70.0 | 0.222 |
| ${ }^{32}$ | 110.7 | 0.328 | 72 | 70.0 | 0.193 | 112 | ${ }_{105.3}$ | ${ }_{0}^{0.331}$ |
| ${ }^{33}$ | 70.0 | 0.222 | ${ }_{7}$ | 65.0 | 0.184 | ${ }^{113}$ | ${ }^{105.4}$ | 0.332 |
| ${ }^{34}$ | 70.0 | 0.222 | 74 | 70.7 | 0.238 | 114 | 70.0 | 0.222 |
| 35 | 77.5 | ${ }_{0}^{0.243}$ | 75 | ${ }^{70.3}$ | 0.380 | 115 | 70.0 | 0.223 |
| ${ }^{36}$ | ${ }^{77.5}$ | ${ }_{0}^{0.243}$ | ${ }^{76}$ | ${ }^{70.3}$ | 0.299 | 116 | ${ }^{70.0}$ | 0.223 |
| ${ }^{37}$ | 70.0 | 0.223 | 77 | 65.3 | 0.205 | 117 | 70.0 | 0.223 |
| ${ }^{38}$ | 70.0 | ${ }_{0} 0.23$ | 78 | 70.0 | 0.193 | 118 | 110.4 | 0.348 |
| 39 | 70.0 | ${ }_{0}^{0.223}$ | 79 | 65.0 | 0.179 |  |  |  |
| 40 | 99.4 | 0.284 | 80 | 70.0 | 0.193 |  |  |  |


$\begin{aligned} & \text { Tr (Total UNTTS / Total AR } \\ & 238 \text { UNITS) / } 69.38 \text { AC }\end{aligned}=$
$3.43 \mathrm{U} / \mathrm{AC}$

## recreational area:

REQUIRED ( 3.6 AC / 1000 PERSONS
1 UNTT $=2.6$ PRRSONS $\quad 238$ (UNITS) $\times 2.6=619$ PRRSONS ${ }^{619 \times(3.6 / 1000)}=2.23 \mathrm{AC}$

$$
\begin{aligned}
\text { TRACT K- } & =2.03 \mathrm{AC} \\
\text { TOTAL } & =2.83 \mathrm{AC}
\end{aligned}
$$

| REQURED: |  |
| :---: | :---: |
| SINGLE FAMILY: |  |
| total area | 49.69 AC |
| REQurebo | 20\% |
| required area | 9.94 AC |
| TownHouses: |  |
| total area |  |
| REQuired \% | 30\% |
| REQUIRED AREA | 5.91 AC |
| otal reg'd open spaccearea | 15.8 |

$\frac{\text { PROVIDED: }}{\text { SINGLE FAMI }}$ $\begin{array}{ll}\text { BuFfer Yaros (TRACTS J) } & \begin{array}{l}0.58 \mathrm{AC} \\ \text { OPEN SPACE (TRACTS K) }\end{array} \\ 5.80 \mathrm{AC}\end{array}$ betentontidactsa $\begin{array}{ll}\text { RECREATION (TTRACTS N) } \quad 0.80 \mathrm{AC} \\ \text { SINGLE FAMIIYTOTAL } & 12.15 \mathrm{AC}\end{array}$ townhouse: BUFFER Y YADS (TRACTS J)
OPEN SPACE (TRACTS K) $\frac{\text { Retention (tracticl }}{\text { TOWNHOLSTOTA }}$0.31 AC

4.58 AC |  |  |
| :--- | :--- |
| TOWNHOUSE TOTOLL | 2.48 ACA |

total open space provided $\quad 19.52$ AC
50\% Ofotal required single familyofn space area

| Notes: |
| :---: |
| 1. Front |

2. Front Porch Setbacks as allowed per City of Apopka Development Design Guidelines Ord. 2502, July 2016. Side Stree setback
any adjacent lo.
Architectural, Buildings and Acchitectural Standards
3. Architectural Design shall meet the intent of the City of Apopka Design Development Guidelines Ord. 2502, July 2016 .
4. Single tamily detached homes will have two car enclosed garages.
5. Single tamily detached homes will have two car enclosed garages
6. Townhomes will have a combination of single and two car garaes
7. Townomes will have a combination of single and two car garages as depicted on the parking plan.
8. Mail delivery for SF and Townhomes will be in a kiosk as occated a teach amenity area and shown on the Development Plan Utilities and Infrastructure
9. Water, sanitary sewer and reclaimed services will be provided by Orange County Uilities.
10. Storm water management sysem shal be designed to comply with the requirements of the
11. All internal streets and street 1 II in it it entirety designed to comply with the requirements of the City of Apopka and SJRWMD.

12. Fire protection and a stabailized daccess rood will be provided prior to vertical builiding construction.

13. Alighting plan must be submitted with the Final Development Plan.
14. Street Names will be provided a the time of the Final Development Plan.

## Recreation and Open Space

2. Project Recreational Area shall be provided at a rate of 3.6 acres per the land populion with 2.6 persons per dwelin
 4. The recreastional tract tocated in thine towntome a area o ot the proiect will includue
3. The recreational tract tocated in the townhome area of the project will incluce large play fields, benches, a dog park and walking
trais. This recreational tract will be easily accessible by the townhom
4. All proposed amenity areas will be shared by the entire ersidential develoloment
5. The reauired amenity areas will be completed and open for use by the issuance of the 50 th Certificate of Occupancy for all
6. All recreation and open space areas will be owned and maintained by the HOA.

Buffers and Landscaping

1. A 10 ' buffer will be provided along SR 429 as shown on the landscape plans and consist of a $6^{\prime}$ ' receast stone wall and
2. A Andscapoing.
3. A $A$ ' 'an viny titence will be placed at the north and east property boundary. A $A$ ' tan viny fence exists on the west boundary of
the Apopka Woods development. The fence proposed on this property will only be installed where there are areas not tenced on the eastern property line. A fencing plan is included in this development proposal.
4. Each singled family residential lot will include two newly lianted trees. The trees planted in the front yards will also serve as the 4. Each single fam

Wellands and Environmental

1. There are no wetlands on the proposed site area
2. There is no 100 year flood plain on the proposed


Miscellaneous
3. Any existing sepicic tanks or wels shal be properly abandoned prior to earthwork or construction perms
4. Al acreages are subject to change with the Final Engineering and Final plat teveview and aporoval.
5. Al a areages are subject to change with the Final Engineering and Final plat review and approval
6. The existing home within the townome development area will maintain access rights through the

Final location of the covered mail kiosk within the townhome comannacty shall be dedeterngind at the tesed private access road. A leter of approval from the Postmaster shall be submitted prior to Final Development Plan approval. The mail kiosks shall have a similar architectural appearances as the townhome buildings,

rwwisw


2.0
















MATCHLINE A' (THIS SHEET)
GRAPHIC Scale


(SHEET 3 OF 4)
LANDSCAPE \& IRRIG ATON DESIGN



SCHWEIZER
BOJACK BOJACKK
ANDSCAPE
ARCHECURE architecture

 2 5/01/17 i. 4/12/17
 L-3


IREE REMOVAL\& TREE PRESERVATION TABIF NOTES:





TREE REMOVAL DATA REe REMOVALDATA
OTAL EXISING TRESTO BE REMOVED: 160 REES (4,024) OTEC TED TRES ( (24" DBH 98 TRES ( $3,192^{2 \prime \prime}$ NOTE: CABBAGE PALMS \& REESUNDER 6 " DBH NOTINCLUDED

TREE PRESERVATION DATA
OTALEXSING REESTO BE PRESERVED: 53 TRES (926") SPCLMEN TEES ( EZU" 12 REES (424")


6



TREE PROTECTION NOTES
All protected tree shall have the trunk and roots protected by protective ba miers erec ted prior to development a ctivity in
. Protective ba miers constructed of wood rais, chain link fabric or orange plastic safety netting shall be plac red d round the tree or trees to fom a continuous baric ade at least four feet high. Ideally suc
bariers will fom a protection zone described by the d dip line.
2. Protective barier shall remain in place until landscape operations
. Trenching for underground utilities shall be prohibited inside the protective bariers. If underground utilities must be routed through the these areas shall be conducted by hand, except for mec hanical unneling as needed
4. No vehicles, equipment, materials or fill shall be placed orstored
within the protected area
2. Detalied landscape plansto be provided wit finaldevelopmentplans.
3. DEVEOPER RESPO NSIILE FOR INSTA LING LANDSC APING IN THE FOLOWING AREAS:
A. NORTH \& SOUTH ENTRANCES
B. STREET" "MIG HT-OF-WAY ( FROM MC CORMICK RD. TO CEL TOWER
D. SOD ONLY IN PARK AREAS \& REIENTON PONDS
4. HOME BULDER RESPO NSIBLE FOR INSTA OUTINED ABOVE UPON COMPLEION OF EACH HOMETTOWNHOME OR AMENITY ARE

TREE PROTECTION DETAIL


PLANTING DETAILS


A Shnus s qround coveras adia cent to straightedges

- Shnuss quound covers adia cent to curved edges


TYPICAL WESTERN LANDSCAPE BUFFER SEC TION (SCALE: N.T.S.)
 shall be accomplished to insure drainage.
2. The Landscape Contractor shall be responsible for all materials and all work as called for on the landscape plans and in the landscape speci fica ations. The list of plant quantities accompanying the plans shall be sued asa quide only. Contra ctor shall verify all quantities
and report any discrepancies at the time of bidd ing.
3. All llant material shall be graded Floida No. 1 or better, as outlined under Grades and
Standards for Nursery Plants, Division of Plant Ind ustry, State of Floride unless othenwise Stated.
4. All plant beds and tree ings shall be top dressed with a $3^{\prime \prime}$ minimum depth of pine bark nuggets.
5. The Landscape Contractor shall be wholly responsible for stability and plumb condition 5. The Landscape Contractor shall be wholly responsible for stabitity and plumb condition
of al trees and shnubs. Staking of treessorshubs, if desired or equested by the Landsca pe
Architect tor owner, shall be done utilizing a method agreed upon by the Landscape of all trees and shlubs. Staking of trees or shnubs, if desired or requested by the Landsca
Architect or owner, shall be done utilizing a method agreed upon by the Landscape
Architect. Architect
6. No fill material or use of heavy equipment around existing trees is allowed. Existing trees are to be protected by a wood ba micade erected in compliance with local codes.
7. The Landscape Contractor is responsible for testing project soils. The Landscape Contra ctor is to provide a certified sois report to the Owner and Landscape Architect. The andscape Contractor shal verify the proposed plant matenial. Should the Landscape Contractor find poor
the O Ownerand Landscape Arch itect must be consulted pior to planting.
8. All grades, dimensions and existing conditions shall be verified by the Contractor on site 8. All grades, dimensions and exisiting conditions shall be venfied by the Contractor on ste
before construction begins. Any discrepancies shall be brought to the attention of the Landscape Architect.
9. All proposed treesto be installed either entirely in or entirely out of planting beds. .
10. The Landscape Contractorshall review architectural/engineering plansto become
horoughly famile rwith
11. The Landscape Contractorshall coordinate with the lighting and ingation contractors regarding the timing of the installation of plant material.
12. Every possible safeguard shall be taken to protect build ing surfaces, equipment and fumishings, Llandscape Contractor shall be responsible for any damage or ininury to pe
or property whic $h$ may occuras a result of his neslige nce in the execution of work.

IRRIG ATION NOTE
Imgation Plan will be provided at time of the Final Development Plan.

## LANDSCAPE DEVELOPMENTNOTES:

1. PEDESTRIAN LEVEL LG HTING TO BE PROVIDED WITH FINALDEVELOPMENTPLANS.
2. Detalled landsc ape plans with planting schedule to be provided with final developmentplans.
3. DEVEOPRRRESPONSIBLE FOR INSTA
A. NORTH \& SOUTH ENTRANCES
B. STREE "I" RIG HT-OF-WAY
(FROM MCCORMICK RD. TO CELLTOWER)
D. SOD ONLY IN PARK AREAS $\&$ REIENTON PONDS
4. HOME BUIDER RESPO NSIBLE FOR INSTA WNG AL OTHER LANDSCAPING \& IRRIG ATON NOTOUTINED ABOVE UPON COMPLEION OF EACH HOMEITOWNHO MEOR AMENITY AREA.






SOUTH ENTRY SIGN ELEVATION FREE STANDING COLUMN


## ENTRANCE LANDSCAPE PLAN

SCHWEIZER
BOJACK


## 611/10/17

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REAR ELEVATION

RIGHT ELEVATIIN



LEFT ELEVATION



POOL\& CABANA LANDSCAPE PLAN

## LANDSCAPE\&IRRIG ATON DESIG


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SCHWEIZER
BOJACK BOJJACKK
ANDSCAPE
ARCDIECTURE 1 4/12/17
 L-11





REAR ELEVATION


LEFT ELEVATION


HOLLY
3 Bedroom | 2.5 Bath
1-Car Garage
1,530 Sq. Ft.
townhouses

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| :---: |
| Stomem |
| SNND FNISH |
| SPLATTERKNOCK DCWN |}



KELSEY
3 Bedroom | 2.5 Bath

Planning Commission
March 13, 2018
Page 89

## Backup material for agenda item:

4. PLAT - BINION RESERVE SUBDIVISION - Owned by Gail W. Brown, c/o Jeffrey A. Sedloff, P.E., June Engineering Consultants, Inc. and located at 1078 South Binision Road. (Parcel ID \#: 18-21-28-0000-00057)

## CITY OF APOPKA PLANNING COMMISSION

$\qquad$ PUBLIC HEARING SITE PLAN
SPECIAL REPORTS
OTHER: Plat

MEETING OF: March 13, 2018
FROM: Community Development
EXHIBITS: Vicinity Map
Aerial Map
Plat
Final Development Plan

SUBJECT:

REQUEST:

BINION RESERVE RESIDENTIAL SUBDIVISION - PLAT
RECOMMEND APPROVAL OF THE BINION RESERVE SUBDIVISION PLAT

## SUMMARY:

OWNER/APPLICANT:
PROJECT ENGINEER:
LOCATION:
EXISTING USE:

FUTURE LAND USE:
ZONING:
MINIMUM LOT WIDTH:

MINIMUM LOT SIZE:
PROPOSED DEVELOPMENT:
TRACT SIZE:
PROPOSED DENSITY:

Gail W. Brown
June Engineering Consultants, Inc., c/o Jeffrey A. Sedloff, P.E.
1078 South Binion Road (south of Lust Road \& west of Binion Road)
Vacant Single Family Residence
Residential Low Density (0-5 du/ac)
R-1A (Single Family Residential)
85 feet typical lot width
10,000 square feet
44 Single Family Residential Lots
$21.39+/-$ acres
$2.05 \mathrm{du} / \mathrm{ac}$

## FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director HR Director IT Director Police Chief

Public Services Director Recreation Director
City Clerk
Fire Chief

## RELATIONSHIP TO ADJACENT PROPERTIES:

| Direction | Future Land Use | Zoning | Present Use |
| :--- | :--- | :---: | :--- |
| North (City) | Res. Low Suburban $(0-3.5 \mathrm{du} / \mathrm{ac})$ | A-1 (ZIP) | Vacant |
| East (City) | Res. Low (0-5.0 du/ac) | A-1 (ZIP) | Single Family Residential |
| East (County) | Rural (1 du/10 acres) | A-1 | Single Family Residential |
| South (City) | Mixed-Use | A-1 (ZIP) | Single Family Residential |
| West (City) | Res. Low (0-5.0 du/ac) | R-1A/R-O-W | Vacant/SR 429 |

Project Summary: Planning Commission reviewed and recommended approval of the Binion Reserve Preliminary Development Plan (PDP on July 12, 2016. The Planning Commission role is to review the Plat for consistency with the PDP, as the Planning Commission Chair is required to sign the Plat.

The Binion Reserve Final Development Plan proposes the development of 44 single family residential lots. Located within the R-1 A zoning district, the community provides a typical lot width standard of 85 feet and minimum lot size of 10,000 square feet.

The proposed minimum living area, in aggregate of 1,600 square feet, with a no individual unit being less than 1,600 square feet as set forth in Section 2.02.20.B. 4 of the Land Development Code. At the time of the final development plan, developer will be requested to establish criteria to assure a $2,000 \mathrm{sq} . \mathrm{ft}$. aggregate is monitored and maintained during the building permit application cycle.

The minimum setbacks applicable to this project are:

| Setback | Min. <br> Standard |
| :--- | :---: |
| Front* | $25^{\prime}$ |
| Side | $10^{\prime}$ |
| Rear | $20^{\prime}$ |
| Corner | $25^{\prime}$ |

*Front-entry garage must be setback 30 feet.
Access: Ingress/egress access points for the development will be via full access onto Binion Road.
Stormwater: The stormwater management system includes an on-site retention area. Stormwater ponds are located within Tract "A" and Tract "I". The stormwater ponds design meets the City's Land Development Code requirements.

Recreation: The developer is providing 0.51 acres ( 22,120 square-feet) of active and passive recreation space. Details of active and passive recreation equipment and facilities are submitted with the final development plan.

Buffer/Tree Program: A ten-foot wide landscaped buffer easement is provided along the western project line adjacent to the S.R. 429 right-of-way with a 6 -foot tall brick, masonry, concrete or precast wall. A thirty-foot wide buffer tract with a 6-foot tall brick, masonry, concrete or precast wall are provided along Binion Road.

The following is a summary of the tree replacement program for this project:
Total inches on-site: ..... 8561
Total number of specimen trees removed: ..... 67
Total specimen tree inches retained: ..... 1505
Total inches replaced: ..... 756
Total inches removed: ..... 5797
Total inches retained: ..... 2764
Total inches post development: ..... 3520

SCHOOL CAPACITY REPORT: Developer has obtained a school concurrency mitigation agreement with Orange County Public Schools to address school impacts generated by this residential development. The following schools are zoned to receive students from this community: Apopka Elementary School, Wolf Lake Middle School and Wekiva High School.

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

## PUBLIC HEARING SCHEDULE:

March 13, 2018 - Planning Commission, 5:30 p.m.
April 4, 2018 - City Council, 1:30 p.m.

## RECOMMENDATION ACTION:

The Development Review Committee finds the Binion Reserve Plat to be consistent with the Preliminary Development plan and Final Development Plan, and recommends approval of Binion Reserve Subdivision Plat subject to the final review by the City surveyor and City Engineer prior to recording the plat.

Planning Commission Recommendation: Find the Binion Reserve Subdivision Plat consistent with the Land Development Code and recommend approval of the Plat subject to the findings of the Staff Report

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

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

Gail Brown, c/o Jeffrey A. Sedloff, P.E.<br>June Engineering Consultants, Inc. Binion Reserve Subdivision<br>21.39 +/- acres<br>Proposed number of units: 44<br>Parcel ID No.: 18-21-28-0000-00-057

## VICINITY MAP



## AERIAL MAP



## BINION RESERVE

A PART OF SECTION 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST CITY OF APOPKA, ORANGE COUNTY, FLORIDA
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## Final Development Plan for Binion Reserve



Location Map

| INDEX OF SHEETS |  |
| :--- | :---: |
| SHEET TITLE | No. |
| Cover Sheet | 1 |
| Typical Section | 2 |
| Overall Plan | 3 |
| Tree Removal Plan | 3 a |
| Overall Drainage \& Grading Plan | 3 b |
| Overall Water System Plan | 3 c |
| Overall Reclaimed Water System | 3 d |
| Overall Sewer Plan | 3 e |
| SWPPP | 3 f |
| Signage Plan | 3 g |
| Wetland Inventory Plan | 3 h |
| Paving-Plan \& Profile | $4-6$ |
| Offsite Improvements | 7 |
| Stormwater Management Area | 8 |
| Site Details | 9 |
| Lift Station Details | $10-11$ |
| General Utility Details | $\mathrm{G1-G5}$ |
| City General Notes Plan | S 1 |
| Landscape Plan | $\mathrm{L1}$ |
| Irrigation Plan | $\mathrm{i1}$ |
| Compensating Storage | $\mathrm{CS}-1, \mathrm{CS}-2$ |
| Plat | $\mathrm{P} 1-\mathrm{P} 3$ |

## Cenerol Notes

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|  |  | Compensating Storage |  | Usferer | $C S-1$ |




## BINION RESERVE

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R. JAY DAVOLL, GTYY ENGNEER

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Planning Commission
March 13, 2018
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## Backup material for agenda item:

5. FINAL DEVELOPMENT PLAN/PLAT - LAKE GEM COMMERCE PARK - Owned by Property Industrial Enterprises, LLC, c/o Michael Cooper and located at 511 and 611 Marshall Lake Road. (Parcel ID \#s: 09-21-28-0000-00-011 and 08-21-28-0000-00-029)

## CITY OF APOPKA PLANNING COMMISSION

$\qquad$ PUBLIC HEARING
SITE PLAN
SPECIAL REPORTS
OTHER: Final Development Plan/Plat

MEETING OF: March 13, 2018
FROM: Community Development
EXHIBITS: Vicinity Map
Aerial Map
Plat
Final Development Plan

SUBJECT:
LAKE GEM COMMERCE PARK - FINAL DEVELOPMENT PLAN/PLAT

REQUEST:
RECOMMEND APPROVAL OF THE FINAL DEVELOPMENT PLAN/PLAT FOR LAKE GEM COMMERCE PARK

## SUMMARY:

OWNER/APPLICANT:
PROJECT ENGINEER:

LOCATION:

EXISTING USE:

FUTURE LAND USE:

ZONING:
PROPOSED DEVELOPMENT:

TRACT SIZE:
FLOOR AREA RATIO (FAR):

Property Industrial Enterprises, LLC c/o Michael R. Cooper
Al Tehrani, P.E.
511 and 611 Marshall Lake Road
Vacant
Industrial

PUD (Planned Unit Development)/I-1
Commerce Park with 12 Lots
Minimum lot width: 160 feet; minimum lot size: 32,597 square feet
28.74 +/- acres

Maximum 0.60 FAR

FUNDING SOURCE: N/A

| DISTRIBUTION |
| :--- |
| Mayor Kilsheimer |
| Commissioners |
| City Administrator |
| Community Development Director |

Finance Director
HR Director
IT Director Police Chief

Public Services Director Recreation Director
City Clerk
Fire Chief

## RELATIONSHIP TO ADJACENT PROPERTIES:

| Direction | Future Land Use | Zoning | Present Use |  |  |  |
| :--- | :--- | :---: | :--- | :--- | :--- | :--- |
| North (City) | Railroad/Commercial | Railroad/I-1 | Railroad/Vacant |  | $l$ |  |
| East (City) | Industrial | I-1 | Vacant |  |  |  |
| South (City) | Industrial | Right-of-Way/I-1 | Marshall Lake Road/Single <br> Horticulture/Vacant | Family | Residence/ |  |
| West (City) | Conservation\Industrial | I-1 | Vacant |  |  |  |

Project Use: The Lake Gem Commerce Park Final Development Plan/Plat proposes the development of 12 industrial lots. Located within the PUD/I-1 zoning district, the plan shows a minimum lot width of 160 feet and with a no individual lot being less than 32,597 square feet. Lake Gem Commerce must comply with the development standards for I-1 zoning district but allowed for a building height of up 50 feet.

Preliminary and/or Final Development Plans shall be provided at the time of the each lot development and comply with the most current Land Development Code and other City standards.

The minimum setbacks applicable to this project are:

| Setback | Min. <br> Standard |
| :--- | :---: |
| Front* | $25^{\prime}$ |
| Side | $10^{\prime}$ |
| Rear | $10^{\prime}{ }^{*}$ |
| Corner | $25^{\prime}$ |

*30 feet setback from residential uses or zoning districts.
Access: Ingress/egress access points for the development will be via full access onto Marshall Lake Road.
Stormwater: The stormwater management system includes an on-site retention area. The stormwater pond is located within Tract B. The stormwater pond design meets the City's Land Development Code requirements.

Buffer: A 25 -foot wide landscaped buffer is provided along Marshall Lake Road, as required by Code, and on the boundary adjacent to the existing railroad. The plan also shows a 10 -foot wide buffer along the eastern boundary.

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

## PUBLIC HEARING SCHEDULE:

March 13, 2018 - Planning Commission, 5:30 p.m.
April 4, 2018 - City Council, 1:30 p.m.

## RECOMMENDATION ACTION:

The Development Review Committee recommends approval of Lake Gem Commerce Park Final Development Plan/Plat subject to the final review by the City surveyor and City Engineer prior to recording the plat and findings of this staff report.

Planning Commission: Find the Lake Gem Commerce Park Final Development Plan and Plat consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Lake Gem Commerce Park Final Development Plan/Plat, subject to the findings of this 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.

## Property Industrial Enterprises, LLC, c/o Michael R. Cooper

Ali Tehrani, P.E.
Lake Gem Commerce Park Subdivision
28.74 +/- acres

Proposed number of lots: 12
Parcel ID Nos.: 09-21-28-0000-00-011 and 08-21-28-0000-00-029

## VICINITY MAP



## AERIAL MAP






## NOTES

1- EACH LOT SHALL SUBMIT A SEPARATE PRELIMINARYI FINAL DEVELOPMENT PLAN TO INCLUDE SITE PLAN,BUILDING LANDSCAPE, IRRIGATION PLANS FOR EACH LOT WILL BE SUBMITTED TO CITY FOR APPROVAL AT THE TIME OF DEVELOPMENT.

2- PERMANENT ENTRANCE CURB CUT LOCATIONS WILL BE DETERMINED AS EACH LOT DEVELOPED.

3- ORDINANCE NO. 2447 APPLICABLE REQUIREMENTS WILL BE COMPLIED.

4- ALL DISTURBED SOIL SHALL BE SODDED OR SEED AND MULTCHED.

## FINAL DEVELOPMENT PLAN

## LAKE GEM COMMERCE PARK SUBDIVISION PLAN

PARCEL ID: 08-21-28-0000-00-029 PARCEL ID: 09-21-28-0000-00-011

## CITY OF APOPKA

ENGINEER OF RECORD ALLI TEHRANANI, P.E.E.E. LICNSE NO.


Project nam LAKE GEM
COMMERCE PARK



GENERAL NOTES

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PROJECT NAM
LAKE GEM
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## PROPERTY DESCRIPTION

lake gem commerce park
the above parcel beng described as:




THE Parcel contalins 1,246,196.51 (SF) OR 28.609 (AC), MORE OR Less.


Marshall Lake Rd













OUTLET CONTROL STRUCTURE MODIFIED TYPE-D DBI MODIFIED TYPE-D DB PLAN VIEW (TYP.)
N.T.S.


OUTLET CONTROL STRUCTURE MODIFIED TYPE-D DBI FDOT INDEX NO. 232
PROFILE VIEW (TYP)
N.T.S.


OUTLET CONTROL STRUCTURE MODIFIED TYPE-D DBI FDOT INDEX NO. 232 SECTIONAL VIEW (TYP.)


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N.T.S.

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OVERFLOW STRUCTURES DETAILS


ENGINEER OF RECORD $\underset{\text { FLORIDA Pe. LICENSE NO.4823s }}{\text { ALI TER }}$ ${ }_{6}$ FLORIS Sherwood Dr.

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RILEY \& Company, Inc. (H-20 GP)





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BOUNDARY SURVEY
PROPOSED SITE PLAN / PRELIMINARY PLAT



## LAKE GEM COMMERCE CENTER

LOCATED IN SECTIONS 8 AND 9, TOWNSHIP 21 SOUTH, RANGE 28 EAST CITY OF APOPKA, ORANGE COUNTY, FLORIDA
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QUALIFICATION AND STATEMENT




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CERTIFCATE OF APPROVAL BY CITY ENGINEER



Planning Commission
March 13, 2018
Page 164

## Backup material for agenda item:

6. FINAL DEVELOPMENT PLAN - SELF HELP CREDIT UNION - Owned by Self Help Credit Union c/o Randy Chambers, President and located at 667 West Orange Blossom Trail. (Parcel ID \#: 09-21-28-5900-04-010)


## CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING SITE PLAN SPECIAL REPORTS
$\qquad$ OTHER: Final Development Plan

MEETING OF: March 13, 2018
FROM: Community Development
EXHIBITS: Vicinity Map
Aerial Map
Site Plan
Landscape Plan
Building Renderings

SUBJECT:
REQUEST:

FINAL DEVELOPMENT PLAN - SELF HELP CREDIT UNION
RECOMMEND APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR SELF HELP CREDIT UNION

SUMMARY:
OWNER/APPLICANT: Self Help Credit Union c/o Randy Chambers, President
ENGINEER: Dewberry Engineers, Inc. c/o Christopher J. Allen, P.E.
LOCATION: 667 West Orange Blossom Trail
PARCEL ID \#: 09-21-28-5900-04-010
FUTURE LAND USE: Commercial
ZONING:
C-2

EXISTING USE: Vacant
PROPOSED USE: Drive-through Bank
TRACT SIZE: $\quad 1.37+/-$ acres
BUILDING SIZE: 2,320 square feet
FLOOR AREA RATIO: 0.039

FUNDING SOURCE: N/A

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

PAGE 2

## RELATIONSHIP TO ADJACENT PROPERTIES:

| Direction | Future Land Use | Zoning | Present Use |
| :--- | :---: | :---: | :---: |
| North (City) | Institutional/Public Use | R-O-W/PO/I | Old Dixie Highway/Apopka Elementary School |
| East (County) | Commercial | R-O-W/R-2 | Old Dixie Highway/Residential |
| South (City) | Commercial | R-O-W/C-1 | U.S. 441/Vacant |
| West (City) | Commercial | C-2 (ZIP) | Vacant |

PROJECT SUMMARY: The Self Help Credit Union Final Development Plan proposes to construct a building with 2,320 square feet floor area for a bank with two drive-through service stations. The drivethrough station is screened from Old Dixie Highway by a 3 -foot high garden wall and landscaping. With frontage on two streets, building architecture has the north and south sides of the building have the appearance of a building front wall.

PARKING AND ACCESS: A total of 21 parking spaces are provided of which 2 are reserved as a handicapped parking spaces. Ingress/egress access points for the development will be via full access onto U.S. 441 and Old Dixie Highway.

EXTERIOR ELEVATIONS: The design of the building exterior complies with Section 4.2 .1 of the Development Design Guidelines that addresses commercial design standards.

STORMWATER: Stormwater run-off and drainage will be accommodated by an on-site retention pond on the western portion of the project site. The stormwater management system is designed according to standards set forth in the Land Development Code.

CONDITIONS OF APPROAL: A re-plat will be required prior to issuance of a certificate of occupancy.
BUFFER/TREE PROGRAM: A three-foot tall garden wall is provided to screen the drive through area from Old Dixie Highway. The plan also shows a ten-foot landscape buffer along Old Dixie Highway and U.S. 441. The applicant has provided a detailed landscape and irrigation plan for the property. The planting materials and irrigation system design are consistent with the water-efficient landscape standards set forth in Ordinance No. 2069. The applicant has committed to submit an arbor mitigation payment fee of $\$ 3,629$ based on the number of tree inches replaced.

| Total inches on-site: | 900 |
| :--- | ---: |
| Total number of specimen trees: | 10 |
| Total inches removed | 640 |
| Total inches retained: | 260 |
| Total inches required: | 363 |
| Total inches replaced: | 145 |
| Total inches post development: | 162 |

## PUBLIC HEARING SCHEDULE:

March 13, 2018 - Planning Commission (5:30 pm)
April 4, 2018 - City Council (1:30 pm)

## RECOMMENDATION ACTION:

The Development Review Committee recommends approval of the Self Help Credit Union - Final Development Plan, subject to the findings of this staff report.

Planning Commission: Find the Self Help Credit Union Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Self Help Credit Union - Final Development Plan, subject to the findings of this 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.

Self Help Credit Union c/o Randy Chambers Dewberry Engineers, Inc. c/o Christopher J. Allen, P.E.<br>Self Help Credit Union<br>1.37 +/- acres

Parcel ID No.: 09-21-28-5900-04-01

## VICINITY MAP



PLANNING COMMISSION - MARCH 13, 2018
SELF HELP CREDIT UNION - FINAL DEVELOPMENT PLAN
PAGE 5











DALTON Self Help Credit Union- Apopka, FL Branch
Architects Proposed Exterior Rendering


## Drawing Index

## Civil

c-00
2 GENERAL NOTES
C-03 EXISTING CONDITIONS
C-04 SITE AND GEOMETERY PLAN
C-05 PAVING, GRADING AND DRAINAGE PLAN
C-06 S.R. 500 IMPROVEMENTS PLAN
C-06.1 S.R. 500 IMPROVEMENTS CROSS SECTIONS AND NOTES
C-07 STORMWATER POLLUTION PREVENTION PLAN \& DETAILS
C-08 UTILITY PLAN
C-08.1 LIFT STATION
C-09 PAVING, GRADING AND DRAINAGE DETAILS
C-10 CITY OF APOPKA GENERAL NOTES
C-11 UTILITY DETAILS
C-12 UTILITY DETAILS
E2.1 LIGHTING PHOTOMETRIC PLAN
E2.2 ELECTRICAL SITE PAN

## Self Help Credit Union

 ApopkaCity of Apopka, Florida (Minor) Final Development Plan August 14, 2017

Client:
Dunn \& Dalton Architects

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COVER SHEET

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| Dewberry Eng | ineers Inc． 800 NORTH MAGNOLIA AVE SUITE 1000 ORLANDO，FL 32803 PHONE： 407.843 .512 |
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Planning Commission
March 13, 2018
Page 207

## Backup material for agenda item:

7. FINAL DEVELOPMENT PLAN/PLAT - ZARABROOKE SUBDIVISION - Owned by Zarabrooke, LLC, c/o Barry Kalmanson and located at 829 Paradiso Court. (Parcel ID \#: 05-21-28-0000-00-056)

## CITY OF APOPKA PLANNING COMMISSION

SPECIAL REPORTS
$\qquad$ OTHER: Final Development Plan/Plat

MEETING OF:
FROM:
EXHIBITS:

March 13, 2018
Community Development
Vicinity Map
Aerial Map
Final Development Plan/Plat Landscape Plan

SUBJECT:

REQUEST:
RECOMMEND APPROVAL OF THE FINAL DEVELOPMENT PLAN/PLAT FOR ZARABROOKE SUBDIVISION

## SUMMARY:

OWNER:
APPLICANT/ENGINEER:
LOCATION:
PARCEL ID NUMBER:
FUTURE LAND USE:
ZONING:
EXISTING USE:
PROPOSED USE:

TRACT SIZE:
DENSITY:

Zarabrooke, LLC c/o Barry Kalmanson
Lochrane Engineering, Inc. c/o Edgardo Garcia-Luna
829 Paradiso Court
05-21-28-0000-00-056
Residential Low Density (max. 0-5 du/ac)
R-3 (Residential Multiple Family)
Vacant
Single Family Residential Subdivision (14) Lots
Minimum Lot Size: 9808 square feet; Minimum Lot Width: 70 feet
$5.59+/-$ acres
$2.68 \mathrm{du} / \mathrm{ac}$ (proposed)

## FUNDING SOURCE: N/A

DISTRIBUTION
Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director Police Chief

Public Services Director Recreation Director
City Clerk Fire Chief

G: \CommDev\PLANNING ZONING\SUBDIVISION PLANS\2018\Zarabrooke Subdivision\4 Planning Com Hearing

PLANNING COMMISSION - MARCH 13, 2018
ZARABROOKE SUBDIVISION - FINAL DEVELOPMENT PLAN/PLAT
PAGE 2

## RELATIONSHIP TO ADJACENT PROPERTIES:

| Direction | Future Land Use | Zoning | Present Use |
| :--- | :--- | :---: | :--- |
| North (City) | Residential Estates | R-3 | The Courtyards Residential Subdivision |
| East (City) | Office | PO/I | Vick Road Right-of-Way/Apopka High School |
| South (City) | Residential Low | PUD | Parkside at Errol Estates Subdivision |
| West (City) | Residential Low | PUD | Parkside at Errol Estates Subdivision |

Project Use: The Zarabrooke Subdivision Final Development Plan proposes the development of 14 single family residential lots. The minimum typical lot width is 70 feet with a minimum lot size of 9,808 square feet. The required minimum living area for the subdivision is 1,350 square feet as set forth in Chapter 2 of the Land Development Code for single-family lots located within the R-3 zoning.. The minimum setbacks applicable to this project are:

| Setback | Min. Standard |
| :---: | :---: |
| Front | $25^{\prime}{ }^{*}$ |
| Side | $7.5^{\prime} * *$ |
| Rear | $20^{\prime}$ |
| Corner | $25^{\prime}$ |

*Front-entry garage must be setback 30 feet.
** 15 feet distance requirement between structures.
Access: Ingress/egress access points for the development will be via full access onto Vick Road.
Stormwater: The retention pond on the western portion of the site has been designed to meet the City's Land Development Code requirements.

Buffer and Tree Program: A 6-feet tall masonry or concrete or brick-finished wall will be located on the east boundary of the project site with a subdivision entry sign and feature, abutting Vick Road. The plans shows a wrought-iron style fence with a brink posts on a portion of the stormwater pond, Tract A.

Buffers are provided consistent with the Land Development Code. A buffer wall is not located along the western boundary of the Duke Energy property. A screen wall is not required by the Land Development Code when a development abuts single family residential uses, and screen wall is not proposed by within the Final Development Plan. Future homeowners will have the option to install a fence along their rear lot lines.

## Tree Program:

The following is a summary of the tree replacement program:
Total number of specimen trees: 107
Total number of non-specimen trees: 53
Total inches retained: 1054
Total inches replaced: 480
Total inches post development: 1534

Based on the number of tree inches preserved and additional tree inches replaced, a tree mitigation fee is not required for this project.

All preserved trees shall be protected during lot construction and grading. Appropriate tree barricades shall be installed around each tree or group of trees along the tree drip line.

SCHOOL CAPACITY REPORT: No development activity can occur until such time that a concurrency mitigation agreement has been approved by OCPS.

## PUBLIC HEARING SCHEDULE:

March 13, 2018 - Planning Commission, 5:30 p.m.
April 4, 2018 - City Council, 1:30 p.m.

## RECOMMENDATION ACTION:

The Development Review Committee (DRC) recommends approval of the Zarabrooke Subdivision Final Development Plan/Plat subject to the findings of this staff report.

Planning Commission: Find the Zarabrooke Subdivision Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Zarabrooke Subdivision Final Development Plan/Plat subject to the findings of this staff report.

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

PLANNING COMMISSION - MARCH 13, 2018
ZARABROOKE SUBDIVISION - FINAL DEVELOPMENT PLAN/PLAT PAGE 4

## Zarabrooke, LLC c/o Barry Kalmanson

Lochrane Engineering, Inc., c/o Edgardo Garcia-Luna Zarabrooke Subdivision
5.59 +/- Acres

Proposed number of units: 14 Parcel ID \#s: 05-21-28-0000-00-056

## VICINITY MAP



PLANNING COMMISSION - MARCH 13, 2018
ZARABROOKE SUBDIVISION - FINAL DEVELOPMENT PLAN/PLAT
PAGE 5

## AERIAL MAP






## ENTRY WALL PERSPECTIVE

LANDSCAPE PLAN Scale: 1 " $=50$ '
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PLANT SCHEDULE

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| * 35 | Shumard Oak | Quercus shumardii | 3" Caliper DBH; 12 ' Height | As Shown |
| 71 | Live Oak | Quercus viginima | 3 " Caliper DBH; 12 ' Height | As Shown |
| 1 | Magnoia | Magnoia grandifiora | 3 " Caliper DBH; 12 ' Height | As Shown |
| 8 42 | Dahoon holy | Ilex cassine | $3^{\prime \prime}$ Caiper DBH; 10 ' Height | As Shown |
| - 11 | Wax Myrte | Myrica cerifera | $3^{\text {" Caiper DBH; }} 10$ ' Height | As shown |
| 25 | Indian Hawthorn | Raphiolipes indica | 3 Gallon; 15-18" $\times 15-18^{\prime \prime}$ | As Shown |
| - 460 | viburum | Viburnum odoratissinum | 3 Gallon; 30" Height | As Shown |
| ${ }^{36}$ | Lorepetalum | Loropetaum chinensis | 3 Gallon; 15-18"" 15 -11" | 24" on Center |
| 350 | Dwarf Confederate Jasmine | Trachleospermum asiaitum | 1 Gallon; 9-12" spread | 24 " on Center |
| Sod \& Mulch |  |  |  |  |
| тво | Bahiagrass Sod | Paspalum Notatum 'Argentine' |  |  |
| TBD | Pine bark | NA |  | $3^{4}$ " thick in al planting beds |

## FINAL DEVELOPMENT PLANS



LEGAL DESCRIPTION


NOTE:
LETTER SHALL BE OBTAINED FROM THE FLORIDA FISH AND WILLLIF


## ZARABROOKE SUBDIVISION

AT

VICK ROAD AND WEST MARTIN STREET APOPKA, FLORIDA
ORANGE COUNTY
FOR

OWNER
ZARABROOKE, LLC
500 N. MAITLAND AVENUE SUITE \#305 MAITLAND, FLORIDA 3275

PH. (407) 645-4500

CIVIL ENGINEER
LOCHRANE ENGINEERING, INC. 201 SOUTH BUMBY AVENUE RLANDO, FLORIDA 32803 PH. (407) 896-3317

VICINITY MAP



AERIAL PHOTO



















## ENTRY WALL PERSPECTIVE

LANDSCAPE PLAN Scale: 1 " $=50$ '
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PLANT SCHEDULE

| Quan. | Common Name | Botanical Name | Size | Spacing |
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| * 35 | Shumard Oak | Quercus shumardii | 3" Caliper DBH; 12 ' Height | As Shown |
| 71 | Live Oak | Quercus viginima | 3 " Caliper DBH; 12 ' Height | As Shown |
| 1 | Magnoia | Magnoia grandifiora | 3 " Caliper DBH; 12 ' Height | As Shown |
| 8 42 | Dahoon holy | Ilex cassine | $3^{\prime \prime}$ Caiper DBH; 10 ' Height | As Shown |
| - 11 | Wax Myrte | Myrica cerifera | $3^{\text {" Caiper DBH; }} 10$ ' Height | As shown |
| 25 | Indian Hawthorn | Raphiolipes indica | 3 Gallon; 15-18" $\times 15-18^{\prime \prime}$ | As Shown |
| - 460 | viburum | Viburnum odoratissinum | 3 Gallon; 30" Height | As Shown |
| ${ }^{36}$ | Lorepetalum | Loropetaum chinensis | 3 Gallon; 15-18"" 15 -11" | 24" on Center |
| 350 | Dwarf Confederate Jasmine | Trachleospermum asiaitum | 1 Gallon; 9-12" spread | 24 " on Center |
| Sod \& Mulch |  |  |  |  |
| тво | Bahiagrass Sod | Paspalum Notatum 'Argentine' |  |  |
| TBD | Pine bark | NA |  | $3^{4}$ " thick in al planting beds |



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Notes:

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|  | dranage manhole |
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| BOUNDARY \& TOPOGRAPHICAL SURVEY$\begin{gathered} \text { OF } \\ \text { ZARABROOKE } \\ \text { FOR } \\ \text { ZARABROOKE, LLC } \end{gathered}$ |  |
| :---: | :---: |
| HLSM |  |
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## ZARABROOKE

SECTION 5, TOWNSHIP 21 SOUTH, RANGE 28 east CITY OF APOPKA
ORANGE COUNTY, FLORIDA
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SHEET 1 OF



| CERTIFCATE OF COUNTY COMPTROLLER |
| :---: |
| 1 HEREBY CERTIFY, That I hove examined the foregoing Plat and find that it complies in form with all the reauirements of Chopter 177, Florido Stotutes, ond was filed for record on |
| County Comptroller <br> and for Orange County, Florida |
| BY ... |

PLAT BOOK

Scarocole
by: Barry Kalmonson, Ouner
Signoture
Signeds seoled ond delivered in the presence of the following signoture of Witesess rinted Nome of Wintess $\quad$ Printed Nome of Witress State of florida $\qquad$


 WTrNsSS wereegoc, ion hereof to his fite oct ond deed.

Notary Public -
Commission No:
My Commission Expires: notary seal
$\frac{\text { My Commisson Expires: }}{\frac{\text { CERTIICATE OF APPROVAL BY }}{\text { CITY COUNCIL }}}$
Ry SEAL


Mover
Attest:
Oity Cleitht

| City cleik |  |
| :---: | :---: |
| CERTIFCATE OF SURVEYOR |  |
| hereby certify that this plat is a true and correct <br> representation of the lands surveyed, that the survey was that the survey data contained herein complies with all of the requirements of Chapter 177 of the Florida Statutes. of Chapter 177.091(7) regarding "permanent reference monuments", and that the land is located within Orange monuments", an County, Florida. <br> Dated |  |
| Signature.. WILIAM F. MENARD Registration No. 5625 |  |
| CERTIFICATE OF REVIEW BY CITY SURVEYOR This Plat has been reviewed for conformity with chapter 177 Florida Statutes REVIEWED bY: |  |
|  | Dat |
| CERTIFICATE OF APPROVAL BY $\xrightarrow{\text { PLANNING COMMISSION }}$ |  |
| Examined and Approved |  |
| Chairman | Date |
| CERTIFICATE OF APPROVAL BY CITY ENGINEER |  |
| Examined and Approved. |  |
| En | Dat |


[^0]:    DISTRIBUTION
    Mayor Kilsheimer
    Commissioners
    City Administrator
    Community Development Director

[^1]:    
    
    
    
    
    
    
    
    
    
    acoordance with Index 600
    Exsiting posted speed dinits shal be mainatined throughout ther 182

[^2]:    (2) MULTI-STEM TREE PLANTING

[^3]:    (2) MULTI-STEM TREE PLANTING

