CITY OF APOPKA
DEVELOPMENT REVIEW COMMITTEE

DATE: **June 29, 2016**
TIME: **9:00 AM Development Review Committee Meeting**
LOCATION: **120 E. Main Street (Administration Conference Room – 1st Floor)**

I. Staff Comments on the following:

A. Special Events:

1. Event: Apopka Raptors AAU Youth Football League
Date: August 14, 2016 - Time: 7:00 A.M. thru 5:30 P.M.
Location: Dream Lake Field

B. Concept Plan: None

C. Site Plans: None

2. Mullinax Ford Site Improvements-Apopka SPR16-16
Final/Major Development Plan
Location: 1551 E. Semoran Boulevard
Parcel No.'s: 11-21-28-0000-00-065; -066; & -068

3. SDA Apopka Gymnasium PUD-AMEND16-05
PUD Amendment
Parcel No.: 22-21-28-0000-00-196
Location: 1822 Sheeler Avenue

D. Plats:

4. Binion Reserve PR16-01
Preliminary Development Plan
Parcel No.: 18-21-28-0000-00-057
Location: 1078 S. Binion Road

E. Street Name Review: None
F. FLUM / Rezoning: None
G. Special Exception: None

II. Other Business:

A. Public Hearing:

5. Emerson Point Phase II LLC
Parcel No. 21-21-28-0000-00-001
Location: 1890 S. Hawthorne Avenue
Parcel No. 21-21-28-0000-00-002
Location: 1801 Marden Road
Change of Zoning: From: R-3 (Residential)

6. Carter-Orange 67 Hwy 441 Land Trust, c/o Daryl M. Carter Trustee (Apopka Farms)
Parcel No.'s 36-20-27-0000-00-006& 35-20-27-0000-00-020 & 35-20-27-0000-00-053
Location: 4145 W. Orange Blossom Trail
Change of Zoning: From Mixed-CC & R-1
To: PUD (Planned Unit Development-Mixed Use Commercial/Residential

B. Vacate/Variance: None
C. Request for Extension: None
D. Discussion: None
E. Peddlers Permit: None
F. Plan Final Review and Sign-off: **Projects at "Zoning Counter"**

Please direct any comments or questions concerning the items scheduled for this meeting to the Community Development Department at (407) 703-1712.

David B. Moon, AICP, Planning Manager

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RECEIVED
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By et

Special Events Permit

Applicants Information

Name of Applicant: Ulaine Holliday Phone: 407-448-4919

Address: 1981 Scrub Jay Rd City: Apopka

ZIP: 32703 Email address: secretary@apopkaraptors.com

Secondary Contact: Rick Poitier Phone: 321-202-8767

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

Name of Organization: Apopka Raptors AAU Youth Football League

Tax Exempt: Yes: ✓ No: _____ State of Florida Tax Number: 85-8015696435-C-4

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 Raptors Family Fun Day

Date(s) of the Event: 8/13/16 Hours of Event: 7:00am-5:30pm

Location of the Event: Dream Lake Field

Does the location of the event take place on Public or Private Property? Public

Briefly describe the event and all activities that will occur during the event: Family fun day- canival style event with bounce house, food, non-alcoholic beverages and games

Expected attendance: 100

Will there be admission, vendor, participant or other fees: Yes: ✓ No: _____

Will you be serving alcohol: Yes: _____ No: ✓

*If yes for serving alcohol, you will be required to obtain approval from City Council. Upon final approval you will need to provide a copy of the liquor license.

Special Events Permit
(Continued)

Type of Event

Description of any equipment being used (Tents, Banners, Signs, Animals, Etc.): banners, signs, tents, bounce house

Will you have any street, lane, or sidewalk closures? Yes:_____ No: ✓

If yes, explain: _____

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 if there are any street closures or alcohol sales.**
- If the location of the event takes place on City Property, you will be required to complete the Facility Use Agreement.
- You may be required to hire off-duty Apopka Police and Fire Fighters depending upon the size of the event.
- Temporary event signage will require a weekend directional sign permit from the Building Department.
- Any tents 200 square feet or larger will require the following:
  -Copy of Certificate of Flame Resistance for tent.
  -City Inspection Sheet signed by Fire/Building Department Officials
  -Copy of tent permit from Building Department
- Applicants must provide adequate restroom facilities during event.
- Meetings are scheduled, if need be, to solve any conflicts or concerns. A meeting will be required for events with more than 1,000 people in attendance.
- 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 Coordinator, at 407-703-1809, or visit us at 120 E. Main Street, 1st Floor, Apopka, Florida, Monday through Friday, 8:30 a.m. until 4:30 p.m.

HOLD HARMLESS AGREEMENT

I, Ulaine Holliday, on behalf of Apopka Raptors, agree to indemnify and hold harmless the City of Apopka, its agents, employees or any other person against loss or expense including attorneys' fees, by reason of the liability imposed by law upon the City of Apopka except in the case of the City of Apopka's sole negligence, for damage because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons, or on account of damage to property arising out of or in consequence of the issuance of the permit or conduct of the assembly or any of its participants, in whole or in part, whether such injuries to persons or damage to property are due or claim to be due to any passive negligence of its employees or agents or any other person. It is further understood and agreed that Ulaine Holliday shall, at the option of the City of Apopka, defend the City of Apopka with appropriate counsel and shall further bear all costs and expenses, including the expense of counsel, in the defense of any suit arising hereunder.

Ulaine Holliday
PRINTED NAME OF APPLICANT

SIGNATURE OF APPLICANT

6/24/16
DATE SUBMITTED

Apopka Raptors Family Fun Day
EVENT NAME / EVENT DATE / LOCATION OF EVENT

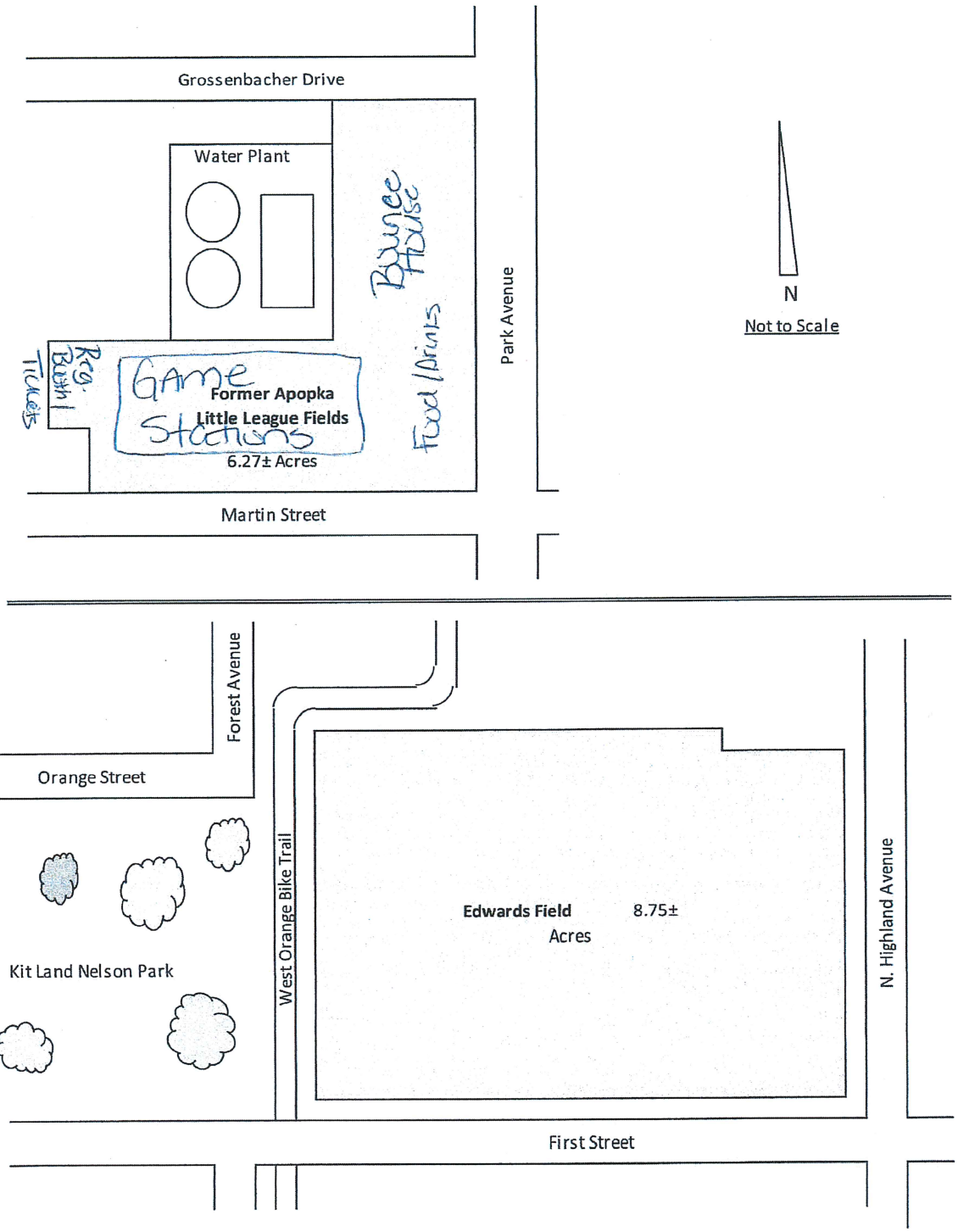
STATE OF FLORIDA
COUNTY OF ORANGE

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 24 DAY OF June, 2016 BY Ulaine Holliday, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED DL#C552-852-75-661-0 AS IDENTIFICATION.

Edith Torres
NOTARY PUBLIC SIGNATURE

Edith Torres
NOTARY PUBLIC PRINTED NAME

NOTARY PUBLIC STATE OF FLORIDA
EDITH TORRES
MY COMMISSION # FF 089751
EXPIRES: February 13, 2018
Bonded Thru Budget Notary Services



Revision: 03/30/16

EVENT THIRD PARTY CERTIFICATE OF INSURANCE
AMATEUR ATHLETIC UNION OF THE U.S., INC.

CERTIFICATE HOLDER	City of Apopka 120 East Main Street Apopka, FL 32703	**COVERAGE DATES:** 08/19/2015 - 08/31/2016

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by the policies below. This certificate of insurance does not constitute a contract between the issuing insurer(s) , authorized representative or producer, and the certificate holder.

PRODUCER	**INSURED**	**MEMBER CLUB INSURED**
Foy Insurance 64 Portsmouth Ave PO Box 1030 Exeter, NH 03833-1030	Amateur Athletic Union of the U.S., Inc. Walt Disney World Resort P.O. Box 10000 Lake Buena Vista, FL 32830-1000 (407) 934-7200	Florida Youth Football And Cheer 732 Belle Terre Court Winter Garden, FL 34787

LICENSED NO.: 6KFLMS5806
CLUB CODE: WWAY7T

INSURER(S) AFFORDING COVERAGE

Company **A** United State Fire Insurance Company NAIC# 21113

Company **B** Everest National Insurance Company NAIC # 10120

*For box below, INSR LTR refers to Company A or B.

COVERAGES - This is to certify that the policy(ies) of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policy(ies) described herein is subject to all the terms, exclusions, and conditions of such policy(ies), limits shown may have been reduced by paid claims.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	COVERAGE EFF. DATE (MM/DD/YY)	COVERAGE EXP. DATE (MM/DD/YY)	COVERAGES	LIMITS
A	Participant Accident	US161173	9/01/2015 12:01 AM.	9/01/2016 12:01 AM.	Accident Medical Accidental Death and Dismemberment	50,000 10,000
B	Excess Liability	SI8EX00142-151	9/01/2015 12:01 AM.	9/01/2016 12:01 AM.	Each Occurrence Per Club Policy Aggregate Per Club	9,000,000 9,000,000
B	General Liability	SI8ML00176-151	9/01/2015 12:01 AM.	9/01/2016 12:01 AM.	Each Occurrence Limit General Aggregate Limit Per Club Participant Legal Liability Personal and Advertising Injury Limit Products-Completed Operations Aggregate Fire Damage to premises Rented to You (Any One Premises) Medical Expenses Limit (Any One Person) Sexual Abuse Liability Sexual Abuse Aggregate	1,000,000 3,000,000 1,000,000 1,000,000 3,000,000 1,000,000 5,000 1,000,000 2,000,000

ADDITIONAL INFORMATION / RESTRICTIONS / SPECIAL ITEMS

Coverage applies to Florida Youth Football And Cheer, License # 6KFLMS5806 Florida Youth Football and Cheer League from 08/19/2015 through 08/31/2016, for the gross negligence and/or liabilities of the AAU Club(s) or registered members. For said club to have coverage, all membership requirements in the AAU must be met.

The Certificate holder shall be an Additional Insured, but only with respect to the operations of the Named Insured, subject to the provisions and limitations of the policy(ies), attached CG 20 26 0413 applies.

CANCELLATION – Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions. But, failure to mail such notices shall impose no obligation for liability of any kind upon the insurer, its agents or representatives.
REVOCATION OF MEMBERSHIP - will result in cancellation of coverage.

FACILITY OWNER SHOULD VERIFY THIS CERTIFICATE.
Go to www.aausports.org , Insurance Overview, and choose 'Print/View' > Certificates

Authorized Representative

Certificate No. 20165380

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inscertfacility.rpt

POLICY NUMBER: SI8ML00176-151 COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

SCHEDULE

Name of Person or Organization: City of Apopka
120 East Main Street
Apopka, FL 32703

Event: Florida Youth Football and Cheer League

Date: 08/19/2015 through 08/31/2016

THE ABOVE PERSON OR ORGANIZATION IS ADDITIONAL INSURED AS REQUIRED BY WRITTEN CONTRACT.

endorsement # 20165380

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

A. Section II- Who is An Insured is amended to include as an additional insured the person(s) or Organizations(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The Insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With Respect to the insurance afforded to these additional insureds, the following is added to Section III- Limits Of Insurance:

If Coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This Endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

FACILITY OWNER'S CERTIFICATE OF LICENSE MUST BE POSTED IN PLAIN VIEW. WITHOUT LICENSE NO. EVENT WILL HAVE AUTHORITY

Backup material for agenda item:

5. Emerson Point Phase II LLC
   Parcel No. 21-21-28-0000-00-001
   Location: 1890 S. Hawthorne Avenue
   Parcel No. 21-21-28-0000-00-002
   Location: 1801 Marden Road
   Change of Zoning: From: R-3 (Residential)

CITY OF APOPKA
PLANNING COMMISSION

__X__	PUBLIC HEARING	DATE:	July 12, 2016
_____	ANNEXATION	FROM:	Community Development
_____	PLAT APPROVAL	EXHIBITS:	Land Use Report
_____	OTHER:		Vicinity Map
			Adjacent Zoning Map
			Adjacent Uses Map
			Existing Uses

SUBJECT: **EMERSON POINT PHASE II LLC – CHANGE OF ZONING**

PARCEL ID NUMBER: **21-21-28-0000-00-001 (Portion) & 21-21-28-0000-00-002**

Request: **CHANGE OF ZONING**
FROM: R-3 (RESIDENTIAL)
TO: C-1 (RETAIL COMMERCIAL)

SUMMARY

OWNER/APPLICANT:	Emerson Point Phase II LLC
LOCATION:	East of Marden Road, north of State Road 414
EXISTING USE:	Vacant
PROPOSED FLUM DESIGNATION:	Commercial (Max. 0.25 FAR) (NOTE: This change of zoning application is being processed in conjunction with a large scale FLUM amendment requesting Commercial (Max. 0.25 FAR).
CURRENT ZONING:	R-3 (Residential)
PROPOSED DEVELOPMENT:	Retail commercial development
TRACT SIZE:	51.88 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT:	EXISTING: 518 Units PROPOSED: 564,973 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 subject parcels were annexed into the City of Apopka on December 30, 1991 through Ordinance 694.

Applicant is requesting the City to assign a zoning classification of C-1 (Retail Commercial) to the property, consistent with the proposed Commercial (Max. 0.25 FAR) future land use designation.

A request to assign a change of zoning to C-1 (Retail) is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The property owner is requesting the C-1 (Retail Commercial) zoning classification to accommodate the use of the property a retail commercial development. The subject properties abut a limited access highway (S.R. 414) with a planned interchange at Marden Road. City staff supports this change of zoning request subject to the construction of a highway interchange for S.R. 414 at Marden Road. This change of zoning application is being processed in conjunction with a large scale future land use amendment for Commercial (Max. 0.25 FAR). The proposed use is consistent with the proposed future land use, proposed zoning district and compatible with the general character of surrounding zoning and uses.

The change of zoning application covers approximately 51.88 acres.

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

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Commercial (Max. 0.25 FAR) Future Land Use designation and the City's proposed C-1 (Retail Commercial) Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The request is for a non-residential zoning classification; therefore, a school capacity enhancement agreement 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 June 13, 2016.

PUBLIC HEARING SCHEDULE:
July 12, 2016 - Planning Commission (5:30 pm)
July 20, 2016 - City Council (7:00 pm) - 1st Reading
August 3, 2016 – City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:
June 24, 2016 – Public Notice and Notification
July 22, 2016 – Ordinance Heading 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 zoning from R-3 (Residential) to "City" C-1 (Retail Commercial) for the property owned by Emerson Point Phase II LLC.

Recommended Motion: Find the change of zoning to "City" C-1 (Retail Commercial) consistent with the Comprehensive Plan and Land Development Code and recommend adoption subject to adoption of the Proposed Future Land Use Designation.

Note: This item is considered Quasi-Judicial. The report and its findings are to be incorporated into

and made a part of the minutes of this meeting.

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	*Future Land Use*	*Zoning*	*Present Use*
North (County)	Low Density Residential (0-4 du/ac) & Low Medium Density Residential (0-10 du/ac)	R-2, R-3	Marden Gardens Apartments; Single family residential neighborhood
East (County)	Low Density Residential (0-4 du/ac)	R-1A, R-3	Single-family residential
South (City)	Mixed Use	Mixed-EC	S.R. 414 and vacant lands
West (City)	Commercial & High Density Residential	C-1 & R-3	Vacant Commercial & Multi-family residential

LAND USE & TRAFFIC COMPATIBILITY: The subject property fronts and is accessed by a local roadway (Marden Road).

COMPREHENSIVE PLAN COMPLIANCE: The proposed C-1 (Retail Commercial) zoning is consistent with the City's Commercial (Max. 0.25 FAR) Future Land Use designation and with the character of the surrounding area and future proposed development. The C-1 (Retail Commercial) zoning classification is one of the acceptable zoning categories allowed within the proposed Commercial Future Land Use Designation. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

C-1 DISTRICT REQUIREMENTS:

Minimum Living Area:		NA
Minimum Site Area:		10,000 sq. ft.
Minimum Lot Width		100 ft.
Setbacks:	Front:	10 ft. (From property line)
	Rear:	10 ft. (30 ft. from residential)
	Side:	10 ft.
	Corner	15 ft.

Based on the above zoning standards, the subject parcels comply with code requirements for the C-1 (Retail Commercial) district.

BUFFERYARD REQUIREMENTS:

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

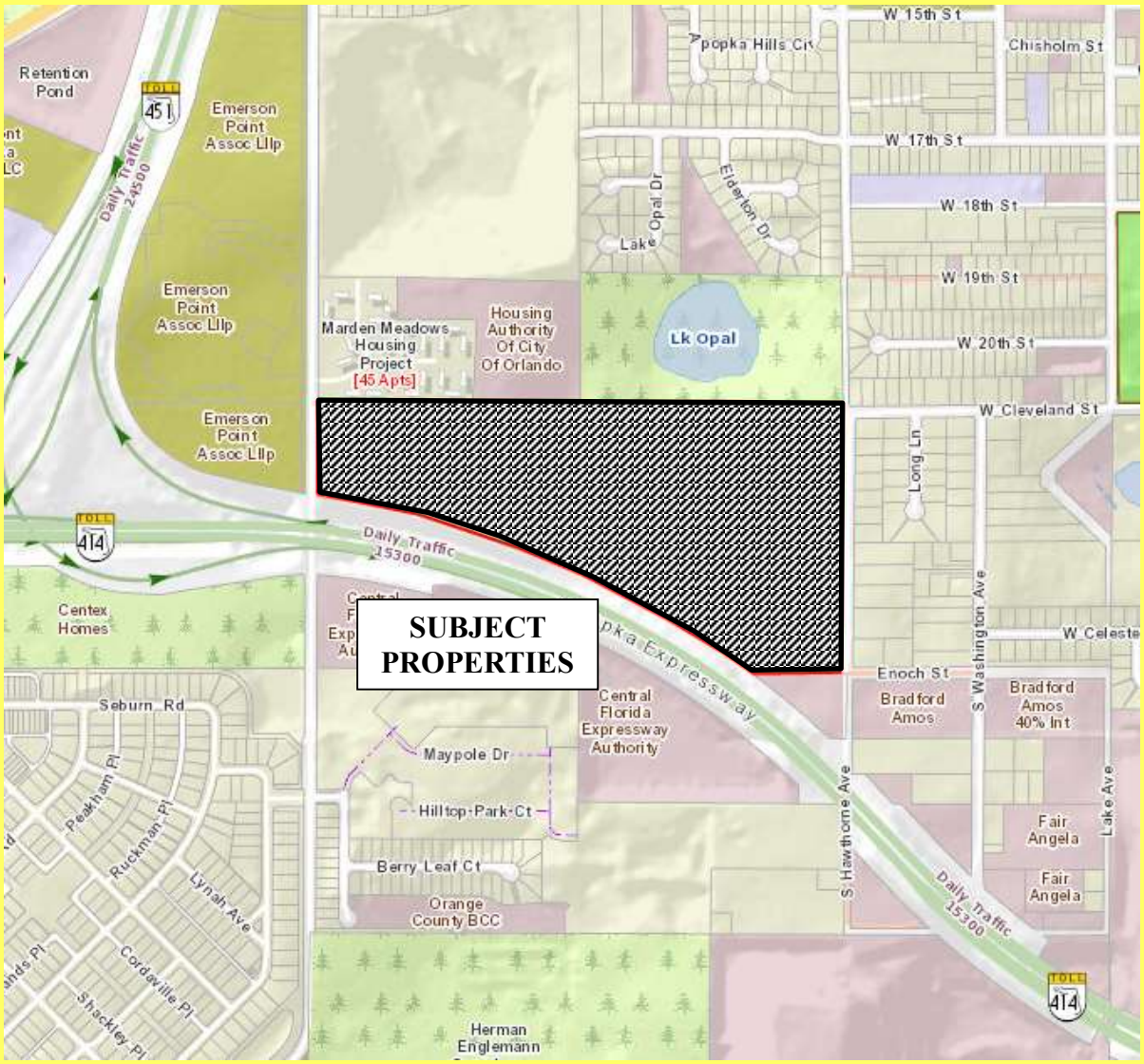
ALLOWABLE USES:

Any nonresidential permitted use in the PO/I or CN districts. Retail establishments, banks, savings and loan and other financial institutions. Bowling alleys, skating rinks, billiard parlors and similar amusement centers, provided such activities and facilities are enclosed within a sound-proof building. Churches and schools, day nurseries, kindergartens and other child care centers. Restaurants, hotels/motels, bed and breakfast facilities and other uses which are similar and compatible to the uses permitted herein which adhere to the intents of the district and which are not prohibited.

Emerson Point Phase II, LLC
Property Owner
51.88 +/- Acres
Proposed Large Scale Future Land Use Amendment:
From: "County" Medium Density Residential (0 – 10 du/ac)
To: "City" Commercial (max 0.25 FAR)
Proposed Change of Zoning:
From: R-3
To: "City" C-1
Parcel ID #s: 21-21-28-0000-00-001 & 21-21-28-0000-00-002 (Portion)

N

VICINITY MAP



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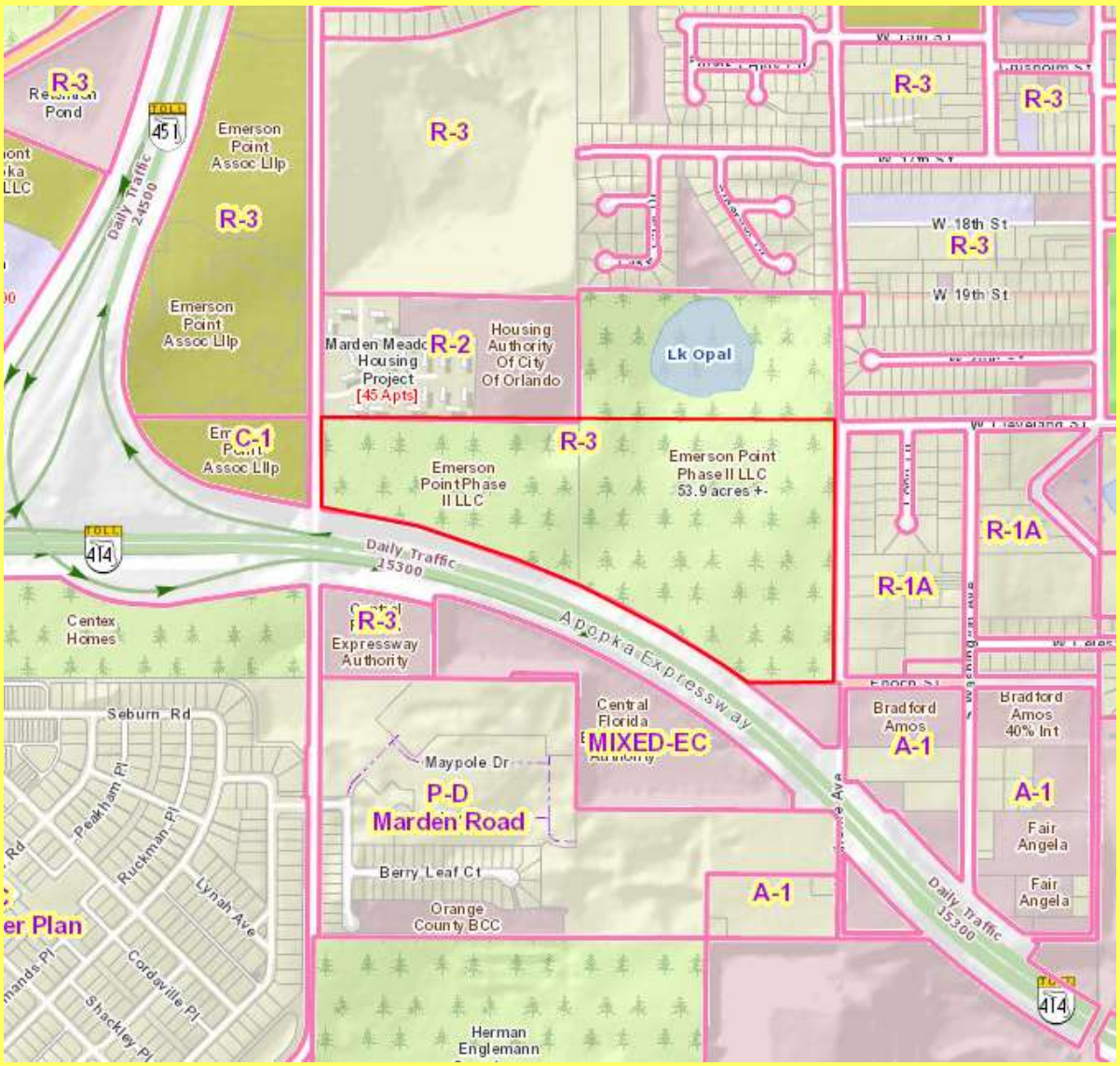
ADJACENT ZONING



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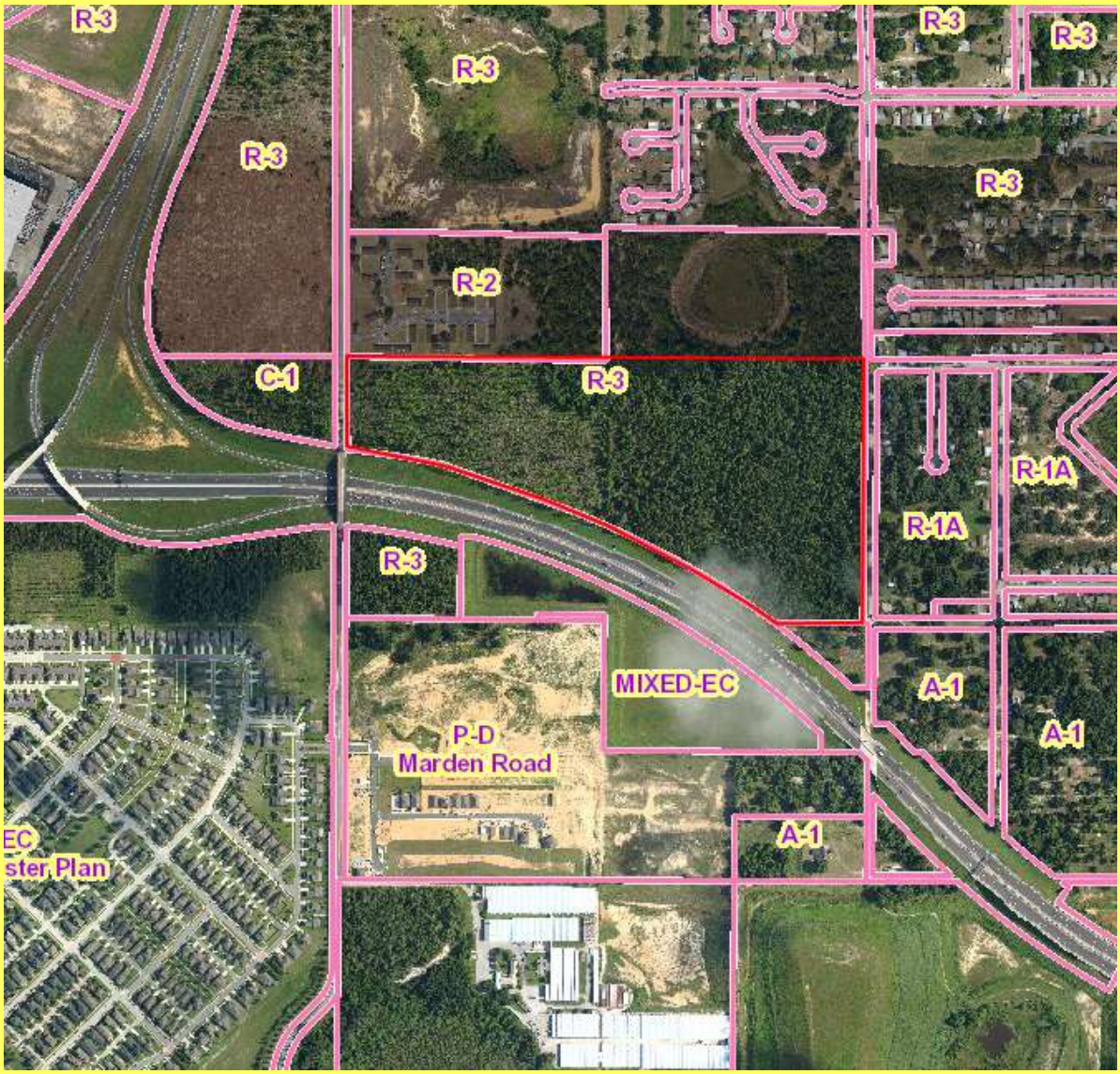
ADJACENT USES



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EXISTING USES

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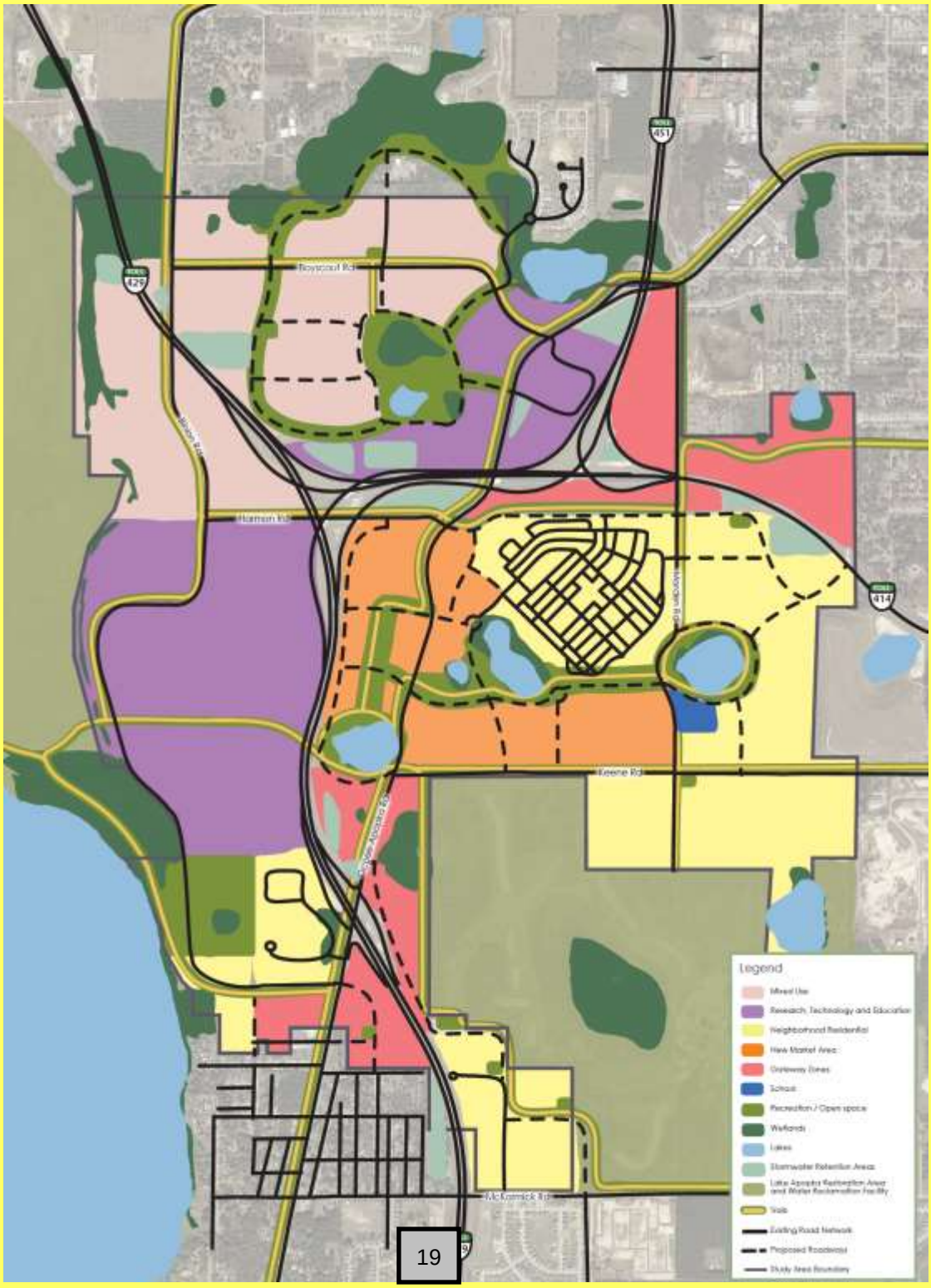
OCOEE APOPKA ROAD SMALL AREA STUDY
CONCEPTUAL LAND USE MAP