

APOPKA CITY COUNCIL AGENDA

December 02, 2015 1:30 PM

APOPKA CITY HALL COUNCIL CHAMBERS

PLEDGE

INVOCATION - Reverend Juan Rodriguez of Pentecostal Church of God

CALL TO ORDER

ROLL CALL

AGENDA REVIEW

Please submit a "Notice of Intent to Speak card" to the City Clerk. Action may not be taken by the Council at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

Pursuant to F.S. 286.0114, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Council. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Council addresses such items during this meeting. Public comments are generally limited to four minutes.

APPROVAL OF MINUTES:

1. City Council meeting November 18, 2015.

PUBLIC/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Proclamations:

1. Mayor's Proclamation, March 15, 2016, General Election

Employee Recognition:

- ❖ Ten Year Service Award - Tim Talley, Field Services/Police Department
- ❖ Ten Year Service Award - Daniel Saucedo, Utility Billing/Finance Department
- ❖ Fifteen Year Service Award - Brian Bowman, Chief's Office/Fire Department
- ❖ Fifteen Year Service Award - Joseph Leonard, Utility Restoration/Public Services
- ❖ Twenty Year Service Award - Donald Klouse, EMS/Fire Department

CONSENT (Action Item)

1. Authorize road closures for a Christmas Parade - First UMC of Apopka
2. Rejection of Bid No. 2015-09 for a custom ambulance.
3. Purchase of real property for installation of a traffic signal.
4. Authorize purchase of two Automated Side Loader Refuse Trucks - Florida Sheriffs Association Contract.
5. Authorize purchase of one Automated Front End Loader Refuse truck - Florida Sheriffs Association Contract.
6. Authorize purchase of one Kubota M5-091 tractor - Florida Sheriffs Association Contract.
7. Department of Corrections - Inmate work squad, Contract #WS1040.
8. CH2M Hill, Inc. & Reiss Engineering - first extension of the contracts - Consulting Services for Professional Engineering.
9. Authorize the evaluation and public hearing for a proposed Brownfield designation.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

- | | |
|---|--------------|
| <u>1.</u> Ordinance 2459 – Second Reading - Annexation | David Moon |
| <u>2.</u> Ordinance 2460 – Second Reading - Annexation | David Moon |
| <u>3.</u> Ordinance 2461 – Second Reading - Annexation | David Moon |
| <u>4.</u> Ordinance 2462 – Second Reading - Annexation | David Moon |
| <u>5.</u> Ordinance 2463 – Second Reading - Annexation | David Moon |
| <u>6.</u> Ordinance 2464 – Second Reading - Amending Chapter 46 of the Code of Ordinances | Brian Bowman |
| <u>7.</u> Ordinance 2465 – Second Reading - Annexation | David Moon |
| <u>8.</u> Ordinance 2467 – First Reading – Small Scale Future Land Use Amendment | David Moon |
| <u>9.</u> Ordinance 2468 – First Reading – Change of Zoning | David Moon |
| <u>10.</u> Ordinance 2469 – First Reading – Small Scale Future Land Use Amendment | David Moon |

- [11.](#) Ordinance 2470 – First Reading – Change of Zoning
- [12.](#) Ordinance 2471 – First Reading – Change of Zoning
- [13.](#) Ordinance 2472 – First Reading – PUD Master Plan
- [14.](#) Resolution 2015-25 - Reimbursements from proceeds of tax-exempt debt.

David Moon
David Moon
David Moon
Glenn A. Irby

BUSINESS (Action Item)

- [1.](#) Preliminary Development Plan – Copart, Inc.
- [2.](#) Council
- [3.](#) Public

David Moon

MAYOR'S REPORT

ADJOURNMENT

MEETINGS AND UPCOMING EVENTS

DATE	TIME	EVENT
December 3, 2015	5:30pm - 9:00pm	Food Truck Round Up
December 6, 2015	5:30pm - 7:30pm	Apopka Festival of Trees Kickoff Event
December 8, 2015	5:00pm - 6:00pm	Planning Commission Meeting
December 9, 2015	11:00am – 2:00pm	City Council Apopka Visioning Community Review
December 11, 2015	5:30pm - 8:00pm	Holiday Movie at the Amphitheater
December 12, 2015	10:00am - 12:00pm	Apopka Christmas Parade
December 12, 2015	4:00pm – 6:00pm	Winter Wonderland & Tree Lighting
December 12, 2015	6:00pm – 8:00pm	Holiday Bonfire at Edwards Field
December 13, 2015	5:30pm – 7:30pm	Festival of Trees Closing Ceremony & Silent Auction
December 16, 2015	7:00pm – 10:00pm	City Council Meeting

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

Backup material for agenda item:

1. City Council meeting November 18, 2015.

CITY OF APOPKA

Minutes of the regular City Council meeting held on November 18, 2015, at 7:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Bill Arrowsmith
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Sam Ruth
City Attorney Andrew Hand
City Administrator Glenn Irby

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

INVOCATION – Commissioner Dean introduced Reverend Richard King of St. James AME Church, who gave the invocation.

PLEDGE OF ALLEGIANCE – Mayor Kilsheimer said in the fall of 1620, more than 100 Pilgrims set sail from England on the Mayflower and made landfall two months later in Plymouth, Massachusetts. The Pilgrims lost half their group during the first winter. With the help of two members of local Native American Tribes, the settlers were able to successfully farm the lands and by the following autumn, they reaped a bountiful crop. To celebrate the harvest and to give thanks, Governor William Bradford called for a feast and invited the local Native American Tribes who worked alongside the Pilgrims to sustain their Colony. The Tribes and the Pilgrims hunted together and feasted for three days. It became a tradition for colonists to celebrate the harvest annually with the feast of Thanksgiving and President Abraham Lincoln proclaimed the final Thursday in November to be a national holiday in 1863. However, Franklin D. Roosevelt signed a joint resolution of Congress in 1941, which established the fourth Thursday of November as a national holiday, the day we currently celebrate as Thanksgiving. He asked everyone to reflect upon the spirit and collaboration between the Pilgrims and Native American Tribes that made it possible for Plymouth to flourish and for our nation to give thanks as he led in the Pledge of Allegiance.

APPROVAL OF MINUTES

1. City Council meeting November 3, 2015.

MOTION by Commissioner Ruth and seconded by Commissioner Velazquez to approve the minutes from the City Council meeting of November 3, 2015. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

PUBLIC/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Presentations:

1. Artist to present renditions of the Mayor Land Statues – Mr. Peter Pasha presented scale model maquettes of the Mayor John Land statues. One will be a larger than life statue of

Mayor Land standing and will be on the front lawn of City Hall. The other is a life size statue that will be on a bench in Kit Land Nelson Park.

It was the consensus of the Council to proceed with the final product.

CONSENT

1. Approve the Disbursement Report for the month of October, 2015.
2. Approval of CH2M Hill Engineers Inc., proposal for architectural and engineering services.

Item 2 was pulled for discussion and comments from the public.

Suzanne Kidd said this was for a building that will replace the building at Alonzo Williams Park and she questioned if this was for the actual services for CH2M Hill to put the drawings together or was it the actual projected cost for the building. She further inquired what specifications the City submitted with regards to ceiling height, how the square footage was determined, and if there was any opportunity for a concerned citizen to have any input.

Mayor Kilsheimer advised this amount was for the drawings. He stated there could be a process determined to receive input.

Commissioner Dean inquired if there were any bids for the company that was selected.

City Administrator Irby affirmed the City had previously short listed two engineering firms for continuing services contracts. CH2M Hill was one of the firms shortlisted and is under a continuing services contract. They were chosen for this process as they have an architect on staff. He advised we are counting upon a CDBG \$750,000 grant to make these improvements and we are on a deadline to submit the architectural drawings which are a requirement of the grant.

Commissioner Dean inquired why the City cannot set aside \$750,000 in case we are not awarded the grant so that we can move forward with this building.

Mayor Kilsheimer said if the City is not awarded the grant, the option of allocating the \$750,000 can be done. The time limit is upon submitting the grant application and we need to obligate the funds for the design in order to submit the grant.

Commissioner Arrowsmith said it was unfortunate the position the City is in with being limited to two firms and only one having an architect on board. He felt \$100,000 for a 30 foot building was exorbitant and it is a gamble. He said if it was up to him to come up with \$750,000, he would spend these funds on a new fire station.

Mayor Kilsheimer affirmed the City of Apopka has not applied for a CDBG grant in more than 10 years. The likelihood of receiving the grant is high. He advised Mr. Irby worked on bringing the fee down to a more reasonable one. He inquired if this was postponed for two weeks would it compromise the schedule for the grant.

Mr. Irby affirmed this grant would include more amenities that just the building.

Jeff Plaugher advised the grant is due the first week in March and if we miss this round, there is no guarantee there will be another chance as the CDBG is legislative driven. He explained we are applying for a small city grants and there are a lot of pluses with this grant.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez, to approve the 2 items on the Consent Agenda.

David Hoffman inquired if he heard correctly the \$90,000 was for architectural drawings and the \$750,000 was for the construction to which Mayor Kilsheimer advised the total grant was \$750,000 and that would go toward the building and other amenities.

Ray Shackelford asked Council to move forward with this project and applauded their efforts for applying for grant funds.

Motion carried unanimously with Mayor Kilsheimer and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS

1. **Ordinance 2459 – First Reading – Annexation.** The City Clerk read the title as follows:

ORDINANCE NO. 2459

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY JTD LAND AT ROGERS RD., LLC, LOCATED AT 2303 ROGERS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve Ordinance No. 2459 at First Reading, and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

2. **Ordinance 2460 – First Reading – Annexation.** The City Clerk read the title as follows:

ORDINANCE NO. 2460

AN ORDINANCE OF THE CITY OF APOPKA FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO

**ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE
HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN
ORANGE COUNTY, FLORIDA, OWNED BY HUY TRAN AND HAI
ANH NGUYEN, LOCATED AT 904 SCHOPKE LESTER ROAD;
PROVIDING FOR DIRECTIONS TO THE CITY CLERK,
SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE**

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Ruth, to approve Ordinance No. 2460 at First Reading, and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

3. **Ordinance 2461 – First Reading – Annexation.** The City Clerk read the title as follows:

ORDINANCE NO. 2461

**AN ORDINANCE OF THE CITY OF APOPKA FLORIDA, TO
EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX
PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER
DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY,
FLORIDA, OWNED BY PROPERTY INDUSTRIAL ENTERPRISES,
LLC, LOCATED AT 300 WEST 2ND STREET; PROVIDING FOR
DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS,
AND AN EFFECTIVE DATE.**

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

MOTION by Commissioner Dean, and seconded by Commissioner Velazquez, to approve Ordinance No. 2461 at First Reading, and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

4. **Ordinance 2462 – First Reading – Annexation.** The City Clerk read the title as follows:

ORDINANCE NO. 2462

**AN ORDINANCE OF THE CITY OF APOPKA FLORIDA, TO
EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX
PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER
DESCRIBED LANDS SITUATED AND BEING IN ORANGE
COUNTY, FLORIDA, OWNED BY DEBRA EVANS CARGIL,
LOCATED AT 202 SOUTH HAWTHORNE AVENUE; PROVIDING
FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY,
CONFLICTS, AND AN EFFECTIVE DATE.**

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to approve Ordinance No. 2462 at First Reading, and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

5. **Ordinance 2463 – First Reading – Annexation.** The City Clerk read the title as follows:

ORDINANCE NO. 2463

AN ORDINANCE OF THE CITY OF APOPKA FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY APOPKA CLEAR LAKE INVESTMENTS, LLC, LOCATED SOUTH OF PETERSON ROAD AND WEST OF BINION ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

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

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez, to approve Ordinance No. 2463 at First Reading, and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

6. **Ordinance 2464 – First Reading – Amending Chapter 46 of the Code of Ordinances.** The City Clerk read the title as follows:

ORDINANCE NO. 2464

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA AMENDING CHAPTER 46, “FIRE PREVENTION AND PROTECTION” OF THE APOPKA MUNICIPAL CODE, BY AMENDING ARTICLE III, “FIRE CODES AND STANDARDS”, SECTION 46-76 TO ADOPT THE FLORIDA FIRE PREVENTION CODE (NFPA 1) AND THE LIFE SAFETY CODE (NFPA 101) BY REFERENCE; AMENDING SECTION 46-78, THE FLORIDA FIRE PREVENTION CODE, CHAPTER 13, “FIRE PROTECTION SYSTEMS”, PARAGRAPH 13.3.1.2, “GENERAL”; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Brian Bowman gave a brief lead in stating this has been in place since 1996 and benefits the community as it is a safety and strict sprinkler ordinance. This ordinance is updating the standards.

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

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

7. **Ordinance 2465 – First Reading – Annexation.** The City Clerk read the title as follows:

ORDINANCE NO. 2465

AN ORDINANCE OF THE CITY OF APOPKA FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY JERRY KIRKLAND AND LANNETTE KIRKLAND, LOCATED AT 3707 ROCK SPRINGS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Dean, to approve Ordinance No. 2465 at First Reading, and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

8. **Resolution 2015-24 – Invocation Policy for City of Apopka meetings.** The City Clerk read the title as follows:

RESOLUTION NO. 2015-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, REGARDING A CEREMONIAL OPENING INVOCATION AND RECITATION OF THE PLEDGE OF ALLEGIANCE AT COUNCIL MEETINGS PRIOR TO OFFICIAL POLICYMAKING AND LEGISLATIVE FUNCTIONS; ADOPTING A POLICY OF NON-EXCLUSION AND SELECTION OF VOLUNTEER INVOCATION SPEAKERS AND A DIVERSITY OF VIEWPOINT AND NON-EXCLUSION OF THOSE IN ATTENDANCE; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Andrew Hand advised the changes from the last meeting are slight and are mainly nuances. He said there is now a specific reference to an opening ceremony that has been incorporated throughout the resolution. This comports with Supreme Court Justices' acknowledgement that invocations are part of a ceremonial meeting. He reviewed the highlights of the resolution and advised references of places of worship has been broadened.

Mayor Kilsheimer said he believed it was important to preserve our ability to hold invocations.

In response to Commissioner Velazquez inquiring if the Council will continue to rotate with regards to inviting one to give the invocation, Mayor Kilsheimer said they would still rotate, but there will be a database maintained to choose from.

Commissioner Arrowsmith said in the rare occasion the individual does not show up, you have the right to have a moment of silence or dispense with the invocation.

Mayor Kilsheimer opened the meeting to public participation.

Barb Zakszewski spoke regarding the ceremonial opening and recitation of the Pledge of Allegiance, stating cities and government entities were scrambling to develop inclusive invocation policies that celebrate diversities. She declared we were twisting ourselves up in knots rather than tackling real city business and said if you support the policy, you must be prepared to defend the right for all groups to have their say. She stated she supported a moment of silence in lieu of an invocation.

Tenita Reid said this was a very emotional issue and we all value our freedoms to worship on what we believe. She said we should listen to and take the attorney's advice to have a moment of silence.

Suzanne Kidd said since the City seems determined to enshrine the practice of invocations into city policy with this resolution, rather than taking the more pragmatic route of simply providing a moment of silence, she would like to add her comments and point out two potential pitfalls. One positive direction she saw was that citizens will have the choice to stand or not during opening ceremonies. She stated she would hope the option to leave will not be publically announced. She expressed concern that individual citizens unaffiliated with any group or belief system, yet with the same civic spirit and goodwill as any religiously affiliated speaker on the approved database will, by the wording of the speaker selection section, be excluded from the process. She further expressed concern of diversity by utilizing the database on a first serve, first come basis.

Dale Fenwick said silence is not an option and the proposed policy was the right one for our community. He said this has been crafted in compliance with decisions from the Supreme Court. He said seeking divine guidance on public deliberations predates the founding of our nation and remains a vital part of our governing bodies. He spoke to the Supreme Court rulings in the Town of Greece with regards to spiritual needs of lawmakers connecting them to a tradition dating to the time of the framers of the Constitution. He affirmed a moment of silence states we have given in and requested this resolution be approved.

Pastor Doug Bankson thanked the City Commission and Attorneys for working hard on this matter. He said our freedom of speech and freedom of religion is what is at stake here and it was the first foundation in our Bill of Rights. He stated this policy is the right move rather than to be silenced.

Ray Shackelford spoke in agreement to some of the comments he heard from Suzanne Kidd and said his concerns are not whether we continue to have prayers from local pastors and citizens, but rather what we do after we hear those prayers.

Tony Foster said this was new to him and it is ironic that he was talking about the power of prayer earlier today. He said while he understands the legalities regarding prayer and schools, and he was not necessarily backing the resolution, but he was backing prayer and stated silence hides who we are.

Reverend King spoke regarding this, stating silence was not an option.

No one else wishing to speak, Mayor Kilsheimer closed the public input.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez to approve Resolution No. 2015-24.

Commissioner Arrowsmith pointed out that this administration has had 126 votes and fewer than 10 were not unanimous.

Commissioner Dean said he was not against prayer, but he felt with silent prayer no one is discriminated against.

Motion carried 4-1 with Mayor Kilsheimer, and Commissioners Arrowsmith, Velazquez, and Ruth voting aye, and Commissioner Dean voting nay.

APPROPRIATIONS/DONATIONS/GRANTS

1. O.C. Grant Award – Acceptance of EMS Simulation Training & Debriefing Solution System

Will Sanchez gave a brief presentation of the full body EMS system Metiman grant being awarded by Orange County Medical Director. He said this provides the best patient care to the community. He advised the original cost was \$68,000 and by researching, they were able to locate a demo version in the amount of \$40,000. By approving this grant it will be fully funded and there will be no cost to the city. Ownership will be taken in mid-December.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to accept the grant. Motion carried unanimously with Mayor Kilsheimer and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

2. KaBOOM! Grant – Acceptance of the letter of intent and funding.

Glenn Irby reported the City has been selected to participate in a screening with KaBOOM!, a non-profit organization that is dedicated to providing children with places to play and if selected, the City of Apopka would be awarded a grant to purchase new playgrounds for Lake Avenue Park and/or Alonzo Williams Park. There were two separate applications submitted and the first will be for Lake Avenue Park. The City will fundraise \$8,500 toward the cost of the playground equipment and will own and maintain it. We provide the land and secure necessary permits, remove existing playground equipment, and recruit community volunteers to help construct the playground. Staff is requesting approval to accept the KaBoom! Letter of Intent.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez to direct staff to continue the process of application. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

BUSINESS

1. Orange County – 2016 Election Services and Equipment Use Agreement

Linda Goff, City Clerk, said this was the standard Services and Equipment Use Agreement with the Supervisor of Elections. The General Election will be at no or minimal cost to the City, as it is in conjunction with the Presidential Preference Primary, however, in the event there is a Run-off Election, the City would assume associated costs.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez to approve the 2016 Election Services and Equipment Use Agreement as presented. Motion carried unanimously with Mayor Kilsheimer and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

2. Florida Hospital Apopka – Transportation Improvement Development Agreement

David Moon, Planning Manager, gave a brief lead in for the Florida Hospital Apopka Transportation Improvement Development Agreement. He advised on November 19, 2014, the City Council approved the Transportation Improvements Development agreement with Adventist Health Systems\Sunbelt, Inc. This is the first amendment to that agreement. He advised staff is recommending approval of the agreement.

In response to an inquiring of Commissioner Velazquez, Mr. Moon advised 11% will be covered by the Hospital's cost and the other 89% are general impacts of traffic from the surrounding area. However, that improvement qualifies for impact fee credits or transportation impact fee funds, as defined within the agreement.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Ruth, to approve the Transportation Improvement Development Agreement with Florida Hospital, Apopka.

Suzanne Kidd inquired how the cost share of 11% from the Hospital versus 89% from the city is coming; stating it was no cash out of pocket, but it was impact fees that are not going to be coming to the city that under ordinary circumstances would be. Also, the proposal calls for landscaping, hardscaping, and irrigation maintenance to be assumed by Florida Hospital, unless the city assumes the costs. She inquired if the city was assuming the maintenance costs. It also mentions this will only move forward if the city and the county are able to have an agreement for the city to take over the maintenance of Ocoee Apopka Road. She further inquired about the Harmon Road extension.

Mr. Moon advised Ocoee Apopka Road is a county road and they currently maintain it from the intersection of Binion Road to downtown Apopka. Negotiations are currently underway to have that transferred to the city to maintain. He advised eventually, with annexations, the city would be taking it over. This jurisdiction allows the city to control the driveway cuts. He advised the Hospital has agreed to maintain the landscaping for a certain period of time.

Motion carried unanimously with Mayor Kilsheimer and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

3. Council

Commissioner Ruth inquired about the outcome of the property required at Plymouth Sorrento and Lester Roads in order to place a signal in that area.

Mayor Kilsheimer advised this was still under discussions and they were awaiting a response. He stated a quick take was also being looked into.

MOTION by Commissioner Ruth, and seconded by Commissioner Arrowsmith, to direct the City Attorney to begin the process of a quick taking of the southwest corner of Plymouth Sorrento and Lester Roads. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

4. Public

Reverend Richard King presented a video and a Community Resolution on One Apopka submitted by the South Apopka Ministerial Alliance. He asked the Council to consider the contents of the resolution and what improvements need to be made.

Mayor Kilsheimer advised the city was already making progress on two of these items; one being policies and procedures for all city owned community centers. He reported the Summer Youth Jobs Program funding has been increased and Career Source of Central Florida has committed \$100,000 to the Apopka Youth Works Program and there will be enough for 75 positions. He advised Dr. Jackson has been working on this program and credited her for almost doubling the scope of the program. He said the City is moving forward on these matters.

Commissioner Dean said he would like to recognize and thank the community leadership in coming forward with a thoughtful and objective presentation. He said he especially liked that it addressed all of the citizens of Apopka. He stated he would hope all of his colleagues would be mindful of the issues addressed in this resolution.

Ed Poirier said he came here tonight to request some help, saying his wife died of cancer four months ago. He lives on Park Glen Circle and said his street had quite a bit of cancer going on. He stated the Mayor was kind enough to reach out to him a couple of months ago and brought in some people from the Department of Health. Mr. Poirier stated the Department of Health promised to provide some statistics for Apopka Cancer cases that have never been received. Mr. Poirier stated another gentleman at the meeting promised to go to his house and conduct a study. He advised this person came to his house and told him he would be taking water and soil samples. He received an email from him a week later, only to be told their investigation was over and they did not find anything. He said he was here because he has asked the Mayor to petition the State Department of Health to come back and finish their job. He affirmed in his research he has found the City only tests for pesticides once every three years. He said even though certain items may not be regulated, the City has a moral obligation to their citizens to let them know there may be a health risk with some of the water. He reiterated he was here to ask the City to go back and request the Department of Health finish the job they started. He said it was important for the City to find the funding to conduct this testing from an independent agency.

Mayor Kilsheimer said he has been working with Mr. Poirier over the last several months and during that time he has learned a lot about the water and how the Health Department evaluates and investigates cancer clusters. He affirmed there is a 48 page document that the Federal CDC publishes that states exactly how state health departments should investigate cancer clusters. There are six conditions that must be met and it is a four step process of investigating cancer clusters and every step along the way has a threshold that must be met. He affirmed he called in the Department of Health that came and met with Mr. Poirier and took his information. He said the pertinent paragraph in this states: "There are a number of factors that do not support the need for further investigation and those include: the State Department of Health should not proceed if the types of cancers that have been reported are different types of cancers, not known to be related to one another, or are a few cases of very common cancers, or if there is a lack of a plausible environmental cause." He reiterated this is not the City of Apopka, the State Department of Health, but it is the Federal Government laying down instructions on how to investigate cancer clusters. He stated with Park Glen Circle there are two cases we know of where two women passed away of breast cancer as the confirmed cases. There are not seven confirmed cases.

Mr. Poirier said there were seven cases and ten people were about to die. He walked out stating he was all done talking to the Mayor, declaring he would be back the next meeting.

Mayor Kilsheimer said the bottom line was the Florida Department of Health was called in and said there was no evidence of a cancer cluster on Park Glen Circle. The Florida Department of Environmental Protection came in and checked all of our records and

procedures at the Grossenbacher Water Plant and it was well within the established limits. They also went to Park Glen Circle and went to the home of the Breck family and measured the chlorine and it was within limits.

Debbie Turner, from the Debbi Turner Cancer Resource Center in Apopka, said she wanted to explain to this community that she has 85 children in middle school and high school that they host on a weekly basis at the Cancer Center whose parents have been diagnosed with cancer. This past year she has done 65 extra team groups because the children are coming in to the Center asking why their parents have cancer and if they drink the water in the City will they die, too. She said this community needs to band together and realize the facts of this. She affirmed she researched from Yale University, Duke University, and the National Cancer Institution and there is not one case ever documented that drinking water causes cancer or death. She said she is personally a cancer survivor and understands a grieving family. When you are grieving you try to blame someone and she stated the blame is not on the City, but on the disease of cancer.

Ray Shackelford said in his lifetime he has worn many hats. One hat worn in the past was serving on a statewide environmental justice commission that looks at causes of cancer throughout the State of Florida. Based upon their research, the contaminants in water can cause cancer. He applauded the Mayor's efforts in reaching out to this family. He said with regards to the Community Resolution, it embraces a reality for progress that all people in all communities must be involved in the economic development process and management within city government. He asked how often they can expect an update on the action items listed on the resolution.

Commissioner Dean inquired if the Council was going to act on this resolution.

Mayor Kilsheimer said it has not been forgotten and reiterated that the two items of progress have been made. He said this was not a resolution by the government of the City of Apopka, it was by the South Apopka Ministerial Alliance. He further declared, he takes everything the Ministerial Alliance says seriously and we are working on these items on an individual basis. He pointed out a Charter Review process was completed in 2013.

Rod Love commended Pastor King and the South Apopka Ministerial Alliance as it relates to this resolution. He said you have to give City Council credit where credit is due and this has been addressed. He spoke with regards to Chief McKinley and his being aggressive and the Fire Department and their academy reaching out to diversify.

Discussion ensued regarding Minority Diversity studies and the City of Apopka not being able to join with the City of Orlando on their study.

Ray Shackelford said the lobbyist stated we should be able to put language in the document related to the town center project about minority women and veteran contractors. If able to put language in that document, we should be able to reach out to the contractors in general.

Ed Hollingsworth said he was trying to improve the look of the Chuck Wagon and has met with city planners to try and get a mural on the dumpster wall to the back of the building. He stated he was told by moving the logo or name it would then be considered artwork. He showed the artwork he was trying to get improved and said he was here to ask Council to give him permission to do a mural. He said he was trying to clean the area and have outdoor seating.

Mayor Kilsheimer thanked Mr. Hollingsworth for coming and asked him to meet with Mr. Irby to work through this process and a compromise.

MAYOR'S REPORT – No report.

ADJOURNMENT –The meeting adjourned at 9:36 p.m.

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

Backup material for agenda item:

1. Mayor's Proclamation, March 15, 2016, General Election

MAYOR'S PROCLAMATION
MARCH 15, 2016
CITY GENERAL ELECTION, CITY OF APOPKA, FLORIDA

WHEREAS, in accordance with the provisions of the Charter, Code of Ordinances, and Ordinance No. 2436 of the City of Apopka, Florida, an election shall be held on March 15, 2016, at which election there shall be elected a Commissioner for Seat 3, and a Commissioner for Seat 4, both for four year terms; and

WHEREAS, the terms of office of Commissioner Seat 3, and Commissioner Seat 4 will expire at 12:00 p.m. on April 26, 2016, it is therefore necessary that a Commissioner for Seat 3 and a Commissioner for Seat 4 be elected at an election of the City of Apopka, Florida.

NOW, THEREFORE, I, JOSEPH E. KILSHEIMER, MAYOR of the City of Apopka, Florida, as required by law, do hereby proclaim and pronounce that an election will be held in the City of Apopka, Florida, on Tuesday, **MARCH 15, 2015**, from 7:00 a.m. until 7:00 p.m., for the purpose of electing a Commissioner for Seat 3, and a Commissioner for Seat 4. Voting precincts will be determined by the Orange County Supervisor of Elections.

Early voting will be available through the Orange County Supervisor of Elections Office, and will coincide with their designated sites and times, from Saturday, February 29, 2016, through Sunday, March 13, 2016.

Only the voters of the City residing within the City limits who are properly registered with the Orange County Supervisor of Elections, or who will be properly registered by February 16, 2016, may vote in this election.

Candidates for said offices must qualify with the City Clerk beginning at 12:00 p.m. on Monday, December 14, 2015, and ending at 12:00 p.m. on Monday, December 21, 2015, at City Hall, 120 E. Main Street, Apopka, Florida.

The Orange County Canvassing Board is hereby authorized to canvass the City of Apopka ballots voted in the March 15, 2016 city general election in compliance with Ordinance No. 2436 and Section 34-41, Apopka Code of Ordinances.

In the event it becomes necessary to have a run-off election, this will be held on Tuesday, April 12, 2016, from 7:00 a.m. to 7:00 p.m. at the Apopka Community Center / VFW Post #10147, 519 South Central Avenue, Apopka, Florida. Early voting will be available through the Orange County Supervisor of Elections Office, 119 West Kaley Street, Orlando, Florida, Monday, April 4, 2016, through Friday, April 8, 2016, from 8:00 a.m. to 5:00 p.m.

I, Joseph E. Kilsheimer, hereby appoint the Canvassing Board for said run-off election as follows:

Canvassing Board: City Commissioner, Billie Dean
 City Commissioner, Diane Velazquez
 City Clerk, Linda F. Goff

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Apopka, Florida, to be affixed and attested by the City Clerk of Apopka, this 2nd day of December, 2015.

Joseph E. Kilsheimer, Mayor

Attest:

Linda F. Goff, CMC, City Clerk



PROCLAMACIÓN DE ALCALDE
15 DE MARZO DE 2016
ELECCIÓN GENERAL DE LA CIUDAD, LA CIUDAD DE APOPKA, FLORIDA

CONSIDERANDO QUE, en acuerdo con las provisiones de la carta constitucional y las ordenanzas de la Ciudad de Apopka, código de ordenanzas, y la Ordenanza N° 2436 de la ciudad de Apopka, Florida, se celebrara una elección el 15 de marzo de 2016, en qué la elecciones se elegirá un Comisionado para el asiento 3 y un Comisionado para el asiento 4, ambos para el términos de cuatro años; y

CONSIDERANDO QUE, los términos de la oficina de Comisionado de asiento 3 y Comisionado de asiento 4 expirará a las 12:00 p.m. el 26 de abril de 2016, por lo tanto, es necesario que un Comisionado para el asiento 3 y un Comisionado para el asiento 4 será elegido en una elección de la ciudad de Apopka, Florida.

POR LO TANTO, YO, JOSEPH E. KILSHEIMER, ALCALDE de la ciudad de Apopka, Florida, como requerido por la ley, por este medio proclamar y pronunciar que la elección se celebrará en la ciudad de Apopka, Florida, el martes, 15 de marzo de 2015, desde las 7:00 a.m. hasta las 7:00 p.m., con el proposito de elegir a un Comisionado para el asiento 3 y un Comisionado para asiento 4. Recintos de votación se determinará por el Supervisor de elecciones de Condado de Orange.

Votación temprana estará disponible a través de la oficina de Supervisor de Elecciones de Condado de Orange, y coincidirá con los lugares designados y horarios, desde el sabado, 29 de febrero de 2016, hasta el domingo, 13 de marzo de 2016.

Sólo los votantes de la ciudad que residen dentro de los límites de la ciudad que están debidamente registrados con el Supervisor de Elecciones del Condado de Orange, o que van a estar debidamente registrados el 16 de febrero de 2016, pueden votar en esta elección.

Los candidatos para dichos cargos deben calificar con el Escribano de la Ciudad, comenzando a las 12:00 p.m. el lunes, 14 de diciembre de 2015 y terminara a las 12:00 p.m. el lunes, 21 de diciembre de 2015, en la Alcaldia, 120 E. Main Street, Apopka, Florida.

El Condado de Orange Junta de Escrutinio queda autorizado para sondear la Ciudad de Apopka que votaron el 15 de marzo de 2016 en la elecciones generales de la Cuida en cumplimiento de la Ordenanza N° 2436 y la Seccion 34-41, Código de ordenanzas de Apopka.


En caso de que sea necesario tener una elección de vuelta, esta se celebrará el martes, 12 de abril de 2016, desde las 7:00 a.m. hasta las 7:00 p.m. en el Centro Comunitario de Apopka / VFW Post #10147, 519 South Central Avenue, Apopka, Florida. Votación temprana estarán disponible a través de la oficina del Supervisor de Elecciones del Condado de Orange, en el 119 West Kaley Street, Orlando, Florida, el lunes, 4 de abril de 2016, hasta el viernes, 8 de abril de 2016, desde las 8:00 a.m. hasta las 5:00 p.m.

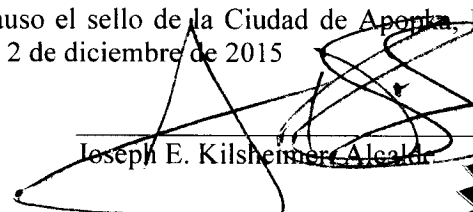
Yo, Joseph E. Kilsheimer, por este medio nombrar la Junta de Escrutinio para dicha elección los siguientes:

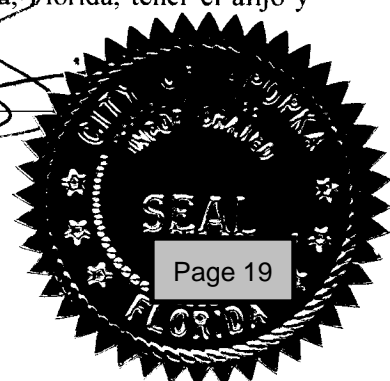
Junta de Escrutinio: Comisionado de la ciudad, Billie Dean
 Comisionado de la ciudad, Diane Velazquez
 Escribano de la ciudad, Linda F. Goff

EN TESTIGO DE LO CUAL, yo afirmo mi mano y causo el sello de la Ciudad de Apopka, Florida, tener el afijo y atestiguar por el Escribano de la Ciudad de Apopka, el dia 2 de diciembre de 2015

Atestiguar


Linda F. Goff, CMC, Escribano de la Ciudad


Joseph E. Kilsheimer, Alcalde



Backup material for agenda item:

1. Authorize road closures for a Christmas Parade - First UMC of Apopka



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 2, 2015
FROM: Administration
EXHIBITS: Application & Map

SUBJECT: FIRST UMC OF APOPKA – APOPKA CHRISTMAS PARADE.

Request: AUTHORIZE THE CLOSURE OF ROADS FOR THE UMC OF APOPKA TO CONDUCT A CHRISTMAS PARADE.

SUMMARY:

First UMC of Apopka is requesting the City Council approve road closures for the annual Apopka Christmas Parade being held on Saturday, December 12, 2015, beginning at 10:00am. The Parade is to begin at the intersection of 1st Street and Forest Avenue traveling south to 3rd Street, then west to South Park Avenue. The parade will proceed north to Votaw Road and end at Apopka Memorial Middle School. Street closures are requested as indicated on the attached application map for the following streets: 1st Street, 2nd Street, 3rd Street, Park Avenue, and S. Highland Ave. The Development Review Committee has reviewed the special events permit application and has found it to be consistent with the Land Development Code.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Authorize the closure of the roads associated with the UMC of Apopka Christmas Parade on Saturday, December 12, 2015.

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

Special Events Permit
Non-City Property

Applicants Information

Name of Applicant: FIRST UMC OF APOPKA Phone: 407-886-4331
Address: 201 S. PARK AVENUE City: APOPKA
ZIP: 32703 Email address: _____
Secondary Contact: STEVEN R. DEUISE Phone: 407-886-4331

If Special Event is for an organization, please also complete below

Name of Organization: _____
Tax Exempt: Yes: _____ No: _____ State of Florida Tax Number: _____
If claiming tax exemption a copy of 501-C3 and tax exemption certificates must be provided. Taxes will be charged if not provided.

Type of Event

Name of the Event: APOPKA CHRISTMAS PARADE
Date(s) of the Event: 12-12-15 Hours of Event: 10:00AM TO 12:00 P.M.
Location of the Event: PARK AVENUE
Briefly describe the event and all activities that will occur during the event: _____
PARADE FROM PARK & 2ND TO 2ND & VICTORY

Expected attendance: 15,000
Will there be admission, vendor, participant or other fees: PARADE PARTICIPATION - NON PROFIT \$50 Yes: ☒ No: _____
Will you be serving alcohol: PROFIT \$75 Yes: _____ No: ☒

Special Events Permit
Non-City Property (*Continued*)

Type of Event

Description of any equipment being used (Tents, Banners, Signs, Animals, Etc.): _____

Will you have any street, lane, or sidewalk closures? Yes: ☒ No: ☐

If yes, explain: ~~1st~~ 1st, 2nd 3rd ST. & PARK

" " " ST & HIGHLAND

Once your completed event permit is received the following will happen:

- The event calendar will be checked to make sure there are no conflicting events (if so, you will be notified immediately).
- Your application will be submitted and reviewed by DRC (Development & Review Committee).
- If approved the event may require additional approval from the City Council.
- You may be required to hire off-duty Apopka Police and Fire Fighters depending on the size of the event.
- Applicants must provide adequate restroom facilities during event.
- Meetings are scheduled, if need be, to solve any conflicts or concerns.
- If approved, your final permit will be sent to you.
- You must have your final permit with you on the day of your event. If you don't provide it when asked, your event may be shut down.

For further information, to determine if the event location is in the City limits, or to inquire about special requirements for your event, please contact the Community Relations and Events Manager, at 407-703-1809, or visit us at 120 E. Main Street, 1st Floor, Apopka, Florida, Monday through Friday, 8:00 a.m. until 4:30 p.m.

HOLD HARMLESS AGREEMENT

I, FIRST UMC OF APOPKA, HEREBY REPRESENT, STIPULATE CONTRACT AND AGREE THAT FIRST UMC OF APOPKA WILL JOINTLY AND SEVERALLY INDEMNIFY AND HOLD THE CITY OF APOPKA HARMLESS AGAINST LIABILITY, INCLUDING COURT COSTS AND ATTORNEY'S FEES, AND INCLUDING ATTORNEY'S FEES FOR AN APPEAL, FOR ANY AND ALL CLAIMS FOR DAMAGE TO PROPERTY OR INJURY TO OR DEATH OF PERSONS ARISING OUT OF OR RESULTING FROM THE ISSUANCE OF THE PERMIT OR THE CONDUCT OF THE ASSEMBLY OR ANY OF ITS PARTICIPANTS.

FIRST UNITED METHODIST CHURCH OF APOPKA
PRINTED NAME OF APPLICANT

FIRST UNITED METHODIST CHURCH OF APOPKA
By: [Signature] TREASURER
SIGNATURE OF APPLICANT

11-9-15

DATE SUBMITTED

STATE OF FLORIDA
COUNTY OF ORANGE

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 9th DAY OF NOVEMBER, 2015 BY FIRST UMC OF APOPKA WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

[Signature]

NOTARY PUBLIC SIGNATURE

Dawn L. Gardner

NOTARY PUBLIC PRINTED NAME



DAWN L GARDNER
Notary Public, State of Florida
My comm expires AUG. 25, 2018
NO. FF147425
Bonded thru Western Surety Co.

FOR OFFICIAL USE ONLY

DRC APPROVAL: David B. Green DATE: 11-18-15

DRC COMMENTS:

FIRE APPROVAL: B. Green DATE: 11/18/15

FIRE COMMENTS:

POLICE APPROVAL: [Signature] DATE: 11/18/15

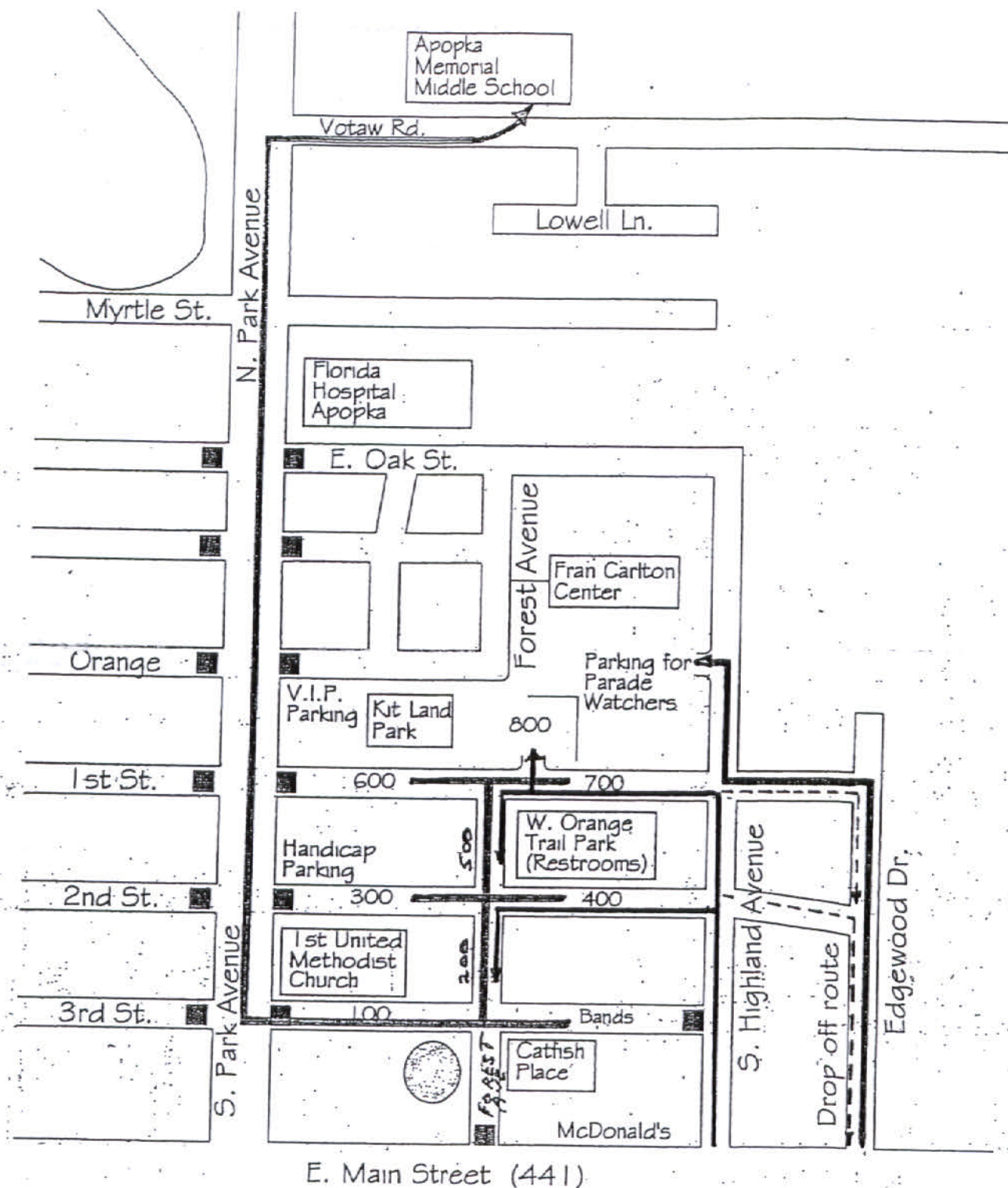
POLICE COMMENTS:

PENDING POLICE EVENT DOWN w/ LT. S. BRICK

CITY COUNCIL WILL CONSIDER THIS REQUEST SUBJECT TO APPLICANT MEETING ALL CITY REQUIREMENTS ON:

MEETING DATE: _____ APPROVED: _____ DENIED: _____

PERMIT FEE: \$50.00 DATE PAID: _____ REC'D BY: _____ DATE EXEMPTED: _____



- Parade Route
- To Parking for Parade Watchers
- Participants' Arrival Route
- Participants' Drop off Route
- Road Blocks/Road Closed
- Parade Marshal Staging Area

Band members should be dropped off at the corner of Highland Dr. and 3rd Street.
Busses must turn onto 3rd Street.

If you are dropping off a participant for the parade and wish to park, PLEASE park in the parade watchers' parking area. If you are not parking, please follow the drop off route shown above on the map. Thank you.

Backup material for agenda item:

2. Rejection of Bid No. 2015-09 for a custom ambulance.



CITY OF APOPKA CITY COUNCIL

 X CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER:

MEETING OF: December 2, 2015
FROM: Fire Department
EXHIBITS:

SUBJECT: ACKNOWLEDGE RECEIPT OF BID NO. 2015-09 DATED NOVEMBER 12, 2015 AND AUTHORIZE STAFF TO REJECT BIDS RECEIVED DURING BID OPENING AND INITIATE A NEW REQUEST FOR PROPOSAL REGARDING ONE (1) CUSTOM AMBULANCE.

REQUEST: AUTHORIZE THE REJECTION OF BID NO. 2015-09 REGARDING ONE (1) CUSTOM AMBULANCE ON DEMAND STAR.

SUMMARY:

On November 12, 2015, a Bid Opening was held in response to an Invitation to Bid No. 2015-09 for One (1) Custom Ambulance. The original Invitation to Bid was duly advertised in the Apopka Chief on Friday, October 9, 2015 and was placed on Demand Star as well as the City's website. Two (2) Sealed Bids were received prior to the deadline of 10:00 am on November 12, 2015 and the said bids were opened at 10:15 a.m. in Council Chambers. Due to some ambiguity in the language in the bid specs, it was not clear as to whether the chassis was to be included in the bid or whether the City was to provide it. After careful review, staff is requesting authorization to post a rejection of bid on Demand Star in order to initiate a new Invitation to Bid regarding same.

on

FUNDING SOURCE:

Apopka Fire Department - 2015-2016 approved budget item.

RECOMMENDATION ACTION:

Acknowledge receipt of BID No. 2015-09 dated November 12, 2015 and authorize staff to reject both bids received and initiate a new request for proposal regarding one (1) customer ambulance.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
CA Glenn Irby
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
City Clerk
Fire Chief

Backup material for agenda item:

3. Purchase of real property for installation of a traffic signal.



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 2, 2015
FROM: Administration
EXHIBITS: Map

SUBJECT: PURCHASE OF REAL PROPERTY FOR INSTALLATION OF A TRAFFIC SIGNAL.

Request: DIRECT STAFF TO CONTRACT WITH LAND OWNER TO ACQUIRE REAL PROPERTY.

SUMMARY:

At the Council Meeting of November 18, 2015 staff reported that it was having difficulty obtaining ownership of a parcel of land belonging to Khiet and Mai Nguyen located at the intersection [southwest] of Plymouth Sorrento Road and Lester Road/Yothers Road [1840 Plymouth Sorrento Road]. The property measures 12,921 square feet and is 20 feet in width and 635 feet in length [approximately .297 acres]. This intersection is in dire need of signalization and this property is necessary for installation of a mast arm.

Staff has attempted to negotiate with the Nguyen's and have offered more than the \$8,011 appraisal; however, they have only asked for more. However, on Monday, November 23, 2015 the Nguyen's attorney contacted staff and indicated they would accept \$28,000 along with payment of all necessary closing costs. While this is more than the value of the land, the city needs the property for a safety concern and has two choices: pay the amount now requested by the land owner or perform a "taking". We have been advised by the city's attorney that the latter would likely cost much more than \$28,000.

FUNDING SOURCE:

General Fund Reserves

RECOMMENDATION ACTION:

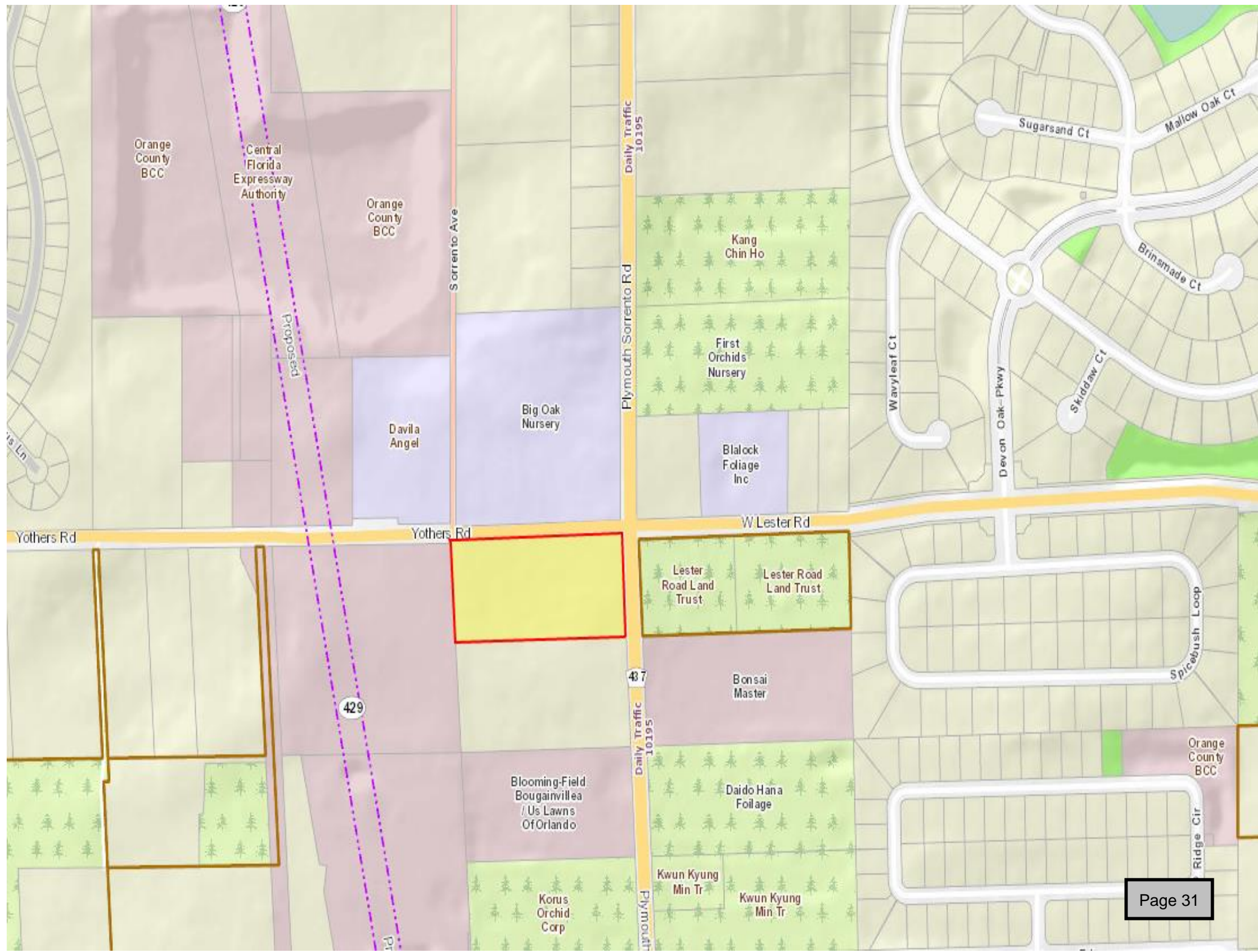
City Council approval to contract with the land owner and acquire real property.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief



Backup material for agenda item:

4. Authorize purchase of two Automated Side Loader Refuse Trucks - Florida Sheriffs Association Contract.



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 2, 2015
FROM: Public Services
EXHIBITS:

SUBJECT: MACK AUTOMATED SIDE LOADER REFUSE TRUCK FOR SANITATION
POWERED BY COMPRESSED NATURAL GAS (CNG)

Request: AUTHORIZE THE PURCHASE OF TWO AUTOMATED SIDE LOADER
REFUSE TRUCKS THROUGH THE FLORIDA SHERIFFS ASSOCIATION
CONTRACT, IN THE TOTAL AMOUNT OF \$660,412.44.

SUMMARY:

The purchase of the following Automated Side Loader refuse trucks for Sanitation will replace trucks 24-1140 and 24-1141, both 2007 Mack trucks. The pricing comes from the local Mack dealer Nextran Truck Center through the Florida Sheriffs Association Contract Bid No. # 15-13-0904. The price quote for one vehicle is as follows :

Nextran Truck Center (Orlando Mack) Mack LEU & New Way Body	\$330,206.22
---	--------------

FUNDING SOURCE:

Funding is included in the Sanitation Fund FY16 Budget (402-321-534.6400).

RECOMMENDATION ACTION:

Authorize the purchase of two Automated Side Loader Refuse Trucks through the Florida Sheriffs Association Contract, in the total amount of \$660,412.44.

DISTRIBUTION:

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
Human Resources Director
Information Technology Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

Backup material for agenda item:

5. Authorize purchase of one Automated Front End Loader Refuse truck - Florida Sheriffs Association Contract.



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 2, 2015
FROM: Public Services
EXHIBITS:

SUBJECT: MACK AUTOMATED FRONT END LOADER REFUSE TRUCK FOR
SANITATION POWERED BY COMPRESSED NATURAL GAS (CNG)

Request: AUTHORIZE THE PURCHASE OF ONE AUTOMATED FRONT END
LOADER REFUSE TRUCK THROUGH THE FLORIDA SHERIFFS
ASSOCIATION CONTRACT, IN THE TOTAL AMOUNT OF \$301,588.42.

SUMMARY:

The purchase of the following Automated Front End Loader refuse truck for Sanitation will replace truck 22-0920 a 2007 Mack truck. The pricing comes from the local Mack dealer Nextran Truck Center through the Florida Sheriffs Association Contract Bid No. # 15-13-0904. The price quote for the vehicle is as follows :

Nextran Truck Center (Orlando Mack) Mack MRU & New Way Body	\$301,588.42
---	--------------

FUNDING SOURCE:

Funding is included in the Sanitation Fund FY16 Budget (402-321-534.6400).

RECOMMENDATION ACTION:

Authorize the purchase of one automated Front End Loader Refuse truck through the Florida Sheriffs Association Contract, in the total amount of \$301,588.42.

DISTRIBUTION:

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	Human Resources Director	Recreation Director
City Administrator	Information Technology Director	City Clerk
Community Development Director	Police Chief	Fire Chief

Backup material for agenda item:

6. Authorize purchase of one Kubota M5-091 tractor - Florida Sheriffs Association Contract.



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 2, 2015
FROM: Public Services
EXHIBITS:

**SUBJECT: PURCHASE OF KUBOTA M5-091 TRACTOR FOR THE GROUNDS
DIVISION**

**Request: AUTHORIZE THE PURCHASE OF ONE KUBOTA M5-091 TRACTOR
THROUGH THE FLORIDA SHERIFFS ASSOCIATION CONTRACT IN THE
AMOUNT OF \$33,054.71**

SUMMARY:

The purchase of the following Kubota M5-091 Tractor for the Grounds Division to replace Unit 25-0465 a 1997 tractor. The pricing comes from the Florida Sheriffs Association Contract Bid 15-13-0904. The pricing quote for the tractor is as follows:

Futch's Tractor Depot Kubota M5-091	\$33,054.71
-------------------------------------	-------------

FUNDING SOURCE:

Funding is included in the General Fund – Grounds Division FY16 Budget (001-3513-572.6400).

RECOMMENDATION ACTION:

Authorize the purchase of one Kubota M5-091 tractor through the Florida Sheriffs Association Contract in the amount of \$33,054.71

DISTRIBUTION:

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	Human Resources Director	Recreation Director
City Administrator	Information Technology Director	City Clerk
Community Development Director	Police Chief	Fire Chief

Backup material for agenda item:

7. Department of Corrections - Inmate work squad, Contract #WS1040.



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 2, 2015
FROM: Public Services
EXHIBITS: Inmate contract #WS1040

SUBJECT: INMATE WORK SQUAD CONTRACT IV - #WS1040

Request: AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT WITH THE DEPARTMENT OF CORRECTIONS

SUMMARY:

On December 4, 2013, City Council approved Inmate Work Squad Contract II (#1040) for the City. The contract will expire March 29, 2016.

The Department of Corrections has established a new contract format and has requested the City execute a new contract for this Inmate Work Squad. The new contract number will be #WS1040 and the contract will be effective for a one-year term, beginning March 30, 2016, and is subject to one (1) one-year extension, with the same terms and conditions. The cost is \$57,497.00 per year, the same as the prior years.

This work squad's primary location is at the Northwest Recreation Complex site.

Note: A copy of the Contract is on file in the Public Services Department

FUNDING SOURCE:

Funding is included in the Street Improvement Fund – Inmate Division FY16 Budget (101-3414-541.3400).

RECOMMENDATION ACTION:

Authorize the Mayor or his designee to sign contract #WS1040 with the Department of Corrections for an inmate work squad.

DISTRIBUTION:

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
Human Resources Director
Information Technology Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

CONTRACT BETWEEN
THE FLORIDA DEPARTMENT OF CORRECTIONS
AND
CITY OF APOPKA

This Contract is between the Florida Department of Corrections ("Department") and City of Apopka ("Agency") which are the parties hereto.

WITNESSETH

WHEREAS, Section 944.10(7) and Section 946.40, Florida Statutes and Rules 33-601.201 and 33-601.202, Florida Administrative Code, provide for the use of inmate labor in work programs;

WHEREAS, inmate labor will be used for the purposes of providing services and performing work under the supervision of the Department's staff;

WHEREAS, City of Apopka is a qualified and willing participant with the Department to contract for an inmate work squad(s); and

WHEREAS, the parties hereto find it to be in their best interests to enter into this Contract, and in recognition of the mutual benefits and considerations set forth, the parties hereto covenant and agree as follows:

I. CONTRACT TERM/RENEWAL

- A. This Contract shall begin on March 30, 2016 or the last date of signature by all parties, whichever is later.

This Contract shall end at midnight one (1) year(s) from the last date of signature by all parties or March 29, 2017, whichever is later. In the event this Contract is signed by the parties on different dates, the latter date shall control.

- B. Contract Renewal

This Contract may be renewed, for one (1) additional one (1) year period after the initial Contract period upon the same terms and conditions contained herein. The Contract renewal is at the Agency's initiative with the concurrence of the Department. The decision to exercise the option to renew should be made no later than sixty (60) days prior to the Contract expiration.

II. SCOPE OF CONTRACT

A. Administrative Functions

1. Each party shall cooperate with the other in any litigation or claims against the other party as a result of unlawful acts committed by an inmate(s) performing services under this Contract between the parties.
2. Each party will retain responsibility for its personnel, and its fiscal and general administrative services to support this Contract.
3. Through their designated representatives, the parties shall collaborate on the development of policies and operational procedures for the effective management and operation of this Contract.

B. Description of Services

1. Responsibilities of the Department

- a. Pursuant to Chapter 33-601.202(2)(a), F.A.C., supervision of the work squad(s) will be provided by the Department. The Department shall provide one (1) Correctional Work Squad Officer position(s) to supervise an inmate work squad(s). This Contract provides for one (1) Work Squad(s) of up to six (6) inmates.
- b. The Department shall ensure the availability of the work squad(s) except: when weather conditions are such that to check the squad(s) out would breach good security practices; when the absence of the Correctional Work Squad Officer is necessary for reasons of required participation in training or approved use of leave; when the Officer's presence is required at the institution to assist with an emergency situation; when the officer is ill; or when the Correctional Work Squad Officer position is vacant. In the event a position becomes vacant, the Department shall make every effort to fill the position(s) within five (5) working days.
- c. For security and other reasons, the Department shall keep physical custody of the vehicle furnished by the Agency. Unless otherwise specified, the Agency shall maintain physical custody of all Agency trailers and all tools, equipment, supplies, materials and personal work items (gloves, boots, hard hats, etc.) furnished to the Department by the Agency. The Agency is responsible for the maintenance of all furnished equipment.
- d. In the event of damage to property as a result of an accident charged to a Department employee or blatant acts of vandalism by inmates, or loss of tools and equipment, the Agency may request that the Department replace or repair to previous condition the damaged or lost property.
- e. The Department shall be reimbursed by the Agency for the Department's costs associated with this Contract in accordance with Addendum A.

Once the Agency reimburses the Department for the costs reflected on Addendum A, Section II., these items will be placed on the Department's property records, as appropriate, and upon the end or termination of this Contract such items will be transferred to the Agency.

- f. The Department shall, to the maximum extent possible, maintain stability in the inmate work force assigned to the work squad on a day-to-day basis in order to maximize the effectiveness of the work squad.
- g. The Department shall provide food and drinks for inmates' lunches.
- h. The Department shall be responsible for the apprehension of an escapee and handling of problem inmates. The Department shall provide transportation from the work site to the correctional facility for inmates who refuse to work, become unable to work, or cause a disruption in the work schedule.
- i. The Department shall be responsible for administering all disciplinary action taken against an inmate for infractions committed while performing work under this Contract.
- j. The Department shall provide for medical treatment of ill or injured inmates and transportation of such inmates.
- k. The Department shall provide inmates with all personal items of clothing appropriate for the season of the year.
- l. The Department shall be responsible for driving the Correctional Work Squad Officer and the inmates to and from the work site.
- m. Both parties agree that the Department is making no representations as to the level of skills of the work squad.

2. Responsibilities of the Agency

- a. The Agency shall periodically provide the Department's Contract Manager with a schedule of work to be accomplished under the terms of this Contract. Deviation from the established schedule shall be reported to, and coordinated with, the Department.
- b. If required, the Agency shall obtain licenses or permits for the work to be performed. The Agency shall provide supervision and guidance for projects that require a permit or which require technical assistance to complete the project.
- c. The Agency shall ensure that all projects utilizing inmates are authorized projects of the municipality, city, county, governmental Agency, or non-profit organization and that private contractors employed by the Agency do not use inmates as any part of their labor force.

- d. The Agency shall retain ownership of any vehicles or equipment provided by the Agency for the work squad. The Agency shall maintain its own inventory of transportation, tools and equipment belonging to the Agency.
- e. The Agency shall provide vehicles for transportation of the work squads and is responsible for the maintenance of said vehicle.

3. Communications Equipment

It is the intent of this Contract that the Work Squad have and maintain communication with the institution at all times. A method of communication (radios, cellular phone, etc.), shall be provided at no cost to the Department. The Agency shall provide a primary method of communication that shall be approved by the Contract Manager in writing prior to assignment of the work squad. Depending upon the method of communication provided, the Contract Manager may require a secondary or back-up method of communication.

All radio communication equipment owned or purchased by the Agency that is programmed to the Department's radio frequency and used by the work squad(s), whether purchased by the Department or the Agency, shall be IMMEDIATELY deprogrammed by the Department at no cost to the Agency upon the end or termination of this Contract. Under no circumstances shall the Agency accept the return of radio communications equipment provided to the Department under this Contract until such time as the radio communications equipment has been deprogrammed by the Department.

At the end or termination of this Contract, the Department's Contract Manager will contact the Department's Utility Systems/Communications Engineer in the Bureau of Field Support Services, Central Office, to effect the deprogramming of radio communications equipment provided by the Agency.

a. Vehicle Mounted Radios:

Vehicles provided by the Agency that are or that will be equipped with a mobile/vehicle mounted radio programmed to the Department's radio frequency(ies) will be retained by the Department to ensure security of the communication equipment except for short durations dictated by the need for vehicle and/or communications equipment maintenance and/or repair. The use of these vehicle(s) during the period covered by this Contract shall not be for any purpose other than as indicated in this Contract.

b. Hand Held Radios:

Hand held radios provided by the Agency that are or that will be programmed to the Department's radio frequency(ies) will be retained by the Department to ensure security of the communication equipment except for short durations dictated by the need for maintenance and/or repair. The use of any hand held radio(s) provided by the Agency that is programmed to a Department radio frequency utilized by the Agency during the period covered by this Contract shall not be for any purpose other than as indicated in this Contract.

c. Cellular Phones:

Cellular phones may be utilized by the work squad officer as either a primary or secondary means of communication as approved by the Contract Manager. The Contract Manager shall designate whether the usage of a cellular phone is required on Addendum A. The cellular phone will be retained by the Department and upon the end or termination of this Contract, returned to the Agency. The use of the cellular phone is not authorized for any purposes other than as indicated in this Contract.

4. Other Equipment

The Contract Manager shall determine if an enclosed trailer is required for the work squad to transport tools and equipment utilized in the performance of this Contract and shall notify the Agency if a trailer is necessary. The Contract Manager shall designate whether the usage of an enclosed trailer is required on Addendum A.

If a trailer is required it will be provided by the Agency at no cost to the Department. If the Department is to maintain control of the trailer when the squad is not working, the Agency shall provide an enclosed trailer that can be secured when not in use. All tools and equipment utilized by the work squad shall be secured in the trailer. The Department shall maintain an inventory of all property, expendable and non-expendable which is in the custody and control of the Department. Upon the end or termination of this Contract, the trailer and any non-expendable items will be returned to the Agency.

III. COMPENSATION

A. Payment to the Department

1. **Total Operating Capital To Be Advanced By Agency**, as delineated in Section IV., of Addendum A, shall be due and payable upon execution of the Contract. The Department will not proceed with the purchase until payment, in full, has been received and processed by the Department's Bureau of Finance and Accounting. Delays in receipt of these funds may result in start-up postponement or interruption of the services provided by the Work Squad.
2. **Total Costs To Be Billed To Agency By Contract**, as delineated in Section VI., of Addendum A, will be made quarterly, in advance, with the first payment equaling one-fourth of the total amount, due within two (2) weeks after the effective date of the Contract. The second quarterly payment is due no later than the 20th day of the last month of the first Contract quarter. Payment for subsequent consecutive quarters shall be received no later than the 20th day of the last month of the preceding Contract quarter.
3. In the event the Correctional Work Squad Officer position becomes vacant and remains vacant for a period of more than five (5) working days, the next or subsequent billing will be adjusted by the Department for services not provided.
4. The Agency shall insure any vehicles owned by the Agency used under this Contract.

5. The rate of compensation shall remain in effect through the term of the Contract or subsequent to legislative change. In the event there is an increase/decrease in costs identified in Addendum A, this Contract shall be amended to adjust to such new rates.

B. Official Payee

The name and address of the Department's official payee to whom payment shall be made is as follows:

Department of Corrections
Bureau of Finance and Accounting
Attn: Professional Accountant Supervisor
Centerville Station
Call Box 13600
Tallahassee, Florida 32317-3600

C. Submission of Invoice(s)

The name, address and phone number of the Agency's official representative to whom invoices shall be submitted to is as follows:

Dennis F. Carter
City of Apopka
748 E. Cleveland Street
Apopka, Florida 32704-1229
Telephone: (407) 703-1731
Fax: (407) 703-1748

IV. **CONTRACT MANAGEMENT**

The Department will be responsible for the project management of this Contract. The Department has assigned the following named individuals, address and phone number as indicated, as Contract Manager and Contract Administrator for the Project.

A. Department's Contract Manager

The Warden of the Correctional Institution represented in this Contract is designated Contract Manager for the Department and is responsible for enforcing performance of the Contract terms and conditions and shall serve as a liaison with the Agency. The position, address and telephone number of the Department's Contract Manager for this Contract is:

Warden
Central Florida Reception Center
7000 H. C. Kelley Road
Orlando, Florida 32831
Telephone: (407) 207-7777

B. Department's Contract Administrator

The Contract Administrator for the Department is responsible for maintaining a Contract file on this Contract service and will serve as a liaison with the Contract Manager for the Department.

The address and telephone number of the Department's Contract Administrator for this Contract is:

Operations Manager, Contract Administration
Bureau of Contract Management and Monitoring
501 South Calhoun Street
Tallahassee, Florida 32399-2500
Telephone: (850) 717-3681
Fax: (850) 488-7189

C. Agency's Representative

The name, address and telephone number of the representative of the Agency is:

Dennis F. Carter
City of Apopka
748 E. Cleveland Street
Apopka, Florida 32704-1229
Telephone: (407) 703-1731
Fax: (407) 703-1748
Email: dcarter@apopka.net

D. Changes to Designees

In the event that different representatives are designated by either party after execution of this Contract, notice of the name and address of the new representatives will be rendered in writing to the other party and said notification attached to originals of this Contract.

V. **CONTRACT MODIFICATIONS**

Modifications to provisions of this Contract shall only be valid when they have been rendered in writing and duly signed by both parties. The parties agree to renegotiate this Contract if stated revisions of any applicable laws, regulations or increases/decreases in allocations make changes to this Contract necessary.

VI. **TERMINATION/CANCELLATION**

Termination at Will

This Contract may be terminated by either party upon no less than thirty (30) calendar days notice, without cause, unless a lesser time is mutually agreed upon by both parties. Said notice shall be delivered by certified mail (return receipt requested), by other method of delivery whereby an original signature is obtained, or in-person with proof of delivery. In the event of termination, the Department will be paid for all costs incurred and hours worked up to the time of termination. The Department shall reimburse the Agency any advance payments, prorated as of last day worked.

VII. CONDITIONS

A. Records

The Agency agrees to allow the Department and the public access to any documents, papers, letters, or other materials subject to the provisions of Chapters 119 and 945.10, Florida Statutes, made or received by the Agency in conjunction with this Agreement. The Agency's refusal to comply with this provision shall constitute sufficient cause for termination of this Agreement.

B. Annual Appropriation

The Department's performance under this Contract is contingent upon an annual appropriation by the legislature. It is also contingent upon receipt of payments as outlined in Addendum A and in Section III, COMPENSATION.

C. Disputes

Any dispute concerning performance of the Contract shall be resolved informally by the Contract Manager. Any dispute that cannot be resolved informally shall be reduced to writing and delivered to the Assistant Secretary of Institutions. The Assistant Secretary of Institutions, shall decide the dispute, reduce the decision to writing, and deliver a copy to the Agency with a copy to the Contract Administrator and Contract Manager.

D. Force Majeure

Neither party shall be liable for loss or damage suffered as a result of any delay or failure in performance under this Contract or interruption of performance resulting directly or indirectly from acts of God, civil, or military authority, acts of public enemy, war, riots, civil disturbances, insurrections, accidents, fire, explosions, earthquakes, floods, water, wind, lightning, strikes, labor disputes, shortages of suitable parts, materials, labor, or transportation to the extent such events are beyond the reasonable control of the party claiming excuse from liability resulting there from.

E. Severability

The invalidity or unenforceability of any particular provision of this Contract shall not affect the other provisions hereof and this Contract shall be construed in all respects as if such invalid or unenforceable provision was omitted.

F. Verbal Instructions

No negotiations, decisions, or actions shall be initiated or executed by the Agency as a result of any discussions with any Department employee. Only those communications which are in writing from the Department's administrative or project staff identified in Section IV, CONTRACT MANAGEMENT, of this Contract shall be considered as a duly authorized expression on behalf of the Department. Only communications from the Agency that are signed and in writing will be recognized by the Department as duly authorized expressions on behalf of the Agency.

G. No Third Party Beneficiaries

Except as otherwise expressly provided herein, neither this Contract, nor any amendment, addendum or exhibit attached hereto, nor term, provision or clause contained therein, shall be construed as being for the benefit of, or providing a benefit to, any party not a signatory hereto.

H. Prison Rape Elimination Act (PREA)

The Agency shall report any violations of the Prison Rape Elimination Act (PREA), Federal Rule 28 C.F.R. Part 115 to the Department of Corrections' Contract Manager.

I. Cooperation with Inspector General

In accordance with Section 20.055(5), Florida Statutes, the Agency understands and will comply with its duty to cooperate with the Inspector General in any investigation, audit, inspection, review, or hearing.

Waiver of breach of any provision of this Contract shall not be deemed to be a waiver of any other breach and shall not be construed to be a modification of the terms of this Contract.

This Contract will be governed by and construed in accordance with the laws of the State of Florida. Any action hereon or in connection herewith shall be brought in Leon County, Florida.

This Contract and Addendum A contain all of the terms and conditions agreed upon by the parties.

IN WITNESS THEREOF, the parties hereto have caused this Contract to be executed by their undersigned officials as duly authorized.

AGENCY: CITY OF AOPKA

SIGNED

BY: _____

NAME: _____

TITLE: _____

DATE: _____

FEID #: _____

DEPARTMENT OF CORRECTIONS

Approved as to form and legality,
subject to execution.

SIGNED

BY: _____

NAME: **Kelley J. Scott**

TITLE: **Director, Office of Administration
Department of Corrections**

DATE: _____

SIGNED

BY: _____

NAME: **Kenneth S. Steely**

TITLE: **General Counsel
Department of Corrections**

DATE: _____

Addendum A
Inmate Work Squad Detail of Costs for City of Apopka
Interagency Contract Number W1040 Effective March 30, 2016

ENTER MULTIPLIERS IN SHADED BOXES ONLY IF TO BE INVOICED TO AGENCY

I. CORRECTIONAL WORK SQUAD OFFICER SALARIES AND POSITION RELATED-EXPENSES
TO BE REIMBURSED BY THE AGENCY:

	# Officer: Multiplier		Per Officer Annual Cost	Total Annual Cost
Officers Salary	1	\$	54,194.00	** \$ 54,194.00
Salary Incentive Payment		\$	1,128.00	\$ 1,128.00
Repair and Maintenance		\$	121.00	\$ 121.00
State Personnel Assessment		\$	354.00	\$ 354.00
Training/Criminal Justice Standards		\$	200.00	\$ 200.00
Uniform Purchase		\$	400.00	\$ 400.00
Uniform Maintenance		\$	350.00	\$ 350.00
Training/Criminal Justice Standards *		\$	2,225.00	
TOTAL - To Be Billed By Contract To Agency		\$	58,972.00	\$ 56,747.00

*Cost limited to first year of contract as this is not a recurring personnel/position cost.
 ** Annual cost does not include overtime pay.

1A. The Overtime Hourly Rate of Compensation for this Contract is \$31.85, if applicable. (The Overtime Hourly Rate of Compensation shall include the average hourly rate of pay for a Correctional Officer and the average benefit package provided by the department, represented as time and one half for purposes of this Contract.)

Number Squads	Total Annual Cost
---------------	-------------------

II. ADMINISTRATIVE COSTS TO BE REIMBURSED BY THE AGENCY:

Costs include but may not be limited to the following:
 Rain coats, staff high visibility safety vest, inmate high visibility safety vest, fire extinguisher, first aid kit, personal protection kit, flex cuffs, warning signs, handcuffs, igloo coolers, portable toilets, insect repellants, masks, vaccinations, and other administrative expenses.

TOTAL - To Be Billed By Contract To Agency

1	\$ 750.00
TOTAL	\$ 750.00

III. ADDITIONAL AGENCY EXPENSES:

Tools, equipment, materials and supplies not listed in Section II above are to be provided by the Agency.

CELLULAR PHONE WITH SERVICE REQUIRED: YES ☒ NO ☐
 ENCLOSED TRAILER REQUIRED: YES ☐ NO ☒

Addendum A
Inmate Work Squad Detail of Costs for City of Apopka
Interagency Contract Number W1040 Effective March 30, 2016

IV. OPERATING CAPITAL TO BE ADVANCED BY AGENCY:

Hand Held Radio	MACOM	\$4969.00	<input type="checkbox"/>	Per Unit Cost	<input type="checkbox"/>	Number of Units	1
Vehicle Mounted Radio	MACOM	\$5400.00	<input checked="" type="checkbox"/>				
TOTAL Operating Capital To Be Advanced By Agency							

Total Cost	<input type="checkbox"/>	Bill To Agency	<input type="checkbox"/>	Provided By Agency	<input type="checkbox"/>	Already Exists	<input checked="" type="checkbox"/>
\$ -							
\$ -							
\$ -							

V. TOTAL COSTS TO BE ADVANCED BY AGENCY:

1. Operating Capital - from Section IV.
2. Grand Total - To Be Advanced By Agency At Contract Signing:

Total Cost	\$0.00
	\$0.00

VI. TOTAL COSTS TO BE BILLED TO AGENCY BY CONTRACT:

1. Correctional Officer Salaries and Position-Related Expenses - from Section I.
2. Other Related Expenses and Security Supplies - from Section II.
3. Grand Total - To Be Billed To Agency By Contract:

Total Cost	\$56,747.00
	\$750.00
	\$57,497.00

VII. TOTAL OF ALL COSTS ASSOCIATED WITH CONTRACT:
(Total of Sections V. and VI.)

Total Cost	\$57,497.00
-------------------	-------------

VIII. OVERTIME COSTS:

If the contracting Agency requests overtime for the work squad which is approved by the Department, the contracting Agency agrees to pay such costs and will be billed separately by the Department for the cost of overtime.

Addendum A - INSTRUCTIONS
Inmate Work Squad Detail of Costs for City of Apopka
Interagency Contract Number W1040 Effective March 30, 2016

Section I.

Costs in this section are determined each fiscal year by the Budget and Management Evaluation Bureau and are fixed. By entering the number of Officers required for this contract, the spreadsheet will automatically calculate the "Total Annual Cost" column. If this Work Squad is beyond the first year of existence, enter a zero (0) in the "Total Annual Cost" column for "Training/Criminal Justice Standards" after you have entered the "# Officers Multiplier".

Section II.

Safety and environmental health procedures require safety measures such as the use of safety signs, vests, and clothing. The Department's procedure for Outside Work Squads requires that all Work Squad Officers be responsible for ensuring their squad is equipped with a first aid kit and a personal protection equipment (PPE) kit. Section II identifies such required equipment. A new squad must be sufficiently equipped and an on-going squad must be re-supplied when needed. Type in the number of squads used for this contract and the spreadsheet will automatically calculate the fixed annual expense of \$750.00 per squad and place the total in Section VI.

Section III.

Check "Yes" or "No" to indicate whether a Cellular Phone with Service and/or an Enclosed Trailer is required by the Contract Manager.

Section IV.

The Department's procedure for Outside Work Squads requires that they have at least one (1) primary means of direct communication with the Institution's Control Room. Communication via radio and/or cellular phone is appropriate. It is preferred that a backup, secondary means of communication also be available. It is the Agency's responsibility to provide them. If the Department purchases a radio(s), the Agency must fund the purchase at the time the Contract is signed. Check the box for the type of radio and fill in the Per Unit Cost for the type of radio, Number of Units, and Total Cost columns. Leave the Total Cost column blank if a radio(s) is not being purchased at this time. Check applicable boxes ("Bill to Agency", "Provided by Agency" and "Already Exists") for each radio.

NOTE: All radio communication equipment owned or purchased by the Agency that is programmed to the Department's radio frequency and used by the work squad(s), whether purchased by the Department or the Agency, shall be IMMEDIATELY deprogrammed by the Department at no cost to the Agency upon the end or termination of this Contract.

Section V.

The total funds the Agency must provide at the time the contract is signed will be displayed here when the form is properly filled out.

Section VI.

The total funds the Agency will owe contractually, and pay in equal quarterly payments, will be displayed here.

Section VII.

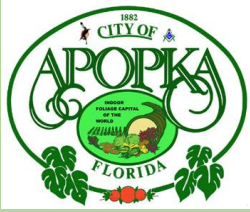
The total funds associated with the Contract, to be paid by the Agency as indicated in Sections V. and VI., will be displayed here.

Section VIII.

Any agreement in this area will be billed separately as charges are incurred.

Backup material for agenda item:

8. CH2M Hill, Inc. & Reiss Engineering - first extension of the contracts - Consulting Services for Professional Engineering



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 2, 2015
FROM: Public Services
EXHIBITS:

SUBJECT: PROFESSIONAL ENGINEERING SERVICES

Request: APPROVE AN EXTENSION OF THE CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES WITH CH2M HILL, INC. AND REISS ENGINEERING, INC. FOR A PERIOD OF ONE YEAR.

SUMMARY:

On November 5, 2014, the City Council awarded a Professional Engineering Contract to CH2M Hill, Inc. and Reiss Engineering, Inc., to provide the City with consulting services beginning in December, with two one-year extensions.

The contract will be effective for one year and subject to renewal for one additional one-year extension. The services will be performed on an as needed basis. This is the first extension on each contract.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Approve the first extension of the contracts for the consulting services for Professional Engineering Services with CH2M Hill, Inc. and Reiss Engineering, Inc., for one year, at the same unit rate.

DISTRIBUTION

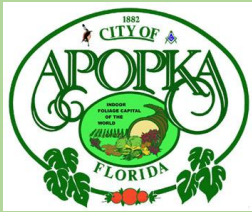
Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

Backup material for agenda item:

9. Authorize the evaluation and public hearing for a proposed Brownfield designation.



CITY OF APOPKA CITY COUNCIL

 X CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER:

MEETING OF: December 2, 2015

FROM: Administration

EXHIBITS: Approval Letter
Brownfield Program Info. Sheet
Brownfield Program Brochure
Map (CRA – Nursery & Industrial Properties)
Chamber of Commerce Letter of Support
FBA Letter of Support
FDEP Letter of Support

SUBJECT: PROPOSED BROWNFIELD DESIGNATION

Request: CITY COUNCIL AUTHORIZATION TO PROCEED WITH THE EVALUATION AND PUBLIC HEARING TO CONSIDER A BROWNFIELD REDEVELOPMENT DESIGNATION FOR THE COMMUNITY REDEVELOPMENT AREA.

SUMMARY:

The CRA should be evaluated for a Brownfield designation based on the following information; the City of Apopka being awarded a grant from Florida Department of Environmental Protection to conduct a Phase I and a Phase II Environmental Site Assessment for the city property located at 46 West Station Street. Also the City of Apopka is eligible to apply for a \$400,000 Community Wide Assessment Grant that targets the CRA -\$200,000 for the removal of hazardous substances and \$200,000 for Petroleum clean-up. If awarded the Community Wide Assessment Grant from EPA, the city could help business owners pay for Phase I and Phase II assessments within the CRA.

What are Brownfields?

Any property where the expansion, redevelopment or reuse is complicated by actual or perceived contamination.

Why redevelop Brownfields?

Cleaning up and reinvesting in Brownfield properties facilitates job growth, utilizes existing infrastructure, increases local tax bases, removes development pressures on undeveloped open land as well as both improving and protecting the environment.

Florida's Brownfields Redevelopment Program

- Creates jobs
- Promotes voluntary cleanup
- Prevents the premature development of greenspace (farmland, open space and natural areas)
- Reduces public cost for installing infrastructure in greenspaces
- Encourages the highest and best use of blighted properties
- Minimizes or eliminates the need for environmental enforcement or state-funded cleanup
- Encourages community revitalization

Financial Incentives for Businesses-State Level

If your property is located in a designated Brownfield area, you may be eligible for-

- \$2,500 Job Bonus Refund for each new job created by an eligible business on or abutting a site with a Brownfield Site Rehabilitation Agreement (BSRA).
- Sales Tax Credit on building materials purchased for the construction of an affordable housing project or mixed-use affordable housing project on or abutting a site with a BSRA.
- State Loan Guarantees for primary lenders, up to 50% on all brownfield sites and up to 75% if the property is redeveloped as affordable housing, a health care facility or health care provider.

In addition, if a business enters into a Brownfield Site Rehabilitation Agreement, they are eligible for-

- 50% Voluntary Cleanup Tax Credit (VCTC) annually on all eligible costs
- 25% Additional Voluntary Cleanup Credits on all eligible costs when cleanup is complete.
- 25% Additional Voluntary Cleanup Credits if the property is redeveloped with affordable housing, a health care facility or health care provider.
- 50% One-Time Voluntary Cleanup on eligible solid waste removal costs.

Federal benefits that may be available for business owners and the community:

- Site-Specific Activities Grant to DEP to conduct Phase I or II assessments and/or limited source removals for eligible recipients using federal grant funds.
- National Brownfields Assessments, Revolving Loan Fund and Cleanup Grants
 - The City of Apopka is eligible to apply for a \$400,000 Community Wide Assessment Grant that targets the CRA -\$200,000 for the removal of hazardous substances and \$200,000 for Petroleum clean-up. If awarded funds, the city could help business owners pay for Phase I and Phase II assessments within the CRA.
- Brownfield Federal Tax Incentives that allows environmental cleanup costs to be fully deducted in the same year they occur.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Authorize the City Administrator, to proceed with the evaluation and public hearing to designate all or a portion of the Community Redevelopment Area as a Brownfield Redevelopment Area.

DISTRIBUTION

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



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

November 18, 2015

Ms. Shakenya Harris-Jackson
City of Apopka
120 East Main St
Apopka, FL 32703

Dear Ms. Harris-Jackson:

I am pleased to inform you that the Florida Department of Environmental Protection (FDEP) has approved the Site Specific Activity (SSA) application you submitted on behalf of the City of Apopka for assistance to complete a Phase I and a Phase II Environmental Site Assessment (ESA) for the property located at 46 West Station Street, Apopka, Orange County (Parcel ID 09-21-28-0196-51-260).

The FDEP will complete the ESA work with Brownfields grant funding provided to FDEP by the U.S. Environmental Protection Agency (EPA) under its Section 128 State Response Program Cooperative Agreement. The objective of the Phase I ESA is to evaluate the site to determine if there are potential recognized environmental conditions at the property and in the site vicinity. If warranted, FDEP will conduct soil and groundwater sampling at the site (Phase II ESA) after the Phase I ESA is completed. The work will be completed by one of FDEP's Waste Cleanup contractors. A Department representative will contact you in the upcoming weeks to schedule a site visit and project kickoff meeting with the City of Apopka to discuss project objectives with our contractor.

We hope that the FDEP's SSA assistance will help the City of Apopka with efforts to redevelop the property and address potential environmental conditions at the site. If you have any questions regarding the SSA project, please contact me by telephone at (850) 245-8979, or by email at Joseph.McGarrity@dep.state.fl.us.

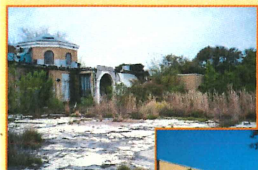
Sincerely,

A handwritten signature in dark ink, appearing to read "Joseph K. McGarrity".

Joseph McGarrity, Environmental Consultant
Brownfields and DoD Partnership Section

cc: George Houston, FDEP Central District
Margret Olsen, USEPA Region

KW Handwritten initials "KW" in blue ink.



FLORIDA BROWNFIELDS REDEVELOPMENT PROGRAM

TRANSFORMING COMMUNITIES

Brownfield site means real property, the expansion, redevelopment or reuse of which may be complicated by actual or perceived environmental contamination. 376.79(3), F.S.

Brownfield area means a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency-designated brownfield pilot projects. 376.79(4), F.S.

BROWNFIELDS PROGRAM BENEFITS

Brownfields Program Process

**BROWNFIELD AREA
DESIGNATION**
By Local Government

**IDENTIFICATION OF
RESPONSIBLE
PERSON**

**EXECUTION OF
CLEANUP
AGREEMENT**

**IMPLEMENTATION OF
CONTAMINATED SITE
CLEANUP**

**"NFA" LETTER FROM
DEP**

Brownfield Area Designation

- Loan guarantees for primary lenders
 - ◆ Up to 50% on all sites
 - ◆ Up to 75% when end use is affordable housing or health care

The following Brownfield Area benefits are available to sites with a BSRA or properties that abut a property with a BSRA.

- Bonus refund for job creation—up to \$2,500 per job
- Sales tax refund on building materials for affordable housing
- Brownfield area benefits administered by Department of Economic Opportunity and Department of Revenue

Brownfield Site Rehabilitation Agreement (BSRA)

- All benefits of Brownfield Area
- Regulatory framework for cleanup (Chapter 62-785, F.A.C.)
- Dedicated staff—expedited technical review
- Liability protection
- Tax credits
 - ◆ Florida corporate income tax
 - ◆ Credits may be transferred one time
- Brownfield Site Rehabilitation Agreement benefits administered by DEP

BROWNFIELD PROGRAM TERMS

Responsible Person—Person Responsible for Brownfield Site Rehabilitation or PRFBRSR

Agreement—Brownfield Site Rehabilitation Agreement or BSRA

NFA—No Further Action (i.e., Site Rehabilitation Completion Order or SRCO)

Summary of Available Tax Credits

Tax Credit Type	Application Frequency	Maximum Credit for Costs Incurred after 6/30/06	
Site Rehabilitation	Annually	50%	\$500,000
No Further Action (i.e. SRCO)	Once	25%	\$500,000
Affordable housing, health care facility or healthcare provider	Once	25%	\$500,000
Solid Waste (Removal, Transport, and Disposal)	Once	50%	\$500,000

WHAT ARE BROWNFIELDS?

Any real property where the expansion, redevelopment or reuse is complicated by actual or perceived contamination.

WHY REDEVELOP BROWNFIELDS?

Cleaning up and reinvesting in Brownfield properties facilitates job growth, utilizes existing infrastructure, increases local tax bases, removes development pressures on undeveloped open land as well as both improving and protecting the environment.

Florida's Brownfields Redevelopment Program -

- Creates jobs
- Promotes voluntary cleanup
- Prevents the premature development of greenspace (farmland, open space and natural areas)
- Reduces public cost for installing infrastructure in greenspaces
- Encourages the highest and best use of blighted properties
- Minimizes or eliminates the need for environmental enforcement or state-funded cleanup
- Encourages community revitalization

Brownfield redevelopment is of great importance in Florida where balancing strong economic and community growth with suburban sprawl is an ongoing challenge.



Imaginarium Museum & Aquarium
- Fort Myers

On the cover:

Located less than a quarter mile from the Florida State University campus in the Gaines Street corridor of downtown Tallahassee, this site was home to the Ro-Mac Lumber & Supply Company from 1949 until 2011.

A private investor acquired the property in 2011, and soon afterwards, entered into a BSRA to address the cleanup. Contamination from a heating oil underground storage tank, auto repair shop and former railroad spur were found. The foundation, paved areas and other features of the redevelopment act as engineering controls for the contaminated soils.

After a \$25 million renovation, the former lumber yard now contains approximately 130 residential units, 3,650 square feet of retail space, and a 381-space parking garage. As part of the Brownfields Program, the Tallahassee Community Redevelopment Agency was able to provide \$911,800 in design and retail build-out assistance.



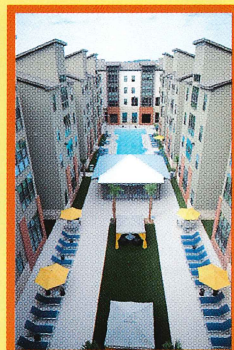
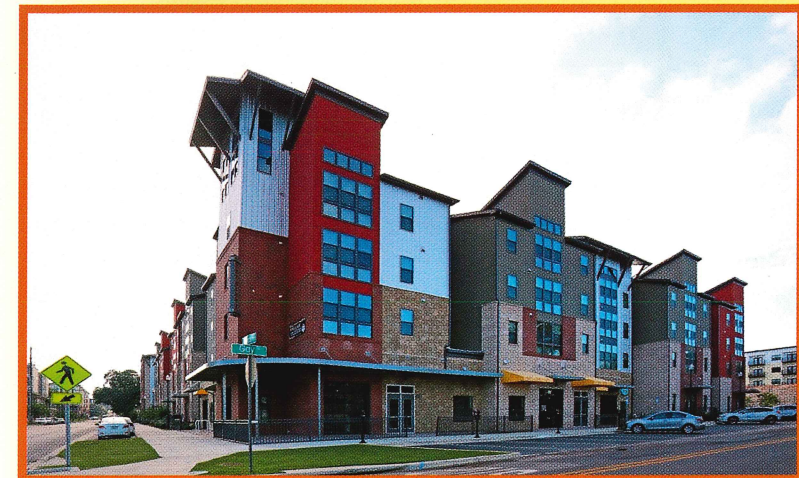
Department of Environmental Protection
Brownfields Redevelopment Program
Bureau of Waste Cleanup MS 4505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(850) 245-8900
www.dep.state.fl.us

Page 59

FLORIDA BROWNFIELDS REDEVELOPMENT PROGRAM

TRANSFORMING COMMUNITIES

Catalyst at FSU



FINANCIAL INCENTIVES

If your property is located in a designated Brownfield area, you may be eligible for -

- **\$2,500 Job Bonus Refund** for each new job created by an eligible business on or abutting a site with a Brownfield site rehabilitation agreement (BSRA). These benefits may be greater if the area has other designations.
- **Sales Tax Credit on building materials** purchased for the construction of an affordable housing project or mixed-use affordable housing project on or abutting a site with a BSRA
- **State Loan Guarantees** for primary lenders, up to 50% on all brownfield sites and up to 75% if the property is redeveloped as affordable housing, a health care facility or health care provider

In addition, if you enter into a BSRA, you will be eligible for -

- **50% Voluntary Cleanup Tax Credit (VCTC)*** annually on all eligible costs
- **25% Additional VCTC*** on all eligible costs when cleanup is complete
- **25% Additional VCTC*** if the property is redeveloped with affordable housing, a health care facility or health care provider
- **50% One-Time VCTC*** on eligible solid waste removal costs

Federal benefits that may also be available -

- **Site-Specific Activities Grant to DEP** to conduct Phase I or II assessments and/or limited source removals for eligible recipients using federal grant funds



Beacon Lakes - Miami

- **National Brownfields Assessment, Revolving Loan Fund and Cleanup Grants**
- **Brownfields Federal Tax Incentive** that allows environmental cleanup costs to be fully deducted in the same year they occur

REGULATORY BENEFITS

- **Risk-Based Corrective Action** is a clear process using rules 62-780 and 62-777, F.A.C., that provide
 - Default Cleanup Target Levels (CTLs)
 - Risk assessment tools to drive alternative CTLs
 - Risk management options
 - Institutional and engineering controls to achieve a Site Rehabilitation Completion Order (SRCO)
 - Special relief for sites with groundwater CTLs based on nuisance, organoleptic or aesthetic considerations
- **Cleanup Liability Protection** provided upon execution of a BSRA
- **Dedicated Brownfields Staff** in each DEP district office whose primary responsibility is facilitating implementation of BSRAs
- **Expedited Review** of all technical documents
- **EPA Comfort Letters** issued for Comprehensive Environmental Response, Compensation, and Liability Act sites
- **Lender Liability Protection**
Additional benefits may be available through local and federal government agencies

WEB SITES

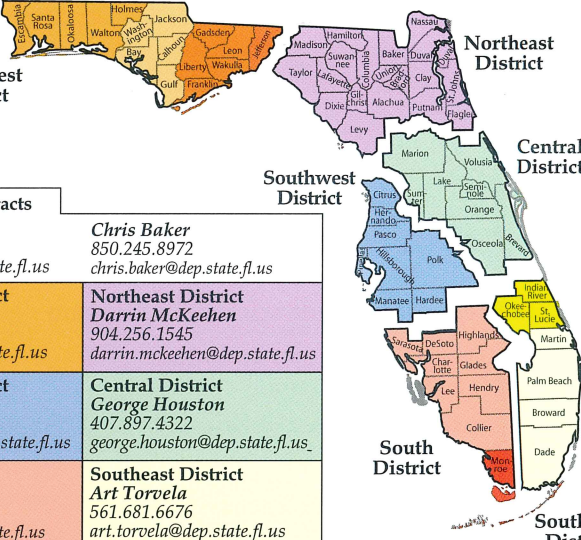
Brownfields Redevelopment Program
www.dep.state.fl.us/waste/categories/brownfields

Voluntary Cleanup Tax Credit Program
www.dep.state.fl.us/waste/categories/vctc

Florida Department of Economic Opportunity
www.floridajobs.org/About-us

* *The Voluntary Cleanup Tax Credit is available to Florida's corporate income tax.*

BROWNFIELDS STAFF

	
Main Office Contacts	
Kim Walker 850.245.8934 kim.walker@dep.state.fl.us	Chris Baker 850.245.8972 chris.baker@dep.state.fl.us
Northwest District Sally Cooley 850.595.0558 sally.cooley@dep.state.fl.us	Northeast District Darrin McKeen 904.256.1545 darrin.mckeen@dep.state.fl.us
Southwest District Stephanie Mills 813.470.5763 stephanie.mills@dep.state.fl.us	Central District George Houston 407.897.4322 george.houston@dep.state.fl.us
South District Terry Cerullo 239.344.5647 terry.cerullo@dep.state.fl.us	Southeast District Art Torvela 561.681.6676 art.torvela@dep.state.fl.us

DELEGATED LOCAL PROGRAMS

There are three local programs delegated by the Florida Department of Environmental Protection (DEP) to administer the Brownfields program in their communities. The contacts for these local programs are:

Broward County	Hillsborough County	Miami-Dade County
Dave Vanlandingham 954.519.1478	Anthony E. Gilboy 813.627.2600, ext. 1303	Sandra Rezola 305.372.6700

ECONOMIC DEVELOPMENT CONTACTS

Florida Department of Economic Opportunity
Burt Von Hoff, 850.717.8974
Burt.VonHoff@deo.myflorida.com

Enterprise Florida, Inc.
Heather Squires, 407.956.5696
hsquires@eflorida.com

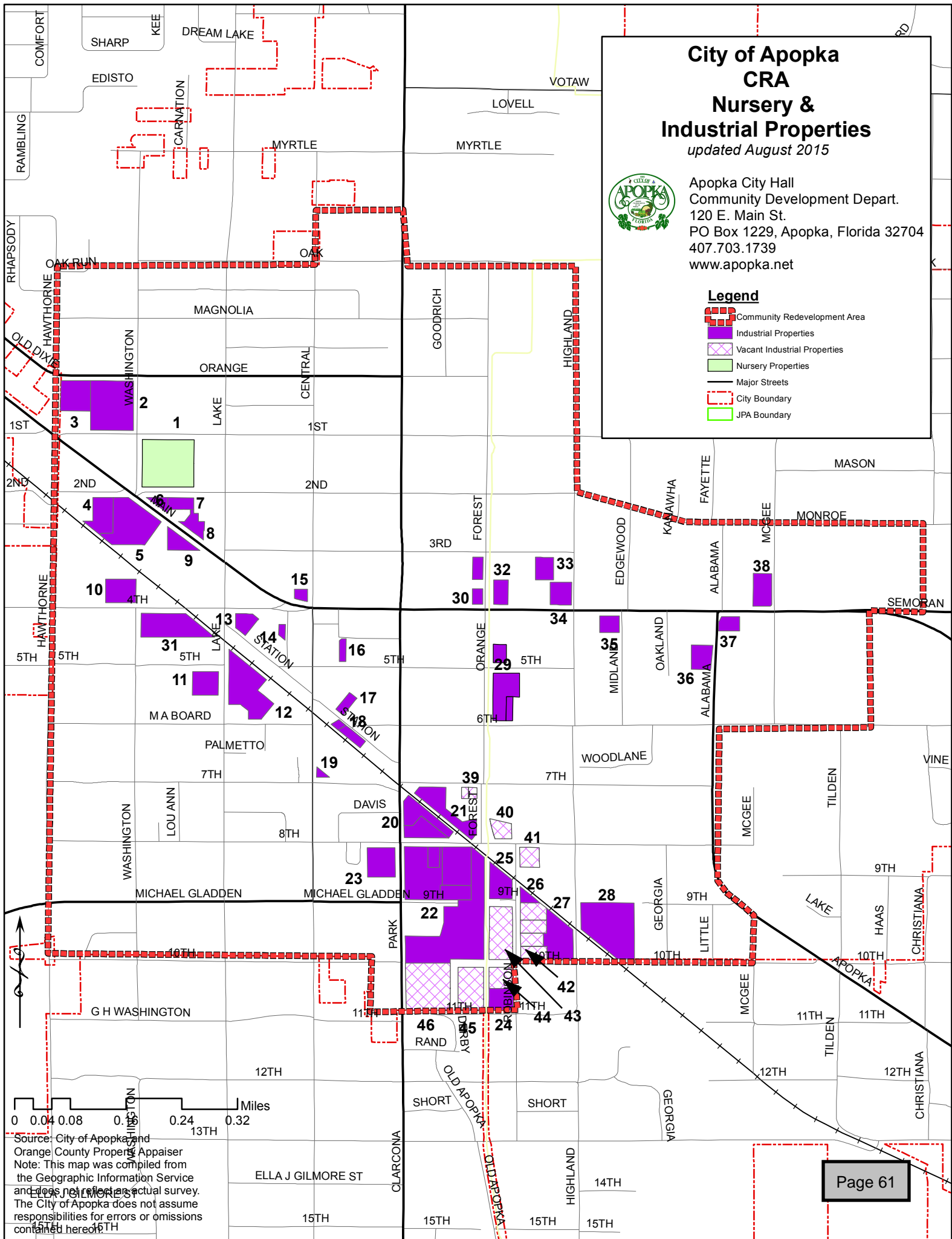
City of Apopka CRA Nursery & Industrial Properties *updated August 2015*



Apopka City Hall
Community Development Depart.
120 E. Main St.
PO Box 1229, Apopka, Florida 32704
407.703.1739
www.apopka.net

Legend

- Community Redevelopment Area
- Industrial Properties
- Vacant Industrial Properties
- Nursery Properties
- Major Streets
- City Boundary
- JPA Boundary



Source: City of Apopka and
Orange County Property Appraiser
Note: This map was compiled from
the Geographic Information Service
and does not represent an actual survey.
The City of Apopka does not assume
responsibilities for errors or omissions
contained herein.

November 23, 2015

The Honorable Joe Kilsheimer

City of Apopka

120 East Main Street

Apopka, FL 32703

RE: Brownfields

Dear Mayor Kilsheimer:

Thank you for the invitation to attend the community forum of Brownfields this past November 17. I found the presentation enlightening and a perfect fit for the City of Apopka. George Houston of The FDEP did a good job of explaining the situation and solutions that their program can offer as well as potential opportunities with the EPA. Susan McGrady of the City of Cocoa gave real world examples on how a city can benefit by cleaning up and utilizing private property that otherwise would be underused and that causes blight on neighboring property and limits overall development.

As the Chairman of the Greater Apopka Area Chamber of Commerce our board often discusses ways to improve our city's business climate and how we can grow additional jobs in our area. The FDEP Brownfield program specifically addresses both of these areas and even has a job creation bonus. Our chamber strongly supports the goals of this program and I urge you to take the next steps to develop a Brownfield program for Apopka.

Thank you for your consideration,

Jeff Welch

Chairman

The Greater Apopka Area Chamber of Commerce



Executive Trustees



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Belinda Richard
Terracon

Nadia Locke
Past President, FBA
E Sciences, Inc.

November 20, 2015

Shakenya Harris-Jackson, Ed.D.
Grants & Neighborhood Services Coordinator
City Of Apopka - Apopka, FL
120 East Main Street
Apopka, FL 32703 USA

Via E-Mail: sjackson@apopka.net

Dear Doctor Harris-Jackson:

On behalf of the Florida Brownfields Association ("FBA"), please accept this letter of support for the submittal of a Community Wide Assessment Grant application to the United States Environmental Protection Agency ("EPA") by the City of Apopka, Florida (the "City").

The FBA is a non-profit, volunteer, service organization dedicated to advancing the cleanup and redevelopment of Brownfields in Florida. Brownfields are sites for which their expansion, redevelopment, or reuse may be complicated by actual or perceived contamination. Working in cooperation with the Florida Department of Environmental Protection and the EPA, the FBA is a group of environmental stakeholders and professionals who provide information, assistance, and redevelopment strategies regarding Brownfields to communities and the public in the interest of cleaning up and redeveloping contaminated properties and revitalizing areas.

We applaud the City's efforts in seeking revitalization and redevelopment in the State of Florida and hope you will give every possible consideration to its application for an EPA Community Wide Assessment Grant. We look forward to assisting the City upon its successful grant award. The FBA through its membership will provide technical assistance to the City, and will assist with public outreach and marketing by participating in public meetings or assisting with educational presentations. Further, our membership is willing to serve on advisory boards or committees that are developed in support of this grant.

Should you have any questions or concerns regarding the FBA's support of the City's Community Wide Assessment Grant proposal, please do not hesitate to contact me at (813) 229-4139 or llockett@cfjblaw.com.

Regards,


Laurel Lockett, Esq.
President



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

November 24, 2015

Cindy J. Nolan
Brownfields Program
U.S. Environmental Protection Agency
61 Forsyth St., S.W.
Atlanta, GA 30303-8960

Dear Ms. Nolan:

The Florida Department of Environmental Protection (Department) acknowledges and supports the City of Apopka's Brownfields grant application for a Community Wide Hazardous Substance and Petroleum or Petroleum Products Assessment Grant. The Department understands that this application has been prepared in accordance with EPA's guidance document EPA-OSWER-OBLR-15-04, titled "Guidelines for Brownfields Assessment Grants". This letter of acknowledgement addresses the requirement for a "Letter from the State or Tribal Environmental Authority", described in SECTION III.C.2. EPA Brownfields grant funding will strengthen cleanup and redevelopment efforts in the City of Apopka. This federal grant effort also supports Florida's Brownfields Redevelopment Act and the Department's role in administration of site rehabilitation of contaminated sites.

The Department encourages EPA grant recipients to use the incentives and resources available through Florida's Brownfields Redevelopment Program with EPA grant funding to enhance the success of their brownfields project. The Department recommends that the City of Apopka consider including Brownfields sites or areas that could potentially receive federal funding in a state-designated brownfield area. The City of Apopka is also encouraged to contact George Houston II, P.G., the Central District Brownfields Coordinator, at (407) 897- 4322, to learn more about the Florida Brownfields Redevelopment Program.

Sincerely,

A handwritten signature in blue ink that reads "Kimberly A. Walker".

Kimberly A. Walker, Environmental Administrator
DoD & Brownfields Partnership

Ms. Cindy J. Nolan
Page 2
November 24, 2015

KW/jc

cc:

Shakenya Jackson, Grants & Neighborhood Services Coordinator, City of Apopka,
(SJackson@apopka.net)
George Houston II, P.G., FDEP Central District Brownfields Coordinator,
(George.Houston@dep.state.fl.us)
Margaret Olson, EPA Region 4 Florida Grants Coordinator, (Olson.Margaret@epa.gov)

Backup material for agenda item:

1. Ordinance 2459 – Second Reading - Annexation

David Moon



CITY OF APOPKA CITY COUNCIL

	CONSENT AGENDA	MEETING OF:	December 2, 2015
X	PUBLIC HEARING	FROM:	Community Development
	SPECIAL REPORTS	EXHIBITS:	Exhibit "A" Summary of Cycle 3
X	OTHER: Annexation		Ordinance No. 2459
			Vicinity Map

SUBJECT: 2015 ANNEXATION - CYCLE NO. 3

Request: SECOND READING & ADOPTION OF ORDINANCE NUMBER: 2459 - JTD LAND AT ROGERS RD., LLC; AND HOLD OVER FOR SECOND READING AND ADOPTION.

SUMMARY:

OWNERS: JTD Land at Rogers Rd., LLC

LOCATION: 2303 Rogers Road

LAND USE: Refer to Exhibit "A"

EXISTING USE: Refer to Exhibit "A"

TRACT SIZE: 30.52 +/- acres

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through additional action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on October 16, 2015 and November 4, 2015.

DULY ADVERTISED:

October 23, 2015 - 1/4 Page Public Hearing Advertisement
October 30, 2015 - 1/4 Page Public Hearing Advertisement
November 6, 2015 - 1/4 Page Public Hearing Advertisement
November 13, 2015 - 1/4 Page Public Hearing Advertisement
November 20, 2015 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:

November 18, 2015 (7:00 pm) - City Council 1st Reading
December 2, 2015 (1:30 pm) - City Council 2nd Reading and Adoption

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the 2015 Annexation Cycle #3.

The **City Council**, at its meeting on November 18, 2015, accepted the First Reading of Ordinance No. 2459 and held it over for Second Reading and Adoption on December 2, 2015.

Adopt Ordinance No. 2459.

EXHIBIT "A"
CITY OF APOPKA
2015 ANNEXATION CYCLE # 3

TOTAL ACRES: 42.07 +/-

ANNEXATION ORDINANCE No.s.: 2459-2463

Adopted this 2th day of December, 2015

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2459	1	JTD Land at Rogers Rd., LLC	2303 Rogers Road	29-20-28-0000-00-004 29-20-28-0000-00-026	30.52	Vacant Land	Low Density Residential Max. 4du/ac
2460	2	Huy Tran Hai Anh Nguyen	904 Schopke Lester Road	06-21-28-7172-14-071	4.42	SFR	Low Density Residential Max. 4du/ac
2461	3	Property Industrial Enterprises, LLC	300 West 2 nd Street	09-21-28-0868-01-240	0.42	SFR	Low Density Residential Max. 4du/ac
2462	4	Debra Evans Cargil	202 South Hawthorne Avenue	09-21-28-0868-01-230	0.32	SFR	Low Medium Density Residential Max. 10du/ac
2463	5	Apopka Clear Lake Investments, LLC	Peterson Road	07-21-28-0000-00-064	1.47	Vacant Land	Rural 1du/10 Acres
2465	6	Jerry Kirkland Lannette Kirkland	3707 Rock Springs Road	22-20-28-0000-00-005	4.92	SFR	Rural 1du/5 Acres
				TOTAL ACRES	37.15		

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ORDINANCE NO. 2459

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY JTD LAND AT ROGERS RD., LLC, LOCATED AT 2303 ROGERS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, JTD Land At Rogers Rd., LLC, owners thereof, have petitioned the City Council of the City of Apopka, Florida, to annex the properties located at 2303 Rogers Road; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling **30.52 +/- acres**, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Descriptions:

N3/4 OF NW1/4 OF SW1/4 (LESS BEG 12 FT N OF SW COR OF N3/4 OF NW1/4 OF SW1/4 SELY TO HALFWAY POINT BETWEEN E LINE AND W LINE W TO W LINE OF N 3/4 OF NW1/4 OF SW1/4 N 12 FT TO POB & LESS W 30 FT FOR RD) SEC 29-20-28

Containing: 30.43 Acres and;

BEG AT NE COR OF S1/4 OF NW1/4 OF SW1/4 TH W TO HALFWAY POINT BETWEEN E LINE AND W LINE SELY TO E LINE OF S1/4 OF NW1/4 OF SW1/4 TH N 12 FT TO POB IN SEC 29-20-28

Contains: 0.09 +/- Acres

Combined Acreage: 30.52

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

ORDINANCE NO. : 2459

PAGE 2

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

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

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

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

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

READ FIRST TIME: November 18, 2015

READ SECOND TIME
AND ADOPTED: December 2, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: October 23, 2015; October 30, 2015;
November 6, 2015; November 13, 2015;
November, 20, 2015

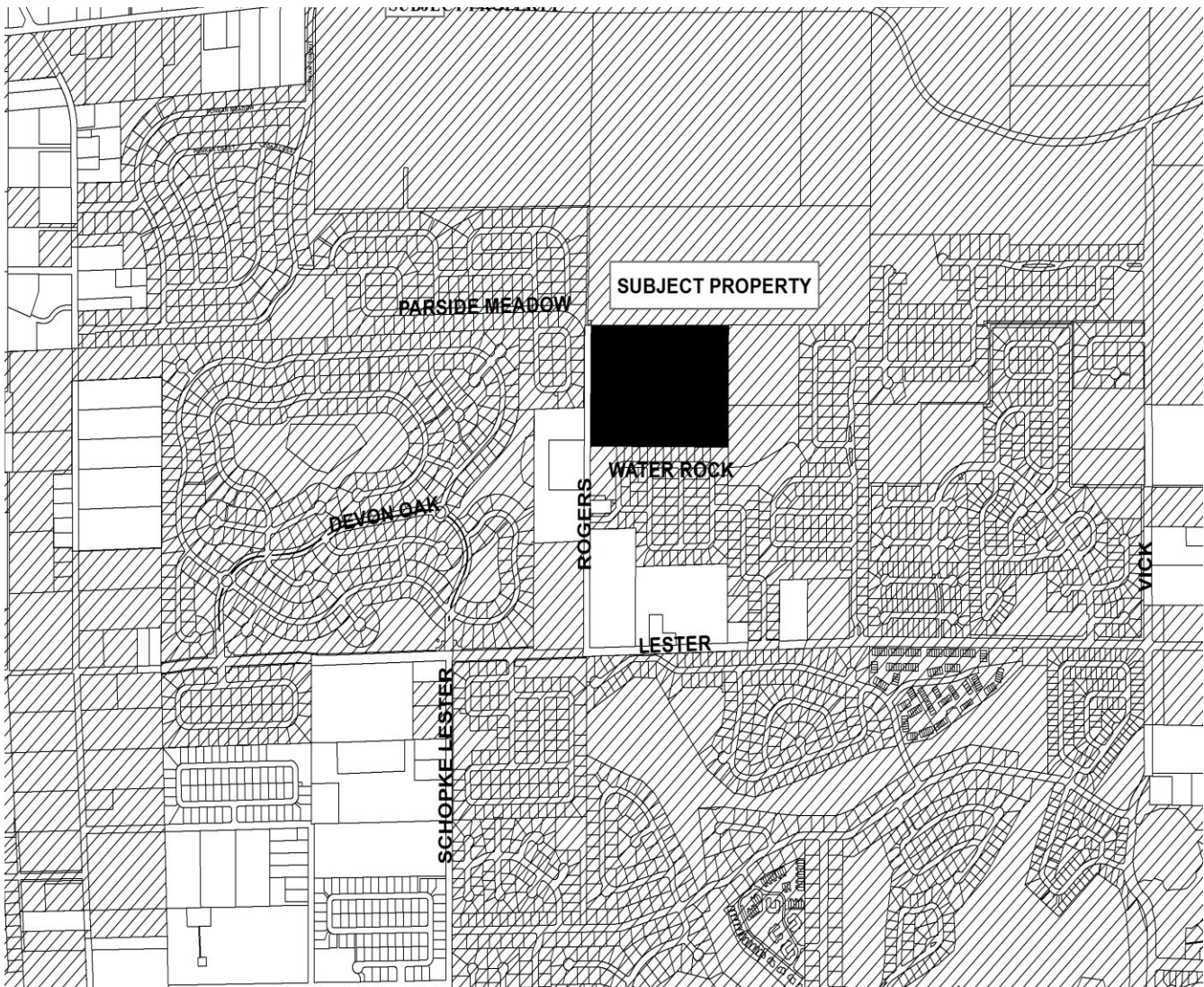
ANNEXATION
JTD LAND AT ROGERS RD., LLC
2303 ROGERS ROAD



Exhibit "A"
Ord. # 2459
Parcel ID: 29-20-28-0000-00-004
29-20-28-0000-00-026

Total Acres: 30.52 +/-

VICINITY MAP



Backup material for agenda item:

2. Ordinance 2460 – Second Reading - Annexation

David Moon



CITY OF APOPKA CITY COUNCIL

	CONSENT AGENDA	MEETING OF:	December 2, 2015
<u>X</u>	PUBLIC HEARING	FROM:	Community Development
	SPECIAL REPORTS	EXHIBITS:	Exhibit "A" Summary of Cycle 3
<u>X</u>	OTHER: Annexation		Ordinance No. 2460
			Vicinity Map

SUBJECT: 2015 ANNEXATION - CYCLE NO. 3

Request: SECOND READING & ADOPTION OF ORDINANCE NUMBER: 2460 – HUY TRAN AND HAI ANH NGUYEN AND HOLD OVER FOR SECOND READING AND ADOPTION.

SUMMARY:

OWNERS: Huy Tran and Hai Anh Nguyen

LOCATION: 904 Schopke Lester Road

LAND USE: Refer to Exhibit "A"

EXISTING USE: Refer to Exhibit "A"

TRACT SIZE: 4.42 +/- acres

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through additional action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on October 16, 2015 and November 4, 2015.

DULY ADVERTISED:

October 23, 2015 - 1/4 Page Public Hearing Advertisement
October 30, 2015 - 1/4 Page Public Hearing Advertisement
November 6, 2015 - 1/4 Page Public Hearing Advertisement
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November 20, 2015 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:

November 18, 2015 (7:00 pm) - City Council 1st Reading
December 2, 2015 (1:30 pm) - City Council 2nd Reading and Adoption

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the 2015 Annexation Cycle #3.

The **City Council**, at its meeting on November 18, 2015, accepted the First Reading of Ordinance No. 2460 and held it over for Second Reading and Adoption on December 2, 2015.

Adopt Ordinance No. 2460.

EXHIBIT "A"
CITY OF APOPKA
2015 ANNEXATION CYCLE # 3

TOTAL ACRES: 42.07 +/-

ANNEXATION ORDINANCE No.s.: 2459-2463

Adopted this 2th day of December, 2015

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2459	1	JTD Land at Rogers Rd., LLC	2303 Rogers Road	29-20-28-0000-00-004 29-20-28-0000-00-026	30.52	Vacant Land	Low Density Residential Max. 4du/ac
2460	2	Huy Tran Hai Anh Nguyen	904 Schopke Lester Road	06-21-28-7172-14-071	4.42	SFR	Low Density Residential Max. 4du/ac
2461	3	Property Industrial Enterprises, LLC	300 West 2 nd Street	09-21-28-0868-01-240	0.42	SFR	Low Density Residential Max. 4du/ac
2462	4	Debra Evans Cargil	202 South Hawthorne Avenue	09-21-28-0868-01-230	0.32	SFR	Low Medium Density Residential Max. 10du/ac
2463	5	Apopka Clear Lake Investments, LLC	Peterson Road	07-21-28-0000-00-064	1.47	Vacant Land	Rural 1du/10 Acres
2465	6	Jerry Kirkland Lannette Kirkland	3707 Rock Springs Road	22-20-28-0000-00-005	4.92	SFR	Rural 1du/5 Acres
				TOTAL ACRES	37.15		

g:\Shared\4020\PLANNING_ZONING\Annexations\2015\Cycle 3

ORDINANCE NO. 2460

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY HUY TRAN AND HAI ANH NGUYEN, LOCATED AT 904 SCHOPKE LESTER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Huy Tran and Hai Anh Nguyen owners thereof, have petitioned the City Council of the City of Apopka, Florida, to annex the property located at 904 Schopke Lester Road; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling 4.42 +/- acres, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Descriptions:

8718/4708 INC LEGAL DESC MAP OF PLYMOUTH B/17 LOT 7 & ALL OF SAID LOT LOCATED IN WATERS OF LAKE STANDISH & THE NLY 20 FT OF ABANDONED PLATTED R/W LYING BETWEEN SAID LOT 7 AND LOT 8 SAID R/W NOT OFFICIALLY VACATED(LESS N 110 FT THEREOF) BLK N Contains: 4.42 +/- Acres

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

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

ORDINANCE NO.: 2460

PAGE 2

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

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

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

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

READ FIRST TIME: November 18, 2015

READ SECOND TIME
AND ADOPTED: December 2, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: October 23, 2015; October 30, 2015;
November 6, 2015; November 13, 2015;
November, 20, 2015

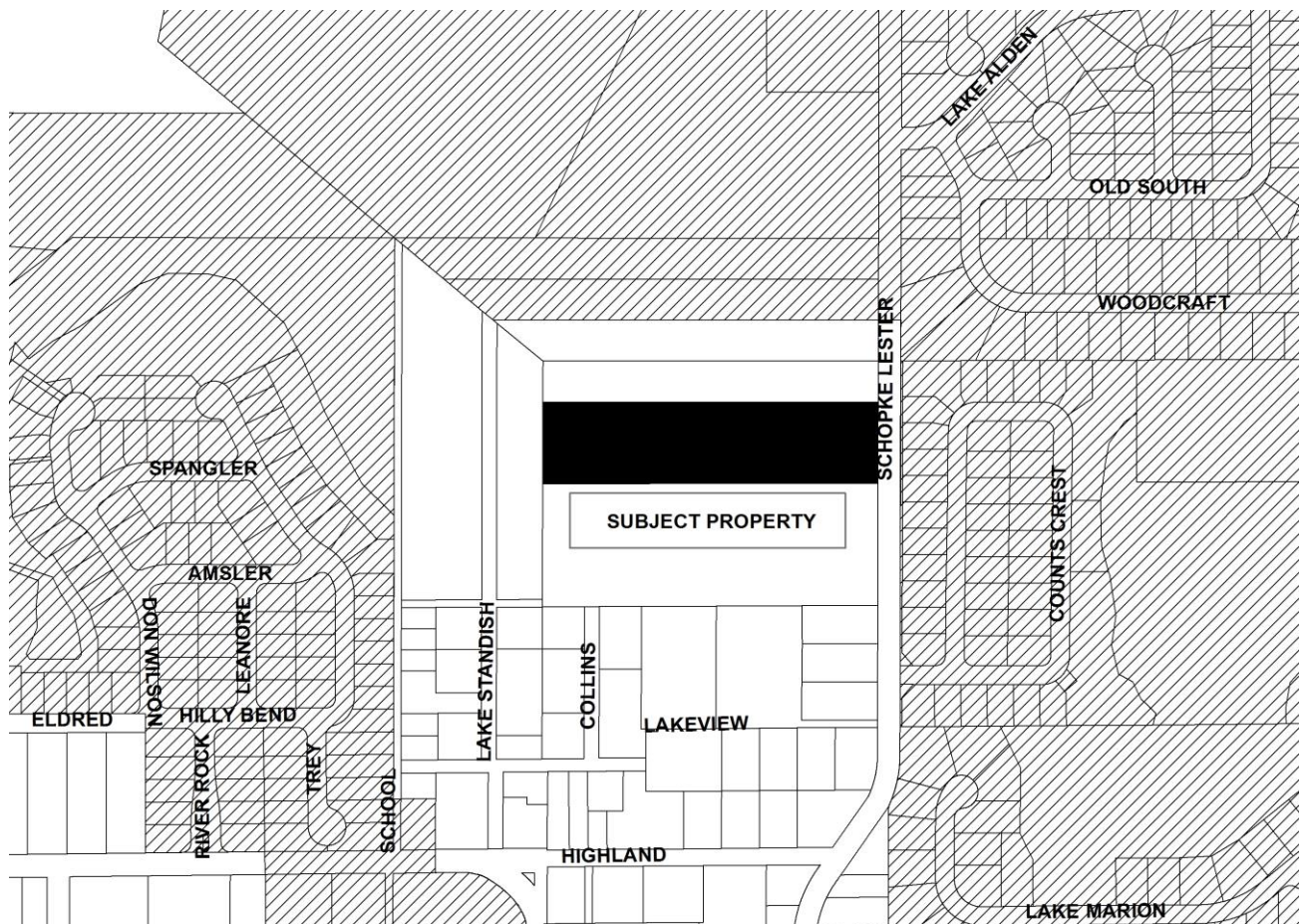
ANNEXATION
HUY TRAN AND HAI ANH NGUYEN
904 SCHOPKE LESTER ROAD



Exhibit "A"
Ord. # 2460
Parcel ID: 06-21-28-7172-14-071

Total Acres: 4.42 +/-

VICINITY MAP



Backup material for agenda item:

3. Ordinance 2461 – Second Reading - Annexation

David Moon



CITY OF APOPKA CITY COUNCIL

	CONSENT AGENDA	MEETING OF:	December 2, 2015
X	PUBLIC HEARING	FROM:	Community Development
	SPECIAL REPORTS	EXHIBITS:	Exhibit "A" Summary of Cycle 3
X	OTHER: Annexation		Ordinance No. 2461
			Vicinity Map

SUBJECT: 2015 ANNEXATION - CYCLE NO. 3

Request: SECOND READING & ADOPTION OF ORDINANCE NUMBER: 2461 –
PROPERTY INDUSTRIAL ENTERPRISES, LLC, AND HOLD OVER FOR
SECOND READING AND ADOPTION.

SUMMARY:

OWNERS: Property Industrial Enterprises, LLC

LOCATION: 300 West 2nd Street

LAND USE: Refer to Exhibit "A"

EXISTING USE: Refer to Exhibit "A"

TRACT SIZE: 0.42 +/- acres

ADDITIONAL COMMENTS

The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through additional action by the City Council.

ORANGE COUNTY NOTIFICATION:

The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on October 16, 2015 and November 4, 2015.

DULY ADVERTISED:

October 23, 2015 - 1/4 Page Public Hearing Advertisement
October 30, 2015 - 1/4 Page Public Hearing Advertisement
November 6, 2015 - 1/4 Page Public Hearing Advertisement
November 13, 2015 - 1/4 Page Public Hearing Advertisement
November 20, 2015 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:

November 18, 2015 (7:00 pm) - City Council 1st Reading
December 2, 2015 (1:30 pm) - City Council 2nd Reading and Adoption

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the 2015 Annexation Cycle #3.

The **City Council**, at its meeting on November 18, 2015, accepted the First Reading of Ordinance No. 2461 and held it over for Second Reading and Adoption on December 2, 2015.

Adopt Ordinance No. 2461.

EXHIBIT "A"
CITY OF APOPKA
2015 ANNEXATION CYCLE # 3

TOTAL ACRES: 42.07 +/-

ANNEXATION ORDINANCE No.s.: 2459-2463

Adopted this 2th day of December, 2015

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2459	1	JTD Land at Rogers Rd., LLC	2303 Rogers Road	29-20-28-0000-00-004 29-20-28-0000-00-026	30.52	Vacant Land	Low Density Residential Max. 4du/ac
2460	2	Huy Tran Hai Anh Nguyen	904 Schopke Lester Road	06-21-28-7172-14-071	4.42	SFR	Low Density Residential Max. 4du/ac
2461	3	Property Industrial Enterprises, LLC	300 West 2 nd Street	09-21-28-0868-01-240	0.42	SFR	Low Density Residential Max. 4du/ac
2462	4	Debra Evans Cargil	202 South Hawthorne Avenue	09-21-28-0868-01-230	0.32	SFR	Low Medium Density Residential Max. 10du/ac
2463	5	Apopka Clear Lake Investments, LLC	Peterson Road	07-21-28-0000-00-064	1.47	Vacant Land	Rural 1du/10 Acres
2465	6	Jerry Kirkland Lannette Kirkland	3707 Rock Springs Road	22-20-28-0000-00-005	4.92	SFR	Rural 1du/5 Acres
				TOTAL ACRES	37.15		

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ORDINANCE NO. 2461

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY PROPERTY INDUSTRIAL ENTERPRISES, LLC, LOCATED AT 300 WEST 2ND STREET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Property Industrial Enterprises, LLC owners thereof, have petitioned the City Council of the City of Apopka, Florida, to annex the property located at 300 West 2nd Street; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling 0.42 +/- acres, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Descriptions:

BRADSHAW AND THOMPSONS ADDITION TO APOPKA CITY B/25 LOT
24 BLK A (LESS R/W) Contain: 0.42 +/- Acres

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

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

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

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

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

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

READ FIRST TIME: November 18, 2015

READ SECOND TIME
AND ADOPTED: December 2, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: October 23, 2015; October 30, 2015;
November 6, 2015; November 13, 2015;
November, 20, 2015

Total Acres: 0.42 +/-

The map displays a street grid in the Cooper Palms neighborhood. The streets shown are Bradshaw, Hawthorne, Washington, Main, 1st, 2nd, 3rd, 4th, and 5th. A black rectangle indicates the 'SUBJECT PROPERTY' located on Hawthorne Street, between 3rd and 4th Streets. The area is labeled 'COOPER PALMS'.

Backup material for agenda item:

4. Ordinance 2462 – Second Reading - Annexation

David Moon



CITY OF APOPKA CITY COUNCIL

	CONSENT AGENDA	MEETING OF:	December 2, 2015
X	PUBLIC HEARING	FROM:	Community Development
	SPECIAL REPORTS	EXHIBITS:	Exhibit "A" Summary of Cycle 3
X	OTHER: Annexation		Ordinance No. 2462
			Vicinity Map

SUBJECT: 2015 ANNEXATION - CYCLE NO. 3

Request: SECOND READING & ADOPTION OF ORDINANCE NUMBER: 2462 – DEBRA EVANS CARGIL AND HOLD OVER FOR SECOND READING AND ADOPTION.

SUMMARY:

OWNERS: Debra Evans Cargil

LOCATION: 202 South Hawthorne Avenue

LAND USE: Refer to Exhibit "A"

EXISTING USE: Refer to Exhibit "A"

TRACT SIZE: 0.32 +/- acres

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through additional action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on October 16, 2015 and November 4, 2015.

DULY ADVERTISED:

October 23, 2015 - 1/4 Page Public Hearing Advertisement
October 30, 2015 - 1/4 Page Public Hearing Advertisement
November 6, 2015 - 1/4 Page Public Hearing Advertisement
November 13, 2015 - 1/4 Page Public Hearing Advertisement
November 20, 2015 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:

November 18, 2015 (7:00 pm) - City Council 1st Reading
December 2, 2015 (1:30 pm) - City Council 2nd Reading and Adoption

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the 2015 Annexation Cycle #3.

The **City Council**, at its meeting on November 18, 2015, accepted the First Reading of Ordinance No. 2462 and held it over for Second Reading and Adoption on December 2, 2015.

Adopt Ordinance No. 2462.

EXHIBIT "A"
CITY OF APOPKA
2015 ANNEXATION CYCLE # 3

TOTAL ACRES: 42.07 +/-

ANNEXATION ORDINANCE No.s.: 2459-2463

Adopted this 2th day of December, 2015

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2459	1	JTD Land at Rogers Rd., LLC	2303 Rogers Road	29-20-28-0000-00-004 29-20-28-0000-00-026	30.52	Vacant Land	Low Density Residential Max. 4du/ac
2460	2	Huy Tran Hai Anh Nguyen	904 Schopke Lester Road	06-21-28-7172-14-071	4.42	SFR	Low Density Residential Max. 4du/ac
2461	3	Property Industrial Enterprises, LLC	300 West 2 nd Street	09-21-28-0868-01-240	0.42	SFR	Low Density Residential Max. 4du/ac
2462	4	Debra Evans Cargil	202 South Hawthorne Avenue	09-21-28-0868-01-230	0.32	SFR	Low Medium Density Residential Max. 10du/ac
2463	5	Apopka Clear Lake Investments, LLC	Peterson Road	07-21-28-0000-00-064	1.47	Vacant Land	Rural 1du/10 Acres
2465	6	Jerry Kirkland Lannette Kirkland	3707 Rock Springs Road	22-20-28-0000-00-005	4.92	SFR	Rural 1du/5 Acres
				TOTAL ACRES	37.15		

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ORDINANCE NO. 2462

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DEBRA EVANS CARGIL, LOCATED AT 202 SOUTH HAWTHORNE AVENUE; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Debra Evans Cargil owners thereof, have petitioned the City Council of the City of Apopka, Florida, to annex the property located at 202 South Hawthorne Avenue; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling 0.32 +/- acres, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Descriptions:

BRADSHAW AND THOMPSONS ADDITION TO APOPKA CITY B/25 LOT
23 (LESS RR R/W) BLK A
Contains: 0.32 +/- Acres

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

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

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

ORDINANCE NO.: 2462

PAGE 2

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

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

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

READ FIRST TIME: November 18, 2015

READ SECOND TIME
AND ADOPTED: December 2, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: October 23, 2015; October 30, 2015; November 6, 2015; November 13, 2015; November, 20, 2015

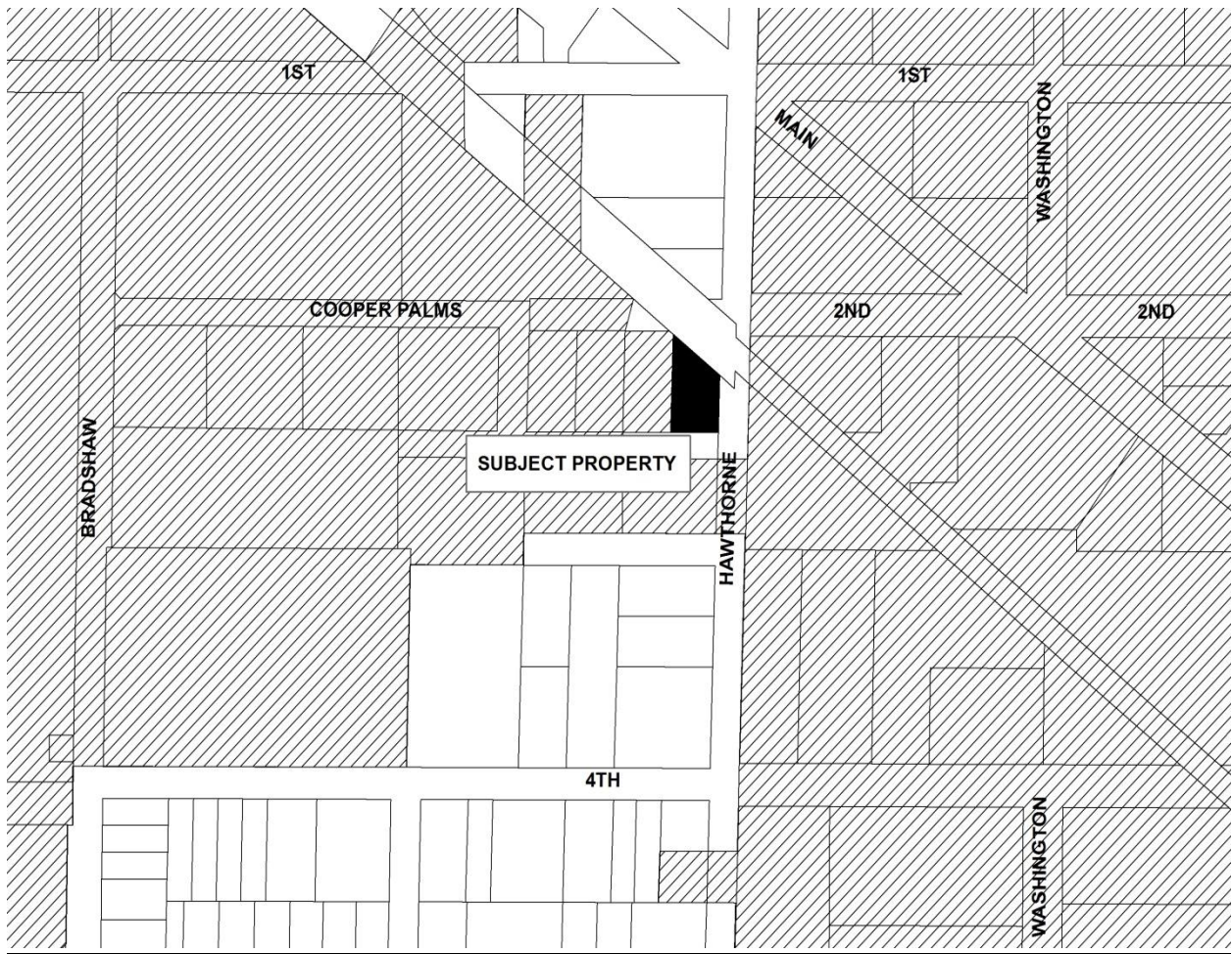
ANNEXATION
DEBRA EVANS CARGIL
202 SOUTH HAWTHORNE AVENUE



Exhibit "A"
Ord. # 2462
Parcel ID: 09-21-28-0868-01-230

Total Acres: 0.32 +/-

VICINITY MAP



Backup material for agenda item:

5. Ordinance 2463 – Second Reading - Annexation

David Moon



CITY OF APOPKA CITY COUNCIL

	CONSENT AGENDA	MEETING OF:	December 2, 2015
<u>X</u>	PUBLIC HEARING	FROM:	Community Development
	SPECIAL REPORTS	EXHIBITS:	Exhibit "A" Summary of Cycle 3
<u>X</u>	OTHER: Annexation		Ordinance No. 2463
			Vicinity Map

SUBJECT: 2015 ANNEXATION - CYCLE NO. 3

Request: SECOND READING & ADOPTION OF ORDINANCE NUMBER: 2463 –
APOPKA CLEAR LAKE INVESTMENTS, LLC, AND HOLD OVER FOR
SECOND READING AND ADOPTION.

SUMMARY:

OWNERS: Apopka Clear Lake Investments, LLC

LOCATION: South of Peterson Road and West of Binion Road
(PID: 07-21-28-0000-00-064)

LAND USE: Refer to Exhibit "A"

EXISTING USE: Refer to Exhibit "A"

TRACT SIZE: 1.47 +/- acres

ADDITIONAL COMMENTS

The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through additional action by the City Council.

ORANGE COUNTY NOTIFICATION:

The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on October 16, 2015 and November 4, 2015.

DULY ADVERTISED:

October 23, 2015 - 1/4 Page Public Hearing Advertisement
October 30, 2015 - 1/4 Page Public Hearing Advertisement
November 6, 2015 - 1/4 Page Public Hearing Advertisement
November 13, 2015 - 1/4 Page Public Hearing Advertisement
November 20, 2015 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:

November 18, 2015 (7:00 pm) - City Council 1st Reading
December 2, 2015 (1:30 pm) - City Council 2nd Reading and Adoption

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the 2015 Annexation Cycle #3.

The **City Council**, at its meeting on November 18, 2015, accepted the First Reading of Ordinance No. 2463 and held it over for Second Reading and Adoption on December 2, 2015.

Adopt Ordinance No. 2463.

EXHIBIT "A"
CITY OF APOPKA
2015 ANNEXATION CYCLE # 3

TOTAL ACRES: 42.07 +/-

ANNEXATION ORDINANCE No.s.: 2459-2463

Adopted this 2th day of December, 2015

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2459	1	JTD Land at Rogers Rd., LLC	2303 Rogers Road	29-20-28-0000-00-004 29-20-28-0000-00-026	30.52	Vacant Land	Low Density Residential Max. 4du/ac
2460	2	Huy Tran Hai Anh Nguyen	904 Schopke Lester Road	06-21-28-7172-14-071	4.42	SFR	Low Density Residential Max. 4du/ac
2461	3	Property Industrial Enterprises, LLC	300 West 2 nd Street	09-21-28-0868-01-240	0.42	SFR	Low Density Residential Max. 4du/ac
2462	4	Debra Evans Cargil	202 South Hawthorne Avenue	09-21-28-0868-01-230	0.32	SFR	Low Medium Density Residential Max. 10du/ac
2463	5	Apopka Clear Lake Investments, LLC	Peterson Road	07-21-28-0000-00-064	1.47	Vacant Land	Rural 1du/10 Acres
2465	6	Jerry Kirkland Lannette Kirkland	3707 Rock Springs Road	22-20-28-0000-00-005	4.92	SFR	Rural 1du/5 Acres
				TOTAL ACRES	37.15		

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ORDINANCE NO. 2463

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY APOPKA CLEAR LAKE INVESTMENTS, LLC, LOCATED SOUTH OF PETERSON ROAD AND WEST OF BINION ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Apopka Clear Lake Investments, LLC, owners thereof, have petitioned the City Council of the City of Apopka, Florida, to annex the property located south of Peterson Road and west of Binion Road; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling 1.47 +/- acres, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Descriptions:

THE WEST 50 FT OF THE EAST 1/2 OF THE WEST 1/2 OF THE NE
1/4 OF THE NW 1/4 SEC 07-21-28 LESS THE NORTH 30 FT FOR
R/W
Contains: 1.47 +/- Acres

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

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

ORDINANCE NO.: 2462

PAGE 2

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

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

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

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

READ FIRST TIME: November 18, 2015

READ SECOND TIME
AND ADOPTED: December 2, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: October 23, 2015; October 30, 2015;
November 6, 2015; November 13, 2015;
November, 20, 2015

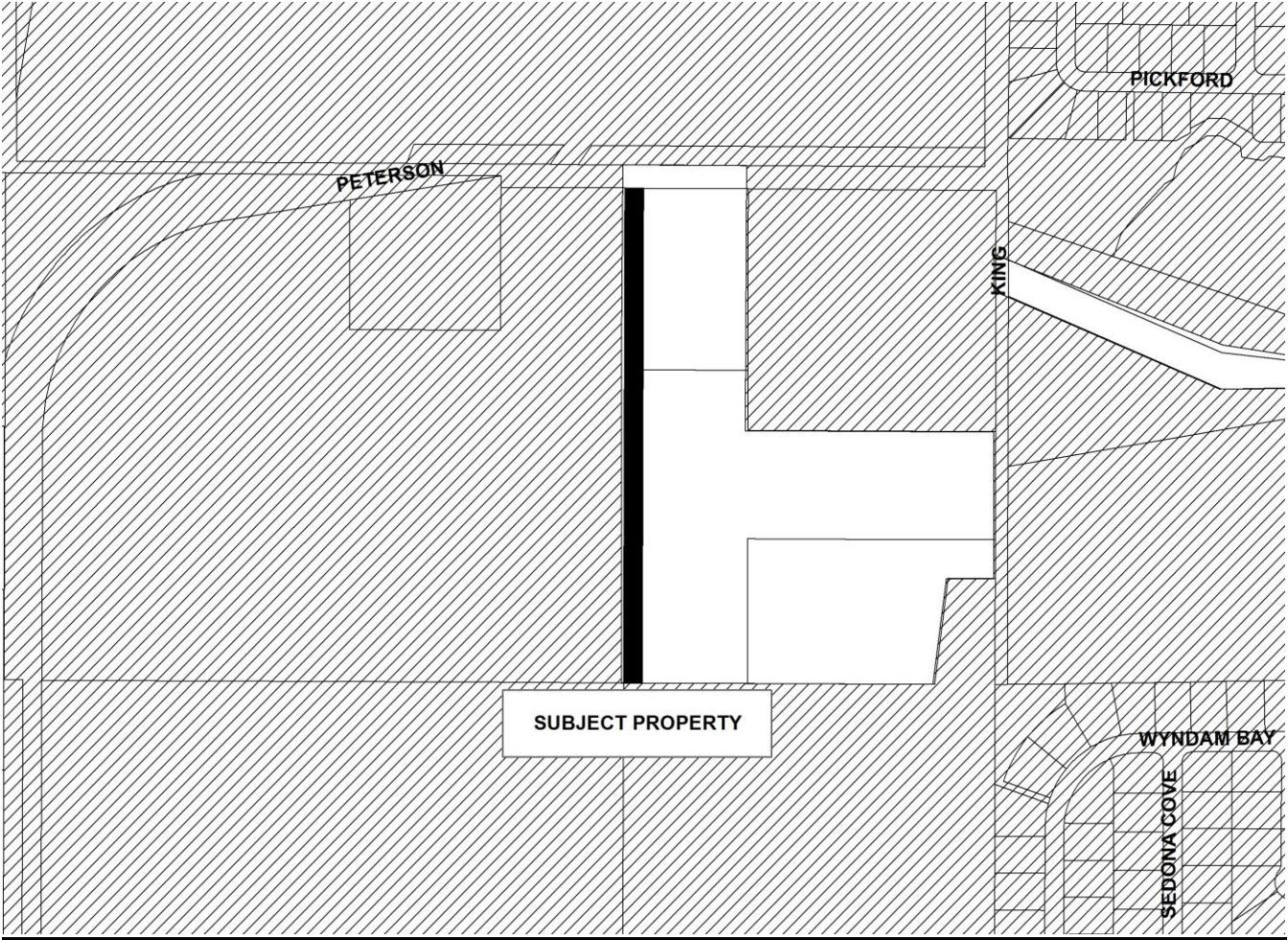
ANNEXATION
APOPKA CLEAR LAKE INVESTMENTS, LLC
PETERSON ROAD



Exhibit "A"
Ord. # 2463
Parcel ID: 07-21-28-0000-00-064

Total Acres: 1.47 +/-

VICINITY MAP



Backup material for agenda item:

6. Ordinance 2464 - Second Reading - Amending Chapter 46 of the Code of Ordinances Brian Bowman



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: December 2, 2015
FROM: Fire Department
EXHIBITS: _____

SUBJECT: ORDINANCE NO. 2464 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF APOPKA, CHAPTER 46 “FIRE PREVENTION AND PROTECTION”, ARTICLE III, “FIRE CODES AND STANDARDS”, SECTION 46-76 TO ADOPT THE FLORIDA FIRE PREVENTION CODE AND THE LIFE SAFETY CODE; AMENDING SECTION 46-78, THE FLORIDA FIRE PREVENTION CODE, CHAPTER 13, “FIRE PROTECTION SYSTEMS” PARAGRAPH 13.3.1.2, “GENERAL”; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Request: ACCEPT THE SECOND READING AND ADOPT ORDINANCE NO. 2464.

SUMMARY:

Pursuant to Chapter 166 of the Florida Statutes, the State Fire Marshall has adopted a statewide fire safety code. The law establishing the code allows for local amendments to the unified standards. Ordinance No. 2464 adopts the Florida Fire Prevention Code and the Life Safety Code, and provides for a local amendment which continues the City’s policy of requiring automatic sprinklers be installed in buildings that are 7,500 square feet or more in gross area, or two stories or more in height, and be maintained in full operating condition to comply with the standards listed in the Florida Fire Prevention Code, 5th Edition.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Adopt Ordinance No. 2464.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

ORDINANCE NO. 2464

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA AMENDING CHAPTER 46, "FIRE PREVENTION AND PROTECTION" OF THE APOPKA MUNICIPAL CODE, BY AMENDING ARTICLE III, "FIRE CODES AND STANDARDS", SECTION 46-76 TO ADOPT THE FLORIDA FIRE PREVENTION CODE (NFPA 1) AND THE LIFE SAFETY CODE (NFPA 101) BY REFERENCE; AMENDING SECTION 46-78, THE FLORIDA FIRE PREVENTION CODE, CHAPTER 13, "FIRE PROTECTION SYSTEMS", PARAGRAPH 13.3.1.2, "GENERAL"; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, Chapter 166, F.S., empowers the City of Apopka to adopt regulations which furthers a municipal purpose; and

Whereas, the City of Apopka has adopted regulations relative to Fire Prevention and Protection, Chapter 46 of the Apopka Municipal Code, in the interest of protecting the general welfare of its citizens; and

Whereas, the State Fire Marshal has, pursuant to Chapter 633.0215 F.S., has adopted the "Florida Fire Prevention Code" which shall be applicable to all local governments throughout the State; and

Whereas, Chapter 633.0215 F.S. allows for local government to adopt local amendments to the "Florida Fire Prevention Code", provided such amendment does not provide a lesser degree of life safety and meets certain criteria of Chapter 633.0215 F.S.; and

Whereas, the City Council of the City of Apopka, Florida, in light of the above recitals, has determined that the continued protection of the health, safety and welfare of its citizens requires that Chapter 46 of the Apopka Code of Ordinances be amended.

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

SECTION I. That Chapter 46. Fire Prevention and Protection, Article III. Fire Codes and Standards, Division 1. Generally, of the Apopka Municipal Code be amended to read as follows:

ARTICLE III. FIRE CODES AND STANDARDS

DIVISION 1. GENERALLY

Sec. 46-76. Standards adopted pursuant to Florida Statutes 633.025 (Minimum Fire Safety Standards).

- (a) The following codes are hereby adopted: The Florida Fire Prevention Code (NFPA 1) and the Life Safety Code (NFPA 101) as adopted by the State Fire Marshall pursuant to Chapter 633.0215 are hereby adopted by reference as if set out at length herein, except NFPA 1 Section ~~7-3.1.4~~ 13.3.1.2. Section ~~7-3.1.4~~ 13.3.1.2 shall be adopted as modified in Section 46-78 of this chapter.
- (b) Any person who shall violate any provisions of the standards adopted in subsection (a) of this section shall be subject to enforcement procedures as provided for in this code.

If there shall be any conflict between the provisions of the standards adopted in subsection (a) of this section and the provisions of this chapter, the provisions of this chapter will prevail as permitted by State law.

Section 46-78. Amendment to Section ~~7-3.1~~ 13.3.1.2 of the Florida Fire Prevention Code (NFPA 1) (~~2000~~ 2012).

The Florida Fire Prevention Code (NFPA 1), Chapter ~~7~~ 13, "Fire Protection Systems", Section 13.3.1.2 – "General", is hereby amended and adopted as follows:

~~7-3.3.3~~ 13.3.1.2 Automatic sprinklers shall be installed and maintained in full operating condition, and comply with the standards listed in ~~Chapter 32~~ the Florida Fire Prevention Code, 5th Edition. All new assembly, mercantile, industrial, educational, storage, business, occupancies including commercial structures, apartments, and timesharing arrangements, that are 7,500 square feet or more in gross area, or two stories or more in height, shall be protected throughout by an approved automatic sprinkler system in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems; NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and including Four Stories in Height; NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, as appropriate.

Exception No. 1: Sections of the Florida Fire Prevention Code or the Life Safety Code adopted in 46-76 that require the installation of an automatic sprinkler system in occupancies or areas less than 7500 sq. ft. shall apply and shall not be considered in conflict with the amended Section ~~7-3.1.4~~ 13.3.1.2.

Secs. 46-79 – 46-90. Reserved.

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

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

SECTION IV. That the City Clerk shall transmit a copy of this ordinance to the Florida Building Commission and to the State Fire Marshal within 30 days of final adoption.

SECTION V. This ordinance shall take effect upon adoption.

FIRST READING: November 18, 2015

SECOND READING

AND ADOPTION: December 2, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: November 20, 2015

Backup material for agenda item:

7. Ordinance 2465 – Second Reading - Annexation

David Moon



CITY OF APOPKA CITY COUNCIL

	CONSENT AGENDA	MEETING OF:	December 2, 2015
<u>X</u>	PUBLIC HEARING	FROM:	Community Development
	SPECIAL REPORTS	EXHIBITS:	Exhibit "A" Summary of Cycle 3
<u>X</u>	OTHER: Annexation		Ordinance No. 2465
			Vicinity Map

SUBJECT: 2015 ANNEXATION - CYCLE NO. 3

Request: SECOND READING & ADOPTION OF ORDINANCE NUMBER: 2465 – JERRY KIRKLAND AND LANNETTE KIRKLAND AND HOLD OVER FOR SECOND READING AND ADOPTION.

SUMMARY:

OWNERS: Jerry Kirkland and Lannette Kirkland

LOCATION: 3707 Rock Springs Road

LAND USE: Refer to Exhibit "A"

EXISTING USE: Refer to Exhibit "A"

TRACT SIZE: 4.92 +/- acres

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through additional action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on November 4, 2015.

DULY ADVERTISED:

November 6, 2015 - 1/4 Page Public Hearing Advertisement
November 13, 2015 - 1/4 Page Public Hearing Advertisement
November 20, 2015 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:

November 18, 2015 (7:00 pm) - City Council 1st Reading
December 2, 2015 (1:30 pm) - City Council 2nd Reading and Adoption

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the 2015 Annexation Cycle #3.

The **City Council**, at its meeting on November 18, 2015, accepted the First Reading of Ordinance No. 2465 and held it over for Second Reading and Adoption on December 2, 2015.

Adopt Ordinance No. 2465.

EXHIBIT "A"
CITY OF APOPKA
2015 ANNEXATION CYCLE # 3

TOTAL ACRES: 42.07 +/-

ANNEXATION ORDINANCE No.s.: 2459-2463

Adopted this 2th day of December, 2015

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2459	1	JTD Land at Rogers Rd., LLC	2303 Rogers Road	29-20-28-0000-00-004 29-20-28-0000-00-026	30.52	Vacant Land	Low Density Residential Max. 4du/ac
2460	2	Huy Tran Hai Anh Nguyen	904 Schopke Lester Road	06-21-28-7172-14-071	4.42	SFR	Low Density Residential Max. 4du/ac
2461	3	Property Industrial Enterprises, LLC	300 West 2 nd Street	09-21-28-0868-01-240	0.42	SFR	Low Density Residential Max. 4du/ac
2462	4	Debra Evans Cargil	202 South Hawthorne Avenue	09-21-28-0868-01-230	0.32	SFR	Low Medium Density Residential Max. 10du/ac
2463	5	Apopka Clear Lake Investments, LLC	Peterson Road	07-21-28-0000-00-064	1.47	Vacant Land	Rural 1du/10 Acres
2465	6	Jerry Kirkland Lannette Kirkland	3707 Rock Springs Road	22-20-28-0000-00-005	4.92	SFR	Rural 1du/5 Acres
				TOTAL ACRES	37.15		

g:\Shared\4020\PLANNING_ZONING\Annexations\2015\Cycle 3

ORDINANCE NO. 2465

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY JERRY KIRKLAND AND LANNETTE KIRKLAND, LOCATED AT 3707 ROCK SPRINGS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Jerry Kirkland and Lannette Kirkland owners thereof, have petitioned the City Council of the City of Apopka, Florida, to annex the property located at 3707 Rock Springs Road; and

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

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

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

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling 4.92 +/- acres, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Description:

S1/4 OF S1/2 OF NW1/4 OF NW1/4 OF SEC 22-20-28 (LESS W 30 FT RD)
Contains: 4.92 +/- Acres

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

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

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

ORDINANCE NO.: 2465

PAGE 2

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

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

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

READ FIRST TIME: November 18, 2015

READ SECOND TIME

AND ADOPTED: December 2, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: October 23, 2015; October 30, 2015;
November 6, 2015; November 13, 2015;
November, 20, 2015

ANNEXATION
JERRY AND LANNETTE KIRKLAND
3707 ROCK SPRINGS ROAD



Exhibit "A"
Ord. # 2465
Parcel ID: 22-20-28-0000-00-005

Total Acres: 4.92 +/-

VICINITY MAP



Backup material for agenda item:

8. Ordinance 2467 – First Reading – Small Scale Future Land Use Amendment David Moon



CITY OF APOPKA CITY COUNCIL

☒ PUBLIC HEARING
☐ ANNEXATION
☐ PLAT APPROVAL
☒ OTHER: Ordinance

DATE: December 2, 2015
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Adjacent Zoning Map
Adjacent Uses Map
Existing Uses Map
Ordinance No. 2467

SUBJECT: **ORDINANCE NO. 2467 - COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE AMENDMENT – TECHNOLOGY PROPERTY LLC**

Request: **FIRST READING OF ORDINANCE NO. 2467 – TECHNOLOGY PROPERTY LLC FROM “COUNTY” RURAL SETTLEMENT (0-1 DU/5 AC) TO “CITY” COMMERCIAL (MAX FAR 0.25); AND HOLD OVER FOR SECOND READING & ADOPTION. (PARCEL ID #S: 27-21-28-6024-00-005; -006; -007)**

SUMMARY

APPLICANT: Lou Forges – Robinson Forges Realty International

OWNER: Technology Property LLC

LOCATION: West of Clarcona Rd, south of West Keene Rd

EXISTING USE: Vacant

CURRENT ZONING: “County” P-D (Planned Industrial Development) (ZIP)

PROPOSED DEVELOPMENT: Wholesale Commercial

PROPOSED ZONING: “City” C-3 (Wholesale Commercial) (Note: this Future Land Use Map amendment request is being processed along with a request to change the Zoning Map designation from “County” P-D (ZIP) to “City” C-3.)

TRACT SIZE: 9.4 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 1 Units
PROPOSED: 102,366 Sq. Ft.

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: Presently, the subject properties have not yet been assigned a “City” Future Land Use Designation or a “City” zoning category. Applicant is requesting the City to assign a future land use designation of Commercial to the properties.

The subject property was annexed into the City of Apopka on August 5, 2015, through the adoption of Ordinance No. 2439. The proposed Small-Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties containing less than ten acres are eligible to be processed as a small-scale amendment. Such process does not require review by State planning agencies.

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 9.4 acres. The property owner intends to use the site for eventual wholesale commercial development.

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).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Commercial Future Land Use designation and the City’s proposed C-3 Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed rezoning is to a non-residential zoning classification and, therefore, a capacity enhancement agreement with OCPS is not necessary because the proposed future land use designation will not generate any new residential units.

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 October 9, 2015.

PUBLIC HEARING SCHEDULE:

November 10, 2015 - Planning Commission (5:01 pm)
December 2, 2015- City Council (1:30 pm) - 1st Reading
December 16, 2015 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

October 30, 2015 – Public Notice and Notification
December 4, 2015 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends approval of the change in Future Land Use from “County” Rural (0-1 du/5 ac) to “City” Commercial (max FAR 0.25) for the properties owned by Technology Property LLC.

The **Planning Commission**, at its meeting on November 10, 2015, recommended approval (6-0) of the change in Future Land Use from “County” Rural (0-1 du/5 ac) to “City” Commercial (max. FAR 0.25) for the property owned by Technology Property LLC.

Accept the First Reading of Ordinance No. 2467; and Hold it Over for Second Reading and Adoption on December 16, 2015.

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

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Rural Settlement (1 du/5 ac)	A-1	Single-family home
East (City)	Agriculture (1 du/5 ac)	AG	Container nursery
South (County)	Rural Settlement (1 du/5 ac)	PD	RV park
West (County)	Rural Settlement (1 du/5 ac)	PD	RV park

II. LAND USE ANALYSIS

The general character of the area surrounding the subject property is compatible with this development of wholesale commercial uses. The property lies south of West Keene Rd and west of Clarcona Rd.

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 “Core Area” of the JPA.

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

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

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

Analysis of the character of the Property: The Property fronts Clarcona Rd. The vegetative communities present are urban; the soils present are Candler fine sand; and no wetlands occur on the site, and the terrain has a 0-5 percent slope.

The proposed amendment is consistent with the Comprehensive Plan, including Policy 3.1.i Commercial Future Land Use designation.

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 increase the City's future population.

CALCULATIONS:

ADOPTED (City designation): 1 Unit(s) x 2.659 p/h = 3 persons
PROPOSED (City designation): N/A

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

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

Potable Water, Reclaimed Water & Sanitary Sewer Analysis: The subject properties are located within the Orange County Utilities service area for potable water, reclaimed water and sanitary service. The property owner will need to provide a letter from Orange County Utilities demonstrating available capacity prior to submittal of any development plan.

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: 4 lbs./person/day
4. Projected LOS under proposed designation: 2 lbs./person/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.

Drainage Analysis

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

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: 0.003 AC

3. Projected facility under proposed designation: N/A AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment:
None

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



Technology Property LLC
9.4 +/- Acres

Existing Maximum Allowable Development: 1 dwelling units

Proposed Maximum Allowable Development: 102, 366 sq. ft.

Proposed Small Scale Future Land Use Change

From: "County" Rural Settlement (0-1 du/5 ac)

To: "City" Commercial (max. FAR 0.25)

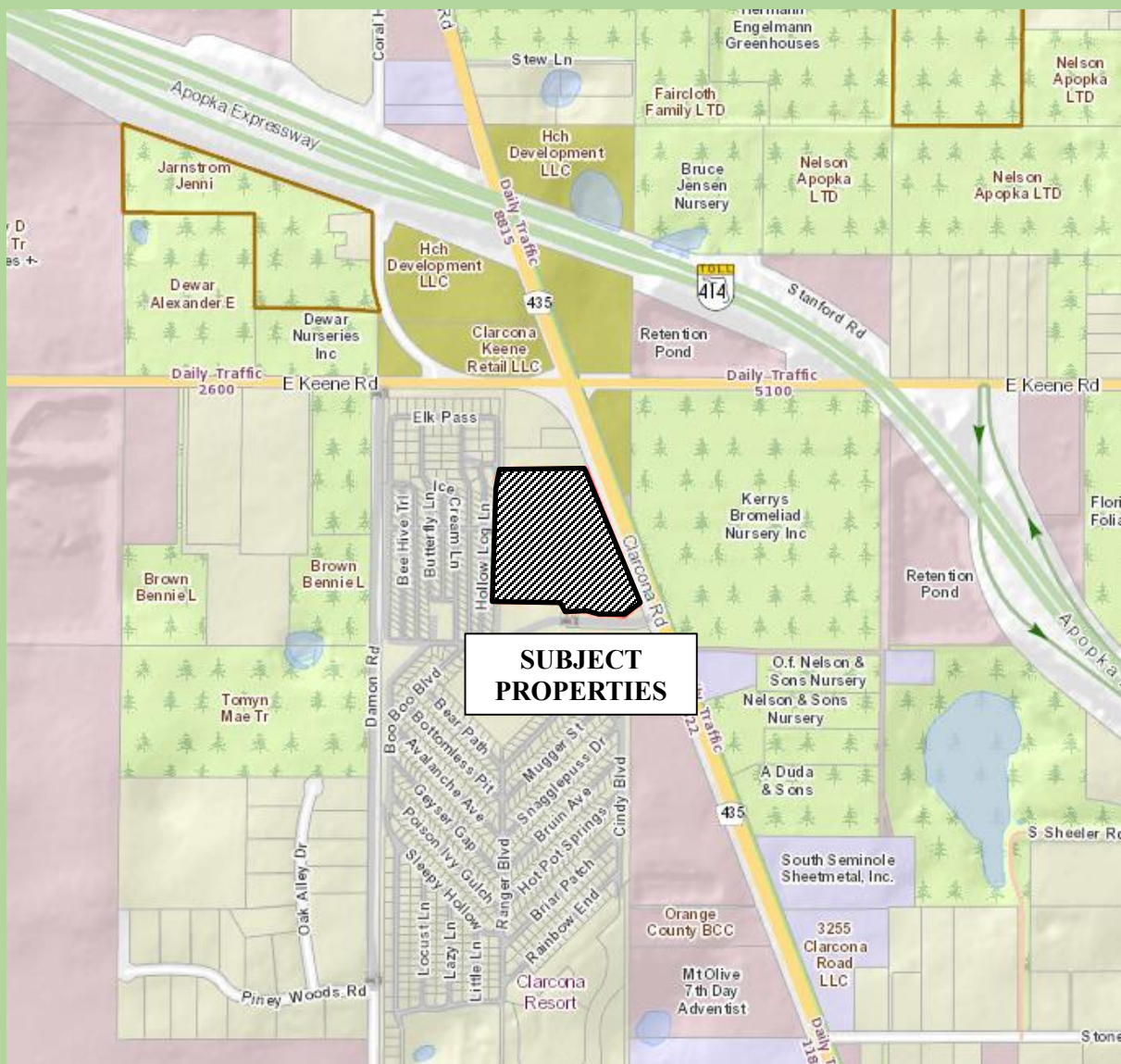
Proposed Zoning Change

From: "County" P-D (ZIP)

To: "City" C-3

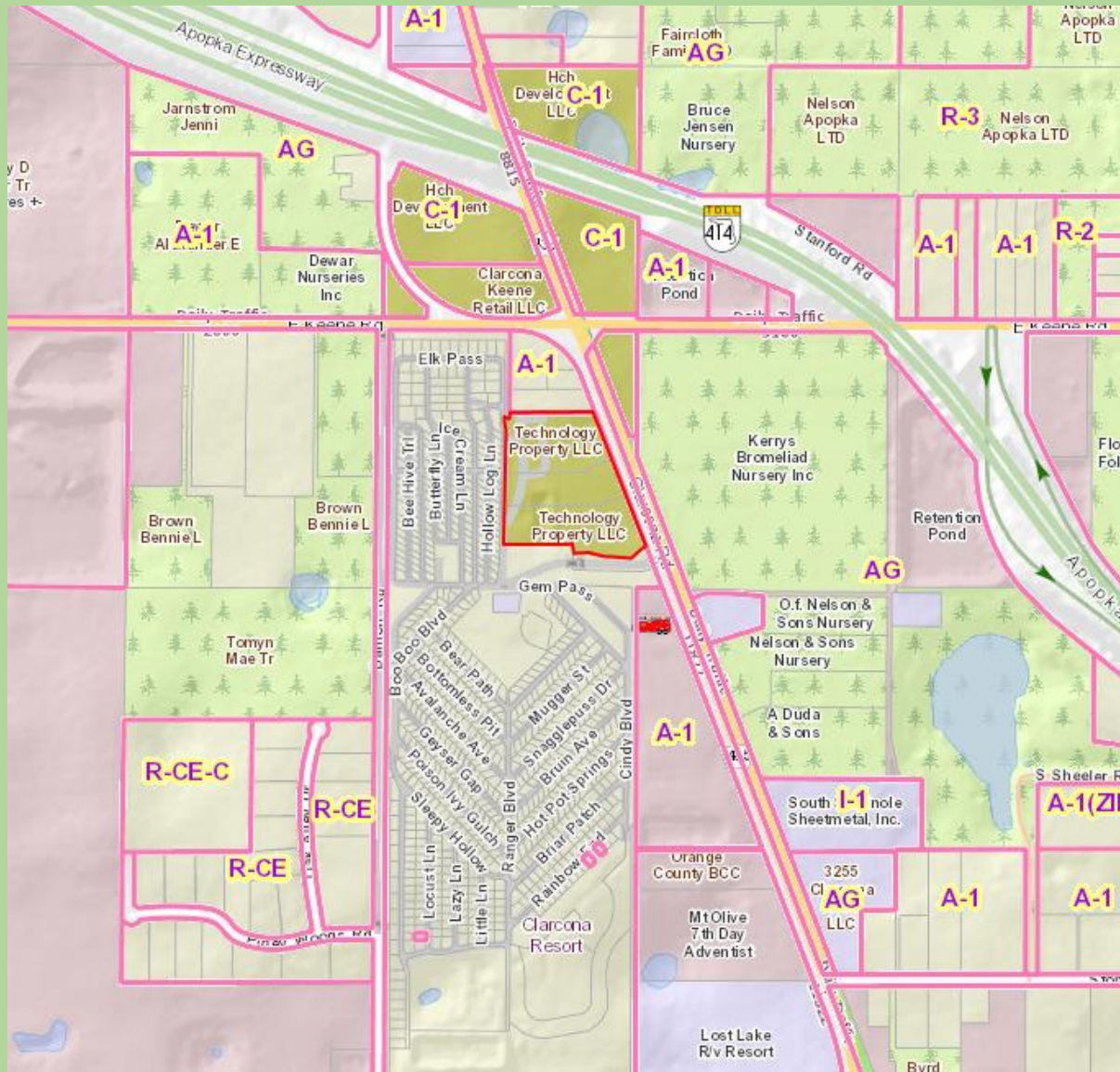
Parcel ID #: 27-21-28-6024-00-005; -006; -007

VICINITY MAP



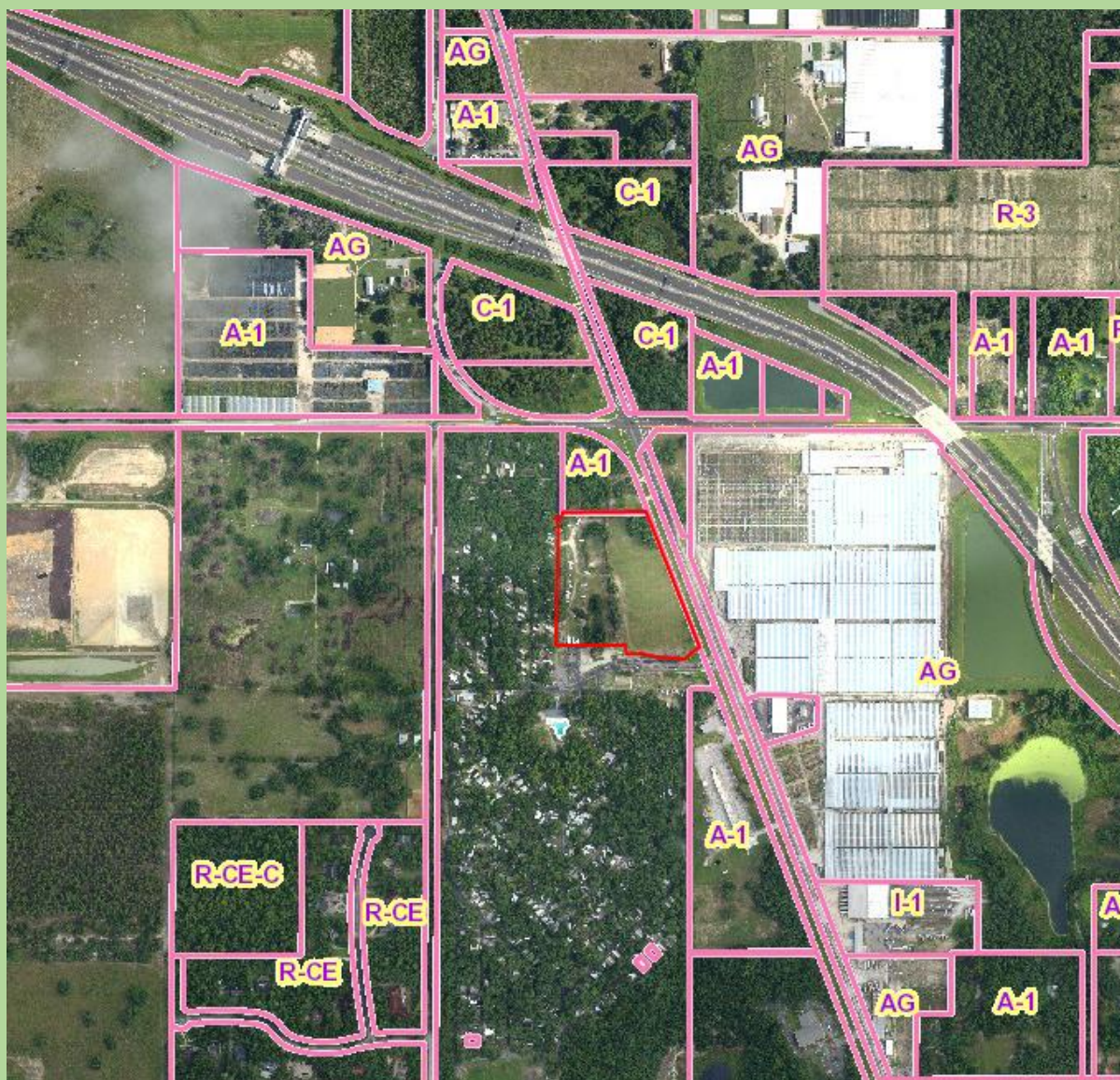


ADJACENT ZONING





ADJACENT USES





EXISTING USES



ORDINANCE NO. 2467

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” RURAL SETTLEMENT (0-1 DU/5 AC) TO “CITY” COMMERCIAL (0.6 FAR), FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF CLARCONA ROAD, SOUTH OF WEST KEENE ROAD, COMPRISING 9.4 ACRES MORE OR LESS, AND OWNED BY TECHNOLOGY PROPERTY LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2443 on September 2, 2015; and

WHEREAS, the City of Apopka’s local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

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

Section I. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section II. Future Land Use Element.

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2443, is amended in its entirety to change the land use from “County” Rural Settlement (0-1 du/5 ac) to “City” Commercial (0.6 FAR), for certain real property generally located west of Clarcona Road, south of West Keene Road, comprising 9.4 acres more or less, (Parcel No. 27-21-28-6024-00-005; 27-21-28-6024-00-006; 27-21-28-6024-007; as further described in Exhibit “A” attached hereto.

Section III. Applicability and Effect.

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section IV. Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

ORDINANCE NO. 2467
PAGE 2

Section V. The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

Section VI. Effective Date.

This Ordinance shall become effective upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this _____ day of _____, 2015.

READ FIRST TIME: December 2, 2015

READ SECOND TIME
AND ADOPTED: December 16, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR HEARING: October 30, 2015
 December 4, 2015

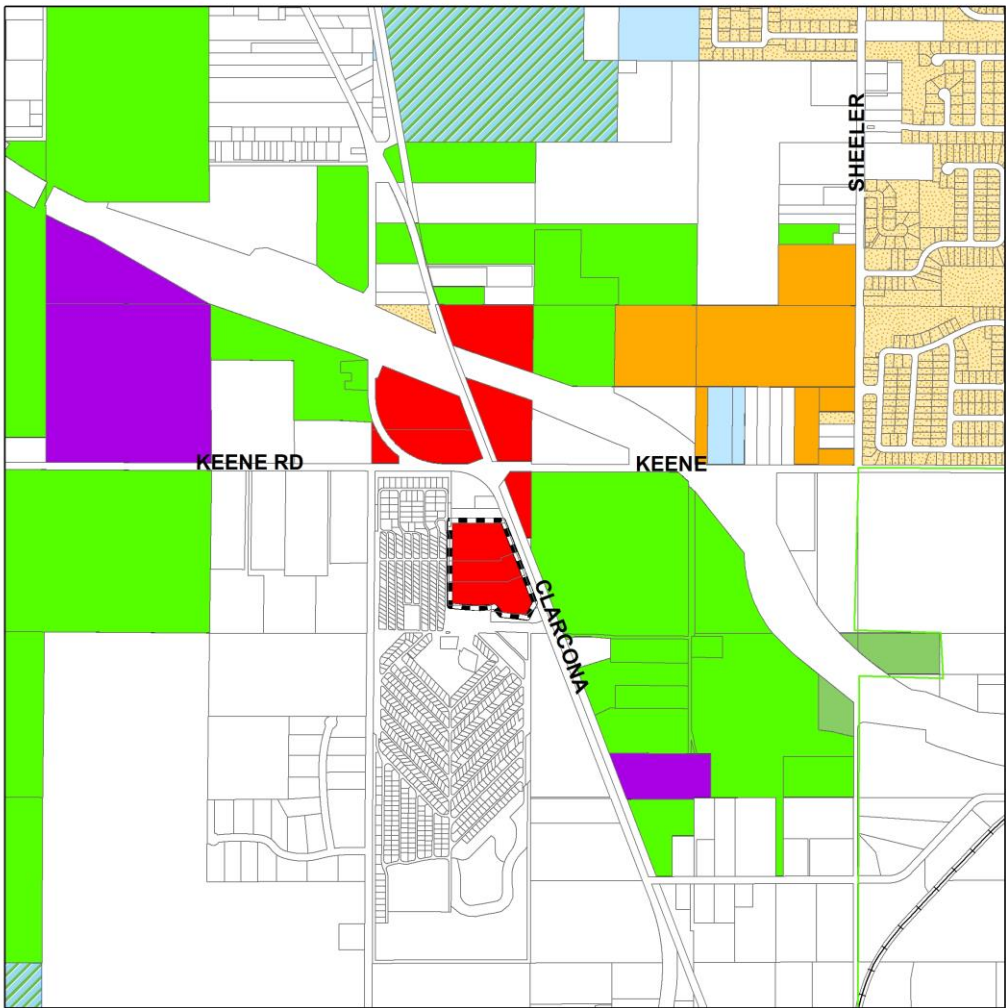
EXHIBIT "A"

ORDINANCE NO. 2467
Technology Property LLC
9.4 +/- Acres

Existing Maximum Allowable Development: 1 dwelling units
Proposed Maximum Allowable Development: 102, 366 sq. ft.
Proposed Small Scale Future Land Use Change
From: "County" Rural Settlement (0-1 du/5 ac)
To: "City" Commercial (max. FAR 0.25)
Proposed Zoning Change
From: "County" P-D (ZIP)
To: "City" C-3
Parcel ID #: 27-21-28-6024-00-005; -006; -007



VICINITY MAP



City of Apopka
Future Land Use Map



0 0.0450.09 0.18 0.27 0.36 Miles

Source: City of Apopka and Orange County Property Appraiser
Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.
The City of Apopka does not assume responsibilities for errors or omissions contained hereon.

Legend

- Subject Sites
- City Boundary
- JPA Boundary
- Future Land Use
 - Agriculture
 - Agriculture Estates
 - Agriculture Homestead
 - Rural Settlement
 - Res. Estates
 - Res. Very Low Suburban
 - Res. Low Suburban
 - Res. Low
 - Res. Medium Low
 - Res. Medium
 - Res. High
 - Mixed Use
 - Mixed Use*
 - Office
 - Commercial
 - Commercial*
 - Industrial
 - Industrial*
 - Institutional/Public Use
 - Conservation
 - Parks/Recreation
 - ANNEX



Backup material for agenda item:

9. Ordinance 2468 – First Reading – Change of Zoning

David Moon



CITY OF APOPKA CITY COUNCIL

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	December 2, 2015
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Zoning Report
<input checked="" type="checkbox"/> OTHER: Ordinance		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Existing Uses Map
		Ordinance No. 2468

SUBJECT: **ORDINANCE NO. 2468 - CHANGE OF ZONING – TECHNOLOGY PROPERTY, LLC**

Request: **FIRST READING OF TECHNOLOGY PROPERTY ROAD PROPERTY, LLC - FROM “COUNTY” P-D (ZIP) TO “CITY” C-3 (WHOLSALE COMMERCIAL); AND HOLD OVER FOR SECOND READING & ADOPTION ON DECEMBER 16, 2015. (PARCEL ID # 27-21-28-6024-00-005; -006; -007)**

SUMMARY

APPLICANT: Lou Forges – Robinson Forges Realty International

OWNER: Technology Property LLC

LOCATION: West of Clarcona Rd, south of West Keene Rd

EXISTING USE: Vacant

FUTURE LAND USE: “County” Rural Settlement (0-1 du/5 ac)

PROPOSED LAND USE: “City” Commercial (max. FAR 0.25) (Note: this Change of Zoning amendment request is being processed along with a request to change the Future Land Use Map designation from “County” Rural Settlement (0-1 du/5 ac) to “City” Commercial (max FAR 0.25).

ZONING: “County” P-D (ZIP)

PROPOSED ZONING: “City” C-3 (Wholesale Commercial) (min. lot area of 12,000 sq. ft.)

PROPOSED DEVELOPMENT: Wholesale Commercial

TRACT SIZE: 9.4 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING ZONING: 1 Residential Units
PROPOSED ZONING: 102,366 sq. ft.

DISTRIBUTION

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

ADDITIONAL COMMENTS: Presently, the subject properties have not yet been assigned a “City” Future Land Use Designation or a “City” zoning category. Applicant is requesting the City to assign a zoning category of C-3 to the properties.

The subject properties were annexed into the City of Apopka on August 5, 2015, through the adoption of Ordinance No. 2439. The proposed zoning change is compatible with the character of the surrounding area and the subject parcels are vacant. The applicant has requested the C-3 zoning to assure that the property can be developed for wholesale commercial. The property comprises approximately 9.4 acres.

Staff has analyzed the proposed amendment and determined that adequate City of Apopka public facilities exist to support this zoning change (see attached Zoning Report). The subject properties are located within the Orange County Utilities service area for potable water, reclaimed water and sanitary service. The property owner will need to provide a letter from Orange County Utilities demonstrating available capacity prior to submittal of any development plan.

COMPREHENSIVE PLAN COMPLIANCE: The proposed C-3 rezoning is consistent with the proposed Future Land Use Designation of Commercial (max. FAR 0.25) for this property. Minimum lot size for property assigned the C-3 zoning category is 12,000 sq. ft. for commercial development, and the site far exceeds this area with approximately 9.4 acres.

SCHOOL CAPACITY REPORT: The proposed rezoning is to a non-residential zoning classification and, therefore, a capacity enhancement agreement with OCPS is not necessary.

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 October 9, 2015.

PUBLIC HEARING SCHEDULE:

November 10, 2015 - Planning Commission (5:01 pm)
December 2, 2015- City Council (1:30 pm) - 1st Reading
December 16, 2015 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

October 30, 2015 – Public Notice and Notification
December 4, 2015 – Ordinance Heading Ad w/Map/¹/₄ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, recommending approval of the change in Zoning “County” PD (ZIP) to “City” C-3 (Wholesale Commercial) for the properties owned by Technology Property LLC.

The **Planning Commission**, at its meeting on November 10, 2015, recommended approval (6-0) of change in zoning from “County” P-D (ZIP) to “City” C-3 for the parcel owned by Technology Property LLC.

Accept the First Reading of Ordinance No. 2468; and Hold it Over for Second Reading and Adoption on December 16, 2015.

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:

North (County)	Rural Settlement (1 du/5 ac)	A-1	Single-family home
East (City)	Agriculture (1 du/5 ac)	AG	Container nursery
South (County)	Rural Settlement (1 du/5 ac)	PD	RV park (Jelly Stone RV Park\Clarcona Resort)
West (County)	Rural Settlement (1 du/5 ac)	PD	RV park (Jelly Stone RV Park\Clarcona Resort)
North (County)	Rural Settlement (1 du/5 ac)	A-1	Single-family home

LAND USE & TRAFFIC COMPATIBILITY:

The subject property fronts a minor arterial (Clarcona Road). Current access occurs on a temporary basis from the RV park. Future development of the site will likely require a change in the access to a driveway connecting the subject property directly to Clarcona Road.

The zoning application covers approximately 9.4 acres. The property owner intends to use the property for future wholesale commercial.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed C-3 zoning is consistent with the Commercial (max. FAR 0.25) Future Land Use designation and with the character of the surrounding area and future proposed development. Per Section 2.02.01, Table II-1, of the Land Development Code, C-3 zoning is one of the acceptable zoning districts allowed within the Residential Low Density Future Land Use designation. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

C-3 DISTRICT REQUIREMENTS:

Maximum Floor Area Ratio:	0.25
Minimum Site Area:	12,000 sq. ft.
Minimum Lot Width	100 ft.
Setbacks: Front:	10 ft. (30 ft. from residential)
Rear:	15 ft. (30 ft. from residential)
Side:	10 ft. (30 ft. from residential)
Corner	15 ft.

Based on the above zoning standards, the existing 9.4 acre parcels comply with code requirements for the C-3 district.

BUFFERYARD REQUIREMENTS:

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

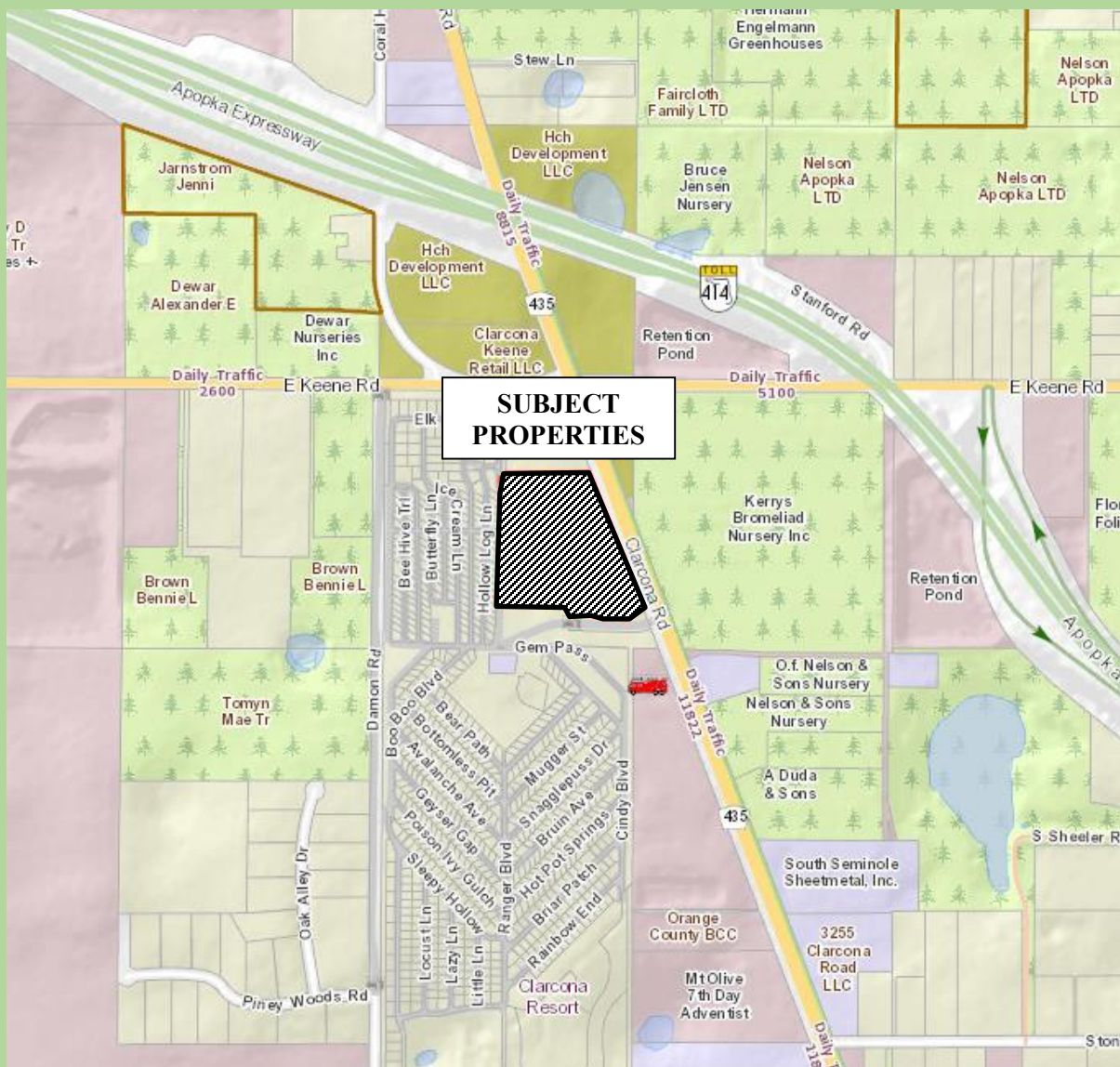
ALLOWABLE USES:

Any use permitted in the C-2 General Commercial District, as well as heating and air conditioning sales, building material storage and sales, contractor's storage and equipment yards, mechanical garage, automobile body and painting shops. Trade shops and schools, truck stops, fruit packaging and processing facilities when accessory to retail fruit sale on-site. Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district.



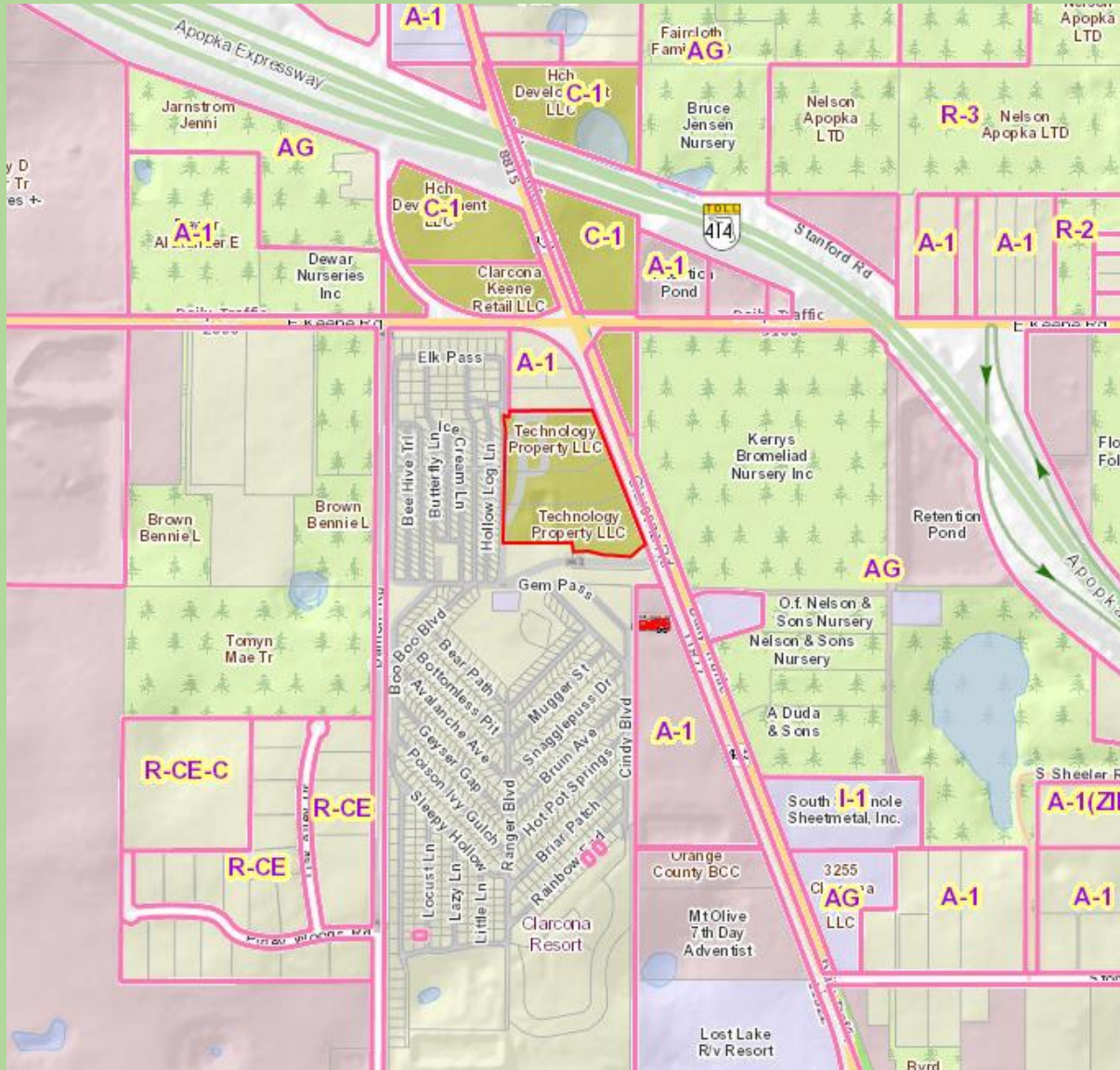
Technology Property LLC
9.4 +/- Acres
Existing Maximum Allowable Development: 1 dwelling units
Proposed Maximum Allowable Development: 102,366 sq. ft.
Proposed Small Scale Future Land Use Change
From: “County” Rural Settlement (0-1 du/5 ac)
To: “City” Commercial (max. FAR 0.25)
Proposed Zoning Change
From: “County” P-D (ZIP)
To: “City” C-3
Parcel ID #: 27-21-28-6024-00-005; -006; -007

VICINITY MAP



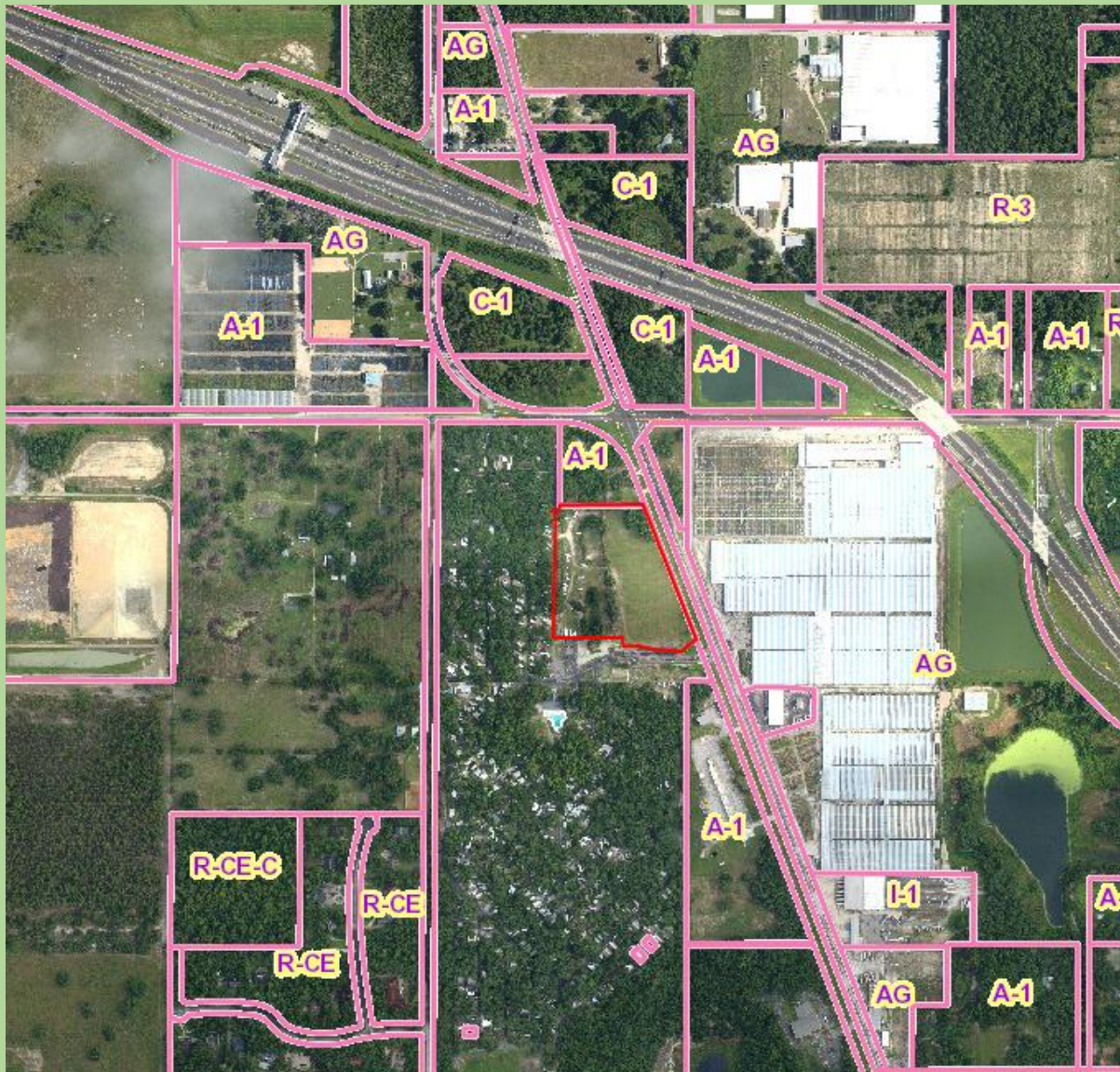


ADJACENT ZONING





ADJACENT USES





EXISTING USES



ORDINANCE NO. 2468

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” P-D (ZIP) TO “CITY” C-3 (WHOLESALE COMMERCIAL) (0.25 FAR) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF CLARCONA ROAD, SOUTH OF WEST KEENE ROAD, COMPRISING 9.4 ACRES MORE OR LESS, AND OWNED BY TECHNOLOGY PROPERTY LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

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

WHEREAS, the proposed C-3 (Wholesale Commercial) (0.25 FAR) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property, being situated in the City of Apopka, Florida, is hereby C-3 (Wholesale Commercial), as defined in the Apopka Land Development Code.

Legal Description:

OAK HEIGHTS REPLAT S/8 COMM NW COR OF NE1/4 OF NW1/4 OF SEC 27-21-28 TH RUN S89-49-06E 645.67 FT TH RUN S00-17-40W 475.57 FT TO POB TH CONT S00-17-40W 25 FT TH S89-58-35W 25 FT TH RUN S00-17-40W 13.02 FT TO CURVE CONCAVE NELY RAD 105 FT DELTA 18-11-44 SELY FOR 33.34 FT TO REVERSE CURVE CONCAVE SWLY RAD OF 95 FT DELTA 08-17-04 SELY FOR 13.74 FT TO REVERSE CURVE CONCAVE NELY RAD 25 FT DELTA 13-22-59 SELY FOR 5.84 FT TH S01-29-51W 215.22 FT TH N89-58-35E 416.69 FT TH N69-01-28E 10 FT TH N20-58-32W 18.89 FT TH N69-01-28 E 135 FT TH N20-58-32W 252.08 FT TH S89-58-35W 434.24 FT TO POB (LESS THE W 3 FT LYING WITHIN THE FOLLOWING DESC: COMM AT NW COR OF NE1/4 OF NW1/4 PF SEC TH S89-49-06E 645.67 FT TO W LINE OF E1/2 OF NE1/4 OF NW1/4 AND W LINE OF OAK HGTS REP S/8 TH S00-17-40W 475.58 FT ALONG SAID LINE TO S LINE OF N120 FT OF S1009.3 FT OF OAK HGTS REP TH N89-58-35E 434.24 FT TO WLY R/W LINE OF SR 435 (CLARCONA RD) TH S20-58-33E 729.76 FT TO NE COR OF TR T-10 YOGI BEAR'S JELLYSTONE PARK CAMP RESORT (APOPKA) TH N88-30-09W 722.91 FT ALONG SAID TR T-10 AND N LINE OF TR C TO POB TH N88-30-09W 3 FT TO NW COR OF TR C TH N01-29-51E 572.67 FT TH S88-30-09E 3 FT TH S01-29-51W 572.67 FT TO POB PER 10831/5459); AND OAK HEIGHTS REPLAT S/8 COMM NW COR OF NE1/4 OF NW1/4 OF SEC 27-21-28 TH RUN S89-49-06E 645.67 FT TH RUN S00-17-40W 500.57 FT TH RUN S89-58-35W 25 FT TH S00-17-40W 13.02 FT TO CURVE CONCAVE NELY RAD 105 FT DELTA 18-11-44 SELY FOR 33.34 FT TO REVERSE CURVE CONCAVE SWLY RAD 95 FT DELTA 08-17-04 SELY FOR 13.74 FT TO REVERSE CURVE CONCAVE

NELY RAD 25 FT DELTA 13-22-59 SELY FOR 5.84 FT TH S01-29-51W 215.22 FT TO POB TH CONT S01-29-51W 167.76 FT TH N89-58-35E 492.56 FT TH N30-44-24E 8.03 FT TH N69-01-28E 131.97 FT TH N20-58-32W 196.07 FT TH S69-01-28W 135 FT TH S20-58-32E 18.89 FT TH S69-01-28W 10 FT TH S89-58-35W 416.69 FT TO POB (LESS THE W 3 FT LYING WITHIN THE FOLLOWING DESC: COMM AT NW COR OF NE1/4 OF NW1/4 PF SEC TH S89-49-06E 645.67 FT TO W LINE OF E1/2 OF NE1/4 OF NW1/4 AND W LINE OF OAK HGTS REP S/8 TH S00-17-40W 475.58 FT ALONG SAID LINE TO S LINE OF N120 FT OF S1009.3 FT OF OAK HGTS REP TH N89-58-35E 434.24 FT TO WLY R/W LINE OF SR 435 (CLARCONA RD) TH S20-58-33E 729.76 FT TO NE COR OF TR T-10 YOGI BEAR'S JELLYSTONE PARK CAMP RESORT (APOPKA) TH N88-30-09W 722.91 FT ALONG SAID TR T-10 AND N LINE OF TR C TO POB TH N88-30-09W 3 FT TO NW COR OF TR C TH N01-29-51E 572.67 FT TH S88-30-09E 3 FT TH S01-29-51W 572.67 FT TO POB PER 10831/5459); AND OAK HEIGHTS REPLAT S/8 COMM NW COR OF NE1/4 OF NW1/4 OF SEC 27-21-28 TH RUN S89-49-06E 645.67 FT TH S00-17-40W 500.57 FT TH S89-58-35W 25 FT TH S00-17-40W 13.02 FT TO CURVE CONCAVE NELY RAD 105 FT DELTA 18-11-44 SELY FOR 33.34 FT TO REVERSE CURVE CONCAVE SWLY RAD 95FT DELTA 08-17-04 SELY FOR 13.74 FT TO REVERSE CURVE CONCAVE NELY RAD 25 FT DELTA 13-22-59 SELY FOR 5.84 FT TH S01-29-51W 382.89 FT TO POB TH CONT S01-29-51W 189.70 FT TH RUN S88-30-09E 318.32 FT TO CURVE CONCAVE SELY RAD 100 FT CHORD N81-23-00E NELY FOR 35.31 FT TH S01-29-51E 16.17 FT M/L TH S88-30-09E 373 FT TH N20-58-32W 281.60 FT TH S69-01-28W 131.97 FT TH S30-44-24W 8.03 FT TH S89-58-35W 492.56 FT TO POB & COMM AT SE CORNER OF OAK HGTS REP S/8 TH RUN N89-59-04E 129.21 FT TO W R/W OF APOPKA VINELAND ROAD TH N20-58-32W 107.53 FT TO POB SAID PT BEING SE CORNER OF TR T-10 OF YOGI BEARS JELLYSTONE PARK CAMP-RESORT 3347/2482; CONT N20-58-32W 115 FT TO POB TH S58-19-30W 50.88 FT TH S46-42-32W 45 FT TH N88-17-28W 120 FT TH N80-52-21W 115 FT TH N88-30-09W 64.49 FT TH N01-30-04E 43.83 FT TH S88-30-20E 373 FT TO POB PER 10831/5459 (LESS THE W 3 FT LYING WITHIN THE FOLLOWING DESC: COMM AT NW COR OF NE1/4 OF NW1/4 PF SEC TH S89-49-06E 645.67 FT TO W LINE OF E1/2 OF NE1/4 OF NW1/4 AND W LINE OF OAK HGTS REP S/8 TH S00-17-40W 475.58 FT ALONG SAID LINE TO S LINE OF N120 FT OF S1009.3 FT OF OAK HGTS REP TH N89-58-35E 434.24 FT TO WLY R/W LINE OF SR 435 (CLARCONA RD) TH S20-58-33E 729.76 FT TO NE COR OF TR T-10 YOGI BEAR'S JELLYSTONE PARK CAMP RESORT (APOPKA) TH N88-30-09W 722.91 FT ALONG SAID TR T-10 AND N LINE OF TR C TO POB TH N88-30-09W 3 FT TO NW COR OF TR C TH N01-29-51E 572.67 FT TH S88-30-09E 3 FT TH S01-29-51W 572.67 FT TO POB PER 10831/5459)

Parcel I.D.: 27-21-28-6024-00-005; 27-21-28-6024-00-006; & 27-21-28-6024-00-007

Contains: 9.4 +/- Acres

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

Section III. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

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

Section V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: December 2, 2015

READ SECOND TIME
AND ADOPTED: December 16, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: October 30, 2015
 December 4, 2015

Backup material for agenda item:

10. Ordinance 2469 – First Reading – Small Scale Future Land Use Amendment David Moon



CITY OF APOPKA CITY COUNCIL

☒ PUBLIC HEARING
☐ ANNEXATION
☐ PLAT APPROVAL
☒ OTHER: Ordinance

DATE: December 2, 2015
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Adjacent Zoning Map
Adjacent Uses Map
Existing Uses Map
Ordinance No. 2469

SUBJECT: **ORDINANCE NO. 2469 - COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE AMENDMENT – CITY OF APOPKA**

Request: **FIRST READING OF ORDINANCE NO. 2469 – CITY OF APOPKA FROM “CITY” PARKS/RECREATION TO “CITY” INDUSTRIAL (MAX FAR 0.60); AND HOLD OVER FOR SECOND READING & ADOPTION. (PARCEL ID #: 15-21-28-0000-00-080)**

SUMMARY

APPLICANT/OWNER: City of Apopka

LOCATION: North of East Cleveland Street, west of Sheeler Avenue

EXISTING USE: Vacant

CURRENT ZONING: PR

PROPOSED DEVELOPMENT: Light industrial

PROPOSED ZONING: I-1 (Note: this Future Land Use Map amendment request is being processed along with a request to change the Zoning Map designation from PR to I-1.)

TRACT SIZE: 9.95 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 0 Units
PROPOSED: 260,053 Sq. Ft.

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

G:\CommDev\PLANNING ZONING\SMALL SCALE FLU AMENDS\2015\City of Apopka\City Council 12 2 15_1st Rd

ADDITIONAL COMMENTS: The proposed Small-Scale Future Land Use Amendment is being requested by the City of Apopka. Pursuant to Florida law, properties containing less than ten acres are eligible to be processed as a small-scale amendment. Such process does not require review by State planning agencies.

A request to assign a Future Land Use Designation of Industrial is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 9.95 acres. The property owner intends to use the site for eventual light industrial development. Access to the site will occur from a road or driveway connecting to East Cleveland Street through an abutting City-owned property, unless another access is created to connect to 13th Street.

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).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Industrial Future Land Use designation and the City's proposed I-1 Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed rezoning is to a non-residential zoning classification and, therefore, a capacity enhancement agreement with OCPS is not necessary.

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 October 9, 2015.

PUBLIC HEARING SCHEDULE:

November 10, 2015 - Planning Commission (5:01 pm)
December 2, 2015- City Council (1:30 pm) - 1st Reading
December 16, 2015 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

October 30, 2015 – Public Notice and Notification
December 4, 2015 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in Future Land Use from Parks/Recreation to Industrial (max FAR 0.60) for the property owned by the City of Apopka.

The **Planning Commission**, at its meeting on November 10, 2015, recommended approval (6-0) of the change in Future Land Use from Parks/Recreation to Industrial (max. FAR 0.60) for the property owned by City of Apopka.

Accept the First Reading of Ordinance No. 2469; and Hold it Over for Second Reading and Adoption on December 16, 2015.

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

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Residential Medium (10 du/ac) and Industrial (max FAR 0.60)	IND-2/IND-3 (ZIP)	Light Industrial
East (City)	Residential Medium (10 du/ac)	R-1	Vacant
South (City)	Residential Medium (10 du/ac)	PUD	Vacant
West (City)	Parks/Recreation	PR	Vacant (City training site)

II. LAND USE ANALYSIS

The general character of the area surrounding the subject property is compatible with this development of light industrial uses. The property lies north of East Cleveland St and east of Clarcona Rd.

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 “Core Area” of the JPA.

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

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

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

Analysis of the character of the Property: The Property fronts E Cleveland St. The vegetative communities present are urban; the soils present are Candler fine sand; and no wetlands occur on the site, and the terrain has a 5-12 percent slope.

The proposed amendment is consistent with the Comprehensive Plan, including Policy 3.1.1 Industrial Future Land Use designation.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the property is Industrial (max FAR 0.60). Based on the housing element of the Comprehensive Plan, this amendment will increase the City's future population.

CALCULATIONS:

ADOPTED (City designation): N/A

PROPOSED (City designation): N/A

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

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: City of Apopka ; 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: 0 GPD
3. Projected total demand under proposed designation: 39,008 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

1. Facilities serving the site; current LOS; and LOS standard: City of Apopka ; 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: 0 GPD
3. Projected total demand under proposed designation: 52,011 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: No

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: N/A lbs./person/day
4. Projected LOS under proposed designation: 3 lbs./1000 sq. ft.
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): 21.981 GPD
- Total design capacity of the water treatment plant(s): 33.696 GPD
- Availability of distribution lines to serve the property: Yes
- Availability of reuse distribution lines available to serve the property: No

Drainage Analysis

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

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 c

2. Projected facility under existing designation: N/A AC
3. Projected facility under proposed designation: N/A AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment:
None

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

City of Apopka
9.95 +/- Acres

Existing Maximum Allowable Development: 0 dwelling units

Proposed Maximum Allowable Development: 260,053 sq. ft.

Proposed Small Scale Future Land Use Change

From: Parks/Recreation

To: Industrial (max. FAR 0.60)

Proposed Zoning Change

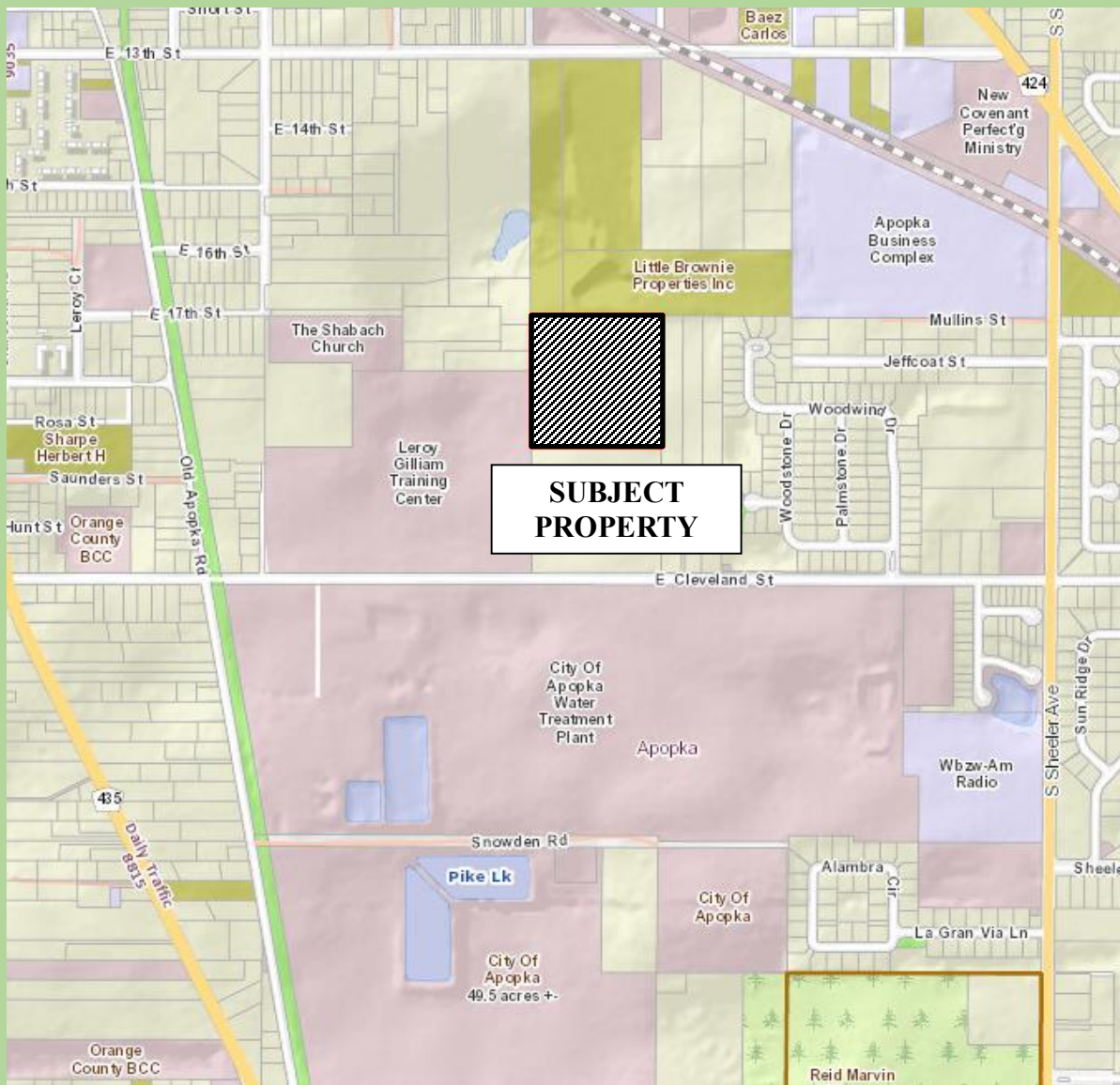
From: PR

To: I-1

Parcel ID #: 15-21-28-0000-00-080

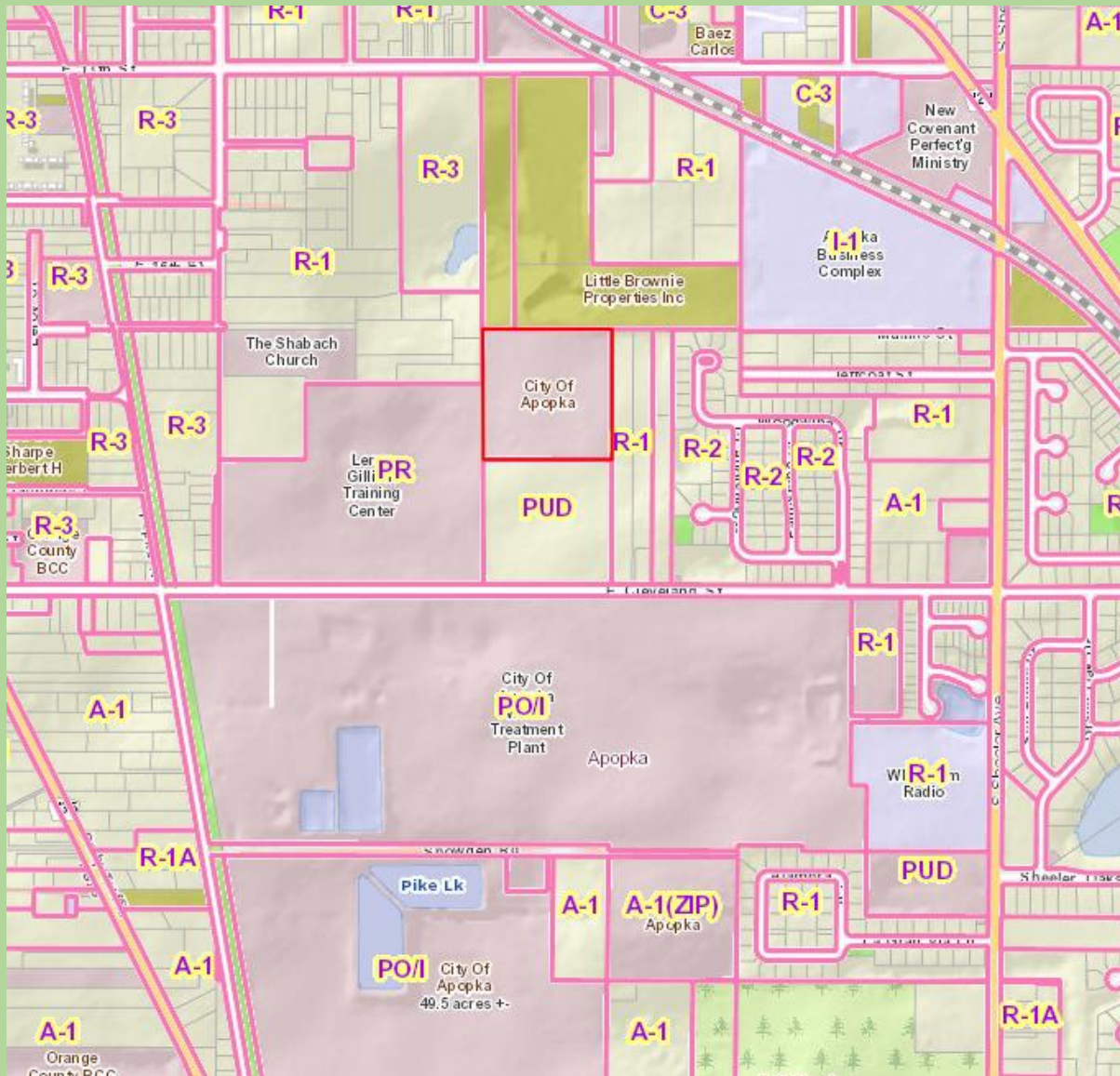


VICINITY MAP



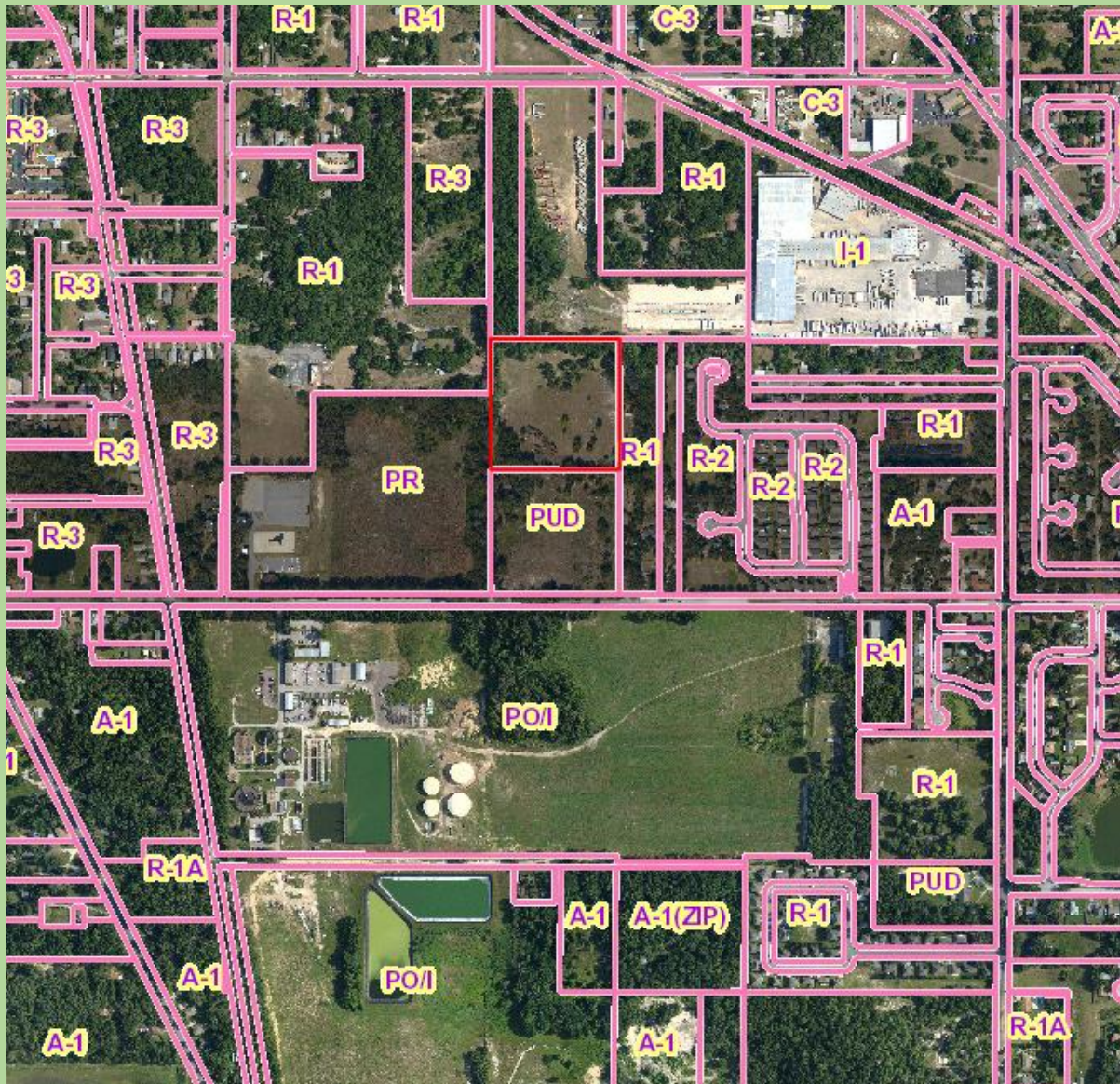


ADJACENT ZONING



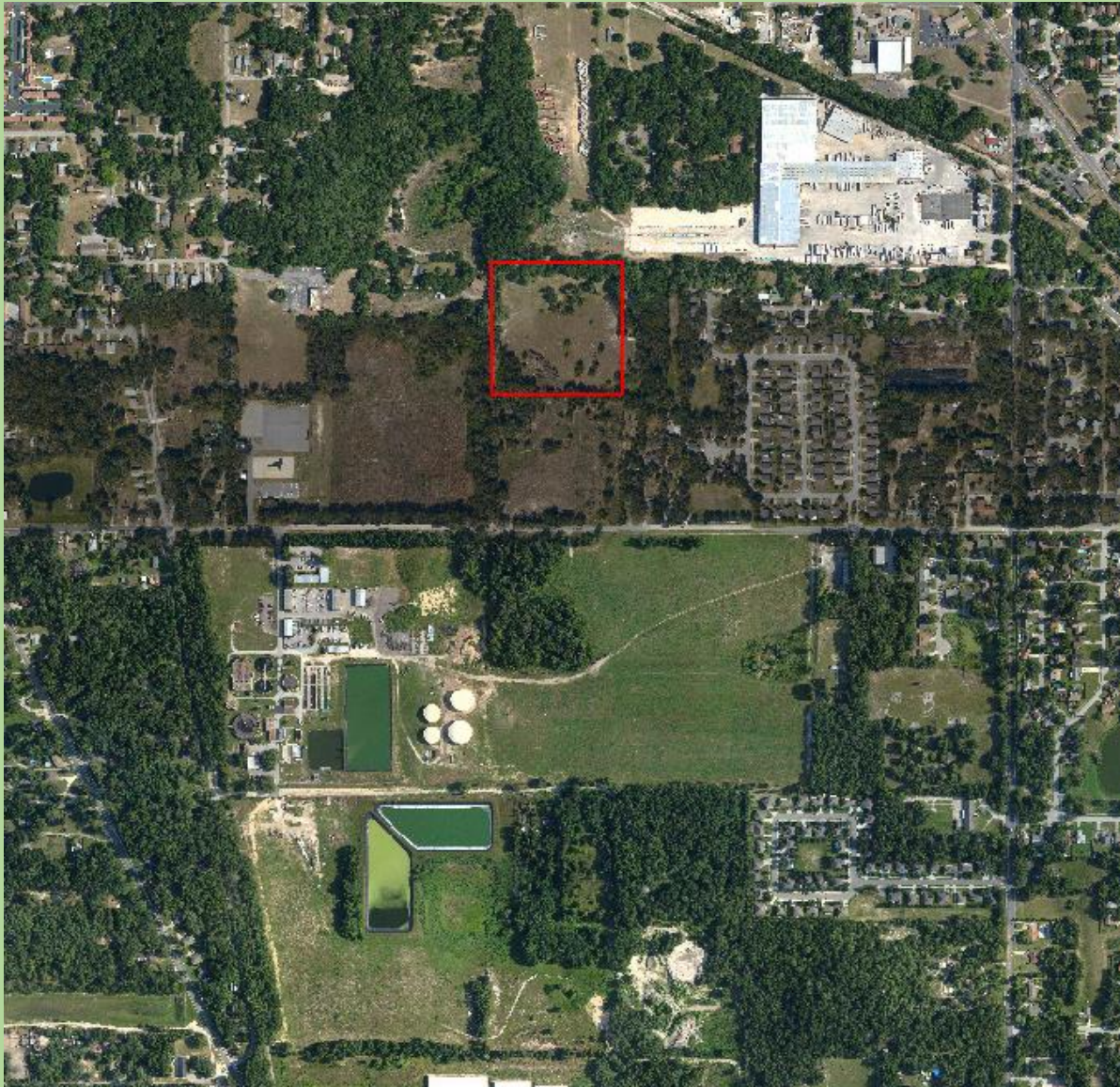


ADJACENT USES





EXISTING USES



ORDINANCE NO. 2469

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM PARKS/RECREATION TO INDUSTRIAL (0.6 FAR), FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF EAST CLEVELAND STREET, WEST OF SHEELER AVENUE, COMPRISING 9.95 ACRES MORE OR LESS, AND OWNED BY CITY OF APOPKA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2467 on December 16, 2015; and

WHEREAS, the City of Apopka's local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

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

Section I. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section II. Future Land Use Element.

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2467, is amended in its entirety to change the land use from Parks/Recreation to Industrial (0.60 FAR), for certain real property generally located north of East Cleveland Street, west of Sheeler Avenue, comprising 9.95 acres more or less, (Parcel No. 15-21-28-0000-00-080; as further described in Exhibit "A" attached hereto.

Section III. Applicability and Effect.

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section IV. Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

ORDINANCE NO. 2469
PAGE 2

Section V. The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

Section VI. Effective Date.

This Ordinance shall become effective upon adoption.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this _____ day of _____, 2015.

READ FIRST TIME: December 2, 2015

READ SECOND TIME
AND ADOPTED: December 16, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR HEARING: October 30, 2015
 December 4, 2015

ORDINANCE NO. 2469

City of Apopka
9.95 +/- Acres

Existing Maximum Allowable Development: 0 dwelling units

Proposed Maximum Allowable Development: 260,053 sq. ft.

Proposed Small Scale Future Land Use Change

From: Parks/Recreation

To: Industrial (max. FAR 0.60)

Proposed Zoning Change

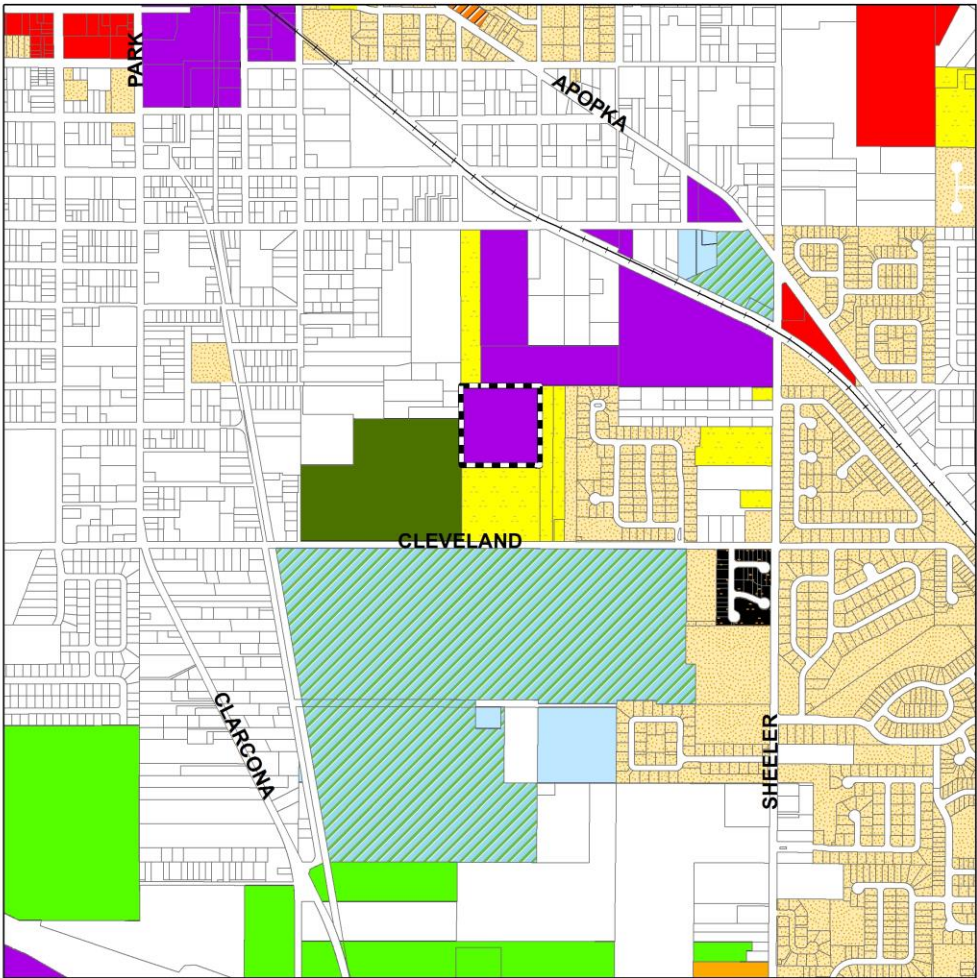
From: PR

To: I-1

Parcel ID #: 15-21-28-0000-00-080



VICINITY MAP



City of Apopka
Future Land Use Map



0 0.0450.09 0.18 0.27 0.36
Miles

Source: City of Apopka and Orange County Property Appraiser
Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.
The City of Apopka does not assume responsibilities for errors or omissions contained herein.

Legend

- Subject Site
- City Boundary
- JPA Boundary
- PARCELS_061413
- Future Land Use
 - Agriculture
 - Agriculture Estates
 - Agriculture Homestead
 - Rural Settlement
 - Res. Estates
 - Res. Very Low Suburban
 - Res. Low Suburban
 - Res. Low
 - Res. Medium Low
- Res. Medium
- Res. High
- Mixed Use
- Mixed Use*
- Office
- Commercial
- Commercial*
- Industrial
- Industrial*
- Institutional/Public Use
- Conservation
- Parks/Recreation
- ANNEX



Backup material for agenda item:

11. Ordinance 2470 – First Reading – Change of Zoning

David Moon



CITY OF APOPKA CITY COUNCIL

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	December 2, 2015
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Zoning Report
<input checked="" type="checkbox"/> OTHER: Ordinance		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Existing Uses Map
		Ordinance No. 2470

SUBJECT: **ORDINANCE NO. 2470 - CHANGE OF ZONING – CITY OF APOPKA**

Request: **FIRST READING OF ORDINANCE NO. 2470 - CHANGE OF ZONING – CITY OF APOPKA - FROM PR (PARKS/RECREATION) I-1 (RESTRICTED INDUSTRIAL); AND HOLD OVER FOR SECOND READING & ADOPTION ON DECEMBER 16, 2015. (PARCEL ID 15-21-28-0000-00-080)**

SUMMARY

APPLICANT:	<u>SUMMARY</u>
APPLICANT/OWNER:	City of Apopka
LOCATION:	North of East Cleveland Street, west of Sheeler Avenue
EXISTING USE:	Vacant
FUTURE LAND USE:	Parks/Recreation
PROPOSED LAND USE:	Industrial (max. FAR 0.60) (Note: this Change of Zoning amendment request is being processed along with a request to change the Future Land Use Map designation from Parks/Recreation to Industrial (max FAR 0.60)).
ZONING:	PR (Parks/Recreation)
PROPOSED ZONING:	I-1 (Restricted Industrial) (min. lot area of 15,000 sq. ft.)
PROPOSED DEVELOPMENT:	Light industrial
TRACT SIZE:	9.95 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT:	EXISTING ZONING: 0 Residential Units PROPOSED ZONING: 260,053 Sq. Ft.

DISTRIBUTION

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

ADDITIONAL COMMENTS:

The proposed zoning change is compatible with the character of the surrounding area and the subject parcels are vacant. The City is requesting the I-1 zoning to assure that the property can be sold and developed for light industrial. The property comprises approximately 9.95 acres.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The proposed I-1 rezoning is consistent with the proposed Future Land Use Designation of Industrial (max. FAR 0.60) for this property. Minimum lot size for property assigned the I-1 zoning category is 15,000 sq. ft. for light industrial development.

SCHOOL CAPACITY REPORT: The proposed rezoning is to a non-residential zoning classification and, therefore, a capacity enhancement agreement with OCPS is not necessary.

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 October 9, 2015.

PUBLIC HEARING SCHEDULE:

November 10, 2015 - Planning Commission (5:01 pm)
December 2, 2015- City Council (1:30 pm) - 1st Reading
December 16, 2015 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

October 30, 2015 – Public Notice and Notification
December 4, 2015 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, recommending approval of the change in Zoning from PR (Parks/Recreation) to I-1 (Restricted Industrial).

The **Planning Commission**, at its meeting on November 10, 2015, recommended approval (6-0) of the change in Future Land Use from PR (Parks/Recreation) to I-1 (Restricted Industrial) for the property owned by City of Apopka.

Accept the First Reading of Ordinance No. 2470; and Hold it Over for Second Reading and Adoption on December 16, 2015.

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:

North (City)	Residential Medium (10 du/ac) and Industrial (max FAR 0.60)	IND-2/IND-3 (ZIP)	Light Industrial
East (City)	Residential Medium (10 du/ac)	R-1	Vacant
South (City)	Residential Medium (10 du/ac)	PUD	Vacant
West (City)	Parks/Recreation	PR	Vacant (City training site)
North (City)	Residential Medium (10 du/ac) and Industrial (max FAR 0.60)	IND-2/IND-3 (ZIP)	Light Industrial

LAND USE & TRAFFIC COMPATIBILITY:

The parcel is landlocked but the abutting parcel to the southwest is also owned by the City of Apopka. Prior to development of the subject property for industrial purposes, a road or driveway must be constructed across the City's southern parcel to create access between Cleveland Street and the subject parcel.

The zoning application covers approximately 9.95 acres. The property owner intends to sell the property for use for light industrial development.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed I-1 zoning is consistent with the Industrial (max. FAR 0.60) Future Land Use designation and with the character of the surrounding area and future proposed development. Per Section 2.02.01, Table II-1, of the Land Development Code, I-1 zoning is one of the acceptable zoning districts allowed within the Industrial Future Land Use designation. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

C-3 DISTRICT REQUIREMENTS:

Maximum Floor Area Ratio:	0.60
Minimum Site Area:	15,000 sq. ft.
Minimum Lot Width	100 ft.
Setbacks:	Front: 25 ft.
	Rear: 10 ft. (30 ft. from residential)
	Side: 10 ft.
	Corner 25 ft.

Based on the above zoning standards, the existing 9.95 acre parcel complies with code requirements for the I-1 district.

BUFFERYARD REQUIREMENTS:

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

ALLOWABLE USES:

Any C-3 Commercial District permitted use and light manufacturing of novelties, souvenirs, bakery, garments, electrical, precision instruments or equipment, computers, furniture, metal and other similar products. Bus, cab and truck repair, dyeing, dry cleaning and laundering. Machinery sales, machine shops, meat storage, cutting and distribution. Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district.

City of Apopka
9.95 +/- Acres

Existing Maximum Allowable Development: 0 dwelling units

Proposed Maximum Allowable Development: 260,053 sq. ft.

Proposed Small Scale Future Land Use Change

From: Parks/Recreation

To: Industrial (max. FAR 0.60)

Proposed Zoning Change

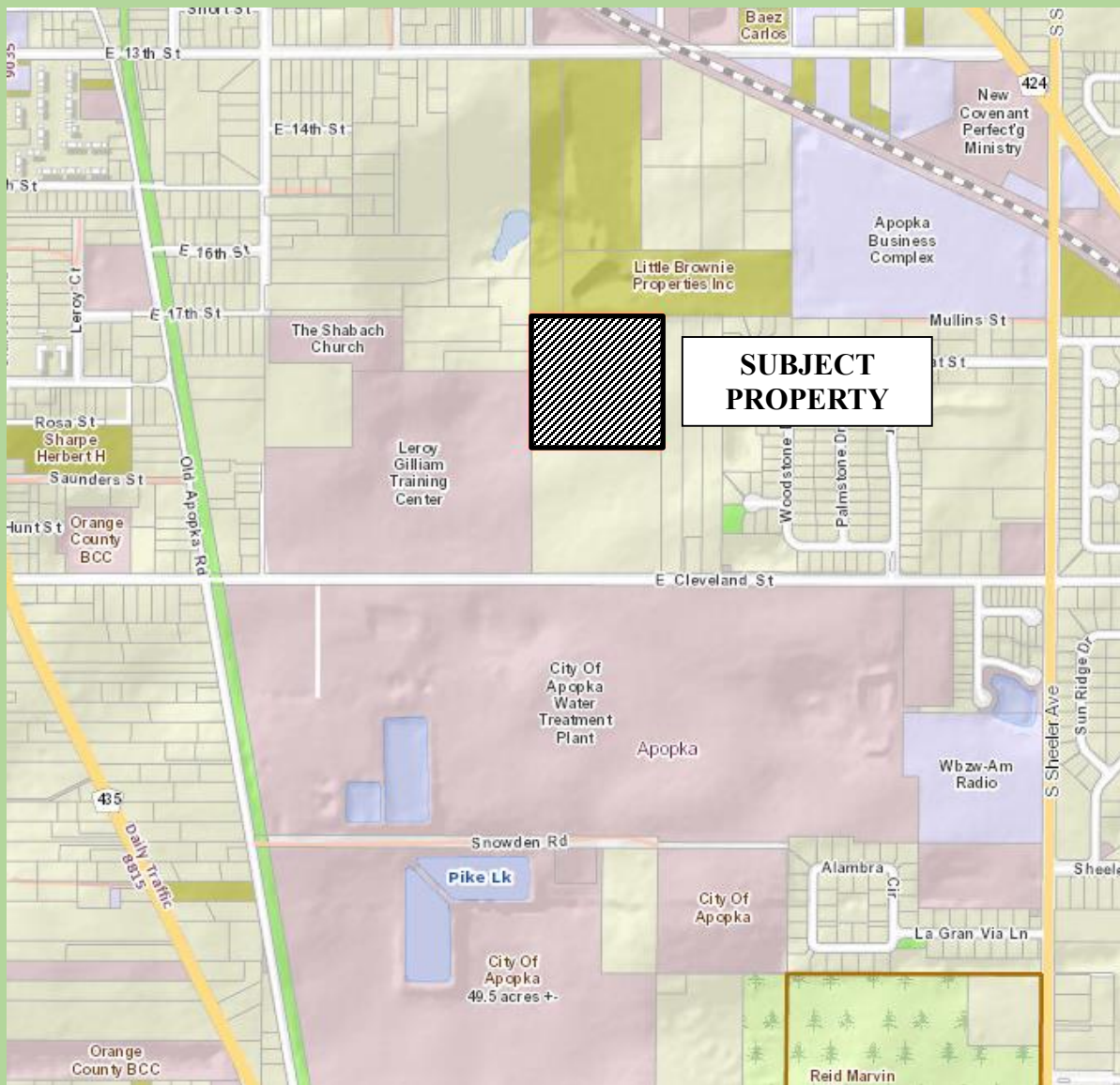
From: PR

To: I-1

Parcel ID #: 15-21-28-0000-00-080

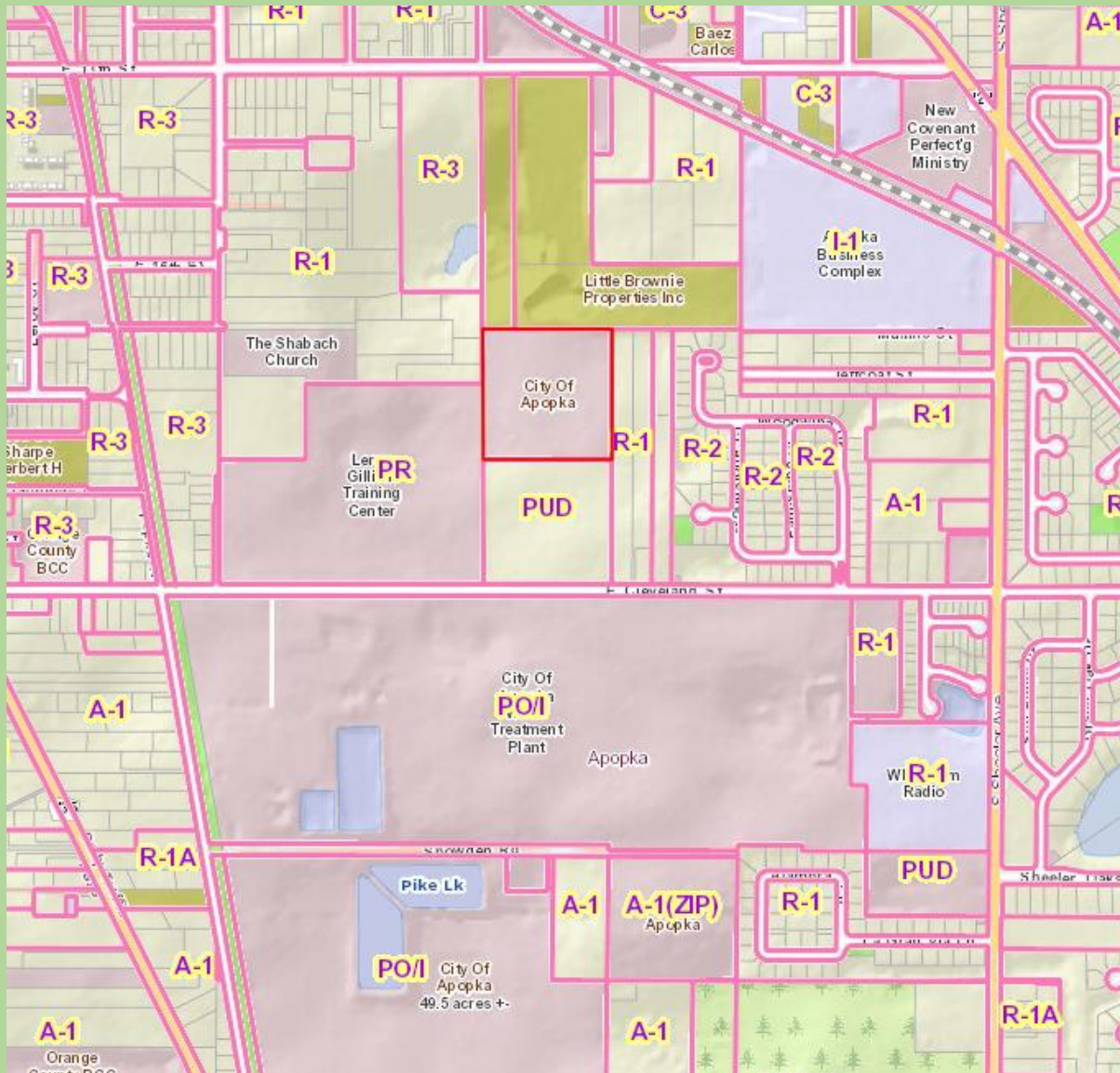


VICINITY MAP



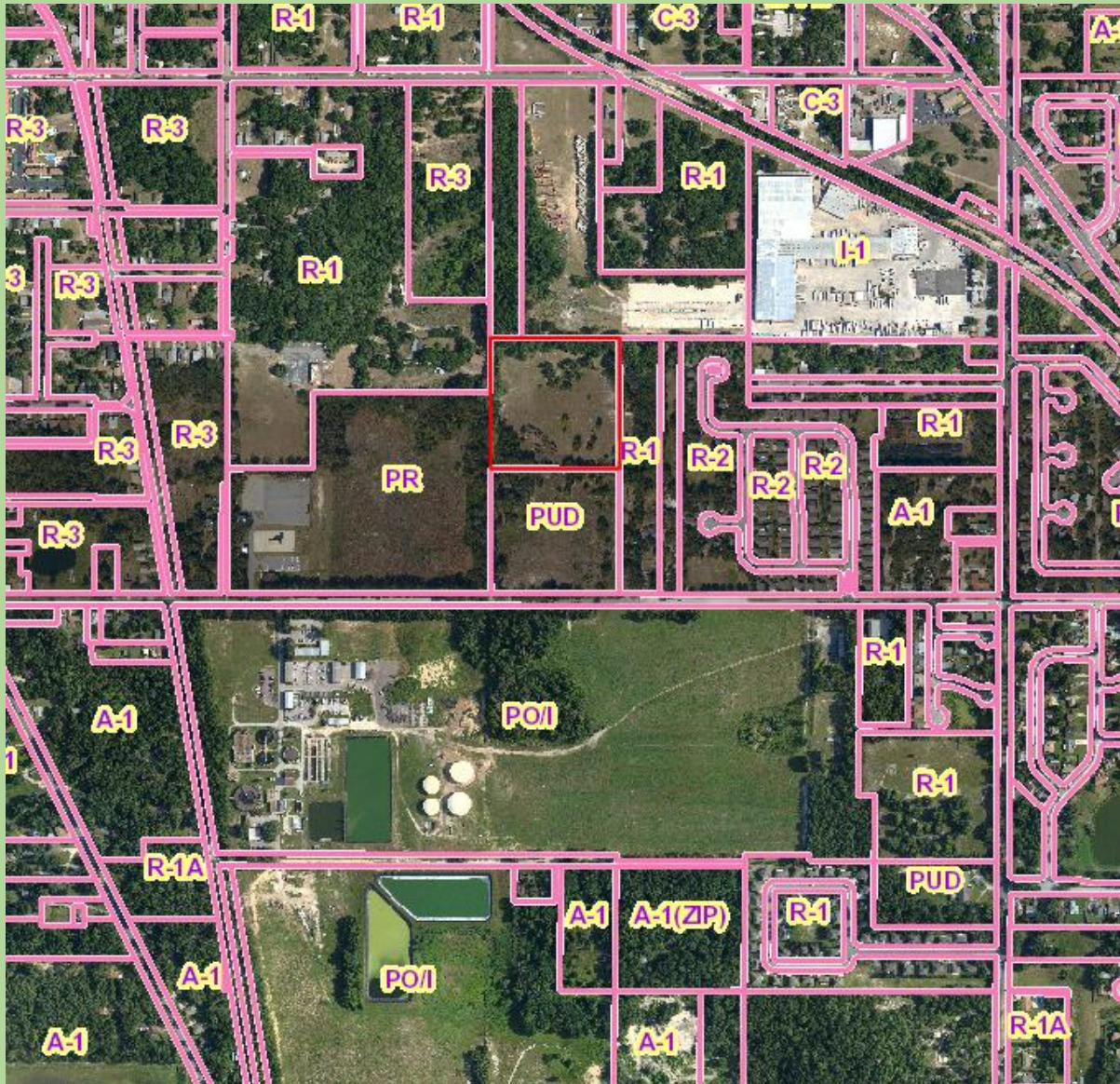


ADJACENT ZONING



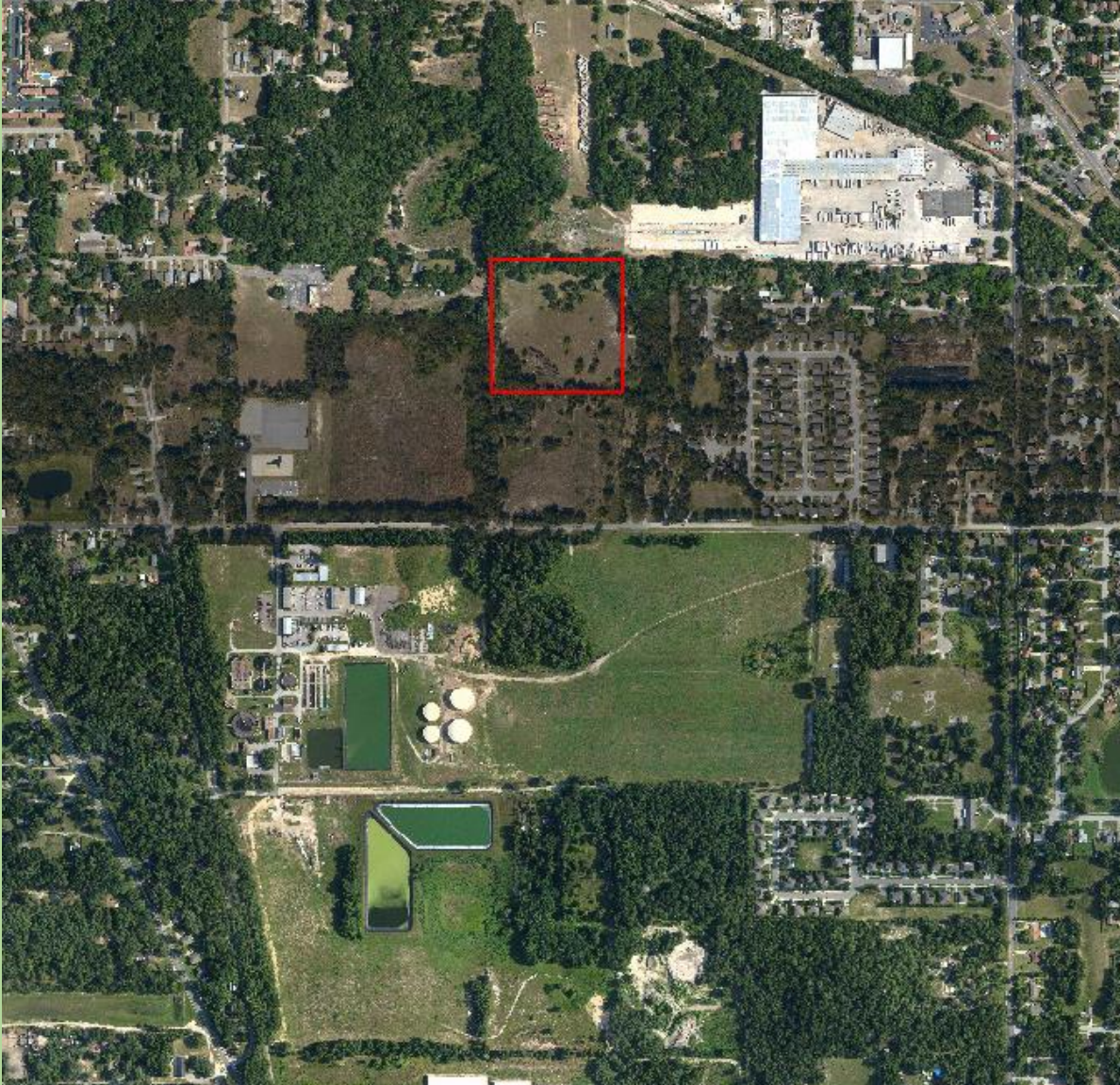


ADJACENT USES





EXISTING USES



ORDINANCE NO. 2470

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM PR (PARKS/RECREATION) TO I-1 (RESTRICTED INDUSTRIAL) (0.60 FAR) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF EAST CLEVELAND STREET, WEST OF SHEELER AVENUE, COMPRISING 9.95 ACRES MORE OR LESS, AND OWNED BY CITY OF APOPKA; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

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

WHEREAS, the proposed I-1 (Restricted Industrial) (0.60 FAR) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property, being situated in the City of Apopka, Florida, is hereby I-1 (Restricted Industrial) (0.6 FAR), as defined in the Apopka Land Development Code.

Legal Description:

NW1/4 OF SW1/4 OF SE1/4 SEC 15-21-28

Parcel I.D: 15-21-28-0000-00-080

Contains: 9.95 +/- Acres

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

Section III. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation. The Community Development Director shall not accept an application for a development plan until such time the property owner addresses school capacity enhancement review with Orange County Public Schools.

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

Section V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. That this Ordinance shall take effect upon the date of adoption.

ORDINANCE NO. 2470
PAGE 2

READ FIRST TIME: December 2, 2015

READ SECOND TIME
AND ADOPTED: December 16, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: October 30, 2015
 December 4, 2015

Backup material for agenda item:

12. Ordinance 2471 – First Reading – Change of Zoning

David Moon



CITY OF APOPKA CITY COUNCIL

<u>X</u> PUBLIC HEARING	DATE:	December 2, 2015
ANNEXATION	FROM:	Community Development
PLAT APPROVAL	EXHIBITS:	Zoning Report
<u>X</u> OTHER: Ordinance		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Master Plan/Preliminary Dev. Plan
		Landscape Plan
		Ordinance No. 2471

SUBJECT: **ORDINANCE NO. 2471 – CHANGE OF ZONING – RAYNOR SHINE RECYCLING SOLUTIONS, FROM “COUNTY” I-4 (ZIP) AND “CITY” I-1 TO PLANNED UNIT DEVELOPMENT (PUD/I-2); AND THE MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN.**

Request: **FIRST READING OF ORDINANCE NO. 2471 -- APPROVAL OF THE CHANGE OF ZONING FROM “COUNTY” I-4 (ZIP) & “CITY” I-1 TO “CITY” PLANNED UNIT DEVELOPMENT (PUD/I-2); APPROVAL OF THE MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN; AND HOLD OVER FOR SECOND READING & ADOPTION. (PARCEL ID NUMBERS: 01-21-27-0000-00-026 & 01-21-27-0000-00-080)**

SUMMARY

OWNER: Raynor Apopka Land Management, LLC

APPLICANT/ENGINEER: American Civil Engineering Co., c/o John Herbert, P.E.

LOCATION: 100 & 126 Hermit Smith Road (Southern terminus of Hermit Smith Road)

EXISTING USE: Vacant Land, warehouse, office

CURRENT ZONING: “County” I-4 (ZIP) (15.25 ac +/-) and “City” I-1 (4.15 ac +/-)

PROPOSED ZONING: “City” Planned Unit Development (PUD/I-2)

PROPOSED
DEVELOPMENT: Mulch Operation

TRACT SIZE: 19.4 +/- acres

MAXIMUM ALLOWABLE
DEVELOPMENT: EXISTING: 507,038 sq. ft.
 PROPOSED: 507,038 sq. ft.

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: Parcel No. 01-21-27-0000-00-026 was annexed into the City of Apopka on November 1, 2006, through the adoption of Ordinance No. 1877. Parcel No. 01-21-27-0000-00-080 was annexed into the City of Apopka on February 2, 2005, through the adoption of Ordinance No. 1733. The proposed Change of Zoning is being requested by the applicant, Raynor Apopka Land Management, LLC.

The zoning application covers approximately 19.4 +/- acres. The property owner intends to use the site for a mulch production manufacturing operation. This use involves the following activities: heavy outdoor mulching equipment, outdoor storage of raw materials, large trucks entering and leaving the property with raw materials (removed or harvested trees or tree limbs) or finished product (landscape mulch). An office use will occur at the site for on-site management of operations and for business sales. The office use is ancillary to the mulch production operation. Based on the storage of outdoor raw material as well as a manufacturing operation that does not occur within an enclosed building, the proposed use meets the intent of the I-2 zoning category. Both parcels have been acquired by and under legal ownership of the applicant. The smaller of the two parcels, Parcel Number 01-21-27-0000-00-080, is approximately 4.15 acres has not been assigned a City zoning category but currently retains a County zoning category of I-4 Industrial. The County's I-4 zoning category is similar to the City's I-2 zoning category. The larger parcel, Parcel Number 01-21-27-0000-00-026, is approximately 15.25 acres and has a City I-1 zoning assigned to it. The proposed use does not meet the intent of the I-1 zoning category and requires I-2 zoning.

The applicant originally sought I-2 zoning for the subject property. However, the City's planning staff determined that many of the uses proposed under I-2 zoning are too intensive considering the predominant land uses in the surrounding area are zoned for I-1, conservation, or agriculture. However, the mulch production use, as proposed, is a use that planning staff considers to be compatible with the surrounding area. Taking into consideration the opinion of the Planning staff, the applicant agreed to apply for a PUD zoning that will limit the use of the subject property to only the mulch production operation and any related ancillary uses, as well as any I-1 uses currently allowed.

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

PUD RECOMMENDATIONS:

The PUD recommendations are that the zoning classification of the following described property be designated as Planned Unit Development (PUD\I-2), as defined in the Apopka Land Development Code, and with the following Master Plan provisions are subject to the following zoning provisions:

- A. The zoning and uses permitted within the PUD district for the subject property shall be:
1. Use of the subject property will be limited to the manufacturing and production of mulch with outdoor storage of raw materials and with outdoor manufacturing operations. All outdoor storage and outdoor manufacturing operations shall be located within a screened area not visible from adjacent properties or streets. Outdoor mulch manufacturing and the outdoor storage of raw materials are the only I-2 uses that are allowed.
 2. Any I-1 or C-3 permitted use is allowed.
 3. C-2, C-1, CN, or PO/I permitted uses will not be allowed as a primary use. Any office building shall be associated with the industrial activity occurring at the subject site.

4. Any use of the property other than the permitted uses described above, shall require an amendment to the PUD through the zoning process.
 5. Overnight parking of trucks or other large vehicles shall only occur within the boundaries of the Master Site Plan and within areas so designated on said Plan. No overnight parking of trucks will be allowed within the office parking lots. No parking of any vehicle will occur within any roadway easement running within the subject property or abutting the eastern property line.
 6. Outdoor storage of raw materials shall only occur at approved locations denoted within the Master Site Plan.
 7. All mulching equipment shall only be placed in the areas denoted on the Master Site Plan.
 8. No parking of any vehicle or truck or outdoor storage shall occur within any landscape buffer area appearing on the Master Site Plan.
- B. Development standards and conditions required of any development within the PUD district for the subject property shall be:
1. Building elevations will be provided at time of a Final Development Plan application.
 2. Maximum height of any building, mulch conveyor belts, manufacturing equipment, raw material piles are not to exceed thirty-five feet from the finished ground level.
 3. All perimeter landscape areas shall be protected from vehicle encroachment by curbing or wheel stops.
- C. If a Final Development Plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Plan provisions will expire. At such time, the City Council may:
1. Permit a single six-month extension for submittal of the required Preliminary Development Plan;
 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Plan provisions and any conditions of approval; or
 3. Rezone the property to a more appropriate zoning classification.
 4. Unless otherwise addressed within the PUD development standards, the I-1 zoning standards will apply to the subject property.

COMPREHENSIVE PLAN COMPLIANCE: The proposed Planned Unit Development (PUD/I-2) zoning designation is consistent with the Industrial (0.60 FAR) future land use designation and the proposed use of the property. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: Because this change of zoning represents a change to a non-residential designation, notification of 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 September 11, 2015.

SPECIAL STANDARDS: The applicant has proposed the below waiver requests (which appear on the cover sheet of the Master Plan). As the applicant has applied for a PUD zoning, these waiver requests will be listed as Development Standards approved for the subject property. Thus, the below waivers are considered to be additional development standards that will be incorporated in the PUD ordinance, unless specifically amended or denied by City Council.

1. LDC, Section 2.02.15. G.1. - Areas adjacent to all roads shall provide eight (8) foot masonry wall within a minimum 25-foot landscaped bufferyard. Applicant is requesting a waiver to allow a 10-foot landscaped bufferyard due to the easement in lieu of a road abuts the eastern property line and a fence will provide a black or green vinyl coated chain link fence adjacent property to zoned I-1.
2. LDC, Section 2.02.15. G.2. - Areas adjacent to agricultural districts shall provide an eight-foot masonry wall within a minimum of ten-foot landscaped bufferyard. Applicant is requesting a waiver to allow a 10-foot landscaped bufferyard with a 6-foot chain link fence. The justifications for the request is due to the property to the west containing vegetation from a fern growing operating that blocks the view; and the property to the north is a citrus grove with a dense 6-foot hedge. The chain link fence will be green or black vinyl coated.
3. LDC, Section 2.02.15. G.3. - Areas adjacent to residential districts shall provide an eight-foot masonry wall within a minimum of 50-foot landscaped bufferyard. Applicant is requesting a waiver to allow a 30-foot buffer with a 6-foot chain link along the property line to the north because the adjacent land is owned by the Applicant and is intended to be rezoning to I-1. Additionally, the Applicant is requesting a waiver to allow a 20-foot buffer along the southern property line because the adjacent property is a borrow pit that is not conducive to residential use. The chain link fence will be green or black vinyl coated.
4. LDC, Section 2.02.15.G.2. – A 6’ foot high masonry wall is required adjacent to a citrus grove and is not anticipated to develop as residential. No public access is near this area and will not be highly visible. The chain link fence will be green or black vinyl coated.
5. LCD, Section 2.02.15.G.3. – A 20 foot buffer and a 6-foot high masonry wall is required adjacent to residential zoned property. The abutting residential-zoned parcel is owned by Raynor Shine LLC, and the access drive crosses that parcel. Raynor Shine plans to request to rezone that parcel to Office or Industrial use in the future.

Staff does not object to any of the above waiver requests, and will incorporate these waivers as development standards within the PUD zoning ordinance.

PUBLIC HEARING SCHEDULE:

November 24, 2015 – Planning Commission (5:01 pm)
December 2, 2015 – City Council (1:30 pm) – 1st Reading
December 16, 2015 – City Council (7:00 pm) – 2nd Reading

DULY ADVERTISED:

September 25, 2015 – Public Notice and Notification
November 6, 2015 – Ordinance Heading Ad w/map

RECOMMENDED ACTION:

Staff recommends that City Council take separate actions for this case – one for the PUD\I-2 zoning and another for the Master Site Plan\Preliminary Development Plan.

1. The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in zoning from “County” I-4 (ZIP) and “City” I-1 to “City” Planned Unit Development (PUD/I-2) for the property owned by Raynor Apopka Land Management, LLC.
2. The **Development Review Committee** finds the proposed Master Site Plan\Preliminary Development Plan to be consistent with the Comprehensive Plan and Land Development Code, and recommends approval of the Master Site Plan\preliminary Development Plan subject to the development standards and conditions recommended in the staff report, for the property owned by Raynor Apopka Land Management, LLC.

The **Planning Commission**, at its meeting on November 10, 2015, continued this item to the Special Planning Commission meeting on November 24, 2015, due to the incorrect site plan having been included in the staff report

The **Planning Commission**, at its meeting on November 24, 2015, recommended:

- 1) Approval (6-0) of the change in zoning from “County” I-4 (ZIP) and “City” I-1 to “City” Planned Unit Development (PUD/I-2) for the property owned by Raynor Apopka Land Management, LLC, subject to the information and findings in the staff report.
- 2) Approval (6-0) of the Master Site Plan\preliminary Development Plan subject to the development standards and conditions recommended in the staff report, for the property owned by Raynor Apopka Land Management, LLC.

City Council:

- 1) Accept the First Reading of Ordinance No. 2471 and Hold it Over for Second Reading and Adoption on December 16, 2015.
- 2) Accept the Raynor Shine Master Plan\Preliminary Development Plan

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 (1 du/10 ac/Agricultural)	A-1	vacant
East (City)	Industrial (0.60 FAR)	I-4	warehouse/trucking business
South (City)	Residential Very Low Suburban (0-2 du/ac)	Mixed-EC	vacant
West (County)	Rural (1 du/10 ac/Agricultural)	A-1	warehouse

LAND USE &

TRAFFIC COMPATIBILITY:

The Property has access to a Hermit Smith Road through an access easement that the property owner has demonstrated rights thereto. Hermit Smith Road allows for easy access to a regional highway that leads to U.S. 441 and 429/S.R. 451.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed Planned Unit Development (PUD/I-2) zoning is consistent with the City's Industrial Future Land Use Designation. Development plans shall not exceed the density allowed under the adopted future land use designation.

PUD/I-2 DISTRICT REQUIREMENTS:

The PUD describes the development standards that apply. The I-1 development standards are listed below.

Minimum Site Area: 25,000 sq. ft.

Minimum Lot Width: 150 ft.

Setbacks: Front: 25 ft. from property line

Rear: 10 ft., except where rear lot lines abut a residential district, then all structures shall be set back a minimum of 30 feet or a distance equivalent to any required bufferyard, whichever is greater.

Side: 10 ft. from property line or a distance equivalent to any required bufferyard, whichever is greater. All yards adjacent to road rights-of-way shall be a minimum of 25 feet.

Zero Lot Lines: Rear yards and side yards may be reduced to zero when the rear or side property lines abut the boundary of a railroad right-of-way, but only in those cases where an adjacent wall or walls of a building or structure are provided with railroad loading and unloading capabilities.

**BUFFER-YARD
REQUIREMENTS:**

Areas adjacent to all road rights-of-way shall provide eight (8) foot masonry wall within a minimum 25-foot landscaped bufferyard. Areas adjacent to agricultural districts shall provide an eight-foot masonry wall within a minimum of ten-foot landscaped bufferyard. Areas adjacent to residential districts shall provide an eight-foot masonry wall within a minimum of 50-foot landscaped bufferyard. Areas adjacent to nonresidential, non-I-2 industrial uses or districts shall provide an eight-foot masonry wall within a minimum of ten-foot landscaped bufferyard. I-2 uses occurring adjacent to existing I-2 districts or uses shall be required to provide a ten-foot landscaped bufferyard.

ALLOWABLE USES:

The only I-2 use that is allowed through the PUD\I-2 zoning is outdoor mulch operation and outdoor storage of raw materials.

Any use permitted in the I-1 District. Bus, cab and truck storage and terminals. Building material and contractor's storage, equipment yards and sales. Machinery storage. Bulk storage of petroleum. Asphalt (or similar petroleum product), cement, lime, gypsum or plaster of paris or concrete manufacturing, mixing or refining or the open storage of raw materials or finished products related to such manufacture. Blast furnace or similar heat or glare-generating operations. Corrosive acid manufacture or bulk storage, including, but not limited to, hydrochloric, nitric, sulfuric or similar acids. Fertilizer manufacturing and processing. Junk, salvage or wrecking yard or structure wherein motor vehicles, appliances or similar use equipment or materials are stored, dismantled or store for display, sale or packing; provided, all open storage and processing activities are enclosed within a wall or structure. 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.

Raynor Shine Recycling Services, Inc.
19.4 +/- Acres

Existing Maximum Allowable Development: 507,038 sq. ft.
Proposed Maximum Allowable Development: 507,038 sq. ft.

Proposed Zoning Change

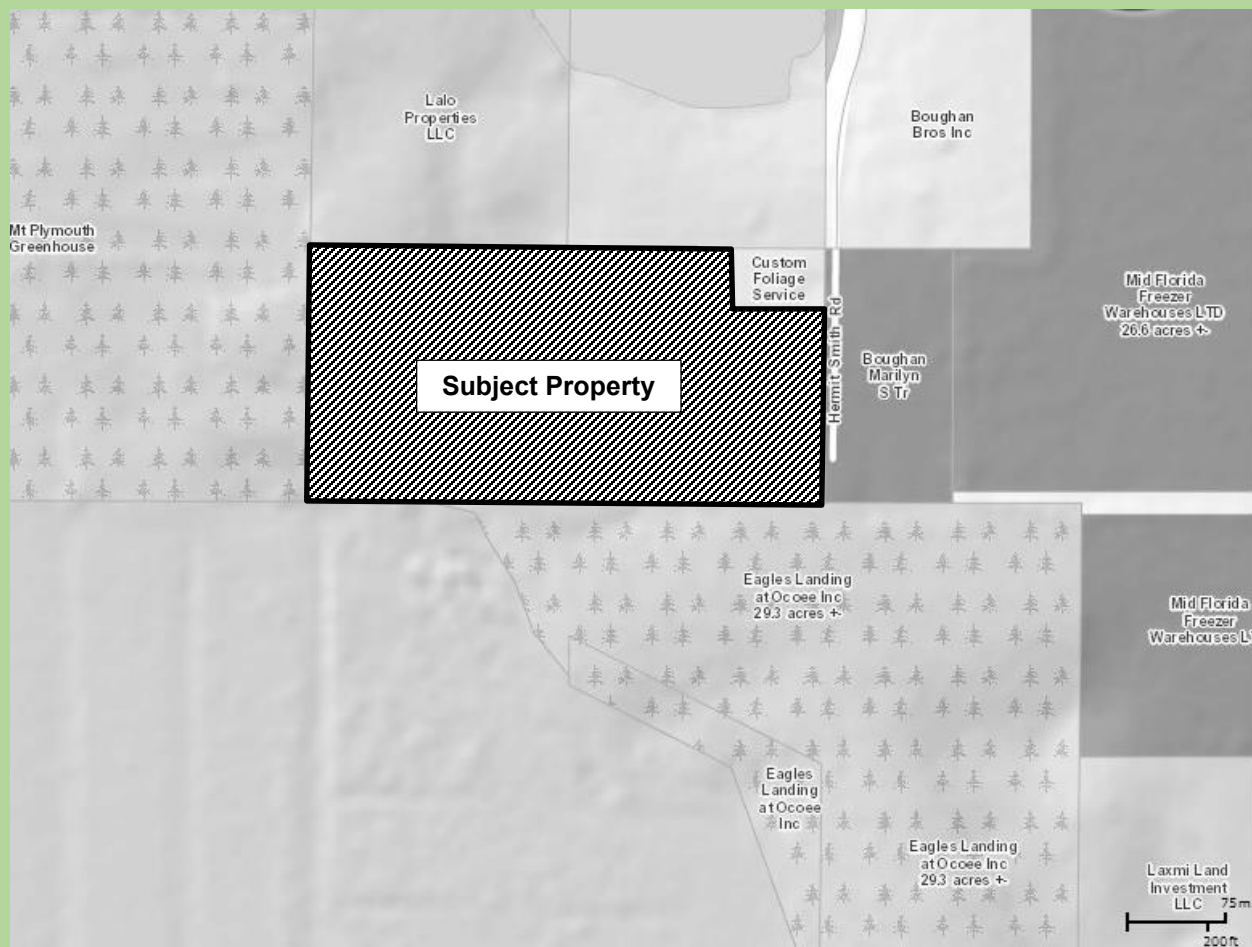
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To: "City" Planned Unit Development (PUD/I-2)

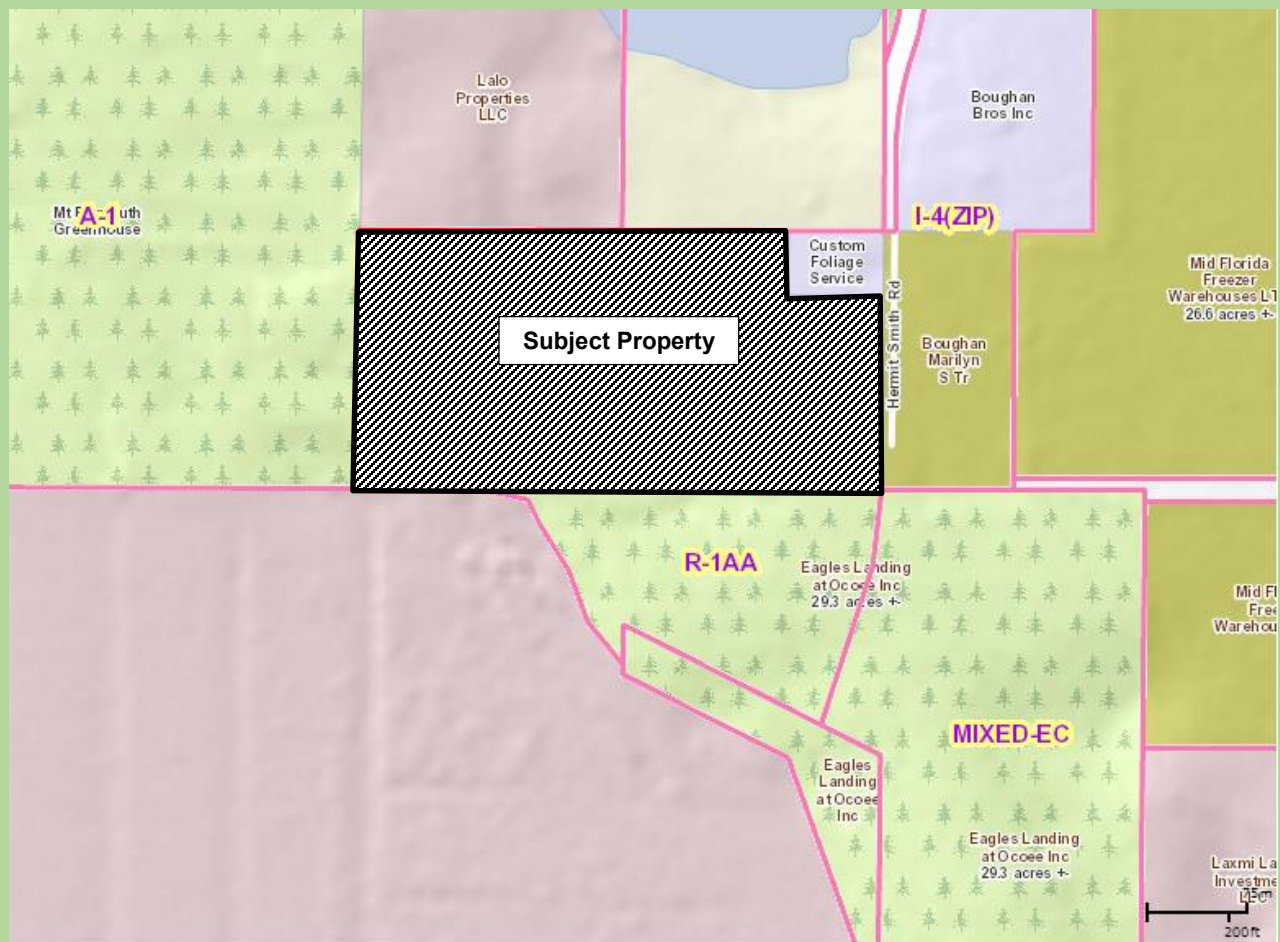
Parcel ID #s: 01-21-217-0000-00-026 & 01-21-217-0000-00-080



VICINITY MAP

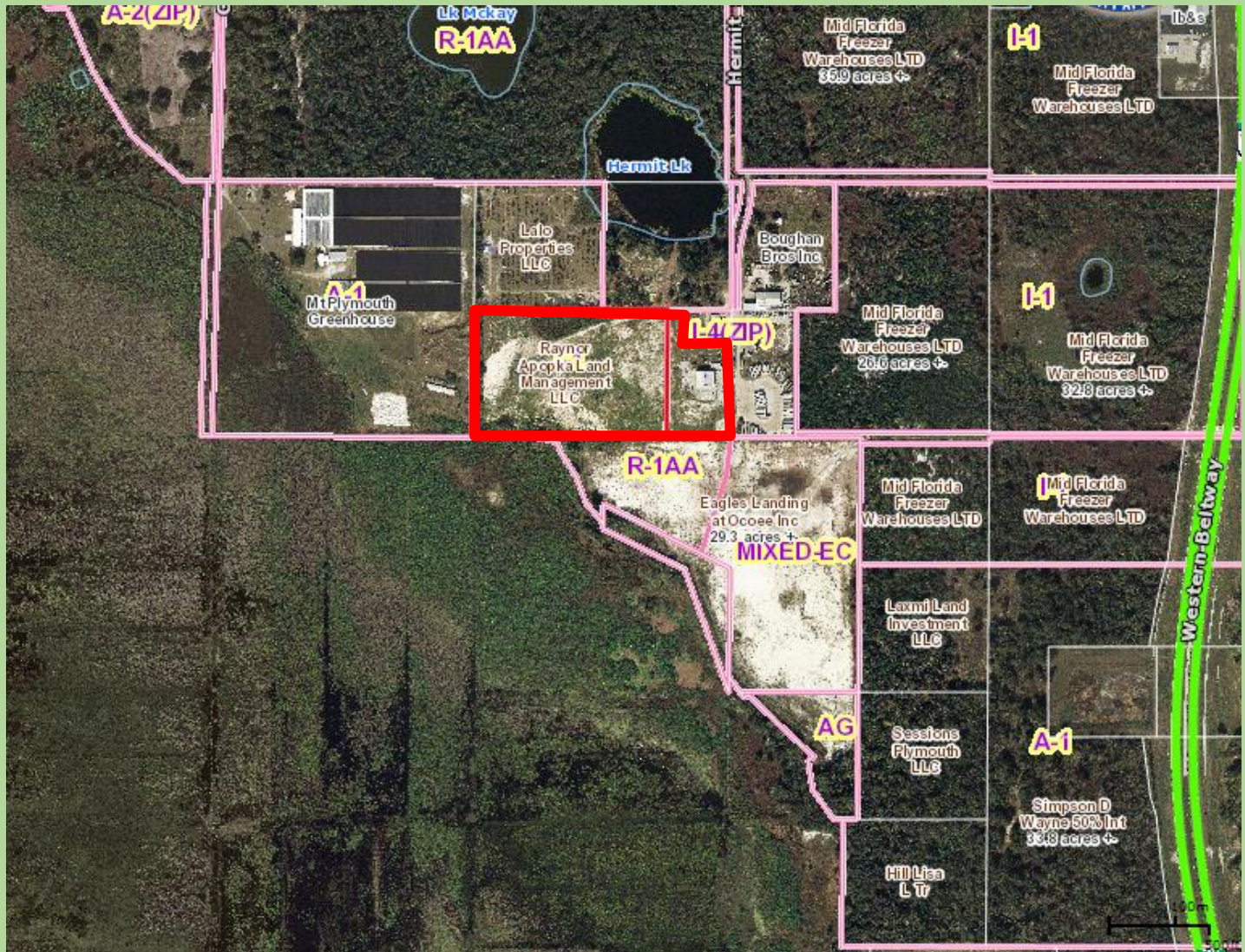


ADJACENT ZONING





ADJACENT USES



ORDINANCE NO. 2471

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” I-4 (ZIP) AND “CITY” I-1 TO PLANNED UNIT DEVELOPMENT (PUD/I-2); FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF HERMIT SMITH ROAD AND SOUTH OF HOGSHEAD ROAD, COMPRISING 19.4 ACRES MORE OR LESS, AND OWNED BY RAYNOR APOPKA LAND MANAGEMENT LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

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

WHEREAS, the proposed Planned Unit Development (PUD/I-2) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. That the zoning classification of the following described property be designated as Planned Unit Development (PUD/I-2), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

- A. The zoning and uses permitted within the PUD district for the subject property shall be:
1. Use of the subject property will be limited to the manufacturing and production of mulch with outdoor storage of raw materials and with outdoor manufacturing operations. All outdoor storage and outdoor manufacturing operations shall be located within a screened area not visible from adjacent properties or streets. Outdoor mulch manufacturing and the outdoor storage of raw materials are the only I-2 uses that are allowed.
 2. Any I-1 or C-3 permitted use is allowed.
 3. C-2, C-1, CN, or PO/I permitted uses will not be allowed as a primary use. Any office use shall be associated with the industrial activity occurring at the subject site.
 4. Any use of the property other than the permitted uses described above, shall require an amendment to the PUD through the zoning process.
 5. Overnight parking of trucks or other large vehicles shall only occur within the boundaries of the Master Site Plan and within areas so designated on said Plan. No overnight parking of trucks will be allowed within the office parking lots. No parking of any vehicle will occur within any roadway easement running within the subject property or abutting the eastern property line.
 6. Outdoor storage of raw materials shall only occur at approved locations denoted within the Master Site Plan.

7. All mulching equipment shall only be placed in the areas denoted on the Master Site Plan.
 8. No parking of any vehicle or truck or outdoor storage shall occur within any landscape buffer area appearing on the Master Site Plan.
- B. Development standards and conditions required of any development within the PUD district for the subject property shall be:
1. Building elevations will be provided at time of a Final Development Plan application.
 2. Maximum height of any building, mulch conveyor belts, manufacturing equipment, raw material piles are not to exceed thirty-five feet from the finished ground level.
 3. All perimeter landscape areas shall be protected from vehicle encroachment by curbing or wheel stops.
- C. If a Final Development Plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Plan provisions will expire. At such time, the City Council may:
1. Permit a single six-month extension for submittal of the required Preliminary Development Plan;
 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Plan provisions and any conditions of approval; or
 3. Rezone the property to a more appropriate zoning classification.
 4. Unless otherwise addressed within the PUD development standards, the I-1 zoning standards will apply to the subject property.

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

Legal Description:

The Southwest one-quarter (SW ¼) of the Southeast one-quarter (SE ¼) of the Southwest one-quarter (SW ¼) of Section 01, Township 21 South, Range 27 East, Orange County, Florida, together with

The west one-half (W-1/2) of the Southeast one-quarter (SE-1/4) of the Southeast one-quarter of the Southeast one-quarter (SE-1/4) of the Southwest one-quarter (SW-1/4) of Section 01, Township 21 South, Range 27 East, Orange County, Florida, and

The East one-half (E- ½) of the Southeast one-quarter (SE- ¼) of the Southeast one-quarter (SE ¼) of the Southwest one-quarter (SW- ¼) (Less the North 163.50 feet of the East 240.00 feet thereof) of Section 01, Township 21 South, Range 27 East, Orange County, Florida.

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

Section IV. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

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

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

Section VII. That this Ordinance shall take effect immediately.

READ FIRST TIME: December 2, 2015

READ SECOND TIME
AND ADOPTED: December 16, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

APPROVED AS TO FORM:

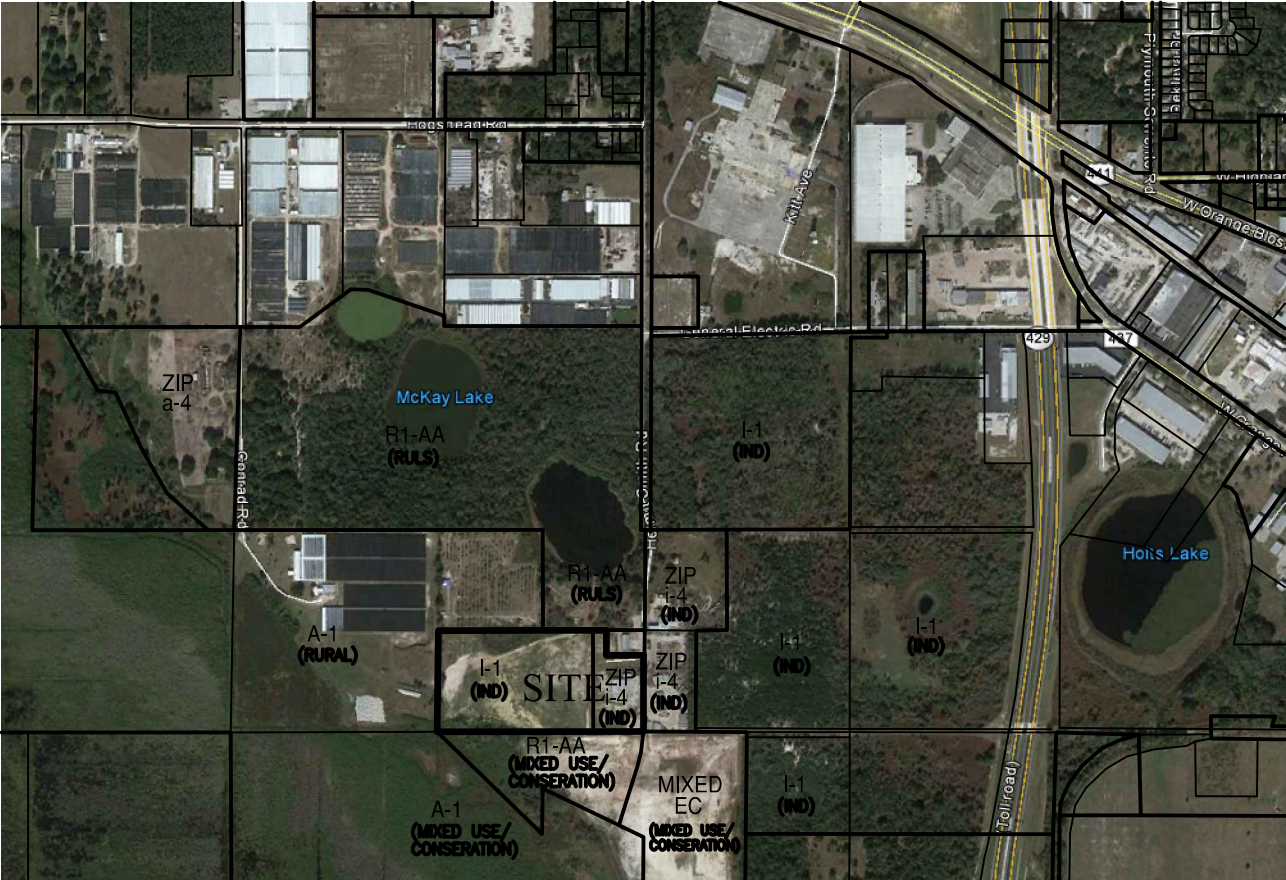
Clifford B. Shepard, Esq., City Attorney

DULY ADVERTISED: September 25, 2015
 November 6, 2015

PUD Master Plan / Preliminary Development Plan

Raynor Shine Recycling Solutions, LLC

136 Hermit Smith Road, Apopka, Florida 32703



VICINITY MAP
SCALE 1"=500'
SEC. 01 TWP. 21 S RGE. 27 E

LEGAL DESCRIPTION:

THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF SECTION 01, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, TOGETHER WITH THE WEST ONE-HALF (W-1/2) OF THE SOUTHEAST ONE-QUARTER (SE-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF SECTION 01, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY FLORIDA.

THE EAST ONE-HALF (E-1/2) OF THE SOUTHEAST ONE-QUARTER (SE-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) (LESS THE NORTH 163.50 FEET OF THE EAST 240.00 FEET THEREOF) OF SECTION 01, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

SUBJECT TO:
AN INGRESS/EGRESS EASEMENT OVER THE EASTERLY 30 FEET OF THE EAST ONE-HALF (E-1/2) OF THE SOUTHWEST ONE-QUARTER (SE-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) AS PER. O.R. 2665, PG. 0933.
TOGETHER WITH:
AN INGRESS/EGRESS EASEMENT OVER THE WEST 40 FEET OF THE WEST ONE HALF (W-1/2) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF THE SOUTHWEST ONE QUARTER (SE-1/4) OF THE SOUTHWEST ONE QUARTER (SW-1/4) AS PER O.R. 7035, PG. 3449 AS CORRECT ON O.R. 10453, PG. 8531.

DEVELOPMENT SUMMARY

REQUEST TO REZONE INDUSTRIAL PROPERTY TO PUD WITH I-1 & I-2 USES FOR THE MULCH AND RECYCLING OF ORGANIC MATERIAL, TOP SOIL AND WOOD.

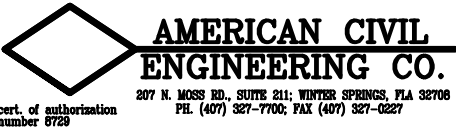
VARIANCE OR WAIVER REQUEST TABLE

Variance (V) / Waiver (W) Table					
Code #	Code Requirement	(V/W)	Request	Justification	Location
2.02.15.G.1	25' Buffer 8' masonry wall	W	10' Buffer with 6' CL fence	no residential nearby, low traffic area	East PL
2.02.15.G.2	10' Buffer 6' masonry wall adj. to agriculture	W	10' Buffer with 6' CL fence	exist. vegetation blocks the view and adjacent land use is a farm factory	West PL
2.02.15.G.3	50' Buffer 6' masonry wall adj. to residential	W	30' Buffer with 6' CL fence	adjacent land is owned by applicant and is intended to be re-zoned to I-1	North PL
2.02.15.G.2	10' Buffer 8' masonry wall adj. to agriculture	W	10' Buffer with 6' CL fence	adjacent land is citrus grove and a blends in better	North PL
2.02.15.G.3	20' Buffer 6' masonry wall adj. to residential	W	20' Buffer with 6' CL	a borrow pit that is residential use	South PL

SITE DATA TABLE

PARCEL ID NUMBERS	01-21-27-0000-00-080 & -026
FUTURE LAND USE	IND.
ZONING	I-1 & I-4
ACERAGE	19.350
SQUARE FOOTAGE	842,909
BUILDING HEIGHT	PROPOSED: 35' MAX.: 35'
FLOOR AREA RATIO	PROPOSED: 0.04 MAX.: 0.60
BUILDING SETBACKS	PROPOSED: F=65', S=10', R=200' REQUIRED: F=25', S=10', R=10'
OPEN SPACE	27.8%
PARKING SPACES	PROVIDED: 79 REQUIRED: 50
NUMBER OF EMPLOYEES	50
WAIVER/VARIANCE REQUESTS	YES - SEE TABLE ON THIS SHEET
IRRIGATION NOTE:	AN IRRIGATION PLAN WILL BE PROVIDED WITH THE FINAL DEVELOPMENT PLAN.

10/16/15	sixth edition
10/02/15	fifth edition
8/07/14	fourth edition
6/25/14	third edition
6/11/14	second edition
5/20/14	first edition
DATE	REVISIONS



AMERICAN CIVIL
ENGINEERING CO.

207 N. MOSS RD., SUITE 211, WINTER SPRINGS, FLA 32708
PH. (407) 327-7700; FAX (407) 327-0227

PUD Master Plan / Preliminary Development Plan

Raynor Shine Recycling Solutions, LLC

136 Hermit Smith Road Apopka, Florida 32703

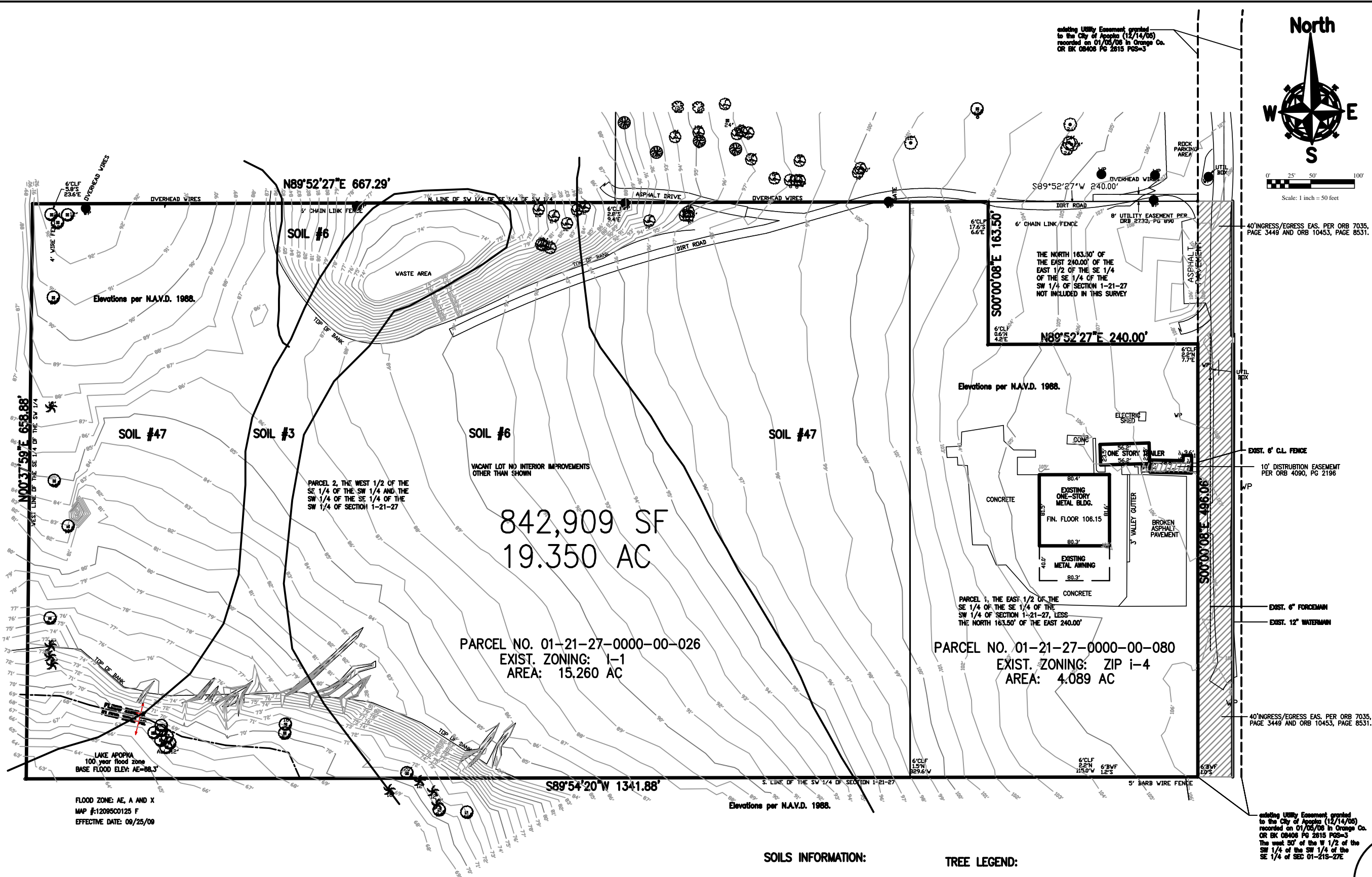
Plans issued for:

- ☐ conceptual
☒ PUD Master Plan
☒ prelim. dev. plan
- ☐ final engineering
☐ construction
☐ record drawings

Cover Sheet

project no. 13095

1 of 5



BASE SURVEY INFORMATION PROVIDED BY:

HITT LAND SURVEYORS, INC.
318 SWEETWATER CREEK DRIVE W., LONGWOOD, FLORIDA, 32779, 407-772-0248 FAX 407-772-
LAND SURVEYS • SUBDIVISIONS • CONSTRUCTION SURVEYS

SOILS INFORMATION:

SOIL #3 BASINGER D
SOIL #6 CANDLER A
SOIL #47 TRAWARES A

TREE LEGEND:

■=OAK TREE
▲=BAY TREE
●=PALM TREE
○=FIG TREE
◇=BANYAN TREE
x=HARDWOOD TREE
UNKNOWN SPECIES

NOTES: ALL INFORMATION CONTAINED HEREIN IS PROPERTY OF AMERICAN CIVIL ENGINEERING CO. ALL RIGHTS RESERVED. COPYRIGHT 2014.

ENGINEER: JOHN KERRICK, P.E.
CHECKED BY: TOM SHELTON, P.E.
TECHNICIAN: JMH

10/16/15 REVISED PER CITY REVIEW
10/2/15 REVISED PER CITY REVIEW
9/11/14 add 30' future ROW & utility easement

DATE: _____
REVISIONS: _____

PROJECT NO. 14025

AMERICAN CIVIL
ENGINEERING CO.

207 N. MOSS RD., SUITE 211, WINTER SPRINGS, FLA 32708
PH. (407) 327-7006 FAX (407) 327-0827

cert. of authorization
number 6728

EXISTING CONDITIONS

RAYNOR SHINE
RECYCLING SOLUTIONS, LLC

APOPKA, FLORIDA

PUD- EXIST.

project no. 14025

sheet number
2 of 5

1. USE OF THE PROPERTY WILL BE LIMITED TO: MACHINERY MANUFACTURING WITH OUTDOOR STORAGE OF RAW MATERIAL. LOCATED WITHIN A SCREEN AREA IS THE ONLY 1-2 USE ALLOWED.
2. USE OF THE PROPERTY WILL BE LIMITED TO: ANY 1-1 AND C-3 USE.
C-2, C-3, CN, OR DP WILL NOT BE ALLOWED AS A PRIMARY USE. ANY OFFICE USE SHALL BE ASSOCIATED WITH THE INDUSTRIAL ACTIVITY OCCURRING ON THE SITE.
3. OVERNIGHT PARKING OF TRUCKS SHALL ONLY OCCUR WITHIN AREAS APPROVED WITHIN THE MASTER SITE PLAN. NO OVERNIGHT PARKING OF LARGE TRUCKS WILL OCCUR IN THE OFFICE PARKING LOTS OR WITHIN ANY ROADWAY EASEMENT.
4. OUTDOOR STORAGE OF RAW MATERIALS SHALL ONLY OCCUR AT APPROVED LOCATIONS DEPICTED WITHIN THE MASTER SITE PLAN.
5. THE MIN. 30 FT. WINDSHIELD BUFFER PROVIDED AT THE NORTHEAST CORNER OF THE PROPERTY SHALL BE REDUCED TO A MINIMUM OF 10 FT. IF THE ADJACENT LOT FROM R-1A1A RESIDENTIAL TO AN INDUSTRIAL, COMMERCIAL, OR OFFICE ZONING CATEGORY OR A MIXED USE OR JOINT ZONING THAT ALLOWS NON-RESIDENTIAL USES.
6. IF A CONFLICT OR INCONSISTENCY OCCURS BETWEEN THE MASTER PLAN AND THE PUD ZONING ORDINANCE ASSIGNED TO THE PROPERTY, THE PUD SHALL PRECEDE THE MASTER PLAN.
7. IN THE EVENT THE PROPERTY ADJACENT THE EASTERN BOUNDARY LINE OF THE MASTER PLAN BECOMES A PRIVATE OR PUBLIC ROAD, A VARIANCE SHALL BE GRANTED FOR ANY NON-CONFORMING STRUCTURE CREATED BY SMD PRIVATE OR PUBLIC ROAD.

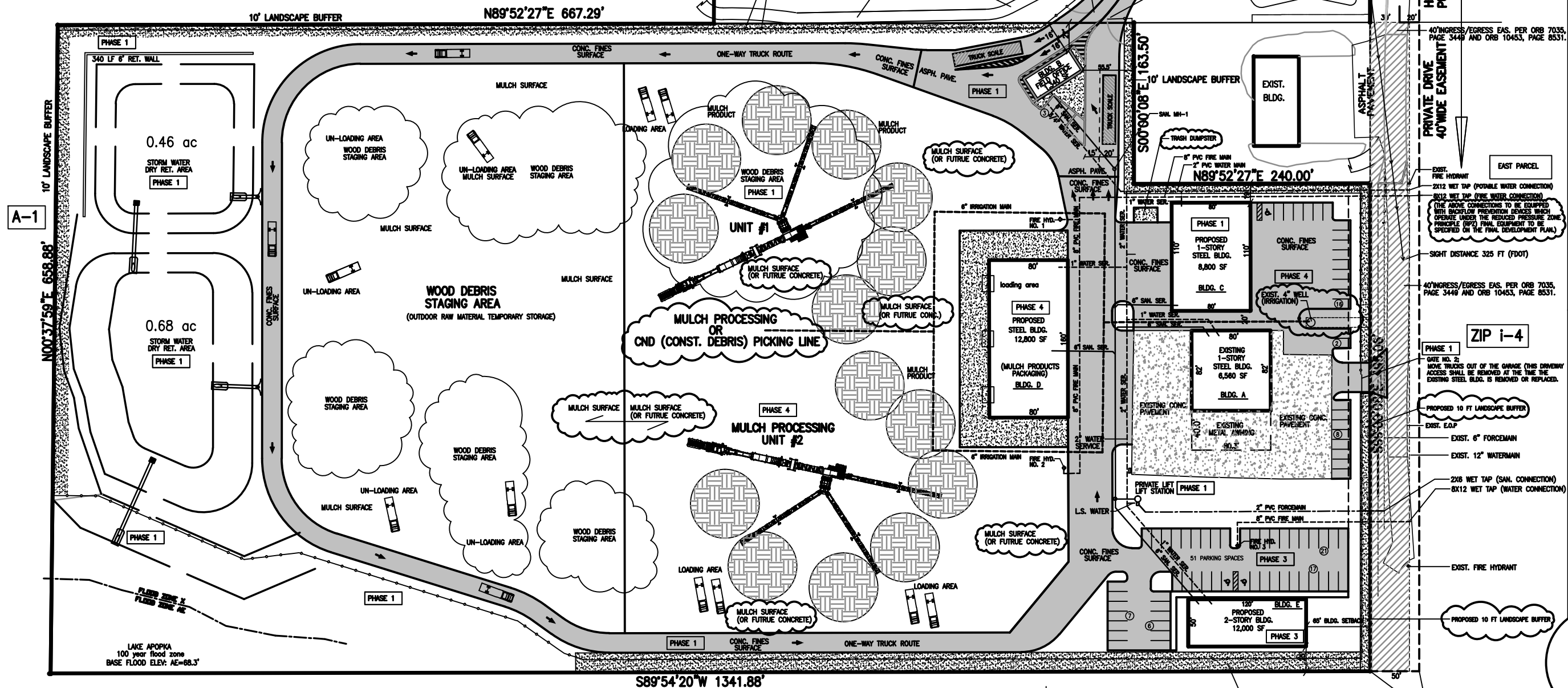
1. MAXIMUM HEIGHT OF BUILDING, MULCH CONVEYOR BELTS AND MULCH PILES ARE NOT TO EXCEED 35 FT.
2. NOISE GENERATED BY THE MULCH OPERATION IS NOT TO EXCEED
3. RECEIVING LOAD USE CATEGORY IN THE SSCOD STANDARD FOR SOUND CONTROL, SSCOD 8.87.
4. OPEN SPACE PROVIDED BY THIS MASTER PLAN (5,396 AC) IS OVER 10% OF THE TOTAL AREA (50,360 AC X 20% = 3,87 AC)
5. ALL AREAS OF THE MASTER PLAN SHALL BE OPEN SPACE. THE LIMITS OF THE OPEN AREA SHALL BE
6. ANY RESIDENCE FOR A NIGHT WATCHMAN OR CUSTOMER LIVING QUARTERS IS PERMITTED AS AN ACCESSORY USE WHEN ATTACHED TO A PRIMARY STRUCTURE OR AS A STAND-ALONE BUILDING BUT SHALL PROVIDE ACCOMMODATIONS AND BEDDING FOR NO MORE THAN TWO WATCHMEN/CUSTOMERS.
7. ANY RESIDENCE FOR A NIGHT WATCHMAN OR CUSTOMER LIVING QUARTERS IS PERMITTED AS AN ACCESSORY USE WHEN ATTACHED TO A ALL LANDSCAPE AREA SHALL BE PROTECTED FROM VEHICLE ENCRoACHMENT BY CURBING OR WHEEL STOPS.
8. NO VEHICULAR PARKING WITHIN DESIGNATED LANDSCAPE AREAS OR PUBLIC RIGHT-OF-WAY.
9. ANY OTHER USE OF THE PROPERTY OTHER THAN THAT APPEARING IN THE MASTER SITE PLAN SHALL REQUIRE AN AMENDMENT TO THE CURRENT PLD OR ORDINANCE.
10. ADDITIONAL DEVELOPMENT AND ZONING STANDARDS MAY APPEAR WITHIN A PLD ZONING ORDINANCE. IN THE EVENT A CONFLICT OR INCONSISTENCY OCCURS BETWEEN CONDITIONS APPEARING ON THE MASTER SITE PLAN OR CONDITIONS WITHIN THE PLD AND THE LDC THE PLD ZONING ORDINANCE SHALL PRESEDE.
11. ANY CHAIN LINK FENCE IN THE PERIMETER BUFFER SHALL BE EITHER BLACK OR GREEN WHN, COATED LINE FENCE.
12. THE MAXIMUM HEIGHT OF ANY BUILDING CONTAINING AN I-1 PERMISSIBLE USE IS FIFTY (50) FEET.
13. ANY NEW BUILDINGS CONSTRUCTED AFTER THE CITY'S APPROVAL OF THE MASTER PLAN (PLD) SHALL BE DESIGNED TO MEET THE INTENT OF THE CITY'S DEVELOPER/DESIGN STANDARDS UNLESS OTHER BUILDING MATERIALS AND DESIGN STANDARDS APPEAR IN THE MASTER PLAN OR ASSOCIATED PLD ORDINANCE.
14. ALL BUILDINGS FACING THE EASTERN PROPERTY LINE SHALL COMPLY WITH THE DEVELOPMENT DESIGN GUIDELINES.



PHASE 1		PHASE 2		PHASE 3		PHASE 4	
TERMINATE DATE: (12/10)		TERMINATE DATE: (5/17)		TERMINATE DATE: (12/10)		TERMINATE DATE: (12/10)	
CONSTRUCTION ITEMS:		CONSTRUCTION ITEMS:		CONSTRUCTION ITEMS:		CONSTRUCTION ITEMS:	
BUILDING B	STORMWATER SYSTEM	MULCH UNIT #1		MULCH PACKAGING BUILDUP* or MULCH UNIT #2*		MULCH PACKAGING BUILDUP* or MULCH UNIT #2*	
BUILDING C	FENCES & GATES						
TRUCK SCALE	LANDSCAPING & IRRIGATION						
UTILITIES	ON SITE PAVEMENT						
GRASS SEED SOFT				* depending on market conditions		* depending on market conditions	

**RAYNOR SHINE
RECYCLING SOLUTIONS, LLC**
PARCEL NO. 01-21-27-0000-00-027
(NOT A PART OF THIS MASTER PLAN)

1. WOOD DEBRIS PILES SHALL BE SEPARATED TO MANAGEABLE SIZES FOR POSSIBLE EXTINGUISHMENT.
2. ANY BUILDING OVER 7,500 SF SHALL BE EQUIPPED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM AND FIRE ALARM SYSTEM TO MONITOR.
3. FIRE DEPT. CONNECTIONS (FDC) FOR SPRINKLER SYSTEMS SHALL BE REMOTE FOR THE BUILDINGS.
4. A LOCKBOX ARRANGEMENT SHALL BE PROVIDED FOR THE BUILDINGS. THIS WILL ALLOW EMERGENCY ACCESS WITH KEYS.
5. ACCESS SHALL BE VIA A LOCK BOX OR AUTOMATIC SIRE YELP ACTIVATION FOR ANY GATES ON THE PROPERTY.



 **HITT LAND SURVEYORS, INC.**
318 SWEETWATER CREEK DRIVE W., LONGWOOD, FLORIDA, 32779, 407-772-0248 FAX 407-772-
LAND SURVEYS • SUBDIVISIONS • CONSTRUCTION SURVEYS

FLOOD ZONE: AE, A AND X
MAP #12095C0125 F
EFFECTIVE DATE: 09/25/09

Page 177

PARCEL 1, THE EAST 1/2 OF THE
SE 1/4 OF THE SE 1/4 OF THE
SW 1/4 OF SECTION 1-21-27, LESS
THE NORTH 163.50' OF THE EAST 240.00'

existing Utility Easement granted
to the City of Apopka (12/14/05)
recorded on 01/05/06 in Orange Co.
OR BK 08406 PG 2615 PGS=3
The west 50' of the W 1/2 of the
SW 1/4 of the SW 1/4 of the
SE 1/4 of SEC 01-21S-27E

**AMERICAN CIVIL
ENGINEERING CO.**

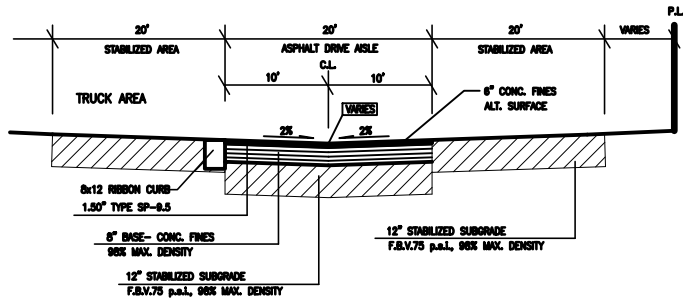
PUD MASTER / PRELIMINARY DEVELOPMENT PLAN
RAYNOR SHINE
RECYCLING SOLUTIONS, LLC

APOPKA, FLORIDA

M.S.P.
project no. 13095
sheet number
3 of 5

STORMWATER DESIGN CRITERIA:

PURSUANT TO THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT,
THE INTENT OF THE DRAINAGE DESIGN IS TO RETAIN 100% OF THE
25 YEAR / 96 HOUR STORM EVENT WITH A RAINFALL AMOUNT OF
11" IN 96 HOURS



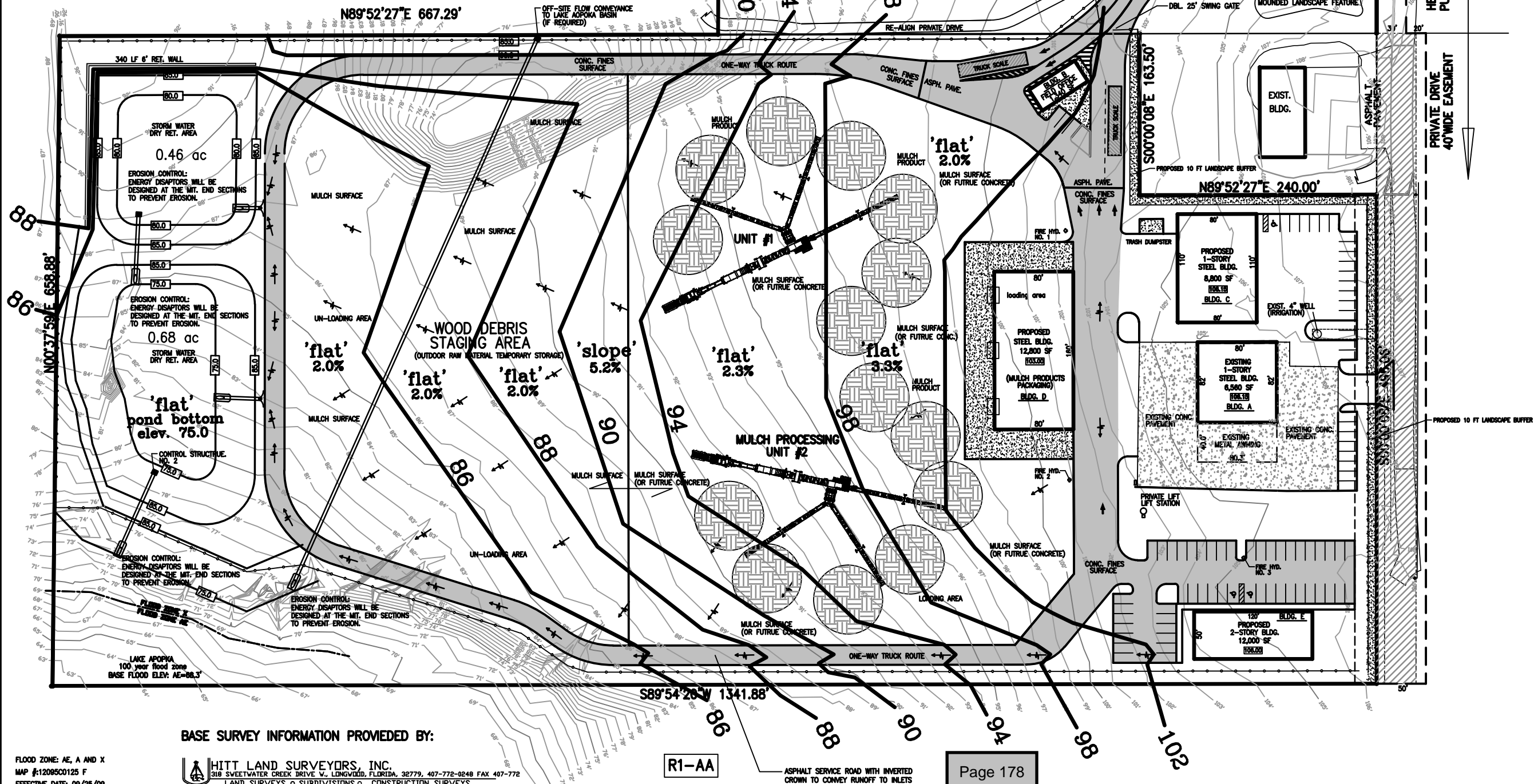
SECTION OF SERVICE ROAD

ASPHALT SERVICE ROAD WITH INVERTED
CROWN TO CONVEY RUNOFF TO INLETS

PROPERTY OWNER:

RAYNOR SHINE
RECYCLING SOLUTIONS, LLC
PARCEL NO. 01-21-27-0000-00-027
(NOT A PART OF THIS MASTER PLAN)

R1-AA



FLOOD ZONE: AE, A AND X
MAP #120950125 F
EFFECTIVE DATE: 09/25/09

HITT LAND SURVEYORS, INC.
318 SWEETWATER CREEK DRIVE W., LONGWOOD, FLORIDA, 32779, 407-772-0248 FAX 407-772-
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R1-AA

ASPHALT SERVICE ROAD WITH INVERTED
CROWN TO CONVEY RUNOFF TO INLETS

Page 178

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RESERVED. OCT 2014.

10/16/15	REVISED PER REVIEW COMMENTS
10/27/15	REVISED PER REVIEW COMMENTS
8/7/14	FOURTH EDITION
6/27/14	THIRD EDITION
6/10/14	SECOND EDITION
DATE	REVISIONS

PROJECT NO. 14025

AMERICAN CIVIL
ENGINEERING CO.

PUD MASTER / PRELIMINARY DEVELOPMENT PLAN
RAYNOR SHINE
RECYCLING SOLUTIONS, LLC

APPOKA, FLORIDA

cert. of authorization
number 6729

207 N. MOSS RD., SUITE 211, WINTER SPRINGS, FLA 32788
PH. (407) 327-7706; FAX (407) 327-0827

GRADING
project no. 13095
sheet number
4 of 5

LANDSCAPE CHART:

SYMBOL KEY	#	COMMON NAME:	BOTANICAL NAME:	SIZE:	WATER ZONE:
	6	MAGNOLIA	MAGNOLIA BRICKERS	3" DIAMETER AT BREAST HEIGHT (34"). MIN. HEIGHT SHALL BE 12" ABOVE GRADE. 6" SPREAD, CONT. GROWN	LOW
	6	SHUMARD RED OAK	QUERCUS SHUMARD	3" DIAMETER AT BREAST HEIGHT (34"). MIN. HEIGHT SHALL BE 12" ABOVE GRADE. 6" SPREAD, CONT. GROWN	LOW
	5	CRAPE MYRTLE	LAGERSTROEMIA	3" DIAMETER AT BREAST HEIGHT (34"). MIN. HEIGHT SHALL BE 12" ABOVE GRADE. 6" SPREAD, CONT. GROWN	LOW
	111	VIBURNUM	SANDWICH VIBURNUM	5-7 GA. 36" HIGH, 30" C/C.	MED.
	35	PLUMBAGO BLUE	PLUMBAGO ALBA	5-7 GA. 36" 24" X 24"	LOW
	120 EA.	PURPLE TRUMPET	RAPHIOLEPIS INDICA 'ALBA'	3 GALLON 18" X 18"	LOW

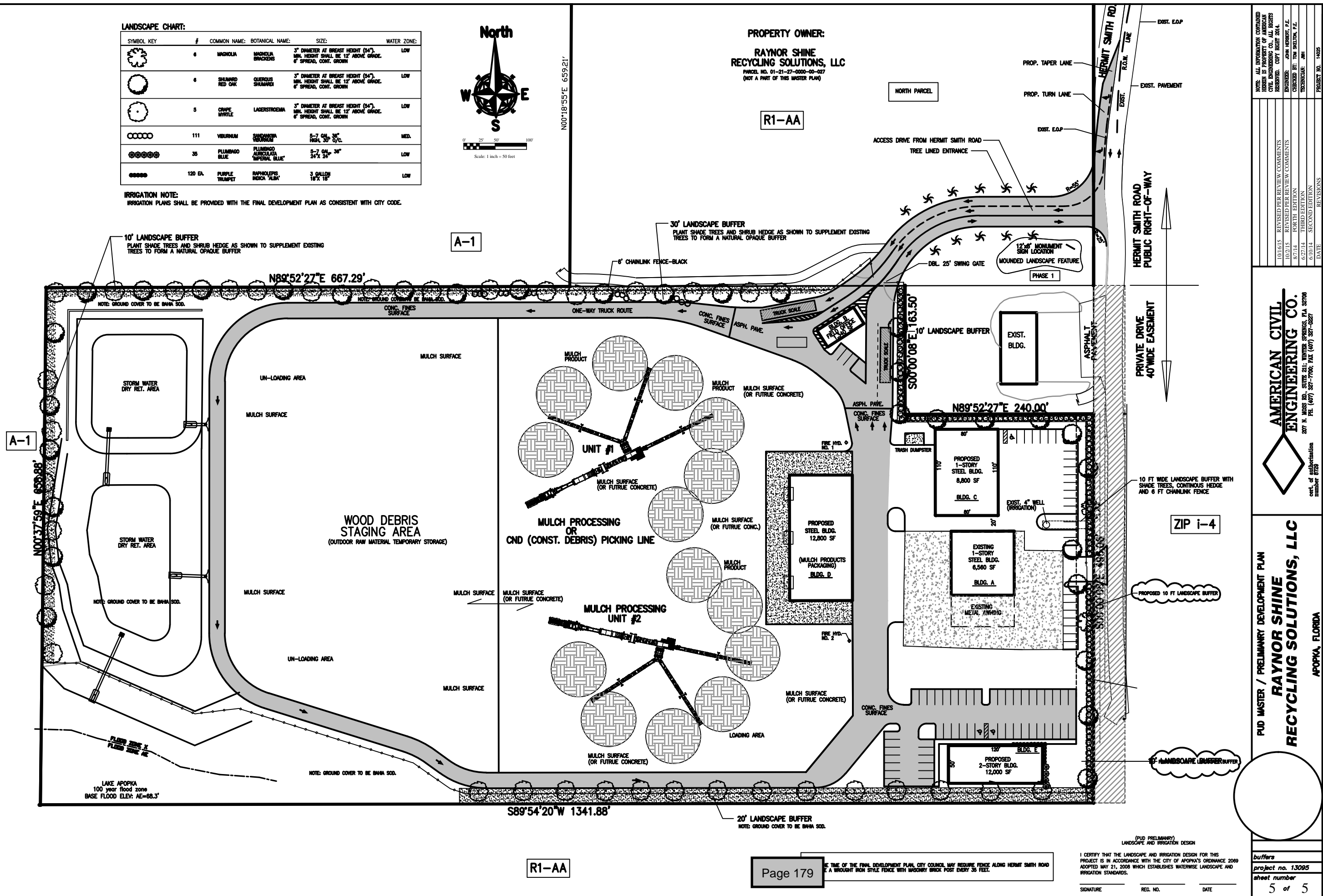
IRRIGATION NOTE:

IRRIGATION PLANS SHALL BE PROVIDED WITH THE FINAL DEVELOPMENT PLAN AS CONSISTENT WITH CITY CODE.



PROPERTY OWNER:
**RAYNOR SHINE
RECYCLING SOLUTIONS, LLC**
PARCEL NO. 01-21-27-0000-00-027
(NOT A PART OF THIS MASTER PLAN)

R1-AA



AMERICAN CIVIL
ENGINEERING CO.
207 N. MOSS RD., SUITE 211, WINTER SPRINGS, FLA 32789
PH. (407) 327-7706; FAX (407) 327-0827
cert. of authorization
number 6728

PUD MASTER / PRELIMINARY DEVELOPMENT PLAN
**RAYNOR SHINE
RECYCLING SOLUTIONS, LLC**
APOPKA, FLORIDA

buffers
project no. 13095
sheet number
5 of 5

(PUD PRELIMINARY)
LANDSCAPE AND IRRIGATION DESIGN
I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR THIS
PROJECT IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2009
ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND
IRRIGATION STANDARDS.
SIGNATURE _____ REG. NO. _____ DATE _____

Backup material for agenda item:

13. Ordinance 2472 – First Reading – PUD Master Plan

David Moon



CITY OF APOPKA CITY COUNCIL

☒ PUBLIC HEARING
☐ SPECIAL REPORTS
☐ PLAT APPROVAL
☒ OTHER: Ordinance

MEETING OF: December 2, 2015
FROM: Community Development
EXHIBITS: Vicinity Map
Adjacent Zoning Map
Ordinance No. 2472
PUD Master Plan
Color Rendering

SUBJECT: ORDINANCE NO. 2472 – CHANGE OF ZONING – AMENDMENT OF EXISTING PUD\C-2 ZONING (ORDINANCE NO. 2292) AND MASTER PLAN

Request: ACCEPT FIRST READING OF ORDINANCE NO. 2472 – RACETRAC PETROLEUM, INC. – CHANGE OF ZONING, RECENDING ORDINANCE NO. 2292, AND AMENDING PUD (PLANNED UNIT DEVELOPMENT/C-2) AND MASTER PLAN; PARCEL ID NUMBER: 05-21-28-0000-00-039); AND HOLD OVER FOR A SECOND READING & ADOPTION.

SUMMARY:

OWNER: RaceTrac Petroleum, Inc.\Spirit SPE Portfolio CA C-Stores, LLC

APPLICANT: AutoZone Stores, LLC

ENGINEER: CPH c/o Joshua D. Lockhart, P.E.

LOCATION: 1305 West Orange Blossom Trail
(North of U.S. HWY 441 (a.k.a. Orange Blossom Trail) and East of Errol Parkway)

EXISTING USE: Convenience Store w/ Fueling Stations

LAND USE: Commercial

ZONING: PUD/C-2

PROPOSED DEVELOPMENT: Retail Auto Parts Store

PROPOSED LOTS: Lot 1: 2.08 +/- Acres Lot 2: 0.89 +/- Acres

TOTAL ACRES: 2.94 +/- Acres

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (City)	Residential Medium (0-10du/ac)	R-2	Residential Subdivision
East (City)	Commercial	PUD	Retail Shopping Center (Victoria Plaza)
South (City)	Commercial	C-2	Commercial Retail (Verizon Wireless)
West (County)	Commercial	C-2	Commercial Retail

ADDITIONAL COMMENTS: The original PUD Master Plan was adopted on March 6, 2013, through Ordinance #2292 allowing PO/I, CN, C-1, and automotive fuel sales, which is C-2 district permissible use. The PUD Master Plan amendment creates two separate lots with an existing gas station and a proposed AutoZone retail store. Lot 1, identifies the existing Marathon (formerly known as RaceTrac) gas station consisting of a 5,928 s.f. convenience store with fueling stations. On Lot 2, AutoZone Store, LLC is proposing to construct a 6,815 s.f. retail store with 27 parking spaces.

Comprehensive Plan Compliance: The proposed PUD (Planned Unit Development/C-2) zoning is consistent with the City's Commercial Future Land Use category. Development plans shall not exceed the intensity allowed under the adopted Future Land Use designation.

Land Use Compatibility: The Property is located on a major arterial road (West Orange Blossom Trail). The proposed use and zoning will not create any land use or traffic compatibility issues with adjacent uses. Development of the site must occur consistent with standards set forth in the Land Development Code and Development Design Guidelines unless otherwise approved within the PUD master site plan.

Buffer Yard Requirements: Areas adjacent to all road right of ways shall provide a minimum ten foot landscape bufferyard. Areas adjacent to residential uses or districts shall provide a ten foot high masonry wall within a ten-foot landscape buffer.

PROPOSED PUD RECOMMENDATIONS: The PUD recommendations are 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:

Section I. 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 are PO/I, CN, C-1, and automotive fuel sales, which is C-2 district permissible use.
- B. All development standards set forth in the Land Development Code and Development Design Guidelines shall apply to development within the PUD unless as otherwise allowed and defined as follows:
 1. Signage shall comply with the City's sign codes unless otherwise approved through a master sign plan
 2. Illumination plan shall be provided with the preliminary or final development plan.
 3. No outside activities including but not limited to, outside storage of parts, vending machines, supplies, merchandise or materials.

- C. The C-1 zoning standards shall apply to the development of the subject property unless otherwise established herein this ordinance.
- D. A cross access easement shall be illustrated in the preliminary and final development plans and the plat that connect the U.S. 441 entrance to the eastern boundary of the project, allowing for future connection to the Victoria Plaza.
- E. The parcel split shall occur through a plat at the time of the final development plan application.
- F. Ordinance No. 2292 is rescinded and replaced by Ordinance No. 2472.

SPECIAL DEVELOPMENT STANDARDS (Waiver Requests): The applicant has proposed the below waiver requests (which appear on the cover sheet of the Master Plan). As the applicant has applied for a PUD zoning, these waiver requests will be listed as Development Standards approved for the subject property. No separate action is necessary for each waiver. Thus, the below waivers are considered to be additional development standards that will be incorporated in the PUD ordinance, unless specifically amended or denied by City Council.

1. Waiver Request #1: LDC 2.02.13.G.3 requires areas adjacent to nonresidential uses or districts shall provide a minimum five-foot landscaped bufferyard. The applicant is requesting a joint 5 feet wide landscape buffer between Lot 1 and 2 in lieu of the required five feet on each parcel.

Justification: Both sites are commercial use and there will be substantial landscaping within the 5' buffer, including 7 ea Crape Myrtle w/ 2" min Caliper 8' minimum height, 48 ea. Sweet Viburnum Hedge 24" minimum height 36" o.c. and Parsons Juniper 24" o.c. The panhandle portion of the Race Trac parcel will be left as open space.

Staff Recommendation: DRC does not object to the waiver request.

2. Waiver Request #2: LDC 6.03.02 Commercial uses not otherwise classified to provide 1 space for each 200 square feet of gross floor area. The applicant is requesting the off-street parking to be counted at 1 space per 300 square feet of gross building square footage.

Justification: Autozone is comfortable with this parking ratio and it is comparable to other stores sites.. The easements, access to and from the adjacent parcels, and the required stormwater reduce the parking lot size. Parking that is provided and not necessary only provides for more impervious area, which impairs recharge to the aquifer, which does not meet the goals and objective of the City of Apopka Comprehensive Plan.

Staff Recommendation: DRC does not object to the waiver request.

3. Waiver Request #3: LDC 6.05.00.D.6.A, requires the minimum requirements for maintenance berms are ten feet around pond perimeter. The applicant is requesting a reduction in width of the maintenance berm of 10 feet with fencing to 5 feet for Lot 2.

Justification: The proposed concrete wall is set back 10' from the property line, due to an existing easement. An additional 10' berm on the site side of the wall would take up additional room for recharge of the stormwater ponds, necessary to meet the goals and objectives of the City of Apopka Comprehensive Plan. The proposed pond is dry and will allow for maintenance and upkeep from inside the pond.

Staff Recommendation: DRC does not object to the waiver request.

4. Waiver Request #4: The applicant is requesting a reduction of the requirement of no more than 50% of the required parking spaces in front of the building.

Justification: The overall total number of parking was reduced from 32 to 27, in order to reduce the number of parking spaces in the front. This reduction provided for wider landscape islands, which is in the spirit of the ordinance. The reduction also allows for a cross access drive aisle in the future to the Victoria Plaza.

Staff Recommendation: DRC does not object to the waiver request.

PUBLIC HEARING SCHEDULE:

Planning Commission – November 24, 2015, 5:01 p.m.

City Council – December 2, 2015, 1:30 p.m. – First Reading

City Council – December 16, 2015, 7:00 p.m. – Second Reading

DULY ADVERTISED:

October 23, 2015 – Public Notice and Notification

December 4, 2015 – Ordinance Heading Ad w/map

RECOMMENDED ACTION:

The **Development Review Committee (DRC)** recommended approval of the Racetrac/Autozone PUD Master Plan Amendment for the property owned by Race Trac Petroleum, Inc. and Spirit SPE Portfolio CA C-Stores, LLC, located north of U.S. Highway 441 aka (Orange Blossom Trail) and east of Errol Parkway, subject to PUD Recommendations and the information and findings in the staff report.

The **Planning Commission**, at its meeting on November 10, 2015, continued this item to the Special Planning Commission meeting on November 24, 2015, due to a change of ownership for part of the property.

The **Planning Commission**, at its November 24, 2015 hearing, recommended (5-1) of the Racetrac/Autozone PUD Master Plan Amendment and waiver requests for the property owned by Race Trac Petroleum, Inc. and Spirit SPE Portfolio CA C-Stores, LLC, located north of U.S. Highway 441 aka (Orange Blossom Trail) and east of Errol Parkway, subject to owner verification prior to the City Council meeting, the PUD Recommendations and the information and findings in the staff report.

City Council:

1. Accept the First Reading of Ordinance No. 2472 and Hold it Over for Second Reading & Adoption on December 16, 2015.
2. Approve the Racetrac/Autozone PUD Master Plan Amendment and waiver requests for the property owned by Race Trac Petroleum, Inc. and Spirit SPE Portfolio CA C-Stores, LLC, located north of U.S. Highway 441 aka (Orange Blossom Trail) and east of Errol Parkway, subject to ownership verification, PUD Recommendations and the information and findings in 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.

Application: PUD Master Plan Amendment
Applicant: AutoZone Store, LLC
Owner: Racetrac Petroleum, Inc. and Spirit SPE Portfolio CA C-Stores, LLC
Engineer: CPH, Inc. c/o Joshua D. Lockhart, P.E.
Parcel ID Nos.: 05-21-28-0000-00-039
Total Acres: 2.94 +/-

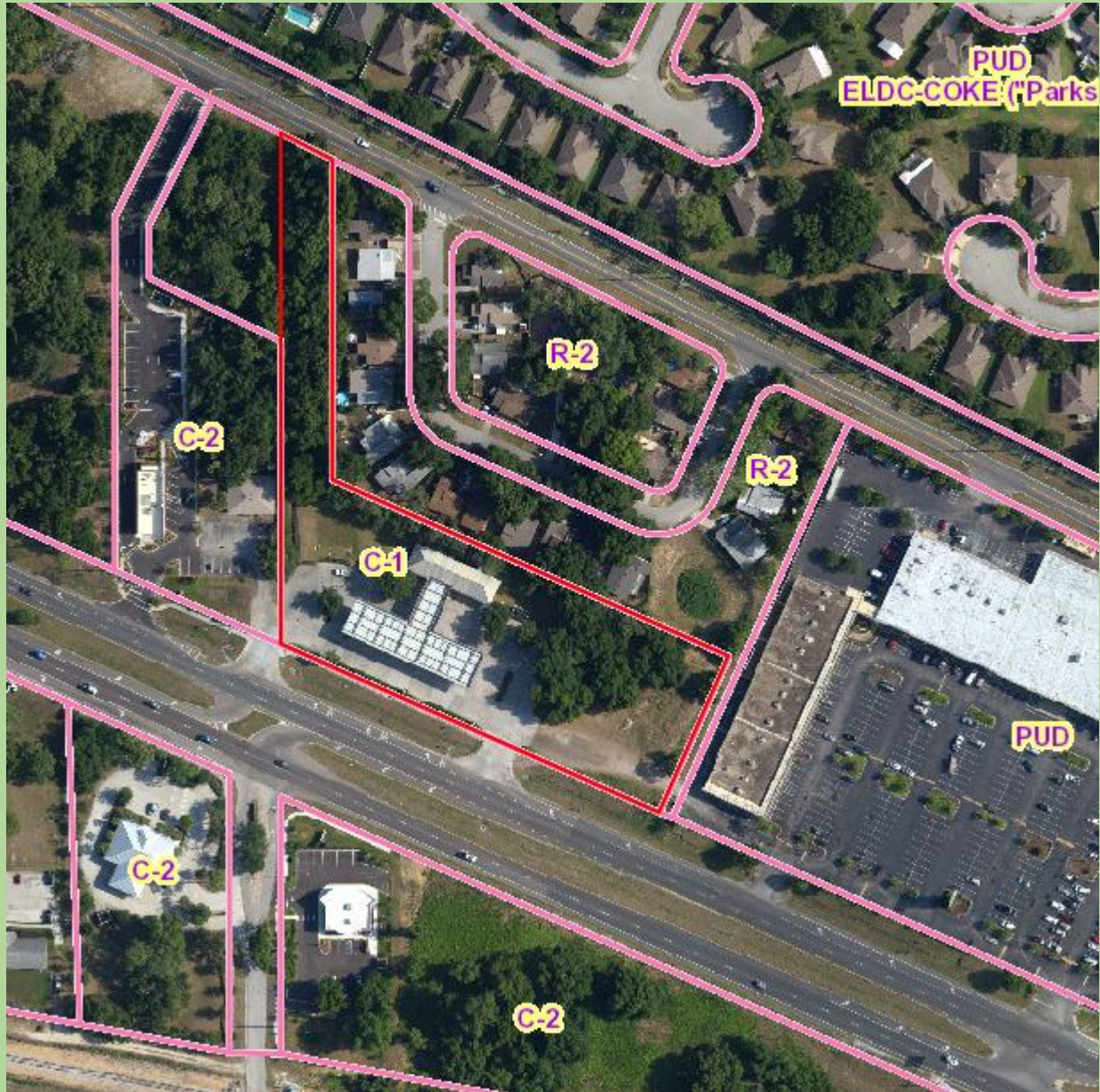


VICINITY MAP



Application: PUD Master Plan Amendment
Applicant: AutoZone Store, LLC
Owner: Racetrac Petroleum, Inc. and Spirit SPE Portfolio CA C-Stores, LLC
Engineer: CPH, Inc. c/o Joshua D. Lockhart, P.E.
Parcel ID Nos.: 05-21-28-0000-00-039
Total Acres: 2.94 +/-

ADJACENT ZONING MAP



ORDINANCE NO. 2472

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, RESCINDING ORDINANCE NO. 2292, AND AMENDING THE PLANNED UNIT DEVELOPMENT ZONING (PUD\C-2) STANDARDS AND MASTER PLAN; FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF WEST ORANGE BLOSSOM TRAIL (U.S. HWY 441), SOUTH OF OLD DIXIE HIGHWAY, AND EAST OF ERROL PARKWAY COMPRISING 2.94 ACRES, MORE OR LESS AND OWNED BY SPIRIT SPE PORTFOLIO CA C-STORES, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, Spirit SPE Portfolio Ca C-Stores, LLC, who purchased the site and project from RaceTrac Petroleum, Inc. has requested to amend the PUD zoning standards and Master Plan on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed PUD/C-2 zoning and Master Plan amendments have been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

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

Section I. Ordinance No. 2292 is rescinded and replaced by Ordinance No. 2472, and 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 development standards and provisions as appearing within the Master PUD Site Plan, as shown in Exhibit "A", and subject to the following zoning provisions:

Permissible uses allowed at the Property shall be any permitted use for the PO/I, CN, and C-1 districts and automotive fuel sales, which is a C-2 district permissible use. No other C-2 permissible uses are allowed. No outdoor storage or display of merchandise is allowed.

Section II. That the zoning classification of the following described Property, being situated in the City of Apopka, Florida, is hereby PUD/C-2 as defined in the Apopka Land Development Code:

Legal Description:

A parcel of land located in the Southeast $\frac{1}{4}$ of Section 5, Township 21 South, Range 28 East, more particularly described as follows:

Commence at the Northwest corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 5; thence South 00°00'00" East, 55.74 feet to the south right-of-way of State Road No. 424, said point being the Point of Beginning and said point also being the Northeast corner of Lot 6, Pine Tree Park, as Recorded in Plat Book 11, Page 44 of the Public Records of Orange County, Florida; thence South 63°11'55" East, 67.22 feet along said southerly right-of-way of State Road No. 424 to the Northwest corner of Errol Place, as recorded in Plat Book 13, Page 10 of the Public Records of Orange County, Florida; thence South

ORDINANCE NO. 2472

PAGE 2

00°00'00" East, 373.99 feet along the west line of said Errol Place to the southwesterly corner of said Errol Place; thence South 66°03'50" East, 507.32 feet along the southerly line of said Errol Place to the southeasterly corner of said Errol Place; thence South 23°56'10" West, 200.00 feet to the northerly right-of-way of U.S. Highway No. 441 (State Road No. 500); thence north 66°03'50" West, 484.19 feet to the west line of the Southeast ¼ of said Section 5; thence north 00°00'00" East, 596.49 feet along the aforementioned west line to the Point of Beginning.

Parcel ID No.: 05-21-28-0000-00-039
Containing 2.94 +/- Acres

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

Section III. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

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

Section V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: December 2, 2015

READ SECOND TIME
AND ADOPTED: December 16, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR TRANSMITTAL HEARING: October 23, 2015
December 4, 2015

RACETRAC / AUTOZONE

PUD ZONING AMENDMENT AND MASTER PLAN

1305 WEST ORANGE BLOSSOM TRAIL, APOPKA, FLORIDA

PARCEL ID: 05-21-28-0000-00-039

LEGAL DESCRIPTION

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

FROM THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 5, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, RUN SOUTH 55.74 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 424; THENCE SOUTH 63 DEGREES 11 MINUTES 55 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 67.22 FEET TO THE POINT OF BEGINNING; RUN THENCE SOUTH 373.99 FEET; THENCE SOUTH 66 DEGREES 03 MINUTES 50 SECONDS EAST 507.32 FEET; THENCE SOUTH 23 DEGREES 56 MINUTES 10 SECONDS WEST 200.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 500 (US. 441); THENCE NORTH 66 DEGREES 03 MINUTES 50 SECONDS WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE 484.19 FEET; THENCE NORTH 596.49 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 424; THENCE SOUTH 63 DEGREES 11 MINUTES 55 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE 67.22 FEET TO THE POINT OF BEGINNING.

SECTION 5, TOWNSHIP 21 SOUTH, RANGE 28 EAST

DEVELOPER	ENGINEER	INDEX OF SHEETS
AUTOZONE STORES, LLC. 123 SOUTH FRONT STREET MEMPHIS, TENNESSEE 38103 (901) 495-8701 ATTN.: WADE DAVIS	CPH, INC. 2216 ALTAMONT AVE. FT. MYERS, FL 33901 (239) 332-5499 ATTN.: JOSHUA D. LOCKHART, P.E.	C0.0 COVER SHEET C1.0 PUD ZONING AMENDMENT AND MASTER PLAN
ARCHITECT AUTOZONE, INC. DEPARTMENT 8320 123 SOUTH FRONT STREET MEMPHIS, TENNESSEE 38103 (901) 495-8707 ATTN.: GEORGE CALLOW, ARA	SURVEYOR BULLSEYE SURVEYING, INC. 4590 ULMERTON RD, SUITE 115 CLEARWATER, FLORIDA 33762 (727) 475-8088 ATTN.: GEORGE R. MARTIN, P.S.M.	C1.1 AS-BUILT SURVEY OF RACETRAC AND PARCEL MASTER PLAN C2.0 SITE GRADING PLAN FOR LOT 2
OWNER RACETRAC PETROLEUM, INC. 3225 CUMBERLAND BOULEVARD ATLANTA, GEORGIA 30339 (770) 431-7600	LANDSCAPE ARCHITECT CPH, INC. 500 WEST FULTON STREET SANFORD, FLORIDA 32771 (407) 322-6841 ATTN.: ANNE G. WEST, R.L.A.	C3.0 SITE UTILITY PLAN FOR LOT 2 C4.0 ALTA/ACSM LAND TITLE SURVEY
UTILITIES SEWER & WATER: CITY OF APOPKA 748 EAST CLEVELAND STREET APOPKA, FLORIDA 32703 (407) 703-1731 EXT. 685 ATTN.: BRIAN BISHOP ELECTRIC: DUKE ENERGY 275 W. PONKAN RD. APOPKA, FLORIDA 32712 (407) 464-1268 ATTN.: EDWIN "ALBERT" MARSDEN COMMUNICATION: BRIGHT HOUSE NETWORKS 3767 ALL AMERICAN BOULEVARD ORLANDO, FLORIDA 32810 (407) 532-8509 ATTN.: MARVIN USRY JR GAS: LAKE APOPKA NATURAL GAS DISTRICT 38 NORTH PARK AVENUE APOPKA, FLORIDA 32703 (407) 656-2734 EXT. 116 ATTN.: ALEX WOSGIEIN		1 of 2 ALTA/ACSM LAND TITLE SURVEY 2 of 2 ALTA/ACSM LAND TITLE SURVEY

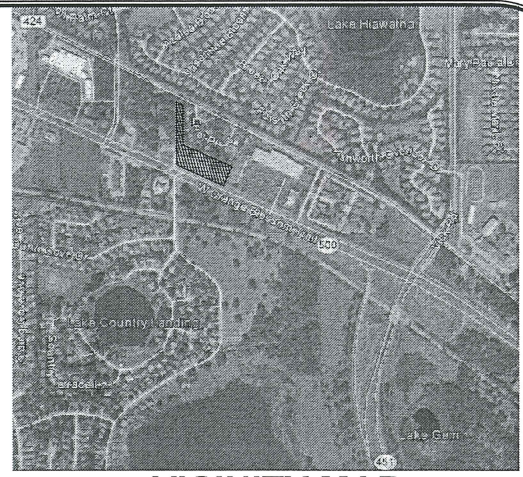
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DOMESTIC WASTEWATER COLLECTION DIVISION CENTRAL DISTRICT
3319 MAGUIRE BOULEVARD, SUITE 232
ORLANDO, FLORIDA 32803
(407) 893-3300

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRINKING WATER DIVISION CENTRAL DISTRICT
3319 MAGUIRE BOULEVARD, SUITE 232
ORLANDO, FLORIDA 32803
(407) 893-3310

FLORIDA DEPARTMENT OF TRANSPORTATION
DISTRICT 5
719 SOUTH WOODLAND BOULEVARD
DELAND, FLORIDA 32720
(386) 943-5000
ATTN.: NORANNE DOWNS

ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT
MAITLAND SERVICE CENTER
601 SOUTH LAKE DESTINY DRIVE, SUITE 200
MAITLAND, FLORIDA 32751
(407) 659-4800

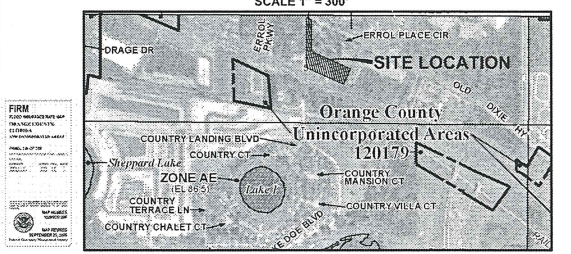
CITY OF APOPKA
PLANNING AND ZONING
120 EAST MAIN STREET
APOPKA, FLORIDA 32703
(407) 703-1700



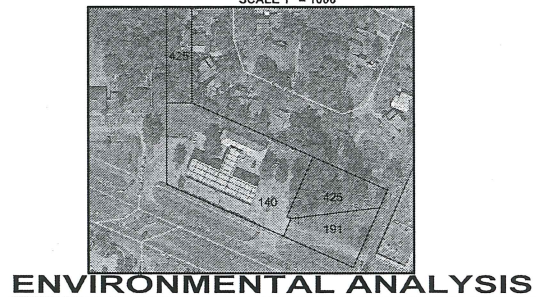
VICINITY MAP
1" = 800'



SOILS MAP
SCALE 1" = 300'



FIRM MAP
SCALE 1" = 1000'

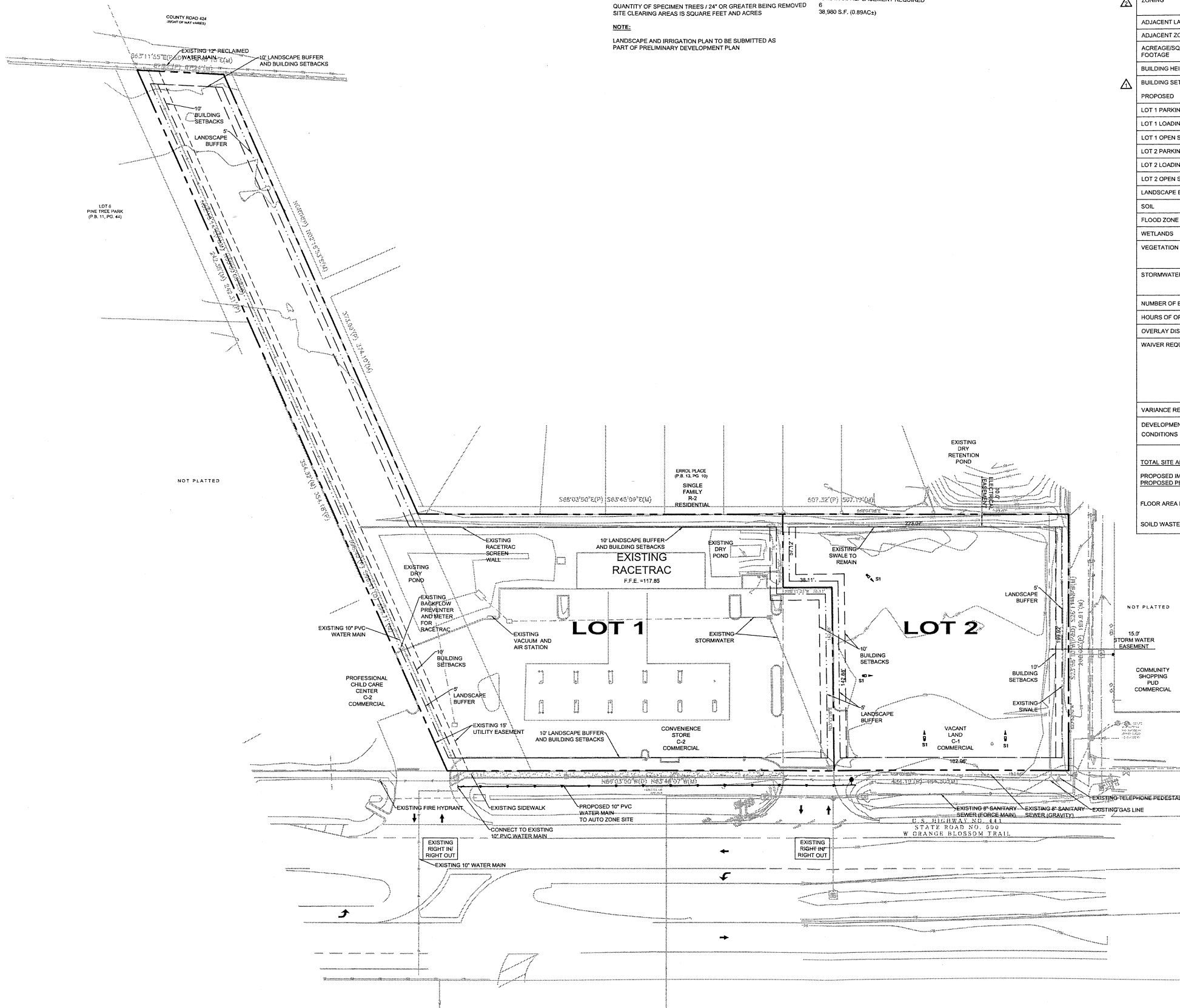


ENVIRONMENTAL ANALYSIS
SCALE 1" = 200'
191 - UNDEVELOPED LAND WITHIN URBAN AREAS
425 - TEMPERATE HARDWOOD
140 - COMMERCIAL AND SERVICES
ENVIRONMENTAL ANALYSIS PER CITY LDC CODE SECTION 5.02.05. THE SITE IS WITHIN THE WEKIWA RIVER BASIN, ITEM A-E OF THE CODE SECTION 5.02.05 WILL BE MET FOR THE AUTO ZONE SITE AS APPLICABLE.

GENERAL STATEMENT

THE PURPOSE OF THIS PROJECT IS TO CONSTRUCT A RETAIL STORE. THE SITE WORK WOULD BE INCLUSIVE TO THE CONSTRUCTION OF A NEW FACILITY AND INFRASTRUCTURE.

Planned By: CPH, Inc. 2216 Altamont Ave., Ft. Myers, FL 33901 Ph: 239.332.5499 Licenses: Eng. C.O.A. No. 3215 Arch. Lic. No. AA2600926 Survey L.B. No. 7143 Landsc. Lic. No. LC0000298	*NOTICE* THE SIZE OF THESE PLANS MAY HAVE BEEN SLIGHTLY ALTERED BY REPRODUCTION PROCESSES. THIS MUST BE CONSIDERED WHEN SCALING ANY DATA.	ACTIVITY DESIGNED BY: IB/JDH DRAWN BY: JDL CHECKED BY: CDP APPROVED BY: JDL REGISTRATION NO.: 61810	NAME DATE NO. DATE REVISION PER CITY COMMENTS APPROVED SCALE: N/A DATE: MAR. 2015 JOB NO.: A20129 FILE: COVER	SHEET NO. C0.0
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TREE INFORMATION:

TOTAL TREE INCHES ON-SITE 310
TOTAL TREE INCHES REMOVED 310
TOTAL TREE INCHES REPLACED 299
MAXIMUM TREE STOCK FORMULA AND CALCULATIONS
38,980 S.F. - 6,000 S.F. = 32,980 / 1,000 S.F. = 32.98 x 5' = 164.9 + 30' =
194.9 MAX. REPLACEMENT REQUIRED
QUANTITY OF SPECIMEN TREES / 24" OR GREATER BEING REMOVED 6
SITE CLEARING AREAS IS SQUARE FEET AND ACRES 38,980 S.F. (0.89AC±)

NOTE:

LANDSCAPE AND IRRIGATION PLAN TO BE SUBMITTED AS
PART OF PRELIMINARY DEVELOPMENT PLAN

SITE DATA TABLE LOT 1 AND 2					
SITE ADDRESS	1305 W. ORANGE BLOSSOM TRAIL APOPKA FL 32712				
PARCEL ID NUMBER	05-21-28-0000-00-039				
FUTURE LAND USE	COMMERCIAL				
PROPOSED USE	LOT-1 = COMMERCIAL / SERVICE STATION LOT-2 = COMMERCIAL / RETAIL				
ZONING	(RE)PERMISSIBLE DISTRICT USES ALLOWED FOR C-1 AND AUTOMOBILE FUEL SALES WHICH IS THE ONLY C-2 USES ALLOWED				
ADJACENT LAND USE	NORTH: RESIDENTIAL	EAST: COMMERCIAL	SOUTH: COMMERCIAL	WEST: COMMERCIAL	
ADJACENT ZONING	NORTH: R-2	EAST: PUD	SOUTH: U.S. # 441/C-1	WEST: C-1	
ACREAGE/SQUARE FOOTAGE	TOTAL: 2.945 ±	ACREAGE: 2.945 ±	SQUARE FEET: 128,283.2 ±	TOTAL: LOT 1 2.06 ±AC	LOT 2 0.89 ±AC
BUILDING HEIGHT	PROPOSED MAXIMUM: 35'				
BUILDING SETBACKS	NORTH (REAR) = 10'	EAST (SIDE) = 10'	SOUTH (FRONT) = 10'	WEST (SIDE) = 10'	CORNER = 15'
PROPOSED	30'	10'	10'	10'	N/A
LOT 1 PARKING SPACES	1 SPACE / 100 S.F.		5,928 S.F. / 100 S.F. = 62± PROVIDED		
LOT 1 LOADING SPACES	1/10,000 S.F. = 1 REQUIRED		1 PROVIDED		
LOT 1 OPEN SPACE	EXISTING: 1.0 ±AC 45,039.5 ±S.F.		49 %		
LOT 2 PARKING SPACES	1 SPACE / 300 S.F.		6,815 S.F. / 300 S.F. = 23 REQUIRED / 27 PROPOSED		
LOT 2 LOADING SPACES	1/10,000 S.F. = 1 REQUIRED		1 PROPOSED		
LOT 2 OPEN SPACE	AVAILABLE: 0.38 ±AC 16,502.3 ±S.F.		42.34 %		
LANDSCAPE BUFFERS	NORTH (REAR) = 10'	EAST (SIDE) = 5'	SOUTH (FRONT) = 10'	WEST (SIDE) = 5'	
SOIL	21 - LAKE FINE SAND AND 4 - CANDLER FINE SAND				
FLOOD ZONE	FIRM MAP 12095C0120F SEPTEMBER 25, 2009				
WETLANDS	NONE				
VEGETATION	LOT 1 IS CURRENTLY A FUNCTIONING RACETRAC SITE LOT 2 IS CURRENTLY VACANT / TREES AND GRASS				
STORMWATER	LOT 1 HAS EXISTING STAND ALONE POND. LOT 2 HAS A PROPOSED STAND ALONE POND				
NUMBER OF EMPLOYEES	LOT 1 = 15 ±		LOT 2 = 15 ±		
HOURS OF OPERATION	24 HOUR		MON - SAT = 7:30 AM - 9 PM; SUN = 9 AM - 8 PM		
OVERLAY DISTRICT	NOT IN AN OVERLAY DISTRICT				
WAIVER REQUEST	1. JOINT 5' LANDSCAPE BUFFER BETWEEN LOT 1 AND LOT 2 2. PARKING FOR LOT 2 BE COUNTED @ 1 SPACE / 300 S.F. 3. REDUCTION OF WIDTH OF MAINTENANCE BERM PER CODE OF 10' WITH FENCING TO 5' FOR LOT 2. 4. REDUCTION OF THE REQUIREMENT OF NO MORE THEN 50% OF THE REQUIRED PARKING IN THE FRONT OF THE BUILDING.				
VARIANCE REQUEST	NONE				
DEVELOPMENT CONDITIONS	WESTERN LAND STRIP OF LOT 1 WILL REMAIN AS AN OPEN SPACE EASEMENT AND A ROAD CONNECTION TO OLD DIXIE HIGHWAY SHALL BE PROHIBITED.				
TOTAL SITE AREA FOR LOT 2:					
PROPOSED IMPERVIOUS AREAS: 21,829.8 S.F. (56.00%)					
PROPOSED PERVIOUS AREAS: 17,150.2 S.F. (44.00%)					
TOTAL: 38,980 S.F. (100%)					
FLOOR AREA RATIO: 6,815 S.F. = 0.18 38,980 S.F.					
SOLID WASTE: 8 YARDS/WEEK					

NOTE:

- LANDSCAPE AND IRRIGATION PLANS SHALL BE IN ACCORDANCE WITH LDC ARTICLE V, WATER WISE ORDINANCE NUMBER 2069.
- ALL EQUIPMENT (INCLUDING ROOF TOP) AND UTILITY BOXES MUST BE FULLY SCREENED (INCLUDING THE BASE OF THE BUILDING).
- BUILDING AND GROUND SIGN TO BE PERMITTED SEPARATELY.
- CROSS ACCESS EASEMENTS WILL BE DEDICATED PER THE PLAT.
- A LIGHTING PLAN IS REQUIRED PER THE CITY'S DEVELOPMENT DESIGN GUIDELINES. PARKING LOT LIGHT POLES AND FIXTURES MUST BE OF A DECORATIVE TYPE. LIGHT POLE FOOTERS CANNOT BE EXPOSED ABOVE FINISH GRADES.
- NO OUTSIDE ACTIVITIES INCLUDING BUT NOT LIMITED TO, OUTSIDE STORAGE OF PARTS, VENDING MACHINES, SUPPLIES, MERCHANDISE OR MATERIALS.

UTILITY LEGEND

- EXISTING SANITARY SEWER.
- EXISTING FORCE MAIN.
- EXISTING GAS LINE.
- EXISTING STORM PIPE.
- EXISTING WATER LINE.
- PROPOSED WATER LINE.

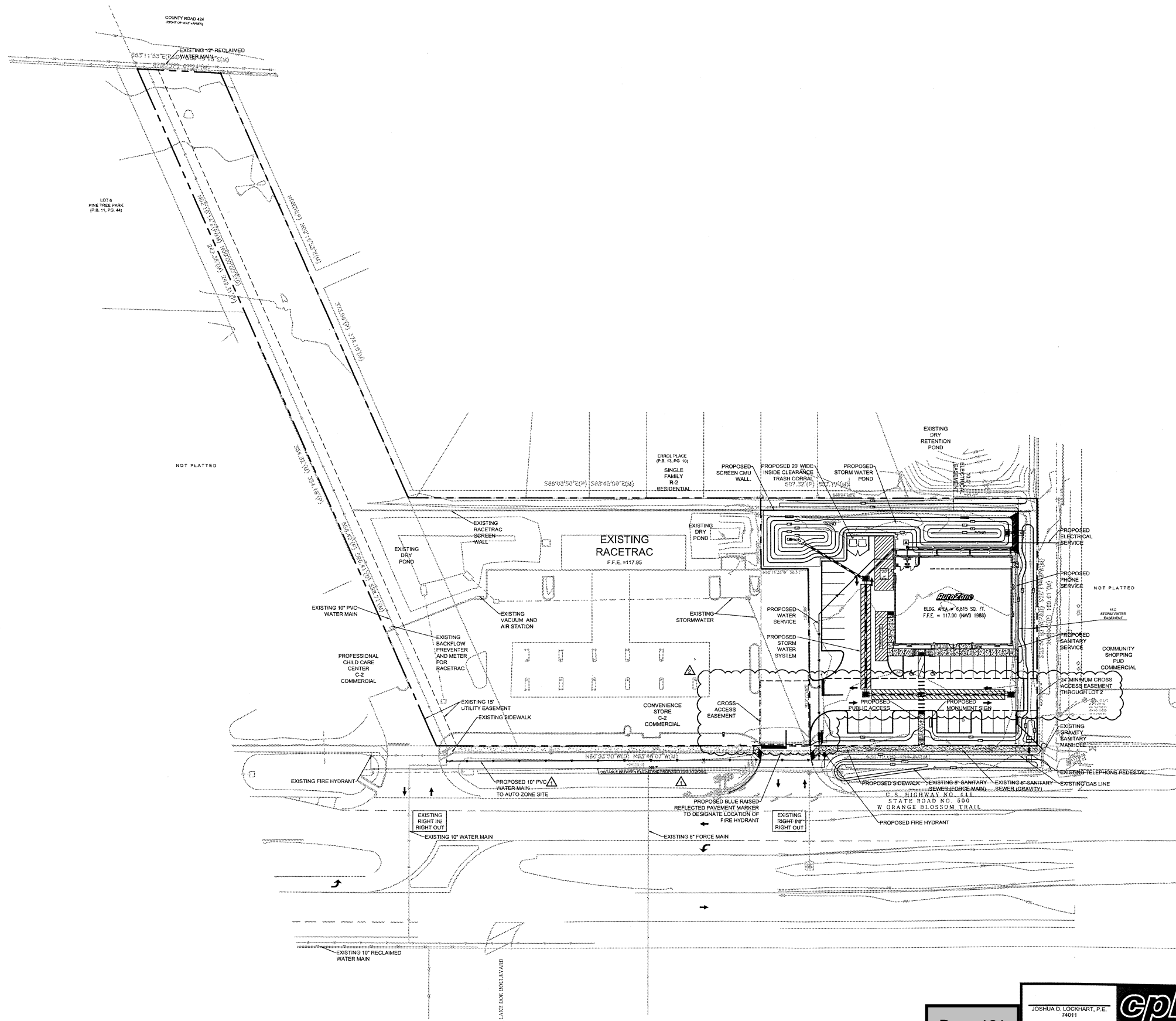
SITE LEGEND

- PROPERTY LINES



REVISIONS

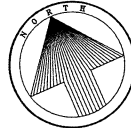
- PER CITY COMMENTS
9-8-15
 - PER CITY DRC COMMENTS
10-16-15
 -
 -
 -
 -
 -
- ARCHITECT: GC
DRAFTSMAN: JDH
CHECKED BY: IB



- UTILITY LEGEND**
- EX-100 ----- EXISTING SANITARY SEWER.
 - EX-101 ----- EXISTING FORCE MAIN.
 - EX-102 ----- EXISTING GAS LINE.
 - EX-103 ----- EXISTING STORM PIPE.
 - EX-104 ----- EXISTING WATER LINE.
 - W ----- PROPOSED WATER LINE.
 - S ----- PROPOSED SANITARY LINE.
 - T ----- PROPOSED PHONE LINE.
 - E ----- PROPOSED ELECTRICAL LINE.
 - EX-105 ----- PROPOSED CONTOUR

- SITE LEGEND**
- PROPERTY LINES
 - PROPOSED STORM WATER PIPES
 - EXFILTRATION STORM PIPE
 - TRANSFORMER

AutoZone, Inc.
123 S. FRONT STREET, 3rd FLOOR
MEMPHIS, TENNESSEE 38103



AutoZone STORE DEVELOPMENT

PREPARED FOR: **AutoZone**
Store No.: 4866
APOPKA
CITY OF APOPKA, FL

MASTER PLAN

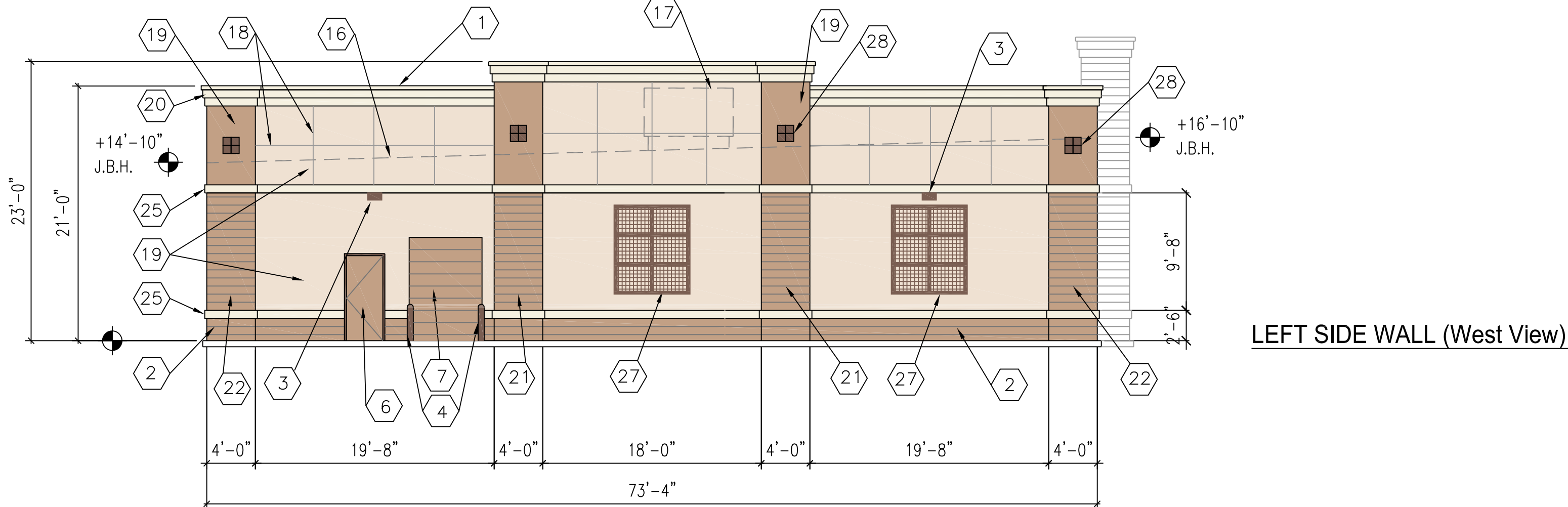
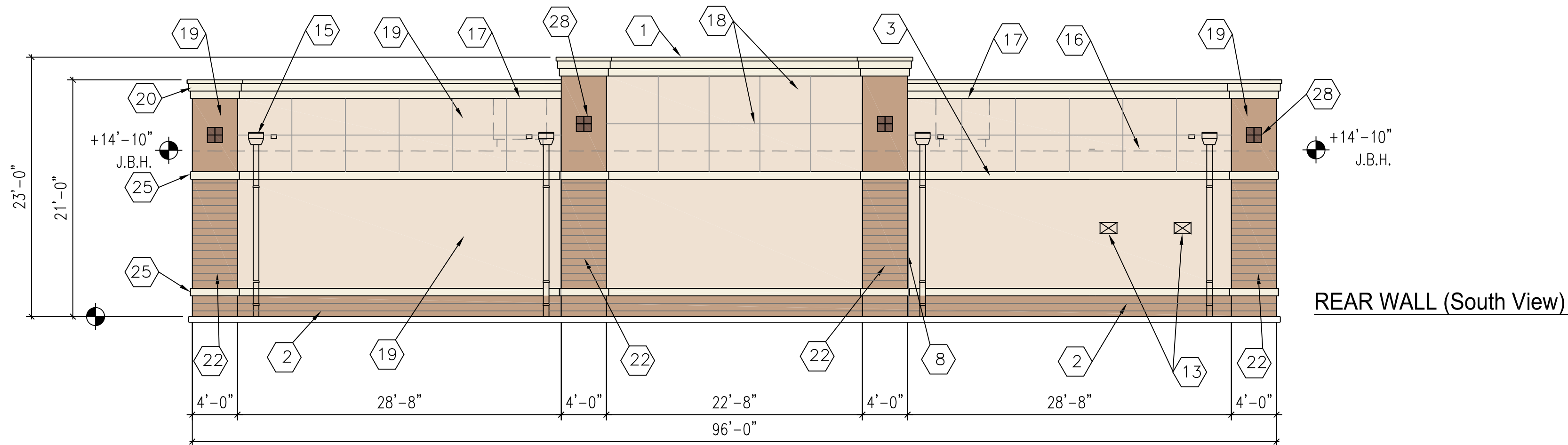
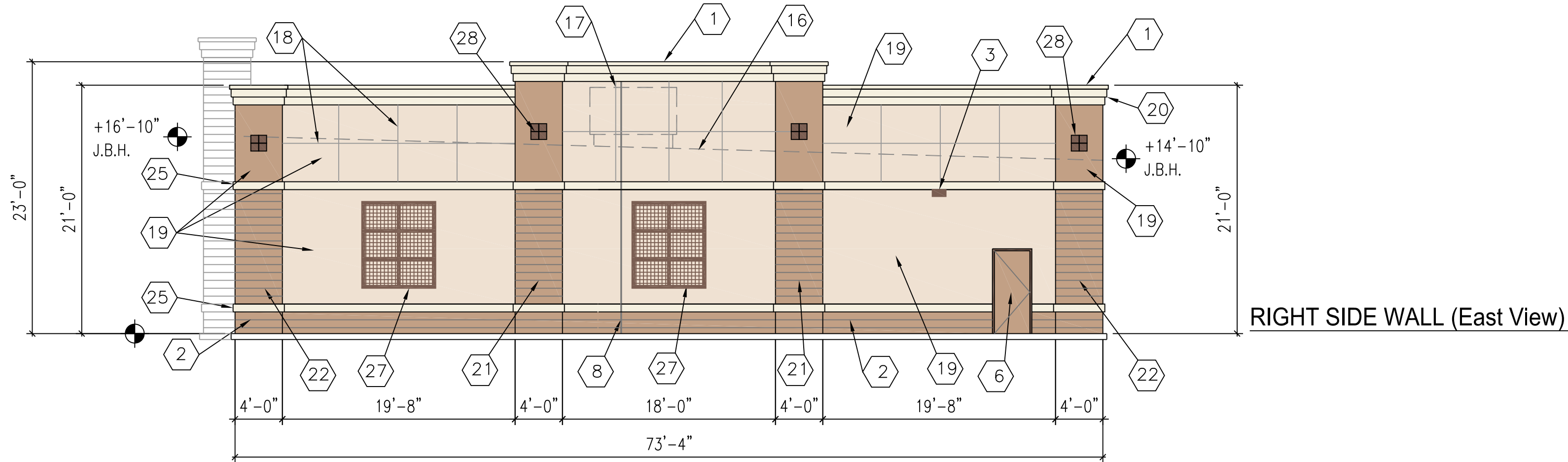
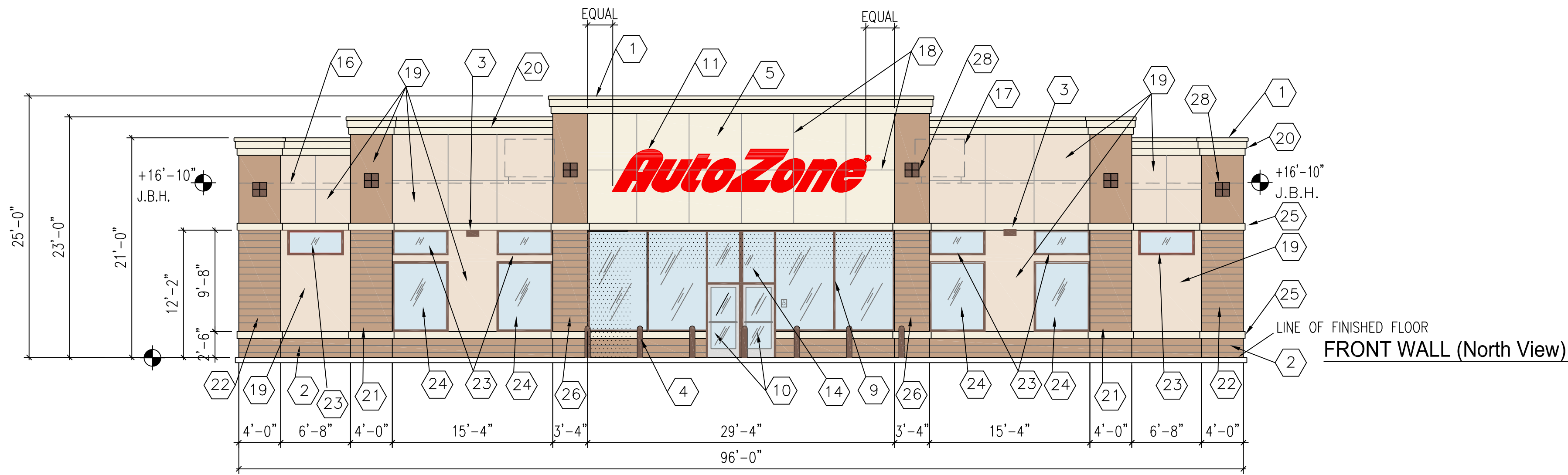
SCALE: 1" = 40'

REVISIONS

1. PER CITY COMMENTS
9-8-15
 2. PER CITY DRC COMMENTS
10-16-15
 - 3.
 - 4.
 - 5.
 - 6.
 - 7.
- ARCHITECT: GC
DRAFTSMAN: JDH
CHECKED BY: IB

DATE
JUNE, 2015
PROTOTYPE SIZE
65W2L

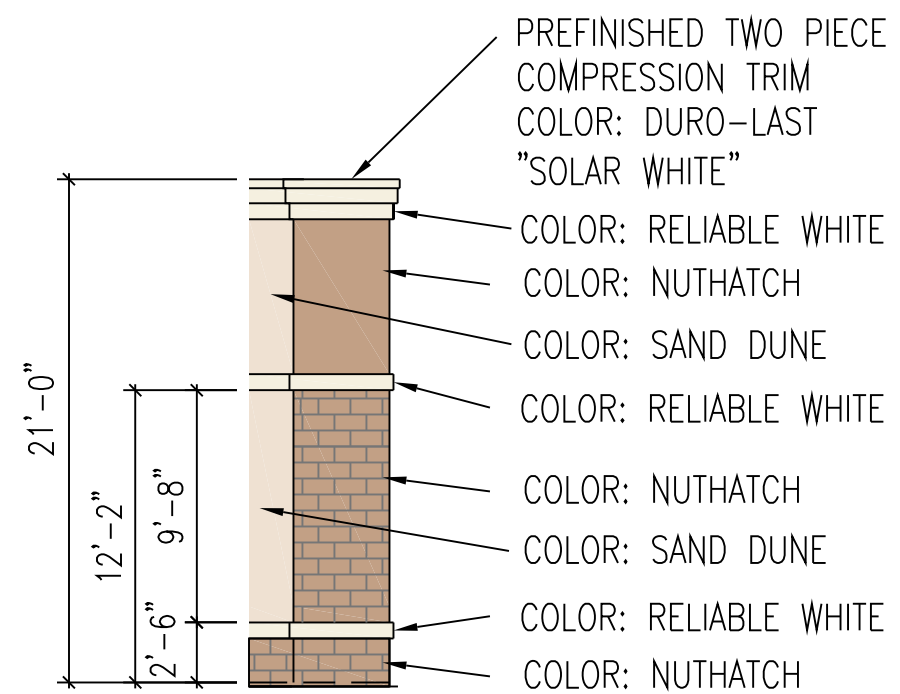
C2.0



- 1 PREFINISHED TWO PIECE COMPRESSION TRIM
COLOR: DURO-LAST "SOLAR WHITE"
- 2 SPLIT FACE CONCRETE MASONRY UNITS SEE PAINT
DETAIL SCHEME THIS SHEET
- 3 WALL MOUNTED LIGHT FIXTURE - BRONZE FINISH
- 4 PIPE GUARD WITH ARCHITECTURAL BROWN SLEEVE
- 5 MFG. EXTERIOR INSULATED FINISH SYSTEM
COLOR: SW 6091 "RELIABLE WHITE"
- 6 PAINT MAN DOOR COLOR: SW 6088 "NUTHATCH",
PAINT METAL FRAMES COLOR: SW "ANTIQUE BRONZE"
- 7 PAINT OVERHEAD DOOR COLOR: SW 6088 "NUTHATCH"
PAINT ANGLE COLOR: SW "ANTIQUE BRONZE"
- 8 EXPANSION JOINT
- 9 ALUMINUM STOREFRONT - BRONZE FINISH
TINTED GLASS WINDOWS "VISIBLE LIGHT TRANSMITTANCE=30%"
- 10 GLASS AND ALUMINUM DOORS - CLEAR ANODIZED FINISH
- 11 FRONT WALL SIGN - 48" HIGH CHANNEL LETTERS
- 12 SIDE WALL SIGN - N/A
- 13 TOILET WALL VENTS PAINT TO MATCH WALL
- 14 STORE ADDRESS - 6" WHITE REFLECTIVE NUMBERS
- 15 SCUPPERS AND DOWNSPOUTS. PAINTED TO MATCH
BACKGROUND WALL COLOR. ADJACENT 4" H. X 6" W.
OVERFLOW SCUPPER. FLOWLINE 2" ABOVE ROOF.
- 16 BOND BEAM AT ROOF LINE
- 17 HVAC UNITS SCREENED BEHIND PARAPET WALL
- 18 1" WIDE SCORED JOINT (TYP.)
- 19 CMU BLOCK W/ STUCCO FINISH - SEE PAINT
SCHEME DETAIL THIS SHEET
- 20 DECORATIVE FOAM CORNICE COLOR: RELIABLE WHITE
- 21 SPLIT FACE CMU PILASTER (1'-4" PROJECTION)
- 22 SPLIT FACE CMU PILASTER (8" PROJECTION)
- 23 ALUMINUM STOREFRONT - BRONZE FINISH
TINTED CLERESTORY GLASS WINDOWS
VISIBLE LIGHT TRANSMITTANCE=30%"
- 24 ALUMINUM STOREFRONT - BRONZE FINISH
TINTED OPAGUE GLASS WINDOWS
VISIBLE LIGHT TRANSMITTANCE=30%"
- 25 8" HIGH X 2" DEPTH FOAM BOARD TRIM WITH E.F.S.
- 26 SPLIT FACE CMU PILASTER (3'-4" PROJECTION)
- 27 METAL TRELLIS COLOR:
COLOR: SHERWIN WILLIAMS "ANTIQUE BRONZE"
- 28 (4) 8" X 8" GLAZED CERMIC TILE RECESSED 1/2"
COLOR: DARK BRONZE

2 ELEVATION KEYNOTES

COLORS:
SHERWIN WILLIAMS "RELIABLE WHITE" - SW 6091
SHERWIN WILLIAMS "SAND DUNE" - SW 6086
SHERWIN WILLIAMS "NUTHATCH" - SW 6088



3 EXTERIOR WALL COLOR SCHEME

- GENERAL NOTES:
1. REFER TO SECTION 09900 OF THE SPECIFICATIONS FOR PAINT AND EXTERIOR COATINGS. ALL COLORS ARE BY SHERWIN-WILLIAMS PAINT COMPANY.
 2. PAINT RESTROOM WALL VENTS TO MATCH THE ADJACENT WALL COLOR.
 3. SEALANT AT EXPANSION JOINTS TO MATCH ADJACENT WALL COLOR.
 4. ALL MASONRY JOINTS TO BE CONCAVE TOOLED.

4 GENERAL NOTES

- SIGNAGE NOTES:
1. AUTOZONE'S SIGN VENDOR WILL FURNISH AND INSTALL ALL SIGNS UNLESS SPECIFICALLY NOTED ON THE DRAWINGS OTHERWISE. WALL SIGNS TO BE INSTALLED ON SURFACES THAT ARE FURNISHED AND PREPARED BY GENERAL CONTRACTOR.
 2. SIGN INSTALLER SHALL OBTAIN SIGN PERMITS AND INSTALL ALL FREESTANDING SIGNS AND THEIR FOUNDATIONS UNLESS NOTED OTHERWISE. GENERAL CONTRACTOR SHALL INSURE SIGN LOCATION IS TO GRADE AND SHALL MARK WHERE SIGN IS TO BE LOCATED.
 3. GENERAL CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF PRIMARY ELECTRICAL, AND FINAL ELECTRICAL HOOK-UP. SEE "SN" SHEETS FOR ADDITIONAL INFORMATION.
 4. SEE SHEET E3 FOR LOCATIONS OF J-BOXES TERMINATING EACH WALL SIGN CIRCUIT.

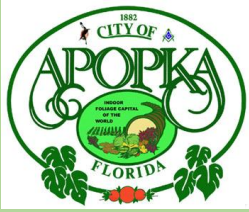
5 PAGE NOTES - BUILDING

REVISIONS		4	5	6
AutoZone Store No. 4856		1	2	3
US HIGHWAY 441				
APOPKA				
FL				
32726				
EXTERIOR ELEVATIONS AND NOTES				
Architect: George Callow 123 South Front Street Memphis, Tennessee 38103 TEL: 901-495-8705 FAX: (901) 495-8969 For Bidding & Contractor Information Contact: McGraw - Hill Construction Tel. 615-884-1017 www.construction.com				
09/25/15				
65W2-L				
CE1				

Backup material for agenda item:

14. Resolution 2015-25 - Reimbursements from proceeds of tax-exempt debt.

Glenn A. Irby



CITY OF APOPKA CITY COUNCIL

☐ CONSENT AGENDA
☐ PUBLIC HEARING
☐ SPECIAL REPORTS
☒ OTHER: Resolution No. 2015-25

MEETING OF: December 2, 2015
FROM: Finance Dept
EXHIBITS:

SUBJECT: RESOLUTION NO. 2015-25 – REIMBURSING CERTAIN COSTS RELATING TO THE ACQUISITION OF VARIOUS VEHICLES AND OTHER CAPITAL EQUIPMENT AS WELL AS CAPITAL IMPROVEMENTS TO THE CITY’S SEWER SYSTEM.

Request: REQUEST COUNCIL ADOPT RESOLUTION NO. 2015-25.

SUMMARY:

The City has incurred, or will incur costs associated with the acquisition of various vehicles and other capital equipment as well as capital improvements to its sewer system. The City has determined it is in the best interest to reimburse such costs from proceeds of tax-exempt debt. In accordance with the United States Department of Treasury regulations, Resolution No 2015-25 allows for the reimbursement of those certain costs relating to the capital equipment acquisitions, included herein, and the sewer improvements.

FUNDING SOURCE:

The approved FY 2016 Budget of the General Fund, Streets Improvement Special Revenue Fund and Utilities Fund include the capital equipment and improvements to be financed and the corresponding revenue to reimburse the costs associated.

RECOMMENDATION ACTION:

Adopt Resolution No. 2015-25

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RESOLUTION NO. 2015-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA WITH RESPECT TO THE REIMBURSEMENT OF CERTAIN COSTS RELATING TO THE ACQUISITION OF VARIOUS VEHICLES AND CAPITAL EQUIPMENT AND THE DESIGN, ENGINEERING AND CONSTRUCTION OF THE SEWER EXPANSION PROJECT.

WHEREAS, the City of Apopka, Florida (the "City") has incurred and/or will incur various costs in relation to the acquisition of various capital equipment and capital improvements;

WHEREAS, the City has determined it is in its best interest to reimburse such costs from proceeds of tax-exempt debt; and

WHEREAS, the United States Department of Treasury has issued various regulations in regard to reimbursement of governmental costs through the issuance of tax-exempt debt;

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

SECTION 1. It is the intent of the City to reimburse various costs and expenditures relating to the acquisition of various vehicles and capital equipment and sewer expansion improvements, as more particularly described on Exhibit A hereto, which costs and expenditures represent "original expenditures" as such term is defined in Treasury Regulations Section 1.150-2(c). The City has paid for, and/or reasonably anticipates that it will pay for such costs and expenditures relating to capital equipment from moneys on deposit in its various government funds. It is reasonably expected that reimbursement of such costs and expenditures shall come from the issuance of tax-exempt debt, which is not expected to exceed \$13,800,000 aggregate principal amount. It is currently the intention of the City to principally secure and pay for such tax-exempt debt with net revenues of its various governmental funds. The expenditures to be reimbursed shall be consistent with the City's budgetary and financial policy as being the type of expenditures which shall be paid on a long-term basis.

SECTION 2. The City shall comply with all applicable law in regard to the public availability of records of official acts (i.e., adoption of this resolution) by public entities such as the City, including making this resolution available to public inspection.

SECTION 3. It is the intent of this resolution to meet the requirements of Treasury Regulations Section 1.150-2 and to be a declaration of official intent under such Section.

SECTION 4. This Resolution shall become effective immediately upon adoption hereof.

ADOPTED, this 2th day of December, 2015.

CITY OF APOPKA, FLORIDA

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

General Description of Capital Equipment/Vehicles And Capital Improvements

Department	Description	Est. Amount
Fire - Suppression	Public Education Officer Vehicle	31,500
Fire - Suppression	Fire Engine	556,000
Fire - EMS	Ambulance	150,000
Police - Chief	SUV	40,000
Police - Field Svcs	Pickup 4X4	34,000
Police - Field Svcs	SUV (2)	64,000
Police - Field Svcs	Canine SUV	40,000
Police - Field Svcs	Fusion	26,000
Police - Field Svcs	Sedan (2)	57,000
Police - Field Svcs	Sedan (7)	199,500
Police - Support Svcs	Unmarked Vehicles (3)	90,000
Police - Support Svcs	School Resource Officer Midsize SUV	30,000
Facilities	Pickup F150- CNG	35,000
Grounds Maint	Kubota Tractor	36,000
Grounds Maint	Pickup F150- CNG	34,000
Athletic Complexes	TORO GroundsMaster 7200 w/ groomer	23,500
Athletic Complexes	TORO Vacuum Versa Vac Unit	25,500
Athletic Complexes	Reel Mower	53,500
Recreation - Athletics	Vehicle for Rec Director	25,000
Recreation - Athletics	Ford Focus	18,000
Recreation - Programs	School Bus (2)	120,000
Community Devel	Vehicle for Planner	25,000
Building	Ford Escapes (2)	50,000
	General Fund Capital	1,763,500
Inmate Program	15 Passenger Van	30,000
	Special Revenue Fund Capital	30,000
TOTAL CAPITAL EQUIPMENT TO BE FINANCED		1,793,500
Utilities	Sewer Plant Expansion - Phase I	12,000,000
	Enterprise Fund Capital	12,000,000
TOTAL CAPITAL EQUIP & IMPROVEMENTS TO BE FINANCED		13,793,500

Backup material for agenda item:

1. Preliminary Development Plan – Copart, Inc.

David Moon



CITY OF APOPKA CITY COUNCIL

<u>X</u>	PUBLIC HEARING	MEETING OF:	December 2, 2015
<u> </u>	ANNEXATION	FROM:	Community Development
<u> </u>	PLAT APPROVAL	EXHIBITS:	Vicinity/Aerial Maps
<u>X</u>	OTHER: Preliminary Development Plan		Site/Landscape Plans
			Building Elevations
			Light Pole Fixtures
			Exterior Wall Photos

PROJECT: PRELIMINARY DEVELOPMENT PLAN (MAJOR SITE PLAN) - COPART

Request: APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN FOR COPART AND CONSIDERATION OF WAIVERS; AND ISSUANCE OF THE PRELIMINARY DEVELOPMENT ORDER.

SUMMARY:

OWNER/APPLICANT: Copart of Connecticut, Inc.

ENGINEER: Burkett Engineering c/o Rene J. Schneider, P.E.

ARCHITECT: Fugleberg Koch, PLLC c/o Norman W. Nesmith, AIA

LOCATION: 3351 West Orange Blossom Trail

PARCEL ID #: 01-21-27-0000-00-032

LAND USE: Industrial

ZONING: I-1

EXISTING USE: Underutilized Industrial Facility

PROPOSED USE: Office, warehouse and outdoor damaged vehicle storage site

TRACT SIZE: 57.89 +/- acres

BUILDING SIZE: 24,000 sq. ft. - Industrial Warehouse (16,500 S.F.) w/ Office Space (7,500 S.F.)

DISTRIBUTION

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

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Mixed Use	ZIP	Used Car Sales / Tire Sales
North (County)	Rural	A-1	Single Family Residential
East (City)	Industrial	I-1	Industrial Warehouse
South (City)	Institutional	PO/I	Cemetery
South (City)	Industrial	I-1	Vacant Property
West (City)	Industrial	I-1	Foliage Nursery
West (County)	Rural	R-3	Single Family Residential

ADDITIONAL COMMENTS: The Copart - Preliminary Development Plan (Major Site Plan) proposes to renovate and remodel an existing 24,000 square foot metal building for warehouse and office use. Copart, Inc. provides vehicle suppliers (primarily insurance companies) with a full range of services to process and sell intact damaged vehicles, principally to licensed dismantlers, rebuilders and used vehicle dealers.

PARKING: A total of 68 parking spaces are provided (63 required by code) of which 3 are reserved as a handicapped parking space.

ACCESS: Access to the site is provided by an existing driveway cut along West Orange Blossom Trail.

EXTERIOR ELEVATIONS: Staff has found the proposed building elevations to be in accordance with the City's Development Design Guidelines.

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

BUFFER/TREE PROGRAM: 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. A tree survey and mitigation plan will be submitted with the final development plan.

ENVIRONMENTAL: Based on the results of the habitat study, the developer must obtain approval from the Florida Department of Environmental Protection prior to commencing any site construction activity.

WAIVER REQUESTS:

1. Waiver Request #1: The applicant is requesting a waiver from LDC 2.02.15.G to allow the installation of an eight (8) feet high metal wall along the east, west and south sides of the property.

Justification: The increased eight (8) feet high metal wall will provide increased screening and security of the property.

DRC recommendation -- DRC does not support this waiver request.

2. Waiver Request #2: The applicant is requesting a waiver to LDC 6.03.01.A to allow the use of rock in lieu of a hard surface for the vehicle storage area.

Justification: The vehicle storage area is not accessible to the general public.

DRC recommendation-- DRC supports this waiver request.

PUBLIC HEARING SCHEDULE:

November 24, 2015 - Planning Commission (5:01 pm)

December 2, 2015 - City Council (1:30 pm)

RECOMMENDED ACTION:

The **Development Review Committee** recommends the approval of the Copart Preliminary Development Plan and to deny waiver request number one.

The **Planning Commission**, at its meeting on November 10, 2015, continued this item to the Special Planning Commission meeting on November 24, 2015, due to the applicant not providing necessary documentation in a timely manner.

The **Planning Commission**, at its special meeting on November 24, 2015, recommended:

1. Recommended denial (6-0) of Waiver Request No. 1 to allow an eight (8) feet high metal wall to screen the site from public view.
2. Recommend approval (6-0) of Waiver Request No. 2 to allow the use of rock in lieu of a hard surface for the vehicle storage area.
3. Recommends approval (6-0) of the Copart – Preliminary Development Plan, subject to the findings of this staff report.

Staff requests:

1. Denial of Waiver Request No. 1 to allow an eight (8) feet high metal wall to screen the site from public view.
2. Approval of Waiver Request No. 2 to allow the use of rock in lieu of a hard surface for the vehicle storage area.
3. Approval of the Copart Preliminary Development Plan for the property owned by Copart, Inc., subject to the findings of this staff report; and issuance of the Preliminary Development Order.

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.

Application: Preliminary Development Plan
Owner/Applicant: Copart of Connecticut, Inc.
Engineer: Burkett Engineering c/o Rene J. Schneider, P.E.
Architect: Fugleberg Koch, PLLC., c/o Norman W. Nesmith, AIA
Parcel I.D. No: 01-21-27-0000-00-032
Location: 3351 West Orange Blossom Trail
Acres: 57.89 +/-



VICINITY MAP

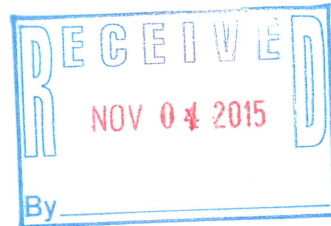


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Parcel I.D. No: 01-21-27-0000-00-032
Location: 3351 West Orange Blossom Trail
Acres: 57.89 +/-



AERIAL MAP





COPART

PRELIMINARY DEVELOPMENT PLAN

FOR

COPART, INC.
14185 DALLAS PARKWAY
SUITE 300
DALLAS, TX 75254

TAX PARCEL ID NUMBER:
01-21-27-0000-00-032

Burkett | CIVIL ENGINEERING
engineering | CONSULTANTS

105 E. Robinson Street, Suite 501 Orlando, Florida 32801
(407) 246-1260 Fax (407) 246-0423
www.burkettengineering.com

City OF Apopka, Florida
October 2015

PRELIMINARY NOT FOR CONSTRUCTION

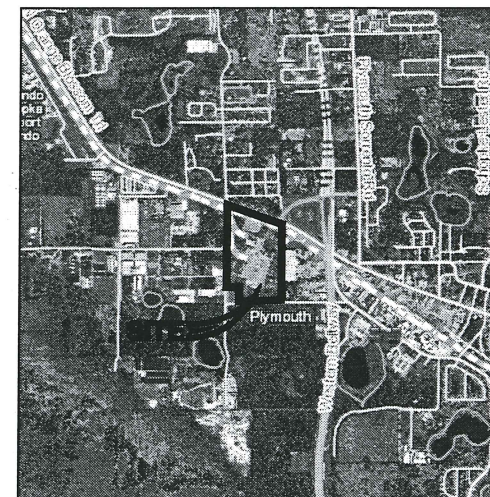
SHEET INDEX

1. COVER SHEET
2. SYMBOLS AND ABBREVIATIONS
3. NOTES SHEET
4. KEY MAP
5. OVERALL DRAINAGE PLAN
6. SITE, DRAINAGE & UTILITY PLAN
7. SITE, DRAINAGE & UTILITY PLAN
8. SITE, DRAINAGE & UTILITY PLAN
9. STORMWATER POLLUTION PREVENTION PLAN
10. PAVING AND DRAINAGE DETAILS
- A2.01 ARCHITECTURAL FLOOR PLAN
- A4.01 ARCHITECTURAL EXTERIOR ELEVATIONS
- E1.01 ELECTRICAL SITE PLAN
- E1.02 PHOTOMETRIC SITE PLAN
- E1.03 SITE PLAN FIXTURE SPECIFICATIONS
- L1 LANDSCAPE PLAN
- L2 LANDSCAPE PLAN
- BOUNDARY AND TOPOGRAPHIC SURVEY

NOTE:
A LETTER MUST BE OBTAINED FROM THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (FWCC) REGARDING WILDLIFE MANAGEMENT PLAN FOR GOPHER TORTOISES, OSPREY NESTS AND EASTERN INDIAN SNAKES PRIOR TO ANY CONSTRUCTION ACTIVITIES OCCURRING ON SITE.

LOCATION MAP

3351 W. ORANGE BLOSSOM TRAIL
APOPKA, FL 32712-5851



SCALE: 1" = 2,000'

SECTION 01
TOWNSHIP 21
RANGE 27

ENGINEER IN CHARGE:
RICHIE J. SCHNEIDER P.E.

REG. # 61485
BURKETT ENGINEERING, INC.
CERT. OF AUTH. NO. 7108

OWNER

COPART OF CONNECTICUT INC
14185 DALLAS PARKWAY
SUITE 300
DALLAS, TX 75254-1327
(281) 705-8634
mike.copart@copart.com

ARCHITECT

FUGLEBERG KOCH
2555 TEMPLE TRAIL
WINTER PARK, FL 32789
(407) 628-0695
hjmee@fuglebergkoch.com

SURVEYOR

SHANNON SURVEYING
469 NORTH SR 434
SUITE 2155
ALTAMONTE SPRINGS, FL 32714
(407) 774-8372
shannon@scad.com

STATEMENT OF INTENDED USE

COPART, INC. PROVIDES VEHICLE SUPPLIERS (PRIMARY INSURANCE COMPANIES) WITH A FULL RANGE OF SERVICES TO PROCESS AND SELL INTACT DAMAGED VEHICLES, PRINCIPALLY TO LICENSED DISMANTLERS, REBUILDERS AND USED VEHICLE DEALERS. INTACT DAMAGED VEHICLES ARE EITHER DAMAGED VEHICLES DEEMED A TOTAL LOSS FOR INSURANCE OR BUSINESS PURPOSES OR ARE RECOVERED STOLEN VEHICLES FOR WHICH AN INSURANCE SETTLEMENT WITH THE VEHICLE OWNER HAS ALREADY BEEN MADE.

ENGINEER/APPLICANT

BURKETT ENGINEERING INC.
105 E. ROBINSON STREET, SUITE 501
ORLANDO, FL 32801
(407) 246-1280
burkett@burkettengineering.com

ECOLOGICAL CONSULTANT

ECOLOGICAL CONSULTING SOLUTIONS, INC.
235 HUNT CLUB BLVD.
SUITE 202
LONGWOOD, FL 32779
(407) 889-9434
bgriffith@ecolinc.com

GEOTECHNICAL

UNIVERSAL ENGINEERING SCIENCES
3532 MAGGIE BLVD.
ORLANDO, FL 32811
(407) 423-0804
mdear@universalengineering.com

GENERAL NOTES

- EACH HANDICAPPED PARKING SPACE SHALL BE STRIPED AND SIGNED PER FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD AS SHOWN ON SHEET A.
- PRIOR TO COMMENCEMENT OF CONSTRUCTION, CONTRACTOR SHALL PROVIDE BURKETT ENGINEERING, INC. WITH CONSTRUCTION SCHEDULE FOR VARIOUS SITEWORK ELEMENTS SO THAT PERIODIC SITE VISITS MAY BE COORDINATED TO ALLOW TIMELY CERTIFICATION OF CONSTRUCTION TO AGENCIES AND TO AVOID DELAYS IN ISSUANCE OF CERTIFICATES OF OCCUPANCY.
- REGULATORY STRIPPING AND SIGNS SHALL BE IN PLACE PRIOR TO FINAL INSPECTION OF PAVING AND DRAINAGE IMPROVEMENTS. STANDARD STRIPING WIDTH SHALL BE 6".
- ALL SIDEWALKS LEADING TO THE GROUND FLOOR UNITS SHALL BE GRADED AT A SLOPE OF 1:12 OR FLATTER.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SURVEY MONUMENTATION. DISTURBED MONUMENTATION SHALL BE RESTORED BY A FLORIDA LICENSED LAND SURVEYOR SELECTED BY THE OWNER AT CONTRACTOR'S EXPENSE.
- PRIOR TO CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES FOUND BETWEEN THESE PLANS AND THE FIELD CONDITIONS.
- ALL MEDIAN AND ISLANDS SHALL BE FILLED WITH CLEAN SOIL.
- ALL DISTURBED AREAS, SIGNAGE, AND LIGHTING SHALL BE RETURNED TO PRECONSTRUCTION CONDITIONS OR BETTER.
- ALL PAVEMENT MARKERS, STRIPING, SIGNAGE, AND OTHER TRAFFIC CONTROL DEVICES SHALL BE INSTALLED BY CONTRACTOR PER CITY OF APOPKA AND FLORIDA DEPARTMENT OF TRANSPORTATION STANDARDS.
- ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT. ALL CURB RADI ARE 5' UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL BE EXTREMELY CAUTIOUS WHEN WORKING NEAR TREES THAT ARE TO BE SAVED. IF THERE IS A QUESTION AS TO WHETHER A PARTICULAR AREA SHOULD BE CLEARED, THE CONTRACTOR SHALL CONTACT THE OWNER FOR FURTHER INSTRUCTIONS.
- SITE NORTHING AND EASTING COORDINATES ARE BASED UPON AN ASSUMED DATUM.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR MAINTAINING A SAFE AND SECURE CONSTRUCTION SITE. CONTRACTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH FEDERAL, STATE AND LOCAL SAFETY CODES AND REQUIREMENTS TO INSURE THAT WORKERS, MATERIALS, ON-SITE AND OFF-SITE PROPERTY, AND ALL OTHER AFFECTED PERSONS ARE SAFE. CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO INSURE THAT THE SITE IS SECURE AND NOT ACCESSIBLE TO UNAUTHORIZED PERSONS.
- THE BOUNDARY SURVEY INFORMATION SHOWN WAS PROVIDED BY SHANNON SURVEYING AND IS NOT CERTIFIED BY BURKETT ENGINEERING, INC.
- THE BOUNDARY AND TOPOGRAPHIC SURVEY IS ATTACHED AND SHOULD BE REFERENCED FOR INFORMATION REGARDING EXISTING CONDITIONS.
- THE HOURS OF OPERATION ARE TO BE MONDAY-FRIDAY 8:00AM TO 5:00PM.
- DUMPSTER ENCLOSURE WALLS TO BE DESIGNED WITH MASONRY BRICK OR STONE FINISH WITH DECORATIVE GATES.

WAIVERS

- THE OWNER REQUESTS A WAIVER FROM LAND DEVELOPMENT CODE 2.02.15 9 TO ALLOW THE INSTALLATION OF AN 8' HIGH METAL WALL ON THE EAST AND SOUTH SIDES OF THE PROPERTY. THE 8' HIGH WALL WILL PROVIDE INCREASED SCREENING AND SECURITY OF THE PROPERTY.
- THE OWNER REQUESTS A WAIVER FROM LAND DEVELOPMENT CODE 8.03.01 A TO ALLOW THE USE OF ROCK IN LIEU OF A HARD SURFACE FOR THE VEHICLE STORAGE AREAS. NOTE: THE DRIVE AISLES BETWEEN THE VEHICLE STORAGE ROWS WILL BE PAVED WITH ASPHALT MILLINGS WHICH WILL CREATE A HARD SURFACE.
- THE OWNER REQUESTS A WAIVER FROM LAND DEVELOPMENT CODE TO ALLOW FOR THE INSTALLATION OF NON-DECORATIVE LIGHT POLES AND FIXTURES TO REMAIN CONSISTENT WITH THE CONTEMPORARY/ MODERN STYLE OF THE BUILDING.

PAVING & DRAINAGE NOTES

- CONTRACTOR IS ADVISED THAT PRIOR TO BEGINNING WORK THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) REQUIRES THE FILING OF A NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER THE NPDES CONSTRUCTION GENERAL PERMIT. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO FILE THE NOI AND FORWARD COPIES TO BURKETT ENGINEERING AND THE LOCAL MS4 OPERATOR. IF APPLICABLE, CONTACT FDEP NPDES STORMWATER NOTICES CENTER AT 888-338-3312 FOR MORE INFORMATION.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INSURE THAT ALL REQUIRED PERMITS ARE OBTAINED AND ARE IN HAND PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- SITE GRADING, PAVING, AND DRAINAGE MATERIALS AND CONSTRUCTION SHALL CONFORM TO CITY OF APOPKA DEVELOPMENT STANDARDS AND SPECIFICATIONS AND FOOT ROADWAY DESIGN STANDARDS AND SPECIFICATIONS.
- FOR STORMWATER POLLUTION PREVENTION PLAN, SEE SHEET B.
- ELEVATIONS AT CURB ARE EDGE OF PAVEMENT; TOP OF CURB SHALL BE 6" ABOVE EDGE OF PAVEMENT.
- MINIMUM GRADE OF SLOPED AREA SHALL BE 1%.
- CONTRACTOR IS RESPONSIBLE FOR GRADING ALL PARKING AND DRIVEWAYS TO DRAIN POSITIVELY. INTERSECTIONS SHALL BE TRANSITIONED TO PROVIDE SMOOTH DRAINAGE WHILE MAINTAINING POSITIVE DRAINAGE. SHOULD AREAS OF POOR DRAINAGE RESULT FROM THE ADJUSTMENTS DESCRIBED, THE CONTRACTOR SHALL NOTIFY THE SITE SUPERINTENDENT AND THE ENGINEER PRIOR TO PLACING BASE SO THAT RECOMMENDATIONS FOR CORRECTION MAY BE MADE.
- FOR GEOTECHNICAL RECOMMENDATIONS AND FINDINGS, REFER TO THE GEOTECHNICAL INVESTIGATION PREPARED BY UNIVERSAL ENGINEERING SCIENCES.
- ALL DISTURBED AREAS ON-SITE AND OFF-SITE SHALL BE RETURNED TO ORIGINAL CONDITIONS OR BETTER. SOO ALL DISTURBED AREAS.
- A SMOOTH FINISHED TRANSITION SHALL BE MADE AT ALL CURB TERMINATIONS (TYPICAL 2 FOOT TAPER) UNLESS OTHERWISE NOTED.
- RETAINING WALLS SHOWN FOR LOCATION ONLY. DESIGN AND INSPECTION OF WALLS SHALL BE BY OTHERS. DURING CONSTRUCTION TEMPORARY FILL PROTECTION SHALL BE PROVIDED UNTIL THE PERMANENT RAILINGS ARE INSTALLED FOR ALL RETAINING WALLS OVER 8 FT. HIGH.
- THE EXISTING TOPOGRAPHY SHOWN WAS PROVIDED BY SHANNON SURVEYING AND IS NOT CERTIFIED BY BURKETT ENGINEERING, INC.
- STORMWATER STRUCTURES SHALL BE CONSTRUCTED TO A TOLERANCE OF 0.2 FOOT VERTICALLY AND 0.5 FOOT HORIZONTALLY.
- THE CONTRACTOR SHALL PROVIDE BURKETT ENGINEERING WITH COMPLETE STORMWATER AS-BUILTS INCLUDING CONTROL STRUCTURES, INLETS AND PIPES, SPREADER SHALES (IF ANY), AND POND CONTOURS, DIMENSIONS, AND SLOPES. THE AS-BUILT DRAWINGS SHALL BE PREPARED AND CERTIFIED BY A PROFESSIONAL LAND SURVEYOR AND PROVIDED TO THE ENGINEER IN AUTOCAD FORMAT.
- AFTER THE COMPLETION OF THE STORMWATER FEATURES, INSPECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT PERMIT.
 - INITIALLY CONSTRUCT THE RETENTION BASIN TO ROUGH GRADE BY UNDER-EXCAVATING THE BASIN BOTTOM AND SIDES BY APPROXIMATELY 12 INCHES.
 - AFTER THE DRAINAGE AREA CONTRIBUTING TO THE BASIN HAS BEEN FULLY STABILIZED, THE INTERIOR SIDE SLOPES AND BASIN BOTTOM SHOULD BE EXCAVATED TO FINAL DESIGN SPECIFICATIONS. THE EXCESS SOIL AND UNDESIRABLE MATERIAL SHOULD BE CAREFULLY EXCAVATED AND REMOVED FROM THE POND SO THAT ALL ACCUMULATED SILTS, CLAYS, ORGANICS, AND OTHER FINE SEDIMENT MATERIAL HAS BEEN REMOVED FROM THE POND AREA. THE EXCAVATED MATERIAL SHOULD BE DISPOSED OF BEYOND THE LIMITS OF THE DRAINAGE AREA OF THE BASIN.
 - ONCE THE BASIN HAS BEEN EXCAVATED TO FINAL GRADE, THE ENTIRE BASIN BOTTOM SHOULD BE DEEP RAKED AND LOOSENED FOR OPTIMAL INFILTRATION.
 - FINALLY, THE BASIN SHOULD BE STABILIZED WITH PERVIOUS MATERIAL OR PERMANENT VEGETATIVE COVER. TO PROVIDE PROPER TREATMENT OF THE RUNOFF IN VERY PERMEABLE SOILS PERMANENT VEGETATIVE COVER MUST BE UTILIZED WHEN U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) HYDROLOGIC GROUP "A" SOILS UNDERLIE THE RETENTION BASIN.
- BEFORE CONSTRUCTION BEGINS, THE CONTRACTOR SHALL DELIVER TO FOOT PROOF OF INSURANCE VERIFYING THAT THE CONTRACTOR HAS COVERAGE UNDER A LIABILITY INSURANCE POLICY ISSUED BY AN INSURANCE COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA WHOSE POLICY IS INSURED, AND THE DEPARTMENT AS AN ADDITIONAL NAMED INSURED, WHICH POLICY SHALL CONTAIN A CONTRACTUAL ENDORSEMENT SPECIFICALLY COVERING THE LIABILITIES ARISING FROM THE INDEMNITY AGREEMENT.
 - THE POLICY SHALL PROVIDE PUBLIC LIABILITY INSURANCE, INCLUDING PROPERTY DAMAGE, IN THE AMOUNT OF \$500,000 COMBINED SINGLE LIMIT FOR EACH OCCURRENCE.
 - THE ABOVE REQUIRED POLICY SHALL BE ENDORSED WITH A PROVISION REGARDING THE INSURANCE COMPANY TO NOTIFY THE DEPARTMENT 30 DAYS PRIOR TO THE EFFECTIVE DATE OF CANCELLATION OR OF ANY MATERIAL CHANGE IN THE POLICY IF THE CHANGE OCCURS DURING THE CONSTRUCTION PERIOD.
 - THE THE APPLICANT SHALL PAY ALL PREMIUMS AND OTHER CHARGES DUE ON SAID POLICY AND KEEP SAID POLICY, OR A MATERIALLY IDENTICAL REPLACEMENT POLICY, IN FORCE TO INSURE THE ENTIRE PERIOD OF CONSTRUCTION OF THE CONNECTION.

UTILITY NOTES

- ALL CONSTRUCTION SHALL CONFORM TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND CITY OF APOPKA STANDARDS AND SPECIFICATIONS. IN CASE OF A CONFLICT THE MORE STRINGENT RULE SHALL APPLY.
- GRAVITY SEWER MAIN PIPE SHALL BE PVC EXCEPT AS NOTED AND SHALL MEET ASTM D3034 (SDR 35). JOINTS SHALL CONFORM TO ASTM D3212 AND F477.
- GRAVITY SEWER MAIN SHALL BE TESTED PER CITY OF APOPKA AND FDEP STANDARDS. PIPE SHALL BE LAMPED FOR ALIGNMENT, SLOPE, THICKNESS, INFILTRATION, STANDING WATER, AND CLEANLINESS BY A CITY OF APOPKA INSPECTOR AND BURKETT ENGINEERING REPRESENTATIVE. THE APPROPRIATE DEFLECTION TESTS SHALL ALSO BE PERFORMED PER ASTM STANDARDS. LEAKAGE TESTING SHALL BE PERFORMED PER ASTM F-1417.
- THE ENGINEER AND CITY OF APOPKA INSPECTOR SHALL BE NOTIFIED AT LEAST 8 DAYS PRIOR TO ANY TESTING. FAILURE TO DO SO WILL RESULT IN RETESTING AT THE CONTRACTOR'S EXPENSE.
- SANITARY STRUCTURES SHALL BE CONSTRUCTED TO A TOLERANCE OF 0.1 FOOT VERTICALLY AND 0.5 FOOT HORIZONTALLY.
- COMPLETE AS-BUILT DRAWINGS PREPARED AND CERTIFIED BY A PROFESSIONAL LAND SURVEYOR SHALL BE PROVIDED TO THE ENGINEER IN AUTOCAD FORMAT IMMEDIATELY AFTER COMPLETION OF THE WATER MAIN IMPROVEMENTS. AS-BUILTS SHALL INCLUDE MANHOLE LOCATION WITH TOP AND INVERT ELEVATIONS, LOCATION OF VALVES, FITTINGS, AND OTHER APPURTENANCES, LENGTHS OF PIPE, TOP OF WATER MAIN ELEVATIONS, SIZE AND MATERIAL OF PIPE, SEPARATION DISTANCES AT PIPE CROSSINGS AND SHALL MEET CITY OF APOPKA REQUIREMENTS.
- CONTRACTOR SHALL NOTIFY UTILITIES AND SUNSHINE STATE ONE CALL PRIOR TO CONSTRUCTION FOR FLAGGING/LOCATION OF EXISTING UTILITY LINES. EXISTING UTILITY LOCATIONS SHOWN ARE ONLY APPROXIMATE AS PROVIDED BY SHANNON SURVEYING.
- ALL SEWER PIPE SHALL BE BURIED WITH IDENTIFICATION TAPE ABOVE THE TOP OF THE PIPE. THE TAPE SHALL INDICATE THE PRESENCE OF GRAVITY SEWERS PLAINLY ON THE TAPE FACE. INDICATOR TAPE SHALL BE DETECTABLE BY STANDARD METAL DETECTION EQUIPMENT.
 - ALL NONMETALLIC WATER MAINS SHALL BE INSTALLED WITH CONTINUOUS, INSULATED 10 GAUGE COPPER WIRE INSTALLED DIRECTLY ON TOP OF THE PIPE FOR LOCATION PURPOSES. ALL PIPE AND PIPE FITTINGS SHALL BE COLOR CODED OR MARKED IN ACCORDANCE WITH SUPPLEMENTARY 62-885.320 (21) (B) 3, F.A.C., USING BLUE AS A PREDOMINANT COLOR.
 - NEW WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST:
 - THREE FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED VACUUM-TYPE SANITARY SEWER, STORM SEWER, OR RECLAIMED WATER MAIN.
 - SIX FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED GRAVITY-TYPE SANITARY SEWER. IF THE BOTTOM OF THE WATER MAIN WILL BE LAID AT LEAST SIX INCHES ABOVE THE TOP OF THE SEWER THE HORIZONTAL DISTANCE MAY BE REDUCED TO THREE FEET.
 - SIX FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED PRESSURE-TYPE SANITARY SEWER, WASTEWATER FORCE MAIN, OR RECLAIMED WATER MAIN.
 - TEN FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND ALL PARTS OF ANY EXISTING OR PROPOSED ON-SITE SEWER TREATMENT AND DISPOSAL SYSTEM. AT THESE CROSSINGS ONE FULL LENGTH OF WATER MAIN PIPE SHALL BE CENTERED ABOVE OR BELOW THE OTHER PIPELINE SO THE WATER MAIN JOINTS WILL BE AS FAR AS POSSIBLE FROM THE OTHER PIPELINE.
- AT PIPE CROSSINGS NEW WATER MAINS SHALL BE LAID TO PROVIDE A VERTICAL DISTANCE OF AT LEAST:
 - SIX INCHES ABOVE OR 12 INCHES BELOW ANY EXISTING OR PROPOSED GRAVITY- OR VACUUM-TYPE SANITARY SEWER OR STORM SEWER AND
 - THIRTEEN INCHES ABOVE OR BELOW ANY EXISTING OR PROPOSED PRESSURE-TYPE SANITARY SEWER, WASTEWATER FORCE MAIN, OR RECLAIMED WATER MAIN.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR APPROPRIATE CONSTRUCTION, DISINFECTION AND TESTING BEYOND THE WATER TREATMENT PLANT TO ASSURE POTABILITY AT THE POINT OF USE.
- POTABLE WATER PIPES SHALL BE HYDROSTATICALLY TESTED IN ACCORDANCE WITH SPECIFICATION NUMBERS C900 AND C905/423 FOR DUCTILE IRON AND PVC PIPES RESPECTIVELY AND WITNESSED BY CITY APOPKA INSPECTOR AND BURKETT ENGINEERING REPRESENTATIVE. CHLORINATION AND BACTERIOLOGICAL TESTING SHALL BE PERFORMED PER AWWA C901 AND WITNESSED BY CITY OF APOPKA INSPECTOR. IT IS RECOMMENDED THAT BACTERIOLOGICAL TESTING BE PERFORMED AFTER BURKETT ENGINEERING HAS CONFIRMED THE WATER SYSTEM AS-BUILTS ARE SUFFICIENT.
- POTABLE WATER PIPES MUST BE MANUFACTURED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
 - DUCTILE IRON PIPE (8 INCHES TO 64 INCHES) - AWWA C100/C101;
 - PVC (WITH NATIONAL SANITATION FOUNDATION SEAL) (1) AWWA C900/ASTM 1784 (4 INCHES TO 12 INCHES) WITH DR28 LAMINAR (2) AWWA C905 (14 INCHES TO 36 INCHES); (3) ASTM 1785 OR AWWA C905 (LESS THAN 4 INCHES) SCHEDULES 40, 80, AND 120 OR ASTM 2241 (SDR 21 MINIMUM); OR
 - POLYETHYLENE PIPE - AWWA C901 WITH VALVES AND FITTINGS (AWWA C900).
- IF CONNECTION TO THE WATER MAIN WILL RESULT IN A DEPRESSURIZATION OF THE EXISTING SYSTEM BELOW 20 POUNDS PER SQUARE INCH, ONE OF THE FOLLOWING MUST OCCUR:
 - PRECAUTIONARY BOIL WATER NOTICES MUST BE ISSUED IN CASE OF PLANNED DISTRIBUTION INTERRUPTIONS, WHICH ARE DEEMED AN IMMINENT PUBLIC HEALTH THREAT BY THE DEP CENTRAL DISTRICT OR WILL AFFECT THE BACTERIOLOGICAL QUALITY OF THE DRINKING WATER UNLESS THE PUBLIC WATER SYSTEM CAN DEMONSTRATE, BY SOUND ENGINEERING JUDGEMENT, THAT THE INTEGRITY OF THE WATER SYSTEM HAS BEEN MAINTAINED; OR
 - IN CASES OF BRIEF INTERRUPTION IN SERVICE, ADVISORIES (NOT BOIL WATER NOTICES) SHOULD BE ISSUED IF TEMPORARY CHANGES IN WATER QUALITY ARE EXPECTED TO OCCUR AND NOT DEEMED AN IMMINENT PUBLIC HEALTH RISK.
- ALL AIR/VACUUM RELIEF VALVES MUST END IN A DOWN-TURNED ELBOW AT LEAST 12 INCHES ABOVE THE SURROUNDING GRADE SUCH VALVES SHALL BE PLACED AT HIGH PORTS IN THE WATER MAIN AND FORCE MAIN.
- FILLING OF PROPOSED WATER MAINS FROM EXISTING WATER MAINS WILL BE DONE IN ACCORDANCE WITH AWWA SPECIFICATION C901.
- PROPOSED GATE VALVES AT POINTS OF CONNECTION SHALL BE CLOSED AND REMAIN LOCKED UNTIL LINE IS CLEARED. CITY OF APOPKA UTILITIES SHALL LOCK VALVE AND RETAIN KEY. VALVE SHALL BE OPERATED BY CITY OF APOPKA PERSONNEL ONLY.
- MAINTAIN A MINIMUM OF 3 FEET OF COVER OVER ALL PROPOSED PIPES, EXCEPT AS SPECIFICALLY SHOWN ON THESE PLANS. WATER MAINS SHALL BE SUFFICIENTLY DEEP TO PROVIDE CLEARANCE WITH STORM AND SANITARY SEWER LINES.
- ON-SITE WATER DISTRIBUTION SYSTEM SHALL BE PRIVATELY OWNED AND MAINTAINED BY COPART.
- ON-SITE WASTEWATER COLLECTION SYSTEM SHALL BE PRIVATELY OWNED AND MAINTAINED BY COPART.
- WATER MAIN SHALL NOT COME IN CONTACT WITH OR PASS THROUGH ANY SANITARY OR STORM SEWER MANHOLE OR STRUCTURE.
- CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF EXISTING UTILITIES AND POINTS OF CONNECTION. IF ANY DISCREPANCIES WITH PIPE, FITTING, VALVE OR STRUCTURE LOCATIONS ARE DISCOVERED DURING STAKEOUT, CONTRACTOR SHALL CONTACT BURKETT ENGINEERING FOR CLARIFICATION.
- FIRE HYDRANTS SHALL BE CENTERED WITHIN PROPOSED ISLANDS, APPROXIMATELY THREE FEET FROM THE BACK OF CURB. PUMPER NOZZLE SHALL FACE PARKING LOT.
- ALL PVC PIPE SHALL BEAR THE NATIONAL SANITATION FOUNDATION (NSF) SEAL.
- CHAPTER 77-153 OF THE FLORIDA STATUTES REQUIRES THAT AN EXCAVATOR NOTIFY ALL GAS UTILITIES A MINIMUM OF TWO WORKING DAYS PRIOR TO EXCAVATING PLANS SHOW ONLY THE APPROXIMATE LOCATION OF GAS MAINS OR SERVICES LINES. THE ONLY SAFE AND PROPER WAY TO LOCATE GAS FACILITIES IS BY AN ON-SITE INSPECTION BY PEOPLES GAS SYSTEM PERSONNEL. THEREFORE, EXCAVATORS ARE INSTRUCTED TO TELEPHONE SUNSHINE STATE ONE CALL AT 1-800-432-4770 TWO WORKING DAYS BEFORE DIGGING IN A CONSTRUCTION AREA.
- FORCEMAINS BETWEEN 4 INCHES AND 12 INCHES SHALL BE PVC C900/DR28. FORCEMAINS GREATER THAN 12 INCHES SHALL BE PVC C905 AND HAVE AN APPROPRIATE DR DESIGNATION. LEAKAGE TESTING SHALL BE PERFORMED BY THE CONTRACTOR AND WITNESSED BY A BURKETT ENGINEERING REPRESENTATIVE.
- WATER SYSTEM JOINTS SHALL BE INTEGRAL BELL PUSH ON TYPE AND CONFORM TO ASTM 3138.
- CONTRACTOR SHALL MEET ALL CONDITIONS OF THE FDEP PERMITS, IF PERMITS ARE REQUIRED.
- ALL PIPE, PIPE FITTINGS, PIPE JOINT PACKING AND JOINTING MATERIALS, VALVES, FIRE HYDRANTS, AND METERS INSTALLED UNDER THIS PROJECT SHALL CONFORM TO APPLICABLE AMERICAN WATER WORKS ASSOCIATION (AWWA) STANDARDS.
- ALL MANHOLES SHALL BE INSPECTED AND TESTED FOR WATER TIGHTNESS AND DAMAGE BY THE CONTRACTOR PRIOR TO PLACING THE MANHOLES INTO SERVICE.
- ALL WATER MAIN TEES, BENDS, PLUGS AND HYDRANTS SHALL BE PROVIDED WITH THRUST BLOCKS OR RESTRAINED JOINTS TO PREVENT MOVEMENT.
- ALL EXISTING UTILITIES HAVE BEEN FIELD VERIFIED AT ALL POINTS OF CONNECTION AND AT ALL AREAS OF CONFLICT WITH OUR MAINS.
- THE CONTRACTOR SHALL NOTIFY THE CITY OF APOPKA 48-HOURS PRIOR TO ANY UTILITIES CONSTRUCTION.
- THE CONSTRUCTION OF ALL UTILITIES CONNECTING TO CITY OF APOPKA UTILITY SYSTEMS SHALL CONFORM TO CITY OF APOPKA'S STANDARDS AND CONSTRUCTION SPECIFICATIONS MANUAL.
- IF THE SERVICE IS 2" OR SMALLER, INSTALLATION BY CITY OF APOPKA, LARGER THAN 2" INSTALLED BY CONTRACTOR.
- ALL METERS WILL BE PROVIDED BY CITY OF APOPKA.
- ALL BACKFLOW PREVENTORS WILL BE PROVIDED AND INSTALLED BY CITY OF APOPKA.

SITE DATA	
PARCEL ID NUMBER	01-21-27-0000-00-032
FUTURE LAND USE	INDUSTRIAL
ZONING	I-1 RESTRICTED
ACREAGE/SQUARE FOOTAGE	57.98± AC/2,521,840 SF
BUILDING HEIGHT	PROPOSED: MAX 35'
FLOOR AREA RATIO	PROPOSED: 0.01 MAX 0.00
BUILDING SETBACKS	FRONT:25' EAST:10' WEST:SIDE:25' REAR:25'
VARIANCE REQUEST	SEE NOTES - THIS SHEET
PHASING	THIS PROJECT WILL BE COMPLETED IN ONE PHASE

BUILDING AND STRUCTURES	
INTENDED USE	OFFICE/WAREHOUSE
NUMBER OF STORIES	1
NUMBER OF VEHICLES KEPT ON SITE	-
GROSS SQUARE FOOTAGE	24,100± SF
STORAGE SQUARE FOOTAGE	
TYPE OF CONSTRUCTION	EXISTING METAL BUILDING
FINISH FLOOR ELEVATION	116.98'

PARKING REQUIRED			
Use	Spaces/Square Foot	Square Footage	Spaces Required
Office	1 Space/250 sf	7,500	30
Warehouse	2 Spaces/1,000 sf	16,500	33
Total Required			63
Total Provided			68

FIRE PROTECTION

POTABLE WATER AVAILABLE TO THE SITE. FIRE HYDRANTS TO BE INSTALLED.

POTABLE WATER & WASTEWATER

TO BE PROVIDED BY CITY OF APOPKA.
WATER: 1,000 GPD
WASTEWATER: 1,000 GPD

STORMWATER

PROVIDE ATTENUATION FOR THE PREDEVELOPMENT TO POSTDEVELOPMENT DIFFERENCE IN STORMWATER RUNOFF FOR THE 100 YEAR, 24-HOUR STORM.

LEGAL DESCRIPTION

SW 1/4 OF NE 1/4, LESS SW 1/4 OF SW 1/4 OF NE 1/4, & THAT PART OF NW 1/4 OF NE 1/4 LYING S & E OF RW ALL IN SEC 01-21-27

CIVIL ENGINEERING
CONSULTANTS

Burkett
engineering

105 E. Robinson Street, Suite 501 Orlando, Florida 32801
(407) 246-1260 Fax (407) 246-0425
www.burkettengineering.com

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COPART
PRELIMINARY DEVELOPMENT PLAN
FOR COPART, INC.

NOTES SHEET

DATE:	10/9/15
PROJECT NO.:	1513.11
DRAWN BY:	JCM
DESIGNED BY:	RJS
CHECKED BY:	RJS
ENGINEER IN CHARGE:	ROSE A. SCHNEIDER, P.E.

REG. # 61483
BURKETT ENGINEERING, INC.
CERT. OF AUTH. NO. 7108

SHEET NO.

3

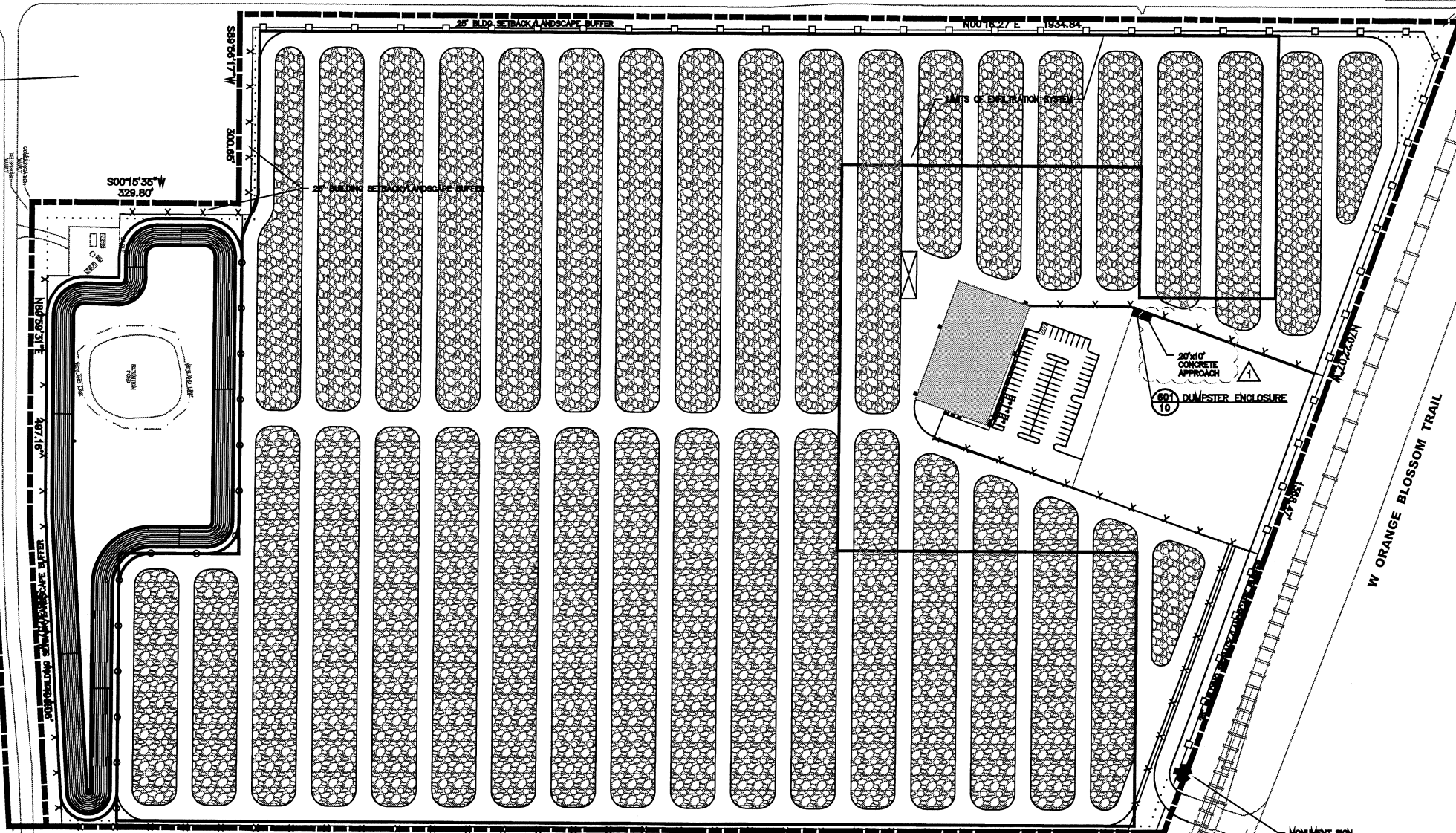
OF:15

PRELIMINARY NOT
FOR CONSTRUCTION

PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	P0/1
LAND USE:	VACANT INSTITUTIONAL
BUSINESS NAME:	ST. JAMES A.M.E. CHURCH

PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	VACANT INSTITUTIONAL
BUSINESS NAME:	MD FLORIDA FREEZER WAREHOUSES LTD.

GENERAL ELECTRIC ROAD



PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	LIGHT MANUFACTURING
BUSINESS NAME:	QRS 10-18 FL, INC.

PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	CONTAINER NURSERY
BUSINESS NAME:	WHITE SANDS NURSERIES

PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	PERNERY
BUSINESS NAME:	BAYWOOD NURSERIES CO. INC.

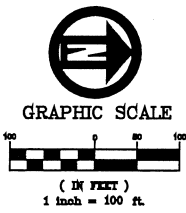
PROPERTY INFORMATION	
JURISDICTION:	CITY OF APOPKA
ZONING:	I-1
LAND USE:	ORNAMENTAL/NON-AG AVERAGE
BUSINESS NAME:	STONE, MICHAEL & DEBRAH

PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-5
LAND USE:	SINGLE FAMILY
PROPERTY OWNER:	DAMEN HINES & ERIC HINES

PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-5
LAND USE:	VACANT RESIDENTIAL
PROPERTY OWNER:	MICHAEL & DEBRA STONE

PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-5
LAND USE:	SINGLE FAMILY
PROPERTY OWNER:	ANDREW & SANDRA LEWIS
PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-5
LAND USE:	SINGLE FAMILY
PROPERTY OWNER:	ANTHONY & KATHY MORRIS
PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	R-5
LAND USE:	SINGLE FAMILY
PROPERTY OWNER:	MARCO FAMILY

PROPERTY INFORMATION	
JURISDICTION:	UNINCORPORATED
ZONING:	O-2/R-3
LAND USE:	WAREHOUSING/SMALL FAMILY
PROPERTY OWNER:	JUAN VARELA



PRELIMINARY NOT FOR CONSTRUCTION

COPART
PRELIMINARY DEVELOPMENT PLAN
FOR COPART, INC.
OVERALL SITE PLAN

DATE:	10/9/15
PROJECT NO.:	1513.11
DRAWN BY:	JCM
DESIGNED BY:	RJS
CHECKED BY:	RJS
ENGINEER IN CHARGE:	RONALD J. SCHNEIDER, P.E.

REG. # 61485
BURKETT ENGINEERING, INC.
CERT. OF AUTH. NO. 7106

SHEET NO.

4

OF:15

CITY OF APOKA LANDSCAPE ORDINANCE 2069 REQUIREMENTS

MINIMUM TREE REQUIREMENT OF 1 TREE PER 8,000 SQUARE FEET OF SITE AREA : (57.89 AC) 2,521,688 SF/8,000 = 316
316 TREES MIN. REQUIRED, 316 PROVIDED BY 87 PROPOSED TREES AND 229 EXISTING (TBD) ON-SITE BUFFER TREES TO REMAIN.
SR 441 25' WIDE R-O-W BUFFER 1,369 LF.: 120.0" DBH REQUIRED, 167.5" DBH PROVIDED @ 3.5" PER 1,000 SF (34,200 SF TOTAL)
HERMIT SMITH RD. 25' WIDE R-O-W BUFFER 1,935 LF.: 170" DBH REQUIRED, 170" DBH PROVIDED @ 3.5" PER 1,000 SF (48,375 SF)
GENERAL ELECTRIC RD. 25' WIDE R-O-W BUFFER 993 LF.: 87.5" DBH REQ'D, 87.5" DBH PROVIDED @ 3.5" PER 1,000 SF (24,825 SF)
EAST BUFFER 10' WIDE ALONG I-1 ZONING 1,805 LF.: 64.0" DBH REQUIRED, 64.0" DBH PROVIDED @ 3.5" PER 1,000 SF (18,050 SF)
NORTH CEMETARY 25' WIDE BUFFER 301 LF.: 27.0" DBH REQUIRED, 27.0" DBH PROVIDED @ 3.5" PER 1,000 SF (7,525 SF)
EAST CEMETARY 25' WIDE BUFFER 330 LF.: 29.0" DBH REQUIRED, 29.0" DBH PROVIDED @ 3.5" PER 1,000 SF (8,250 SF)
SHADE TREE REQUIREMENT OF 30% COVERAGE FOR THE GROSS PARKING LOT AREA PROVIDED BY
PROPOSED SHADE TREES AT MATURE GROWTH (7 LIVE OAK & 5 MAGNOLIA) AS PER LDC SECTION 5.01.08 (C)(10)
GROSS PARKING AREA = 20,000 SF X 30% = 6,000 SF SHADE AREA REQUIRED AND PROVIDED (SEE MATURE CANOPY SIZES)
12 SHADE TREES PROVIDED FOR 68 PARKING SPACES @ 1 PER 6 SPACES.
NOTE: VIEWS FROM ADJACENT PROPERTIES AND R-O-W TO EQUIPMENT, UTILITY BOXES, ETC. SHALL BE SCREENED.

W ORANGE BLOSSOM TRAIL

UNDERSTORY TREE (PROVIDED IN ADDITION TO MINIMUM CODE)

CANOPY TREE 30' O.C.

3' DECORATIVE WALL ON 3' BERM
(OWNER TO DETERMINE FINISH)24" HIGH CONTINUOUS HEDGEROW
(36" OC to become 100% opaque
and maintained at a 3' ht.)SR 441 R-O-W WALL AND
BERM PLANTING ELEVATION

SCALE: 1/2" = 1'-0"

3' GRASSED BERM @ 4:1 SLOPE

CANOPY TREE 30' O.C.

UNDERSTORY TREE
(IN ADDITION TO MINIMUM CODE)3' HT. DECORATIVE WALL
(OWNER TO DETERMINE FINISH)24" HIGH CONTINUOUS HEDGEROW
(36" OC to become 100% opaque
and maintained at a 3' ht.)

3' GRASSED BERM @ 4:1 SLOPE

DRIVEWAY

SR 441 R-O-W WALL AND
BERM PLANTING SECTION

SCALE: 1/2" = 1'-0"

TREE REPLACEMENT DATA: (TBD)

TOTAL SITE CLEARING AREA
= 2,521,688 S.F. (57.89 AC)

SPECIMEN TREE CHART (24" OR GREATER DBH)

TOTAL NO.	TOTAL CALIPER	REMOVE		REMAIN	
		NO.	CALIPER	NO.	CALIPER
0	0"	0	0"	0	0"

NON-SPECIMEN TREE CHART (6" TO 23" DBH)
(EXCLUDES EXOTIC TREE SPECIES)

TOTAL NO.	TOTAL CALIPER	REMOVE		REMAIN	
		NO.	CALIPER	NO.	CALIPER
00	000"	00	000"	00	000"

TOTAL TREE STOCK REQUIREMENT:

SPECIMEN TREE STOCK FORMULA CAP: 0 INCHES DBH

(AT 1" REPLACEMENT FOR 1" REMOVED)

NON-SPECIMEN TREE STOCK FORMULA CAP: 000 INCHES DBH

(AT 1" REPLACEMENT FOR 1" REMOVED)

TOTAL MAXIMUM TREE REPLACEMENT: 000.0 INCHES DBH

PROPOSED REPLACEMENT INCHES: 640.0 INCHES DBH

REPLACEMENT DEFICIT INCHES: 000.0 INCHES DBH

NOTE: TREE REPLACEMENT DEFICIT = 000.0 INCHES. OWNER HEREBY COMMITS TO PAYMENT INTO
THE CITY'S TREE BANK FUND FOR AMOUNT TOTALING \$0,000.00 @ \$10.00 PER INCH DEFICIT.NOTE: THE LIMITS OF TREE CLEARING SHALL INCLUDE ONLY THOSE AREAS
REQUIRED TO CONSTRUCT THE PROPOSED PAVED AREAS, BUILDING, UTILITIES
AND RETENTION POND AS SHOWN. ALL OTHER AREAS SHALL BE UNDISTURBED.NOTE: TREE TRIMMING WORK SHALL REQUIRE REVIEW AND APPROVAL BY THE CITY
THROUGH AN ARBOR PERMIT.

TREE SYMBOLS LEGEND

40 - LIVE OAK TREES @ 2-1/2" DBH = 100.0"

25 - MAGNOLIA TREES @ 2-1/2" DBH = 62.5"

103 - RED CEDAR TREES @ 2-1/2" DBH = 257.5"

88 - WAX MYRTLE TREES @ 2-1/2" DBH = 220.0"

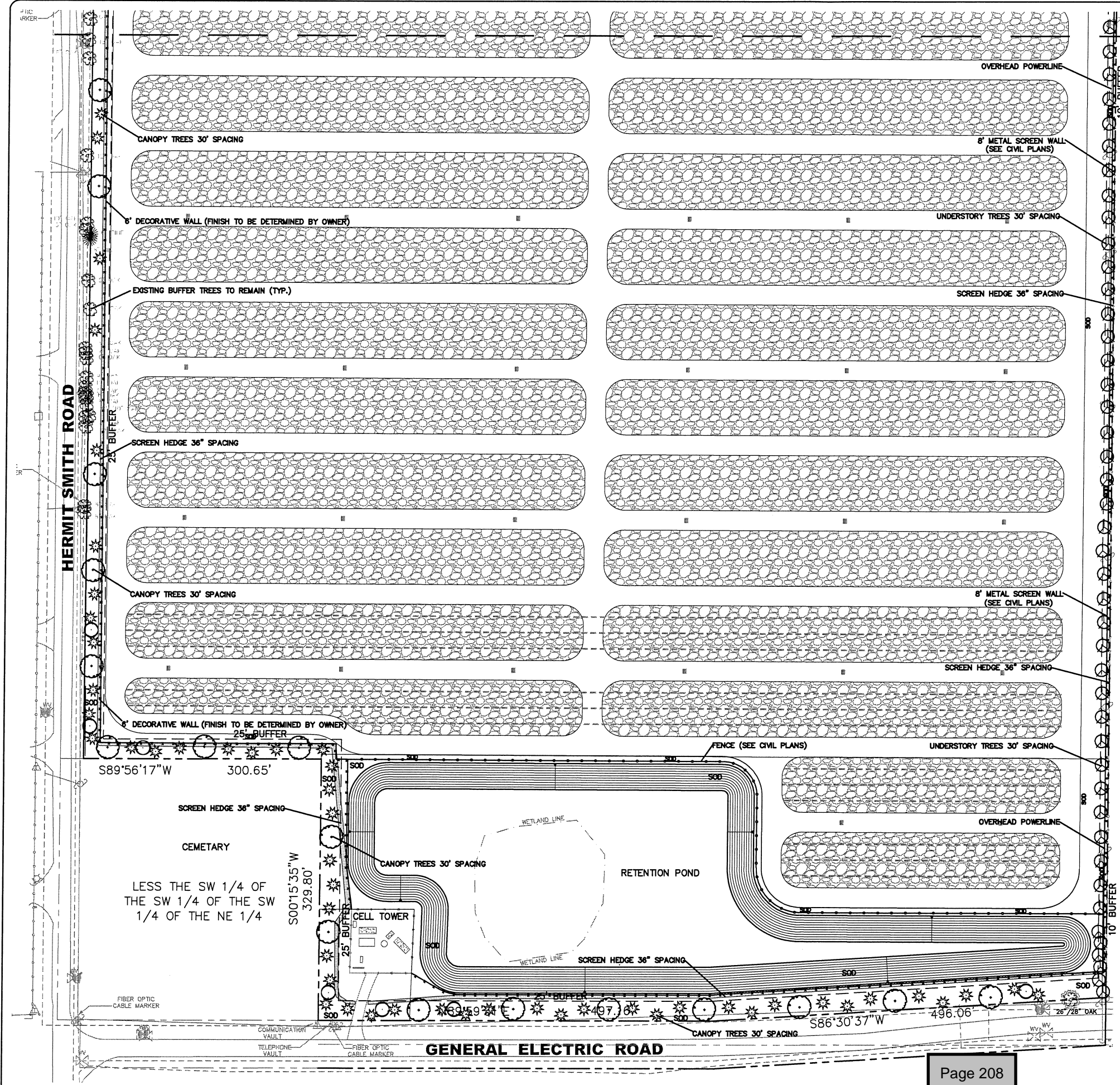
TREE TOTAL = 256 640.0" DBH = TOTAL REPLACEMENT INCHES

SOD: ARGENTINE BAHIA SOLID SOD (MEETS LDC ART. V WATER-WISE ORDINANCE 2069 STANDARDS)

R-O-W BUFFER SHRUBS: 24" MINIMUM HEIGHT SPACED 36" APART

MATCHLINE (SEE L2)

0' 60' 120'
SCALE: 1" = 60'J. SCOTT LIBERTY, LANDSCAPE ARCHITECT
FLORIDA REGISTRATION NO. LA0001476
5621 REVELWOOD LOOP, WINTER PARK, FL 32782
PHONE: 407-719-2124 FAX: 407-671-6904



MATCHLINE (SEE L1)

N00°13'02"E
1774.28'
I-1 ZONING

TREE REPLACEMENT DATA:

TOTAL SITE CLEARING AREA
= 2,351,688 S.F. (57.88 AC)

SPECIMEN TREE CHART (24" OR GREATER DBH)

TOTAL NO.	TOTAL CALIPER	REMOVE		REMAIN	
		NO.	CALIPER	NO.	CALIPER
0	0"	0	0"	0	0"

NON-SPECIMEN TREE CHART (6" TO 23" DBH)
(EXCLUDES EXOTIC TREE SPECIES)

TOTAL NO.	TOTAL CALIPER	REMOVE		REMAIN	
		NO.	CALIPER	NO.	CALIPER
00	000"	00	000"	00	000"

TOTAL TREE STOCK REQUIREMENT:

SPECIMEN TREE STOCK FORMULA CAP: 0 INCHES DBH
(AT 1" REPLACEMENT FOR 1" REMOVED)
NON-SPECIMEN TREE STOCK FORMULA CAP: 000 INCHES DBH
(AT 1" REPLACEMENT FOR 1" REMOVED)
TOTAL MAXIMUM TREE REPLACEMENT: 000.0 INCHES DBH
PROPOSED REPLACEMENT INCHES: 640.0 INCHES DBH
REPLACEMENT DEFICIT INCHES: 000.0 INCHES DBH

NOTE: TREE REPLACEMENT DEFICIT = 000.0 INCHES. OWNER HEREBY COMMITS TO PAYMENT INTO THE CITY'S TREE BANK FUND FOR AMOUNT TOTALING \$0,000.00 @ \$10.00 PER INCH DEFICIT.
NOTE: THE LIMITS OF TREE CLEARING SHALL INCLUDE ONLY THOSE AREAS REQUIRED TO CONSTRUCT THE PROPOSED PAVED AREAS, BUILDING, UTILITIES AND RETENTION POND AS SHOWN. ALL OTHER AREAS SHALL BE UNDISTURBED.
NOTE: TREE TRIMMING WORK SHALL REQUIRE REVIEW AND APPROVAL BY THE CITY THROUGH AN ARBOR PERMIT.

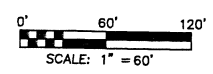
CITY OF APOPKA LANDSCAPE ORDINANCE 2069 REQUIREMENTS

MINIMUM TREE REQUIREMENT OF 1 TREE PER 8,000 SQUARE FEET OF SITE AREA : (57.88 AC) 2,521,688 SF/8,000 = 316 TREES MIN. REQUIRED, 316 PROVIDED BY 87 PROPOSED TREES AND 229 EXISTING (TBD) ON-SITE BUFFER TREES TO REMAIN.
SR 441 25' WIDE R-O-W BUFFER 1,369 LF.: 120.0" DBH REQUIRED, 167.5" DBH PROVIDED @ 3.5" PER 1,000 SF (34,200 SF TOTAL)
HERMIT SMITH RD. 25' WIDE R-O-W BUFFER 1,635 LF.: 170" DBH REQUIRED, 170" DBH EXISTING (TBD) @ 3.5" PER 1,000 SF (48,375 SF)
GENERAL ELECTRIC RD. 25' WIDE R-O-W BUFFER 943 LF.: 87.5" DBH REQ'D, 87.5" DBH EXISTING (TBD) @ 3.5" PER 1,000 SF (24,825 SF)
EAST BUFFER 10' WIDE ALONG I-1 ZONING 1,805 LF.: 64.0" DBH REQUIRED, 64.0" DBH EXISTING (TBD) @ 3.5" PER 1,000 SF (16,000 SF)
NORTH CEMETARY 25' WIDE BUFFER 301 LF.: 27.0" DBH REQUIRED, 27.0" DBH EXISTING (TBD) @ 3.5" PER 1,000 SF (7,525 SF)
EAST CEMETARY 25' WIDE BUFFER 330 LF.: 28.0" DBH REQUIRED, 28.0" DBH EXISTING (TBD) @ 3.5" PER 1,000 SF (8,250 SF)
SHADE TREE REQUIREMENT OF 30% COVERAGE FOR THE GROSS PARKING LOT AREA PROVIDED BY PROPOSED SHADE TREES AT MATURE GROWTH (7 LIVE OAK & 3 MAGNOLIA) AS PER LDC SECTION 5.01.08 (C)(10)
GROSS PARKING AREA = 20,000 SF X 30% = 6,000 SF SHADE AREA REQUIRED AND PROVIDED (SEE MATURE CANOPY SIZES)
12 SHADE TREES PROVIDED FOR 68 PARKING SPACES @ 1 PER 6 SPACES.
NOTE: VIEWS FROM ADJACENT PROPERTIES AND R-O-W TO EQUIPMENT, UTILITY BOXES, ETC. SHALL BE SCREENED.

TREE SYMBOLS LEGEND

- 40 - LIVE OAK TREES @ 2-1/2" DBH = 100.0"
 - 25 - MAGNOLIA TREES @ 2-1/2" DBH = 62.5"
 - 103 - RED CEDAR TREES @ 2-1/2" DBH = 257.5" 30' OC
 - 88 - WAX MYRTLE TREES @ 2-1/2" DBH = 220.0"
- TREE TOTAL = 256 640.0" DBH = TOTAL REPLACEMENT INCHES

SOD: ARGENTINE BAHIA SOLID SOD (MEETS LDC ART. V WATER-WISE ORDINANCE 2069 STANDARDS)
R-O-W BUFFER SHRUBS: 24" MINIMUM HEIGHT SPACED 36" APART



J. SCOTT LIBERTY, LANDSCAPE ARCHITECT
FLORIDA REGISTRATION NO. LA0001476
5621 REVELWOOD LOOP, WINTER PARK, FL 32782
PHONE: 407-719-2124 FAX: 407-671-6904

LANDSCAPE AND IRRIGATION DESIGN

I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2069 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

SIGNATURE _____ REG. NO. _____ DATE _____

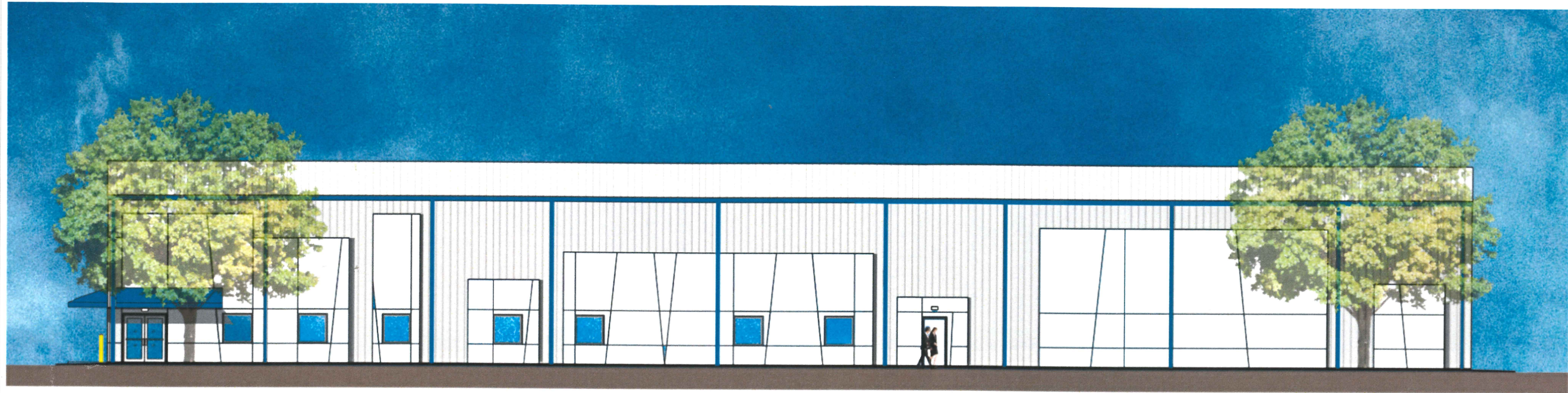
Burkett
engineering
CONSULTANTS
105 E. Robinson Street, Suite 501 Orlando, Florida 32801
(407) 246-2500 Fax (407) 246-0423
www.burkettengineering.com

COPART APOPKA
PRELIMINARY DEVELOPMENT PLAN
FOR COPART, INC.
LANDSCAPE PLAN

DATE:
10/2/15
PROJECT NO.:
1513.11
DRAWN BY:
JSL
DESIGNED BY:
JSL
CHECKED BY:
JSL
ENGINEER IN CHARGE:
J. SCOTT LIBERTY, RLA

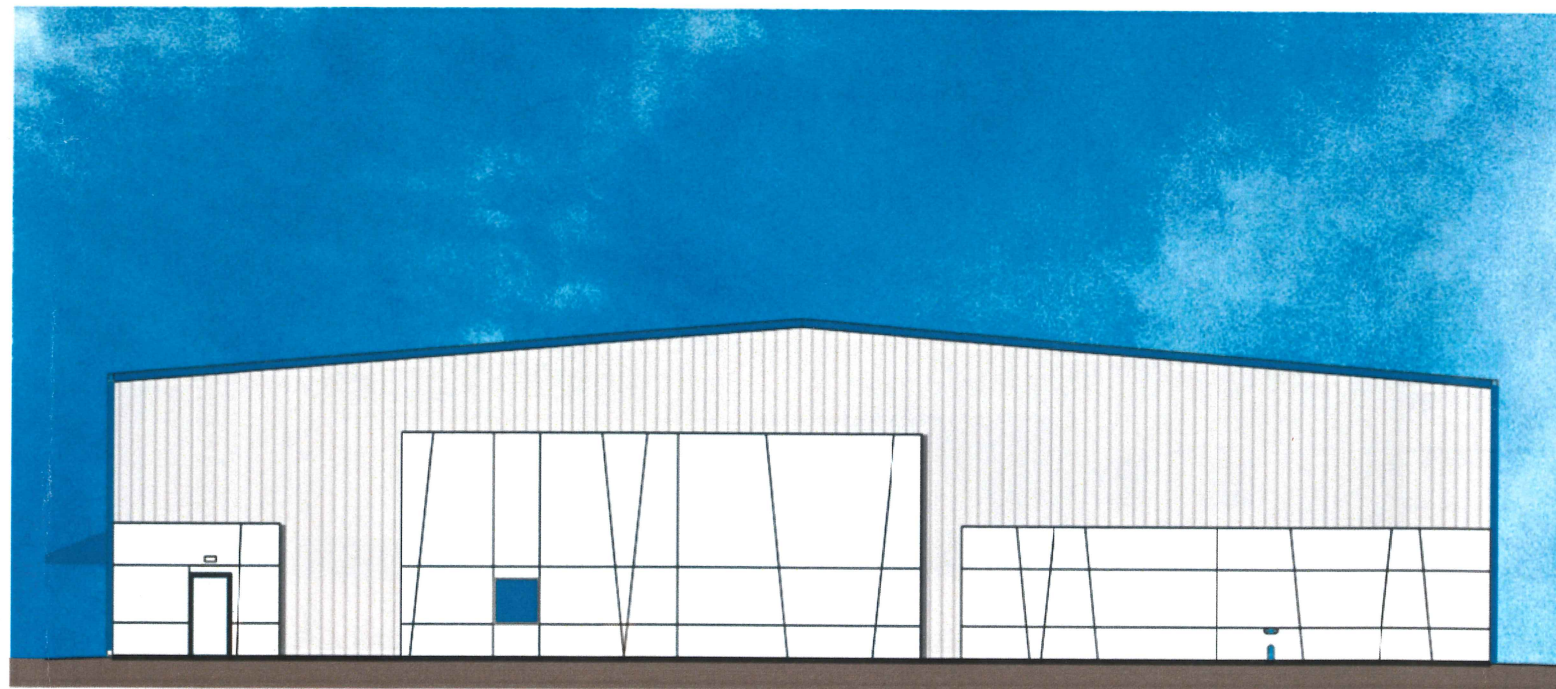
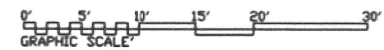
REG. # LA0001476
BURKETT ENGINEERING, INC.
CERT. OF AUTH. NO. 7105

SHEET NO.
L2
OF:



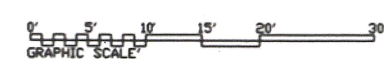
Exterior Elevation - North

1/8"=1'-0"



Exterior Elevation - West

1/8"=1'-0"



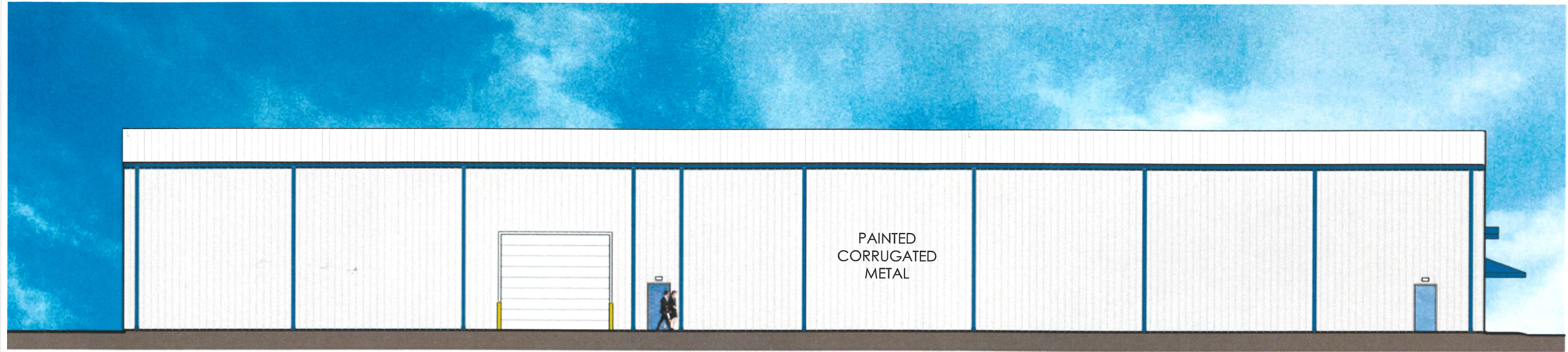
FUGLEBERG KOCH
PLLC

ELEVATION | COPART

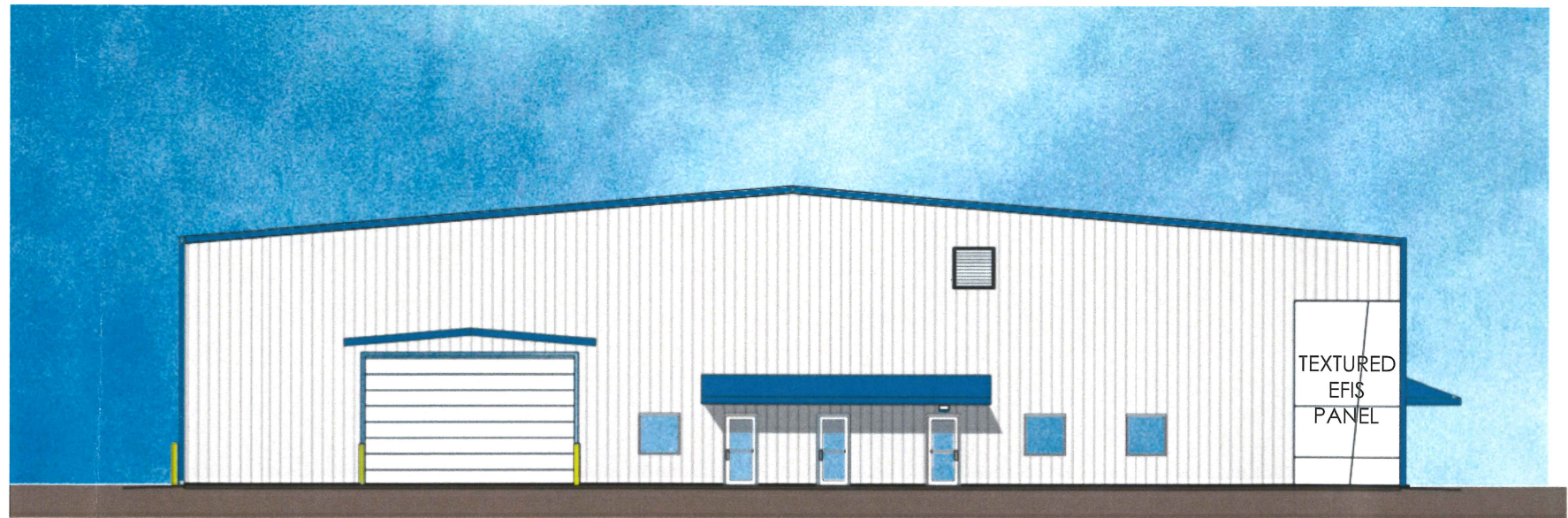
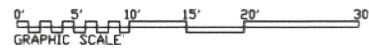
Page 209

CT No: 5263

APOPKA FLORIDA

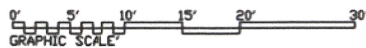


Exterior Elevation - South



Exterior Elevation - East

1/8"=1'-0"





FEATURES & SPECIFICATIONS

INTENDED USE — Round tapered direct bury (embedded) fiberglass general purpose pole for up to 35 foot mounting heights.

CONSTRUCTION — Reinforced composite shaft incorporating "E" type fiberglass and polyurethane top coat providing a minimum 1.5 mil film thickness and smooth surface finish.

An oval, non-removable, 2-1/2" x 3" x 1/2" handle secured with a stainless steel 1/4" socket head screw. Top cap provided with all drill mount poles. Fasteners are high-strength galvanized, zinc-plated or stainless steel.

FINISH — Must specify finish.

Catalog Number	Type
RTFDB	Round Tapered Fiberglass, Direct Burial

RTFDB

ROUND TAPERED FIBERGLASS, DIRECT BURIAL

ORDERING INFORMATION

Lead times will vary depending on options selected. Consult with your sales representative.
Example: RTFDB 18 6X DM19 DDB

Series	Nominal fixture mounting height	Nominal shaft base size/wall thickness	Mounting	Options	Finish
RTFDB	14 - 35 feet (See back page)	(See back page)	PT Open top TD 2-3/8" O.D. (1/2" NPS) TD 2-7/8" O.D. (1/2" NPS)	TP Tamper proof H1-10' Hex Horizontal arm FELAX Fasten (not less electrical) CPL12x 1/2" coupling CPL24x 3/4" coupling NPL12x 1/2" threaded nipple NPL24x 3/4" threaded nipple NPL12x 1" threaded nipple EHLux Extra handle DSS Sandstone DGC Charcoal DTG Tennis DBR Bright red DSB Steel blue Architectural poles (powder finish)	Dark bronze White Black Medium bronze Natural aluminum Sandalwood Charcoal Tennis Bright red Steel blue Architectural poles (powder finish)

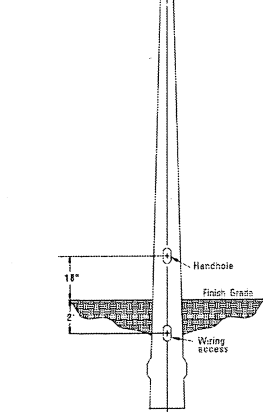
NOTES:
1. When ordering, please specify the mounting height and the finish color. Refer to the technical data section for the correct order code.
2. The mounting height is the distance from the base of the pole to the center of the luminaire.
3. Specify location and orientation when ordering.
4. For "X" Specify the height in feet and inches.
5. For "X" Specify the height in feet and inches.
6. For "X" Specify the height in feet and inches.
7. Finish must be specified. Additional colors available, see www.lithonia.com for details.

Outdoor
Sheet #: Pole-RTFDB PL-410

RTFDB Round Tapered Fiberglass Poles - Direct Burial

Catalog Number	Nominal fixture mounting height (feet)	Pole shaft size (inches x inches)	EPG (ft) with 1.5 gusset			Max. weight (pounds)	Approximate shipping weight (pounds)
			80 mph	90 mph	100 mph		
RTFDB 18 6X	14	6.5 x 4.1 x 18	14.0	10.4	7.9	150	34
RTFDB 20 6-5X	16	6.7 x 4.1 x 20	10.6	7.4	5.5	100	38
RTFDB 20 6-7X	20	6.7 x 4.1 x 24	8.2	5.8	4.1	150	46
RTFDB 30 6-3X	25	8.2 x 4.5 x 30	6.2	4.7	3.6	100	71
RTFDB 30 8-4X	25	8.4 x 4.7 x 30	14.5	11.2	8.9	200	98
RTFDB 35 8-4X	30	8.4 x 4.7 x 35	10.5	8.0	6.2	200	115
RTFDB 35 8-5X	30	8.5 x 4.9 x 35	14.8	11.4	9.0	300	153
RTFDB 41 11-8X	35	11.8 x 6.4 x 41	14.3	10.8	7.8	300	218

POLE DETAIL



IMPORTANT:
These specifications are intended for general purposes only. Lithonia reserves the right to change materials or design without prior notice in a continuing effort to improve its products.



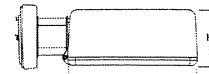
Sheet #: Pole-RTFDB © 1998-2010 Acuity Brands Lighting, Inc. All rights reserved. Rev. 5/17/10

Lithonia Lighting
Outdoor
Dixie Lithonia Way, Cary, NC 27513
Phone: 770-555-6600 Fax: 770-555-1229
www.lithonia.com



KAD LED LED Area Luminaire

Specifications
EPA: 1.2 ft
Length: 17-1/2"
Width: 17-1/2"
Height: 7-1/8"
Weight (max): 36 lbs.



Introduction
The Contour® Series luminaires offer traditional square daylight with advanced edges for a versatile look that complements many applications. The KAD LED combines the latest in LED technology with the familiar aesthetic of the Contour® Series for stylish, high-performance illumination that adds to the look for replacing 100-400W metal halide in area lighting applications with typical energy savings of 70% and expected service life of over 50,000 hours.

EXAMPLE: KAD LED 40C 1000 40K R5 MVOLT PUMBAK04 DDBX0D

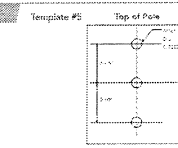
Part	Part Number	Description	Part Number	Description	Part Number	Description
KAD LED	40C 1000 40K R5	40C 1000 40K R5	40C 1000 40K R5	40C 1000 40K R5	40C 1000 40K R5	40C 1000 40K R5

Shipped installed	Shipped separately
1000 40K R5	1000 40K R5

Stock configurations are offered for shorter lead times:	Accessories
KAD LED 40C 1000 40K R5 MVOLT PUMBAK04 DDBX0D	1000 40K R5

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Drilling



Tenon Mounting Splits**									
2-3/8"	2-1/2"	2-1/4"	2-1/8"	2-1/16"	2-1/32"	2-1/64"	2-1/128"	2-1/256"	2-1/512"

Performance Data

Lumen Output
Lumen output is based on measurements taken at 25°C (77°F). Data is provided for representative configurations shown, within the tolerance allowed by lighting facts.

Configuration	Beam Angle	Height (ft)	Area (sq ft)	Footcandle (fc)	Footcandle (lm/ft²)
40C 1000 40K R5	40°	10	314	38	4100

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Performance Data

Lumen Ambient Temperature (LAT) Multiplier
Use these multipliers to determine the lumen output for ambient temperatures other than 25°C (77°F).

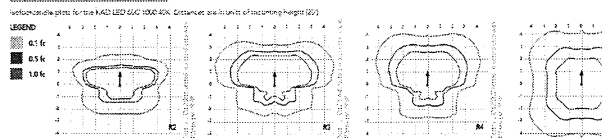
Temperature (°C)	Multiplier
25	1.00

Projected LED Lumen Maintenance

Use these multipliers to determine the lumen output for ambient temperatures other than 25°C (77°F).

Hours	Multiplier
10,000	0.90

Photometric Diagrams



FEATURES & SPECIFICATIONS

INTENDED USE — The KAD LED luminaire is designed for use in a variety of applications, including parking lots, streets, and industrial areas.

CONSTRUCTION — The KAD LED luminaire is constructed from high-quality materials, including aluminum and polycarbonate, to ensure durability and long life.

FINISH — The KAD LED luminaire is available in a variety of finishes, including white, black, and custom colors.

ELECTRICAL — The KAD LED luminaire is available in a variety of voltages, including 120V, 277V, and 480V.

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APOPKA FLORIDA



1200 W. SR 434
SUITE 301
LONGWOOD, FL 32750
PH: 407.636.7999
PROJECT #: 15063

No.	Date	Issue History
1	08/28/15	SCHEMATIC



- A A 2 6 0 0 2 1 0 3 -
2333 Temple Trail, Winter Park, FL 32789
(407) 629-0595

Drawn By: MLD
Checked By: MLD
Approved By: MLD

SITE PLAN FIXTURE SPECIFICATIONS

E1.03





