



**City of Apopka
Planning Commission
Meeting Agenda
May 22, 2018
5:30 PM @ City Council Chambers**

I. CALL TO ORDER

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

II. OPENING AND INVOCATION

III. APPROVAL OF MINUTES:

- 1 Approve minutes of the Planning Commission regular meeting held May 8, 2018.

IV. PUBLIC HEARING:

1. LEGISLATIVE - COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT – From Mixed Use (0–10 du\ac) and Agriculture (0-1 du/5 ac) to Industrial for the property owned by Eagles Landing at Ocoee, LLC and located south of Peterson Road, west of SR 429. (Parcel ID #s: 12-21-27-0000-000-015; 12-21-27-0000-000-017; 12-21-27-0000-000-021)

V. SITE PLANS:

1. QUASI-JUDICIAL - PRELIMINARY DEVELOPMENT PLAN – BRIDLE PATH SUBDIVISION – Property owned by AHIFO-18, LLC and located west of Plymouth-Sorrento Road and east of SR 429, approximately one-half mile north of the intersection of Kelly Park Road and Plymouth-Sorrento Road. (Parcel ID #s: 12-20-27-0000-000-032; 12-20-27-0000-000-090)

VI. OLD BUSINESS:

VII. NEW BUSINESS:

VIII. ADJOURNMENT:

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

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

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON MAY 8, 2018, AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

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

ABSENT: Patrice Phillips, Orange County Public Schools (Non-voting)

STAFF PRESENT: James Hitt, FRA-RA – Community Development Director, David Moon, AICP - Planning Manager, Richard Earp – City Engineer, Jacob J. Schumer – City Attorney, Bobby Howell - Senior Planner, Jean Sanchez – Planner II, Phil Martinez – Planner I, and Jeanne Green – Recording Secretary.

OTHERS PRESENT: Lerome Granger, Shrona Granger, Nilsa Gonzalez, Ben Sayder, Jim Hall, James Hall, Sarah Maier, Jordan Draper, David Young, Curt Hall, Lynn Hall, Doug Carter, Kenneth Graves, Kent Greer, Annie Greer, Erika Hughes, Selby Weeks, Scott A. Glass, Rich Thometz, Rhonda McElroy, Chris Wrenn, Misty Jenkins, Jeff Welch, Daniel Padilla, Priscilla Torres, Mario Gomez, Luke Classon, Eric Wells, Teresa Sargeant

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

APPROVAL OF MINUTES: Chairperson Greene asked if there were any corrections or additions to the regular meeting minutes of April 10, 2018, at 5:30 p.m.

Motion: Tony Foster made a motion to approve the Planning Commission minutes from the regular meeting held on April 10, 2018, at 5:30 p.m. and seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0).

QUASI-JUDICIAL – CHANGE OF ZONING – BRIDLE PATH SUBDIVISION - Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” PD (ZIP) to “City” KPI-MU (Kelly Park Interchange Mixed Use) for the property owned by AHIFO-18, LLC and located West of Plymouth-Sorrento Road and east of SR 429, approximately one-half mile north of the intersection of Kelly Park Road and Plymouth-Sorrento Road.

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

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

Staff Presentation: Bobby Howell, AICP, Senior Planner, stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” PD (ZIP) to “City” KPI-MU (Kelly Park Interchange Mixed Use) for the property owned by AHIFO-18, LLC and located West of Plymouth-Sorrento Road and east of SR 429, approximately one-half mile north of the intersection of Kelly Park Road and Plymouth-Sorrento Road. The applicant is VHB, c/o Jim Hall. The existing use is vacant land, an abandoned two-story house and horse stables. The current land use is “County” Rural Settlement and the proposed future land use is “City” Mixed Use Interchange. The current zoning is “County” PD and the proposed zoning is “City” KPI-MU (Kelly Park Interchange Mixed Use). The proposed development is 152 single family homes. The tract size is 51 +/- acres.

The owner of the subject property is requesting a rezoning of 51 acres of property from Orange County Planned Development (PD/ZIP) to Kelly Park Interchange Mixed-Use (KPI-MU), with a Neighborhood character zone to develop a single-family residential subdivision subject to the requirements of the Kelly Park Interchange Form

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Based Code. The subject property is comprised of two parcels and is located east of SR 429 and west of Plymouth-Sorrento Road, approximately one-half mile north of the intersection of Kelly Park Road and Plymouth-Sorrento Road. The owner of the properties is AHIFO-18, LLC.

Development Profile:

No. of residential lots:	152	single family homes, detached
Minimum lot width:	50	feet (all lots 50 feet wide)
Minimum lot depth:	100	Feet (all lots 100 feet deep)
Minimum lot size:	5,500	sq. ft. (all proposed\FBC has no minimum lot size)
Minimum house livable area:	1,200	sq. ft. (proposed\FBC does not address)
Setbacks:		
Front:	Min. 15 ft – Max. 30 ft	
Rear:	Min. 20 ft	
Side:	Min. 5 ft	
Garage:	Same as front	
Overflow Parking	None	
Driveway length:	Min. 15 ft – Max. 30 ft.	
On-street parking:	None proposed	
Max. number of floors:	Two	
Parking:	Two space per house within the lot (enclosed or exterior; FBC does not require enclosed parking)	

Amenities:

- Pool house with cabana; no parking
- Walking paths around stormwater ponds (developer proposes mulch\staff recommends established surface – concrete or asphalt)
- Regional Trails: two – along Plymouth-Sorrento Road, and internal along stormwater pond and wetland edges.

In accordance with the requirements of the Kelly Park Interchange Form Based Code, the owner has submitted a Master Plan in conjunction with the rezoning application detailing the development of 152 single-family homes on 51 acres. The property currently has a future land use designation of Orange County Rural Settlement. On May 16, 2018 the City Council will consider adoption of a large-scale future land use amendment for the subject property; which if approved, will change the future land use designation of the property from Orange County Rural Settlement, to City of Apopka Mixed Use Interchange, which is a consistent future land use category with the KPI-MU zoning designation. The property is located within the one-mile radius from the SR 429/Kelly Park Road interchange.

The Master Plan proposes development of the property with a total of 152 single-family homes on 50-foot by 110-foot wide lots and a minimum living area of 1,200 square feet. There are no minimum and maximum lot size and living area requirements in the Form Based Code. Notes provided on the Master Plan indicate the project may be developed in multiple phases, with each phase determined upon submittal of the Final Development Plan. The Master Plan details design of the proposed subdivision in accordance with the requirements of the Kelly Park Interchange Form Based Code, and the Neighborhood character zone, which primarily allows single-family homes as permitted uses. The surrounding properties consist of single-family residential and agricultural uses.

Access to the site is proposed via Plymouth-Sorrento Road. A dedication of a 30-foot wide strip for future right-of-way needs for Plymouth-Sorrento Road is detailed on the Master Plan. Behind this strip, a 30-foot area will be reserved for a landscape buffer along Plymouth-Sorrento Road. A wetland area exists in the northwest corner of the development. A spring is located within the wetland area. Per the Comprehensive Plan, a 300-foot buffer will be provided around the spring. Stormwater ponds are located in the southwestern corner of the site. Four-foot wide walking paths are provided around the perimeter of the ponds. 20-percent of the total site area will remain as open space in accordance with the requirements of the Form Based Code. Common recreation elements include a clubhouse with a pool, an internal trail system, preserved wetlands, upland buffers, and a park/stormwater facility.

The Master Plan details the design of the internal street system with public streets utilizing a walkable grid design, which is a fused grid design that includes varied street, sidewalk and pedestrian pathways throughout a development that links developments. Three roadway connections will be provided to allow cross-access to the properties to the north and south at such time they develop. A 10-foot wide trail will be constructed within the development, and connections to the properties to the north and south will be provided to facilitate development of a regional trail system. A cul-de-sac is provided in the southwestern corner of the site, adjacent to the park and stormwater pond, and is provided to accommodate trail connection and to create an open space corridor along stormwater pond system and wetland area.. Properties adjacent to the cul-de-sac will have access to the trail system which will allow pedestrian access to the common areas internal to the development. The developer will provide a 12-foot wide multi-purpose trail along the portion of the development abutting Plymouth-Sorrento Road to help facilitate the construction of the regional trail system.

That the zoning classification of the following described property be designated as Kelly Park Interchange Mixed-Use (KPI-MU), Neighborhood character zone, as defined in the Kelly Park Interchange Form Based Code, and with the following provisions:

1. Development of the property is subject to the requirements of the Kelly Park Interchange Form Based Code, Neighborhood character zone.
2. The architectural design of the buildings must be consistent with Section K.2.g, and Appendix A of the Kelly Park Interchange Form Based Code.
3. A 10-foot wide trail will be constructed within the development, connecting to future developments to the properties located to the north and south will be provided to facilitate development of a regional trail system, generally as shown on the Exhibit within the Staff Report. (Policy 20.19, FLUE; Sec. Q, FBC)
4. A 12-foot wide multi-purpose trail will be constructed along the portion of the development abutting Plymouth-Sorrento Road to facilitate the construction of a regional trail system. (Policy 20.19, FLUE; Sec. Q, FBC). The trail shall be placed in an easement or tract.
5. Perpetual easements dedicated to the City of Apopka shall be provided over the internal pedestrian pathways and trail networks to allow public access.
6. A minimum living area of 1,200 square feet shall be provided.
7. A development agreement shall address the extension of utilities, dedication of rights-of-way, and public access to regional trail facilities.

The proposed use of the property is consistent with the Mixed-Use Interchange Future Land Use designation and is consistent with the Kelly Park Interchange Form Based Code.

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A School Capacity Enhancement Agreement has been approved by OCPS. The location is served by the following schools: Zellwood Elementary, Wolf Lake Middle, and Wekiva High School. No development activity shall occur on the subject property until the developer has obtained a school concurrency mitigation agreement or letter from OCPS.

Pursuant to Section 7 of the Joint Planning Area agreement, Orange County was notified on April 3, 2018.

The Development Review Committee finds the proposed rezoning to Kelly Park Interchange Mixed-Use (KPI-MU), and assignment of a Neighborhood character zone consistent with the Comprehensive Plan and Kelly Park Interchange Form Based Code, and recommends approval of the Bridle Path Master Plan.

Staff recommended the Planning Commission find the proposed zoning and Master Plan consistent with the Comprehensive Plan and Land Development Code and Neighborhood Overlay District, and recommend to approve the rezoning of the subject parcels from Orange County Planned Development (PD/ZIP) to Kelly Park Interchange Mixed-Use (KPI-MU) and the KPC Neighborhood Overlay District, and approval of the Master Plan based on the findings and facts presented in the staff report, exhibits, and City Council approval of a Development Agreement.

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.

Ms. Laurendeau expressed concerns regarding the 1,200 sq. ft. living area. She said she would rather that they be the 1,500 sq. ft. as required by code.

Chairperson Greene suggested all of the walking paths be constructed of concrete or asphalt.

Jim Hall, HDSI, 1302 Osprey Avenue, Orlando, stated he represents the owners of the property. After a brief confirmation of staff's presentation, Mr. Hall stated that they would commit to the 1,500 sq. ft. living area.

In response to questions by Mr. Molina, Mr. Hall stated that increasing the living area to 1,500 sq. ft. will have not an effect on the number of homes, 152, being proposed. He said there will be a mix of one- and two-story homes on the 50 foot wide lots.

Mr. Moon stated in 1988, Governor Bob Martinez appointed the Wekiva River Task Force to recommend strategies to preserve the basin. As a result, the Florida Legislature passed the Wekiva River Protection Act that established the Wekiva River Protection Area. In 2002, the Wekiva River was included in the St. Johns River Water Management District's Surface Water Improvement and Management (SWIM) program. The purpose of this designation was to implement projects as needed to "preserve or restore the quantity and quality of water necessary to support thriving biological communities." In that same year, Governor Jeb Bush appointed the Wekiva Basin Task Force, followed by the Wekiva River Basin Coordinating Committee and environmentally conscience groups such as the Audubon Society and Friends of Lake Apopka. Their work culminated into the Wekiva Parkway and Protection Act of 2004 that identified the basin as high priority for protection. The Wekiva Parkway, when complete, will be a 25-mile toll road that will complete the beltway around metropolitan Orlando. Authorized in 2004 by the Wekiva Parkway and Protection Act (Chapter 369, Part III, F.S.), this expressway has been heralded as an example for transportation planning through the Wekiva River Basin, an environmentally sensitive area.

Mr. Moon stated that the interchange visioning plan focused higher densities to within a one-mile radius of the intersection so that there is more open space to allow water to percolate.

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Mr. Hall stated that in 1988 the Wekiva River Task Force determined that there should only be one intersection for the Wekiva Parkway. That intersection is at Kelly Park Road and Plymouth Sorrento Road.

In response to a question by Mr. Molina, Mr. Hall stated that there will be a trail up the hill next to the club house but due to the natural spring at the top of the hill there will be no other recreation amenities on that hill.

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

Motion: Linda Laurendeau made a motion to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” PD (ZIP) to “City” KPI-MU (Kelly Park Interchange Mixed Use) subject to the following conditions: the minimum living area to be increased to 1,500 sq. ft. and all of the trails will be constructed using concrete or asphalt, for the property owned by AHIFO-18, LLC and located West of Plymouth-Sorrento Road and east of SR 429, approximately one-half mile north of the intersection of Kelly Park Road and Plymouth-Sorrento Road. Motion seconded by Roger Simpson. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

LEGISLATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from “County” Rural to “City” Residential Very Low Suburban (0 – 3.5 du/ac) for property owned by Lynn R. Fontaine and located at 4353 McDonald Gley Road.

Staff Presentation: Phil Martinez, Planner, stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from “County” Rural to “City” Residential Very Low Suburban (0 – 3.5 du/ac) for property owned by Lynn R. Fontaine and located at 4353 McDonald Gley Road. The existing and proposed use is a single family home. The current zoning is “County” A-1 and the proposed zoning is “City” RCE-2. This Future Land Use amendment request is being processed along with a request for change of zoning from “County” A-1 to “City” RCE-2 (Residential Country Estate). The existing and proposed maximum allowable development is 10 single family homes. The tract size is 5.2 +/- acres.

The subject parcel was annexed in the city on April 18, 2018 by Ordinance 2641. Presently, the subject property does not have a city future land use designation or zoning classification assigned. The applicant requests a future land use designation of “City” Residential Very Low Suburban.

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

Future Land Use Element - Policy 3.1.c - Very Low Density Suburban Residential - The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools, high schools; supporting infrastructure of less than two acres, neighborhood parks.

The proposed future land use change will result in an insignificant increase in the number of residential units by more than nine which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

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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 April 2, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban for the property owned by Lynn R. Fontaine, and located at 4353 McDonald Gley Road.

Staff recommended the Planning Commission find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the change of Future Land Use Designation from “County” Rural to “City” Residential Very Low Suburban, subject to the findings of the Staff Report.

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

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

Motion: **Jose Molina made a motion to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from “County” Rural to “City” Residential Very Low Suburban (0 – 3.5 du/ac) for property owned by Lynn R. Fontaine and located at 4353 McDonald Gley Road. Motion seconded by Tony Foster. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)**

QUASI-JUDICIAL – CHANGE OF ZONING – Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” A-1 to “City” RCE-2 (Residential Country Estate) for property owned by Lynn R. Fontaine and located at 4353 McDonald Gley Road.

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

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

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” PD (ZIP) to “City” KPI-MU (Kelly Park Interchange Mixed Use) for the property owned by AHIFO-18, LLC and located West of Plymouth-Sorrento Road and east of SR 429, approximately one-half mile north of the intersection of Kelly Park Road and Plymouth-Sorrento Road. The existing and proposed use is a single family home. The current zoning is “County” A-1 and the proposed zoning is “City” RCE-2. This Future Land Use amendment request is being processed along with a request for change of zoning from “County” A-1 to “City” RCE-2 (Residential Country Estate). The existing and proposed maximum allowable development is 1 single family home. The tract size is 5.2 +/- acres.

Presently, the subject property has not yet been assigned a “City” zoning category. The applicant is requesting the City to assign a zoning classification of RCE-2 (Residential Country Estates) to the property.

The subject parcel was annexed into the city on April 18, 2018 by Ordinance Number 2641.

A request to assign a change of zoning to RCE-2 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The change of zoning request is being processed in conjunction with a future land use amendment from "County" Rural to "City" Residential Very Low Suburban.

The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-3.5 du / ac) Future Land Use designation.

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

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on April 2, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" A-1 to "City" RCE-2 for the property owned by Lynn R. Fontaine, and located at 4353 McDonald Gley Rd.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" A-1 to "City" RCE-2 for the property owned by Lynn R. Fontaine, and located at 4353 McDonald Gley Rd.

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

Petitioner did not have a presentation but was available for questions.

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

Motion: Jose Molina made a motion to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from "County" A-1 to "City" RCE-2 (Residential Country Estate) for property owned by Lynn R. Fontaine and located at 4353 McDonald Gley Road. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

LEGISLATIVE – COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT - Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Large Scale Future Land Use Amendment from Rural Settlement (1 du/ac) to Mixed Use Interchange (0-5 du/ac) for property owned by Kent Greer and located South of West Kelly Park Road, East of Round Lake Road; and transmittal to the Florida Department of Economic Opportunity for review.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Large Scale Future Land Use Amendment from Rural Settlement (1 du/ac) to Mixed Use Interchange (0-5 du/ac) for property owned by Kent

Greer and located South of West Kelly Park Road, East of Round Lake Road; and transmittal to the Florida Department of Economic Opportunity for review. The applicant is Hanover Land Company. The existing use is a single family home Agriculture – grazing. The current zoning is Agriculture and the proposed zoning is KPI-MU (Kelly Park Interchange Mixed Use) with Neighborhood Overlay Zone. The existing maximum allowable development is 7 residential units and the proposed maximum allowable development is 195 residential units. The tract size is 39.15 +/- acres.

The applicant requests a future land use designation of “City” Mixed Use Interchange. Presently, the applicant proposes a residential subdivision consisting of 139 single family lots.

Policy 20.9, Future Land Use Element of the Comprehensive Plan, requires that a Mixed Use Interchange future a land use designation must be assigned to the property.

The subject parcels are located within the one-mile radius from the Wekiva Parkway interchange at Kelly Park Road; and therefore is required to adhere to the Kelly Park Crossing Form Based Code. The properties are located within the Wekiva Parkway Interchange Vision Plan Area. Therefore, the property must comply with Objectives 18 – 20 and related policies within the Future Land Use Element of the Comprehensive Plan and the recently adopted Kelly Park Crossing Form-Based Code. The applicant’s request is consistent with the Mixed Use Interchange future land use designation and the Overlay District covering the property within the Vision Plan.

The proposed use of the property is compatible with the character of the surrounding area, is within one mile of the SR 429/Kelly Park Road interchange, and is consistent with the Mixed Use Interchange Land Use designation. City planning staff supports the FLUM amendment given the consistency with the Comprehensive Plan policies listed below and the intent of the Wekiva Parkway Interchange Vision Plan a (see Land Use Analysis below). Site development cannot exceed the intensity allowed by the Future Land Use policies.

Future Land Use Element

1. **Policy 3.1.r** The primary intent of the Mixed Use land use category is to allow a mixture of residential, office, commercial, industrial, recreation, institutional and public facilities uses to serve the residential and non-residential needs of special areas of the City. The mix of land uses may occur on a single parcel or multiple parcels ...

The designation of a mixed use category may occur only in certain areas of the city, including “land anticipated for inclusion within the Wekiva Parkway Interchange Land Use Plan...” These properties are within the 1-mile radius of the Wekiva Parkway Interchange depicted on the Wekiva Parkway Interchange Vision Plan Map located within the Future Land Use Element of the Apopka Comprehensive Plan.

2. **Policy 18.1** The City shall implement the Wekiva Parkway Interchange Vision Plan, which guides the location of a range of uses, such as residential, office, commercial, industrial, recreation, public and institutional, at various densities and intensities around the proposed interchange.

The proposed Mixed Use Future Land Use Designation allows for residential densities and non-residential uses and intensities to implement the Wekiva Parkway Interchange Vision Plan, consistent with Objective 18 and related policies.

3. **Policy 18.2** Prior to rezoning any property within a one-mile radius of the interchange Study Area, the City shall amend its LDC to incorporate development standards that will implement the Vision Plan.

This future land use amendment does not include a corresponding proposed zoning category because the City has yet to adopt development standards or form-based code consistent with this policy. Future densities/intensities and design character for the subject properties will be regulated at the time of rezoning once Wekiva Parkway Interchange Vision Plan design standards and form-based code are adopted.

4. **Policy 20.4** Prior to approving the first development plan with the Wekiva Parkway Interchange vision Plan Area, the City shall adopt the Wekiva Parkway Interchange Form-Based Cod establishing the design and development standards for the Wekiva Parkway Interchange Vision Plan Area.

The subject properties will be required to comply with the above policy should the development submit a development plan to ensure consistency with the Comprehensive Plan and Wekiva Parkway Interchange Vision Plan.

5. **Policy 20.9** Development within the Wekiva Parkway Interchange Plan Area shall be assigned a Mixed-Use Interchange future land use designation and shall accomplish an overall mix of residential and non-residential uses as outline in Policy 3.1.r. Assignment of the Mixed-Use Interchange Land Use future land use designation shall require an amendment to the Comprehensive Plan.

The applicant's request for a Mixed Use future land use designation is consistent with this policy, as well as the intent of the Wekiva Parkway Interchange Vision Plan area, which intends to concentrate a mixture of land uses with varying densities and intensities within one mile of the Wekiva Parkway Interchange.

6. **Policy 20.3.** The annexation, land use change, and subsequent development of lands located within the Wekiva Parkway Interchange Plan Area for Apopka and the Wekiva Interchange Land Use Plan Overlay for the County shall be consistent with the adopted Interlocal Agreement between Orange County and the City of Apopka regarding Wekiva Interchange Land Use Plan Overlay.
7. **Objective 19 and 20, and their associated policies.** See objectives and policies within the supporting information.

Transportation Element

1. **Policy 4.2** The City of Apopka shall promote, through the implementation of programs such as mixed-use land development, projects that support reduced travel demand, short trip lengths and balanced trip demand.

The Mixed Use future land use designation allows for a mixture of land use types such as residential and non-residential, which promotes shorter trip lengths, concentrated development to reduce travel demand.

2. **Policy 3.1.r** The primary intent of the Mixed Use land use category is to allow a mixture of residential, office, commercial, industrial, recreation, institutional uses and public facilities uses... This mix of land uses may occur on a single parcel or multiple parcels in the form of: a permitted single use; a vertical combination of different permitted uses; or a horizontal mix of different permitted uses.
3. **Policy 4.2** The City of Apopka shall promote, through the implementation of programs such as mixed-use land development, projects that support reduced travel demand, shorter trip lengths and balanced trip demand.
4. **Objective 20 and associated Policies, Future Land Use Element.** Provided with the Supporting Information.

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The properties are located within the boundaries of the Wekiva Parkway Interchange Vision Plan Area, making it subject to the Kelly Park Crossing Form-Based Code, Mixed- Use Interchange Zoning District and Neighborhood Overlay District. A copy of the Wekiva Parkway Interchange Vision Plan is provided with the support material.

An executed capacity enhancement agreement with Orange County Public Schools will be required prior to adoption of the future land use amendment.

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 March 9th, 2018. Notification has already occurred through the Second Amendment to the Joint Planning Agreement with Orange County government. The second amendment acknowledges that the City will assign a land use designation similar to the overlay district illustrated in the Wekiva Parkway Interchange Vision Plan.

The Development Review Committee recommends approval to transmit a change in Future Land Use to Mixed Use Interchange for the property owned by Kent Greer subject to the information and findings in the staff report.

Staff recommended the Planning Commission find the Future Land Use Designation consistent with the Comprehensive Plan and recommend a change in Future Land Use Designation to Mixed Use Interchange for the properties owned by Kent Greer subject to the information and findings in the staff report.

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

Sarah Maier, Dewberry, 800 N. Magnolia Avenue, Suite 1000, Orlando, stated she represents the owner and that they were in agreement with the staff report and she was available to answer any questions.

Chairperson Greene opened the meeting for public hearing.

Rhonda McElroy, 4704 West Kelly Park Road, expressed concerns regarding a subdivision being adjacent to her property.

Ms. Maier assured Ms. McElroy that they will work very closely with staff to ensure that any development will adhere to the City Codes.

Chairperson Greene suggested that Ms. McElroy participate in future meetings.

In response to comments by Lynn Hall, 4638 West Kelly Park Road, James Hitt, FRA-RA, Community Development Director advised that if any part of a property falls within the one-mile radius, the entire property can be developed using the KPI-MU standards. He added that property owners within 300 feet of the subject property will receive notices through the mail of any upcoming meetings.

In response to a question by Ms. Hall, Chairperson Greene stated that the City Codes require all development to retain stormwater on their site.

Mr. Hitt stated that currently no plans have been submitted for this site.

Misty Jenkins, 4691 Round Lake Road, expressed her concern regarding the density within the one-mile radius of the interchange.

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Mr. Moon stated that all properties in the vicinity of the Kelly Park Interchange having a Mixed-Use future land use designation are required to rezone to the Mixed-KPI zoning district or Planned Development (PD) prior to receiving any development approvals from the City. However, sites that are, wholly or in part, within one mile of the Kelly Park interchange are not eligible to rezone to PD and shall comply with the Kelly Park Interchange form-based standards.

Mr. Hitt stated that this property falls within the Neighborhood Overlay District and the density has already been approved for that district and is the least density available.

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

Motion: **Tony Foster made a motion to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from Rural Settlement (1 du/ac) to Mixed Use Interchange (0-5 du/ac) for property owned by Kent Greer and located South of West Kelly Park Road, East of Round Lake Road; and transmittal to the Florida Department of Economic Opportunity for review. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)**

QUASI-JUDICIAL – CHANGE OF ZONING – Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from Agriculture to R-1 (Single Family Residential) for the property owned by Laura R. Murphy and located at 359 W. Lester Road.

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

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

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from Agriculture to R-1 (Single Family Residential) for the property owned by Laura R. Murphy and located at 359 W. Lester Road. The existing use is the Errol Equestrian Center and the proposed development is a single family subdivision with 52 lots. The current zoning is AG (Agriculture) and the proposed zoning is R-1 (Single Family Residential). The current maximum allowable development is 1 single family home and the proposed maximum allowable development is 69 single family homes. The tract size is 19.94 +/- acres.

The future land use, for the subject parcel, was amended on May 2, 2018 from “Agriculture” to “Residential Low Suburban”. The existing Future Land Use, “Residential Low Suburban” and the proposed zoning, “R-1”, are the same conditions as the nearby subdivision, “Rock Springs Estates”.

A request to assign a change of zoning to R-1 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area.

The existing and proposed use of the property is consistent with the proposed Residential Low Suburban (0-3.5 du / ac) Future Land Use designation.

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 April 2, 2018.

The applicant obtained a Capacity Enhancement Agreement (CEA) with Orange County Public Schools (OCPS) prior to the subject property's Future Land Use amendment on May 2, 2018. The applicant is required to obtain a concurrency mitigation agreement prior to adoption of the Final Development Plan. The applicable schools are Rock Springs Elementary, Apopka Middle School, and Apopka High School.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from Agriculture to R-1 for the property owned by Laura Murphy, and located at 359 W. Lester Road

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from Agriculture to R-1 for the property owned by Laura Murphy, and located at 359 W. Lester Road, subject to City Council approval of Ordinance No. 2617.

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

Petitioner did not have a presentation but was available for questions.

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

Motion: **Roger Simpson made a motion to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from Agriculture to R-1 (Single Family Residential) for the property owned by Laura R. Murphy and located at 359 W. Lester Road. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)**

LEGISLATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from "County" Rural to "City" Residential Low Suburban (0 – 3.5 du/ac) for property owned by Janine and Richard Edmondson located at 3904 Plymouth Sorrento Road.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from "County" Rural to "City" Residential Low Suburban (0 – 3.5 du/ac) for property owned by Janine and Richard Edmondson located at 3904 Plymouth Sorrento Road. The existing and proposed use is a single family home. The current zoning is "County" A-2 and the proposed zoning is "City" R-1AA. This Future Land Use amendment request is being processed along with a request for annexation and to change the zoning classification from "County" A-2 to "City" R-1AA (Residential Single Family District). The existing maximum allowable development is 1 single family home and the proposed maximum allowable development is 2 single family homes. The tract size is 1.0 +/- acres.

The subject parcel was annexed in the city on April 18, 2018 by Ordinance 2640. Presently, the subject property does not have a "city" future land use designation or "city" zoning classification assigned. The applicant requests a future land use designation of "city" Residential Very Low Suburban.

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

Future Land Use Element - Policy 3.1.c - Very Low Density Suburban Residential - The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

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

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on April 2, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban for the property owned by Janine and Richard Edmondson, and located at 3904 Plymouth Sorrento Road.

Staff recommended the Planning Commission find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the change of Future Land Use Designation from “County” Rural to “City” Residential Very Low Suburban, subject to the findings of the Staff Report.

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

Petitioner did not have a presentation but was available for questions.

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

Motion: Linda Laurendeau made a motion to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from “County” Rural to “City” Residential Low Suburban (0 – 3.5 du/ac) for property owned by Janine and Richard Edmondson located at 3904 Plymouth Sorrento Road. Motion seconded by Jose Molina. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

QUASI-JUDICIAL – CHANGE OF ZONING – Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” A-2 to “City” R-1AA (Residential Single Family District) for property owned by Janine and Richard Edmondson located at 3904 Plymouth Sorrento Road.

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

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

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Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” A-2 to “City” R-1AA (Residential Single Family District) for property owned by Janine and Richard Edmondson located at 3904 Plymouth Sorrento Road. The existing and proposed use is a single family home. The current zoning is “County” A-2 and the proposed zoning is “City” R-1AA. This Future Land Use amendment request is being processed along with a request for annexation and to change the zoning classification from “County” A-2 to “City” R-1AA (Residential Single Family District). The existing maximum allowable development is 1 single family home and the proposed maximum allowable development is 2 single family homes. The tract size is 1.0 +/- acres.

Presently, the subject property has not yet been assigned a “City” zoning category. The applicant is requesting the City to assign a zoning classification of R-1AA (Single Family Residential) to the property.

The subject parcel was annexed into the city on April 18, 2018 by Ordinance Number 2641

A request to assign a change of zoning to R-1AA is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Rural to “City” Residential Very Low Suburban.

The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-2 du / ac) Future Land Use designation.

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

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on April 2, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” A-2 to “City” R-1AA for the property owned by Janine and Richard Edmondson, and located at 3904 Plymouth Sorrento Rd.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” A-2 to “City” R-1AA for the property owned by Janine and Richard Edmondson, and located at 3904 Plymouth Sorrento Rd.

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

Petitioner did not have a presentation but was available for questions.

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

Motion: **Roger Simpson made a motion to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County”**

A-2 to “City” R-1AA (Residential Single Family District) for property owned by Janine and Richard Edmondson located at 3904 Plymouth Sorrento Road. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

LEGISLATIVE – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – ZAXBY’S - Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from “County” Commercial (Max. 3.0 FAR) to “City” Commercial (Max. 0.25 FAR) for property owned by SunTrust Bank and located at 920 East Semoran Boulevard.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from “County” Commercial (Max. 3.0 FAR) to “City” Commercial (Max. 0.25 FAR) for property owned by SunTrust Bank and located at 920 East Semoran Boulevard. The applicant is Casseaux, Hewett, and Walpole. The existing use is vacant land and the proposed use is a 4,055 sq. ft. commercial space. The current zoning is “County” R-2 and being processed along with a request to change the zoning classification to “City” C-1 (Retail Commercial). The existing maximum allowable development is 48,351 sq. ft. and the proposed maximum allowable development is 4,029 sq. ft. The tract size is 0.37 +/- acres.

The subject parcel was annexed in the city on April 18, 2018 by Ordinance 2642. Presently, the subject property does not have a “city” future land use designation or “city” zoning classification assigned. The applicant requests a future land use designation of “city” Commercial.

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

In the Future Land Use Element, Policy 3.1.i - Commercial - Primary uses shall be for business, commerce, and convenience shopping which may be neighborhood or community oriented. The maximum floor area ratio shall be .25 gross floor area. Institutional land uses of less than five acres; and public facilities or utilities of less than five acres.

The expansion of strip commercial areas shall be prohibited except in infill areas.

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

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on April 2, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Commercial for the property owned by SunTrust Bank, and located at 920 E. Semoran Boulevard.

Staff recommended the Planning Commission find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the change of Future Land Use Designation from “County” Commercial to “City” Commercial, subject to the findings of the Staff Report.

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

Petitioner did not have a presentation but was available for questions.

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

Motion: Roger Simpson made a motion to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Comprehensive Plan Small Scale Future Land Use Amendment from “County” Commercial (Max. 3.0 FAR) to “City” Commercial (Max. 0.25 FAR) for property owned by SunTrust Bank and located at 920 East Semoran Boulevard. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

QUASI-JUDICIAL – CHANGE OF ZONING – ZAXBY’S - Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” R-2 & "City" C-2 to “City” C-1 (Retail Commercial) for property owned by SunTrust Bank and located at 920 East Semoran Boulevard.

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

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

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” R-2 & "City" C-2 to “City” C-1 (Retail Commercial) for property owned by SunTrust Bank and located at 920 East Semoran Boulevard. The applicant is Casseaux, Hewett, and Walpole. The existing use is vacant land and the proposed use is a 4,055 sq. ft. commercial space. The current zoning is “County” R-2 and being processed along with a request to change the zoning classification to “City” C-1 (Retail Commercial). The existing maximum allowable development is 48,351 sq. ft. and the proposed maximum allowable development is 4,029 sq. ft. The tract size is 0.37 +/- acres.

Presently, the subject property has not been assigned a “City” zoning category. The applicant is requesting the City to assign a zoning classification of C-1 (Commercial Retail) to the property.

The subject parcel was annexed into the city on April 18, 2018 by Ordinance Number 2642.

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

The existing and proposed use of the property is consistent with the proposed C-1 (Commercial Retail) Future Land Use designation.

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

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on April 2, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” R-2 to “City” C-1 for the property owned by SunTrust Bank, and located at 920 E Semoran Blvd.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” R-2 to “City” C-1 for the property owned by SunTrust Bank, and located at 920 East Semoran Blvd.

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

Petitioner did not have a presentation but was available for questions.

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

Motion: Jose Molina made a motion to find the proposed amendment consistent with the Comprehensive Plan and recommend approval of the Change in Zoning from “County” R-2 to “City” C-1 (Retail Commercial) for property owned by SunTrust Bank and located at 920 East Semoran Boulevard. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

VARIANCES – PLANNING COMMISSION RESPONSIBILITIES – David Moon, AICP, Planning Manager, instructed the Planning Commission of their responsibilities regarding variance requests. Based on the information provided by the applicant at the hearing for the variance requested, the role of the Planning Commission must first determine that sufficient substantially competent information indicates “whether a need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved.” If so, then the Planning Commission must find that substantially competent information occurs to accept each of the seven variance criteria. Planning Commission has authority to take final action. Approve, deny, or approve with conditions. Pursuant to the Land Development Code, Article XI - 11.05.00.A. - The Planning Commission has been established as a citizen board to review and approve variances. Conditions may be established by the Planning Commission to reduce the impacts of the effects of the variance.

Mr. Moon summarized that the first step is for the Planning Commission to determine if a hardship exists, and if so, has there been a positive finding of the seven criteria needed for granting a variance.

QUASI-JUDICIAL - VARIANCE - Chairperson Greene stated this is a request to approve a request for variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article VII, Section 7.01.08 (H) to allow a corner lot fence closer to the property line than the required 25 feet for the property owned by Nilsa Gonzalez and located at 301 McCoy Village Court.

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

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

Staff Presentation: Mr. Martinez stated this is a request for variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article VII, Section 7.01.08 (H) to allow a corner lot fence closer to the property line than the required 25 feet for the property owned by Nilsa Gonzalez and located at 301 McCoy Village Court. The land use is Residential Medium (0-10 du/ac) and the zoning is R-3. The existing and proposed use is as a single family residence. The tract size is 0.12 +/- acre.

The applicable City Code is 7.01.08.H Fences (shall include walls) that states fences may be permitted in any residential or office district; provided, that no fence or wall shall be erected or maintained within 25 feet from the property line on a corner intersection of street right-of-way. Fences or walls erected beyond the front building line shall be limited to a maximum height of four feet. A fence or wall shall be limited to a maximum height of eight feet in the rear and side yards.

LIMITATIONS GRANTING VARIANCES:

- A. *Initial determination.* The Planning Commission shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved. If so, the zoning board of appeals shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the zoning board of appeals shall make the required findings based on the cumulative effect of granting the variance to all who may apply.

Under no circumstances shall the Planning Commission grant a variance to permit a use not generally or by special exception permitted in this code or any use expressly or by implication prohibited by the terms of this code. Further, under no circumstance shall the zoning board of appeals offer or accept any negotiation to grant a variance in exchange for any other land use alterations on the affected parcel or any other parcel of land.

No nonconforming use of neighboring lands, structures or buildings in other zoning districts shall be considered grounds for the authorization of the variance.

In response to the initial determination, staff's response is that the Lake McCoy Oaks Plat was recorded in September 1992, before the current Land Development Code was adopted and became effective. The lot width, lot area, and setbacks and yard requirements for the current Land Development Code (LDC) create conflicts with the plat established prior to the LDC's adoption in 1993.

APPLICANT'S RESPONSE TO SEVEN VARIANCE CRITERIA:

- B. *Required findings.* The zoning board of appeals shall not vary the requirements of any provision of this code unless the board makes a positive finding, based on substantial competent evidence, on each of the following:
1. There are practical difficulties in carrying out the strict letter of the regulation [in] that the requested variance relates to a hardship due to characteristics of the land and not solely on the needs of the owner.

Applicant Response: Garbage thrown on my property. Residents allowing pets to eliminate on my property. People walking through my property.

Staff Response: The absence of a fence is allowing passerby's to devalue the property and overall neighborhood aesthetics. The placement of the house, and width of the lot make it impossible for the applicant to adhere to a 25 feet setback.

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

Applicant's Response: The request for a fence will not reduce cost to develop a site.

Staff Response: The site is already developed. It is a subdivision parcel with a home built in 1993.

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

Applicant's Response: Congestion will not be increased, as this is a dead end. No thru traffic.

Staff Response: A proposed fence will not increase congestion on a dead end street.

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

Applicant's Response: Request will not diminish property values nor will it alter the character of the surrounding area.

Staff Response: The fence may prevent the previously discussed passerby's from leaving refuse on the property owner's side lawn.

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

Applicant's Response: The proposed variance is in harmony with the general intent of the code.

Staff Response: The proposed fence meets all other stipulations in the City's Land Development Code.

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

Applicant's Response: My request is not due to my actions.

Staff Response: The property owner was not responsible for building the home with a 13 feet side setback.

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

Applicant's Response: Will not create a safety hazard or a detriment to the public. Currently, the property opposite my home is surrounded by a six foot brick wall.

Staff Response: The proposed variance will be adequate for accommodating a side yard fence. While this is a corner lot at the entrance of the subdivision, the Development Review Committee has determined that the fence will not create an issue with visibility and public safety.

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

In response to a question by Mr. Foster, Mr. Martinez stated that the owner experienced damage to her fence during Hurricane Irma and when she applied for a fence permit it came to light that the fence was five feet from the property line.

Mr. Hitt stated that these are old homes and the fence would not extend beyond the front of the house.

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

Motion: Roger Simpson made a motion to determine a hardship does occur pursuant to Section 10.02.02.A, that the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property owned by Nilsa Gonzalez and located at 301 McCoy Village Court. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

Motion: Roger Simpson made a motion to approve a variance from Apopka Code of Ordinances, Part III, Land Development Code, Article VII, Section 7.01.08 (H) to allow a corner lot fence closer to the property line than the required 25 feet for the property owned by Nilsa Gonzalez and located at 301 McCoy Village Court. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

QUASI-JUDICIAL - VARIANCE - Chairperson Greene stated this is a request to approve a request for variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 7.01.07(A) to allow for a swimming pool to encroach within the side yard setback for the property owned by Lerome Antione Granger and located at 2173 Hunley Avenue.

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

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

Staff Presentation: Mr. Martinez stated this is a request for variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 7.01.07(A) to allow for a swimming pool to encroach within the side yard setback for the property owned by Lerome Antione Granger and located at 2173 Hunley Avenue. The future land use is Mixed-Use (Single Family Residential) and the zoning is Mixed-EC (Employment Center). The existing use is a Single Family Residence. The tract size is 0.16 +/- acre.

The applicant is requesting a variance from Section 7.01.07(A) – Swimming and wading pools and hot tubs, spas, and appurtenances thereto, including, but not limited to, pool decks or outside shell if no deck exists, security fences, screen enclosures without permanent roofs, and pumps, shall not be located within a required front or side yard, within five feet of any rear property line, or within any easement.

- *Applicant Request* - Allow swimming pool to encroach within required side setback.

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

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

APPLICABLE CITY CODES:

1. Section 7.01.07(A) – Swimming and wading pools and hot tubs, spas, and appurtenances thereto, including, but not limited to, pool decks or outside shell if no deck exists, security fences, screen enclosures without permanent roofs, and pumps, shall not be located within a required front or side yard, within five feet of any rear property line, or within any easement. Setbacks shall be measured from the edge of the deck or from the rim if it is an aboveground pool.

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

Staff’s Response: The Emerson Park community was platted according to the requirements and standards set forth in the current Land Development Code. Based on the shape of the lot, it exists as a rectangular lot with corners at 90 degree angles. The lot is only 55-feet wide. The house and the lot were in place at the time the property owner purchased the property.

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

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

Applicant’s Response: 7.01.07(A) states that swimming pools “shall not be located within a required front or side yard, within five feet of any property line, or within any easement.” The shape of my home makes it seem as though I am proposing to place a swimming pool on the side of my home. The pool will technically be placed in the rear yard, but it would extend beyond the wall of the home. In addition, my home is surrounded by a privacy fence. Please see Picture A-1. The blue section shows the approved area for the pool which has been drawn over the concrete driveway, etc. The red outline shows my proposed pool. Please see Picture A-2 which displays a picture of the back yard. A concrete driveway is located on the other side of the left side of the fence, which would make it impossible to build a pool according to the blue section outline in Picture A-1.

Staff’s Response: The rear yard is defined per Land Development Code Section 1.08.13 as yard extending across the rear of a lot between the side lot lines and being a minimum

horizontal distance between the rear lot line and the principal building or any projections thereof. And side yard is defined as a yard between the main building and the side line of the lot, and extending from the front lot line to the rear yard, and being the minimum horizontal distance between a side lot line and the side of the main buildings or any projections thereof. Diagram A, in the staff report showed the rear and side yard setbacks on this lot as defined by the Land Development Code.

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

Applicant's Response: There is no reduction in the cost of the pool by receiving the approval of the variance.

Staff's Response: No objection.

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

Applicant's Response: The proposed pool will be for our private use and will be enclosed with a privacy fence.

Staff's Response: No objection.

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

Applicant's Response: Swimming pools often increase property values by approximately 7%. There are a few pools in the neighborhood. In addition, the pool will be enclosed with a privacy fence.

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

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

Applicant's Response: I believe that the proposed variance is in harmony with the general intent of the code in that the pool will be located towards the back of my home and it will be enclosed with a privacy fence.

Staff Response: Section 7.01.07(A) of the Land Development states that swimming pools shall not be located within a required side yard. It is the position of Staff that the proposed pool location does not meet the intent of the Code regarding swimming pools. Therefore, Staff does not support this variance request.

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

Applicant's Response: I have not changed the plot layout or the outside of the home to produce a special circumstance.

Staff Response: Lots within Emerson Park with 55' lot widths were not intended to have swimming pools due to spatial constraints posed by lot sizes. A club house and community pool area is accessible to all residents of the community.

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

Applicant's Response: The proposed pool will be built to Code and will be enclosed with a privacy fence.

Staff Response: No objection.

Staff has not received or identified sufficient substantially competent information to determine that a hardship exists.

If Planning Commission approves the Variance, staff recommended the following language: "Approve a variance from Section 7.01.07(A), Land Development Code, to allow a swimming pool to encroach within the required side yard but shall no portion of the pool or its associated deck shall be placed closer than seventy (70') feet from the front lot line, and a six foot high fence shall screen the pool from Hunley Avenue and Shackley Place and abutting lots."

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

The petitioner, Lerome Granger, explained how his lot is configured and implored the Planning Commission to approve his request for a variance.

In response to a question by Mr. Foster, Mr. Granger stated that the HOA has approved his request and his neighbor does not have a problem with the proposed placement of the pool.

In response to a question by Mr. Sprinkle, Mr. Moon stated that major issue is the side yard. The code does not permit pools in side yards. He stated that there is also a utility easement running through the side yard.

In response to a question by Mr. Simpson, Mr. Granger said the HOA letter approving the pool was provided to staff.

Ms. Laurendeau said the HOA approval letter was included in the staff report.

In response to a comment by Ms. Laurendeau, Mr. Granger stated that to offset the slope they would be installing a retention wall.

In response to a question by Mr. Simpson, Mr. Hitt stated that typically pools are not located in the side yard. They are installed and shielded in the back of the house.

In response to a question by Mr. Molena, Mr. Hitt stated the back property line is located 70 feet from the front property line.

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

Motion: Jose Molina made a motion to determine a hardship does occur pursuant to Section 10.02.02.A, that the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property owned by Lerome Antione Granger and located at 2173

Hunley Avenue. Motion seconded by Tony Foster. Aye votes were cast by Tony Foster, Jose Molina, Roger Simpson, and John Sprinkle. No votes were cast by James Greene and Linda Laurendeau. (4-2). (Vote taken by poll.)

Motion: Jose Molina made a motion to Approve a variance from Apopka Code of Ordinances, Part III, Land Development Code, Article VII, Section 7.01.08 (H) to allow a corner lot fence closer to the property line than the required 25 feet for the property owned by Article II, Section 7.01.07(A) to allow for a swimming pool to encroach within the side yard setback for the property owned by Lerome Antione Granger and located at 2173 Hunley Avenue. Motion seconded by Tony Foster. Aye votes were cast by Tony Foster and Jose Molina. No votes were cast by James Greene, Linda Laurendeau, Roger Simpson, and John Sprinkle (2-4). (Vote taken by poll.) Motion Failed.

Motion: Jose Molina made a motion to Approve a variance from Apopka Code of Ordinances, Part III, Land Development Code, Article VII, Section 7.01.08 (H) to allow a corner lot fence closer to the property line than the required 25 feet for the property owned by Article II, Section 7.01.07(A) to allow for a swimming pool to encroach within the side yard setback subject to the inclusion of a screen room for the property owned by Lerome Antione Granger and located at 2173 Hunley Avenue. Motion seconded by Tony Foster. Aye votes were cast by Tony Foster, Jose Molina, and Roger Simpson. No votes were cast by James Greene, Linda Laurendeau, and John Sprinkle (3-3). (Vote taken by poll.) Motion Failed.

QUASI-JUDICIAL - VARIANCE - Chairperson Greene stated this is a request to approve a request for variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article VII, Section 7.01.08 (H) to allow a corner lot fence closer to the property line than the required 25 feet for the property owned by Priscilla Torres and Daniel Padilla located at 549 Keyhold Loop.

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

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

Staff Presentation: Mr. Martinez stated this is a request for variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article VII, Section 7.01.08 (H) to allow a corner lot fence closer to the property line than the required 25 feet for the property owned by Priscilla Torres and Daniel Padilla located at 549 Keyhold Loop. The future land use designation Residential Low Suburban (0-3.5 du/ac) and the zoning is R-1. The existing and proposed use a single family Residence. The tract size is 0.33 +/- acre

APPLICABLE CITY CODE:

7.01.08 Fences (shall include walls)

H. Fences may be permitted in any residential or office district; provided, that no fence or wall shall be erected or maintained within 25 feet from the property line on a corner intersection of street right-of-way. Fences or walls erected beyond the front building line shall be limited to a maximum height of four feet. A fence or wall shall be limited to a maximum height of eight feet in the rear and side yards.

LIMITATIONS GRANTING VARIANCES:

C. *Initial determination.* The [Planning Commission] shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other

physical or environmental conditions that are unique to the specific property involved. If so, the [Planning Commission] shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the [Planning Commission] shall make the required findings based on the cumulative effect of granting the variance to all who may apply.

Under no circumstances shall the [Planning Commission] grant a variance to permit a use not generally or by special exception permitted in this code or any use expressly or by implication prohibited by the terms of this code. Further, under no circumstance shall the [Planning Commission] offer or accept any negotiation to grant a variance in exchange for any other land use alterations on the affected parcel or any other parcel of land.

No nonconforming use of neighboring lands, structures or buildings in other zoning districts shall be considered grounds for the authorization of the variance.

Staff Response: Staff has not identified or received any substantially competent information to demonstrate that a need for the variance arises out of the physical surrounding, shape, topographical condition, or other physical or environmental conditions that are unique to this corner lot. Corner lots similar to this occur throughout the City of Apopka.

APPLICANT'S RESPONSE TO SEVEN VARIANCE CRITERIA:

- D. *Required findings.* The [Planning Commission] shall not vary the requirements of any provision of this code unless the board makes a positive finding, based on substantial competent evidence, on each of the following:
1. There are practical difficulties in carrying out the strict letter of the regulation [in] that the requested variance relates to a hardship due to characteristics of the land and not solely on the needs of the owner.

Applicant Response: The measurements requested for the proposed variance of our fence installation will not create any practical difficulties or break any regulations. Any smaller measurements will give an awkward and unbalanced look to our new home and to the specified corner. We have also requested a double door from Mossy Oak Fence (Mr. Terry Fox), on the corner side for easy entrance/exit of our lawnmower. Mr. Fox has all the exact measurements in our application showing that it will be fair for the land that we acquired in our purchase, but also fair to the Rock Springs Estates community and to the City of Apopka. I have photos to prove that there are no threats and no visibility issues for drivers turning to and from that corner. The corner is also not in an intersection. In the photos, the wooden stick with the orange flag next to the crape myrtles that we will be planting is the marking of where the fence will go.

Staff Response: Staff does not find a hardship for this variance application.

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

Applicant's Response: This proposed variance is not based on the desire to reduce cost of development of this corner and property. It will actually increase its development value which will add presence and attractiveness to the property, the lot, the street and the residential complex of Rock Springs Estates.

Staff Response: The site is already developed. It is a subdivision parcel with a home built in 2017.

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

Applicant's Response: The proposed variance will definitely not increase congestion on the surrounding public streets for it will not affect or alter any visibility or safety issues for drivers and pedestrians. The traffic pattern view for drivers driving to and from that corner will be clear and in compliance with all regulations.

Staff Response: A proposed fence will not increase congestion on this circular street.

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

Applicant's Response: The proposed variance will most definitely not diminish property values, nor alter the essential character of the area surrounding site. On the contrary, it will add value for it will make the property more complete and attractive.

Staff Response: The proposed fence, in accordance with the home owner's association guidelines, will not diminish property values.

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

Applicant's Response: The effect of the proposed variance is in harmony with the general intent of this code for the property has a larger lot than some of the other homes and it's also a corner home. The corner side is twice as large as the other side next to our neighbor. For that reason, the fence location requested on the corner side needs to be wider to balance out the look of the fence and the property. It will not alter the relevant subject area of the space. The proposed variance is only on the wider side of the property which is the corner side. The location of the fence will be in harmony with the spacing area.

Staff Response: The proposed fence meets all other stipulations in the City's Land Development Code.

Land Development Code, Section 7.01.08 Fences (Shall include walls), B. No fence or wall shall be erected in any district within an area at any corner street intersection that will obstruct visibility at the site [sight] distance line.

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

Applicant's Response: Special conditions & circumstances do not result from our actions as applicants. One side of the property is 17 ½ feet and the corner side is 35 feet. This is why the proposed variance requested for the fence needs to be wider on the corner side due to their difference in sizes (See property blueprint provided).

Staff Response: The property owner was not responsible for building the home in its current placement.

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

Applicant's Response: The variance granted is the minimum variance requested to have a sturdy 95 mph wind fence that not only meets the requirements of the county, but will allow reasonable use of the land in the community and in our property. The measurements requested in our application are precise

and fair. It will add value and beauty to our property as well as to the surrounding homes around the neighborhood. In addition, it will provide privacy to our new property but will not create any safety hazards or other detriments to the public.

Staff Response: The proposed variance will be adequate for accommodating a side yard fence. While this is a corner lot at the entrance of the subdivision, the Development Review Committee has determined that the fence will not create an issue with visibility and public safety.

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

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

As per the Land Development Code, Article XI - 11.05.00.A. - The Planning Commission has been established as a citizen board to review and approve variances. Conditions may be established by the Planning Commission to reduce the impacts of the effects of the variance.

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.

Daniel Padilla, 549 Keyhold Loop, stated that they were requesting the variance so that, for aesthetic reasons, they wanted to have 17 feet of fenced yard on either side of their house. He stated that, if granted, the placement of the fence would not create an issue with visibility and public safety and he had planted crepe myrtles.

After several minutes of discussion between staff, the applicants, and the Planning Commission, no hardship could be found to justify granting the requested variance.

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

Motion: Linda Laurendeau made a motion to determine a hardship does not occur pursuant to Section 10.02.02.A, that the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property owned by Priscilla Torres and Daniel Padilla located at 549 Keyhold Loop. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

QUASI-JUDICIAL - VARIANCE – Chairperson Greene stated this is a request to approve a request for variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, 2.02.18 (E) to allow a corner lot house 27.9 feet from the property line, 30 feet is required for property owned by DR Horton, c/o Christopher Wren, c/o DR Horton, Inc. and located at 1686 Spinfisher Drive.

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

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

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Staff Presentation: Mr. Martinez stated this is a request for variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, 2.02.18 (E) to allow a corner lot house 27.9 feet from the property line, 30 feet is required for property owned by DR Horton, Inc., c/o Christopher Wren, and located at 1686 Spinfisher Drive. The future land use is Residential Estates (0-1 du/ac) and the zoning is PUD (Planned Unit Development). The existing and proposed use is a single family residence. The tract size is 0.33 +/- acre .

2.02.18 Planned Unit Development (PUD) - E. Development Standards for Residential PUDs - 1a. "The PUD master plan shall identify the maximum residential density, type of development, maximum height limitations, minimum lot size and living area. Types of residential construction may be intermixed as long as adopted residential densities are compatible and height limitations are not exceeded."

The City Council, at their meeting on June 5, 2002, adopted Ordinance 1435 for the change of zoning to PUD (Planned Unit Development) and the Master Plan. The Master Plan indicates that the required building setbacks are as follows:

Front	30 ft
Side	10 ft
Rear	35 ft
Corner	30 ft

LIMITATIONS GRANTING VARIANCES:

E. Initial determination. The [Planning Commission] shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved. If so, the [Planning Commission] shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the [Planning Commission] shall make the required findings based on the cumulative effect of granting the variance to all who may apply.

Under no circumstances shall the [Planning Commission] grant a variance to permit a use not generally or by special exception permitted in this code or any use expressly or by implication prohibited by the terms of this code. Further, under no circumstance shall the [Planning Commission] offer or accept any negotiation to grant a variance in exchange for any other land use alterations on the affected parcel or any other parcel of land.

No nonconforming use of neighboring lands, structures or buildings in other zoning districts shall be considered grounds for the authorization of the variance.

Staff Response: The subject single family home encroaches 2.1 feet into the corner lot setback based on a special corner lot set back of 30 feet for the Rock Springs Ridge Planned Unit Development. Typically, a perimeter buffer wall for a larger residential development is not placed in easement; it is placed in a tract. Had this been the case, the tract would serve as side lot line, and the required setback would be ten feet, not 30. In such case the residential home would be in compliance with the side yard setback.

APPLICANT'S RESPONSE TO SEVEN VARIANCE CRITERIA:

F. Required findings. The [Planning Commission] shall not vary the requirements of any provision of this code unless the board makes a positive finding, based on substantial competent evidence, on each of the following:

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

Applicant Response: The variance request is for an existing home constructed by DR Horton on lot 1086 in Rock Springs Ridge. The home is currently under contract with a buyer who is amenable to the setback encroachment. The building plot plan, provided to the City of Apopka prior to building permit issuance, shows the side setback encroachment and was approved.

Staff Response: The building permit and the foundation survey, for the subject property, depicts an encroachment on the corner lot setback. Staff missed the special PUD setback with a 30 foot corner lot setback versus a twenty-five foot corner setback, approving the building permit and foundation survey with that encroachment. This has led to the construction of the house and an “after-the-fact” variance application.

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

Applicant’s Response: This request is not based solely off of a desire to reduce cost. The home is completed and under contract with a potential resident. Development cost is not the reason for the setback encroachment.

Staff Response: The site is already developed.

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

Applicant’s Response: The proposed variance has no impact on traffic congestion, as it is for a single family home on a single family lot.

Staff Response: The allowance of variance for a single family home setback will not substantially increase congestion.

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

Applicant’s Response: The proposed variance will not diminish property values in or alter the character of the area. The 2’ side corner setback exposure is towards Jason Dwelley Parkway, and is mitigated for with the existing masonry wall.

Staff Response: Staff finds that the two feet encroachment, allowing 27.9 feet from the side of the house to the property line, will not diminish property values. Traditional residential zoning districts allow a twenty five corner setback.

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

Applicant’s Response: The effect of the proposed setback variance is in harmony with the general intent of the code in that a significantly larger corner setback is provided, and that the setback encroachment is minimal in nature and could be considered de minimus impact to the existing required setback.

Staff Response: Staff agrees with the applicant’s response.

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

Applicant's Response: Approval of the variance request does not create special conditions or circumstances.

Staff Response: City staff made the error of approving the building permit and foundation survey showing the corner lot setback encroachment. The applicant was not responsible for the circumstances of this variance application.

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

Applicant's Response: The proposed variance, if granted, will not create safety hazards or other detriments to the public, and will only allow for reasonable use of land and building.

Staff Response: The proposed variance is sufficient for the use of this property, a single family house. Staff does not recognize any safety hazards with the proposed setback.

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

Staff's recommendation to the Planning Commission was to approve a variance of 2.1 feet for the corner lot setback standard for property at 1686 Spinfisher Drive.

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

As per the Land Development Code, Article XI - 11.05.00.A. - The Planning Commission has been established as a citizen board to review and approve variances. Conditions may be established by the Planning Commission to reduce the impacts of the effects of the variance.

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.

Chris Wrenn, DR Horton, Inc., 6200 Lee Vista Boulevard, Suite 400, Orlando, stated that they have a cash buyer for the property who currently resides out-of-state. It came to light during the closing process that when the property was initially surveyed the foot print of the home encroached into the setback by 2.1 feet due to it being a corner lot. In order to obtain the Certificate of Occupancy, a variance must be granted to allow the building to encroach into the setback or the house would need to be demolished and rebuilt.

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

Motion: Jose Molina made a motion to determine a hardship does occur pursuant to Section 10.02.02.A, that the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property owned by DR Horton, Inc., c/o Christopher Wren and

located at 1686 Spinfisher Drive. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

Motion: Linda Laurendeau made a motion to approve a variance from Apopka Code of Ordinances, Part III, Land Development Code, Article II, 2.02.18 (E) to allow a corner lot house 27.9 feet from the property line, 30 feet is required for property owned by Christopher Wren, c/o DR Horton, Inc. and located at 1686 Spinfisher Drive. Motion seconded by Jose Molina. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

QUASI-JUDICIAL – FINAL DEVELOPMENT PLAN – CARTER ELECTRIC - Chairperson Greene stated this is a request to recommend approval of the Final Development Plan for property owned by Carter Land Development, LLC c/o Douglas Carter and located on the southwest corner of Marshall Lake Road and Bradshaw Road.

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

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

Staff Presentation: Jean Sanchez, Planner II, stated this is a request to recommend approval of the Final Development Plan for property owned by Carter Land Development, LLC c/o Douglas Carter and located on the southwest corner of Marshall Lake Road and Bradshaw Road. The engineer is Klima Weeks Civil Engineering, Inc., c/o Selby G. Weeks, P.E. The future land use is Industrial (0.03 FAR) and the zoning is I-1 (Restricted Industrial). The existing use is vacant land and the proposed use is an office (8,837 sq. ft.) and warehouse (4,132 sq. ft.). The total building size is 12,969 sq. ft. The tract size is 13.02 +/- acres.

Carter Electric, Inc. is an electrical contractor specializing in commercial, industrial, and high voltage construction that is adding a location in the City of Apopka. The 12,969 square feet building will be used as an office and warehouse.

A total of 71 parking spaces will be provided (50 required by code), three of which are reserved as a handicapped parking space.

Access to the site is provided by a single driveway curb cut on Marshall Lake Road located west of Bradshaw Road.

The height of the proposed building is 24'8", below the maximum allowable height of 35'. Staff has found the proposed building elevations to be in accordance with the City's Development Design Guidelines.

The stormwater management system includes an on-site retention area, on the southern portion of the site. The stormwater pond design meets the City's Land Development Code requirements.

As part of the development plan approval, a 10-foot wide landscaping buffer and black vinyl coated chain link fence will screen the outdoor work area from adjacent properties. The viburnum hedges shall be allowed to grow to and maintained at 6 feet in height. The plan also shows sabal palms and viburnum hedges surrounding the dumpster enclosure area. The plan also shows a mixture of elms, crepe myrtles and viburnum hedges within the 25' landscaping buffer along Marshall Lake Road. Live oaks are located in the western and eastern buffers and elms are placed in each parking landscape island. Bald cypress trees surround the retention pond on the southernmost point of the project site's 10-foot wide landscape buffer. The buffer includes a lustrum hedge

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along both roads and twelve oak trees within the buffer. The applicant has provided a detailed landscape and irrigation plan for Carter Electric that complies with the requirements of the City's Land Development Code. The planting materials and irrigation system design are consistent with the water-efficient landscape standards set forth in Ordinance No. 2069.

Total inches on-site:	95
Total inches removed	84
Total inches retained:	11
Total inches added:	174
Total inches post development:	195

The Development Review Committee recommends approval of the Carter Electric Final Development Plan, subject to the findings of the staff report

Staff recommended the Planning Commission find the Carter Electric Final Development Plan consistent with the Land Development Code and Comprehensive Plan, and recommend approval of Carter Electric Final Development Plan, subject to the findings of the staff report

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

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

Petitioner did not have a presentation but was available for questions.

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

Motion: **Roger Simpson made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend approval of the Final Development Plan for the Carter Electric property owned by property owned by Carter Land Development, LLC c/o Douglas Carter and located on the southwest corner of Marshall Lake Road and Bradshaw Road. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)**

QUASI-JUDICIAL – FINAL DEVELOPMENT PLAN – CHURCH'S CHICKEN - Chairperson Greene stated this is a request to recommend approval of the Final Development Plan for the property owned by CHC-845 S Orange Blossom Trail Apopka FL LLC and located at 845 South Orange Blossom Trail.

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

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

Staff Presentation: Ms. Sanchez stated this is a request to recommend approval of the Final Development Plan for CHC-845 S Orange Blossom Trail Apopka FL LLC and located at 845 South Orange Blossom Trail.

Petitioner did not have a presentation but was available for questions.

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

Motion: Roger Simpson made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend approval of the Final Development Plan for the Church's Chicken property owned by CHC-845 S Orange Blossom Trail Apopka FL LLC and located at 845 South Orange Blossom Trail.. Motion seconded by Jose Molina. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

QUASI-JUDICIAL – PUD MASTER PLAN/FINAL DEVELOPMENT PLAN – RACETRAC - Chairperson Greene stated this is a request to recommend approval of the PUD Master Plan/Final Development Plan for property owned by Zellwood Properties, LLC, and located on the northwest corner of Hermit Smith Road and US 441.

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

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

Staff Presentation: Mr. Howell stated this is a request to recommend approval of the PUD Master Plan/Final Development Plan for property owned by Zellwood Properties, LLC, and located on the northwest corner of Hermit Smith Road and US 441. The applicant/engineer is Tannath Design, Inc., c/o Bryan Potts, P.E. The future land use is Commercial and the zoning is PUD (Planned Unit Development/Commercial). The existing use is vacant land and the proposed use is a gas Station with 18 fueling stations and a 5,411 sq. ft. convenience store. The tract size 2.53 +/- acres.

The applicant/engineer is Tannath Design, Inc., c/o Bryan Potts, P.E. The future land use is Commercial and the zoning is PUD (Planned Unit Development/Commercial). The existing use is vacant land and the proposed use is a gas Station with 18 fueling stations and a 5,411 sq. ft. convenience store. The tract size 2.53 +/- acres.

The applicant has submitted a PUD Master Plan/Final Development Plan for a RaceTrac gas station with 16 fueling stations and an associated 5,411 square foot convenience store. The subject property is located at the northeast corner of the intersection of Hermit Smith Road and US 441. The subject property is approximately 2.53 acres in size and is zoned Planned Unit Development.

A total of 35 parking spaces will be provided for the convenience store, and 16 parking spaces will be provided at the fueling station for a total of 55 parking spaces. Two parking spaces are reserved as a handicapped parking spaces.

Access to the site is provided via a full access point located on Hermit Smith Road, and a right in/right out on US 441. A 240-foot right turn lane leading into the site from US 441 will be constructed concurrent with site construction.

Using ITE Trip Generation Rates, 9th Edition, the estimated project trip generation is 731 net new daily trips daily trips, 52 a.m. and 62 p.m. net new peak hour trips. The development is adding a 240-foot right deceleration lane at the access driveway on US 441.

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON MAY 8, 2018, AT 5:30 P.M.

The architectural elevations provided for the convenience store propose a one story building with architectural design elements including awnings, windows with glazing, eifs, and a watermark and stone veneer provided around the perimeter of the building. The fueling station will be covered with an awning. Stone veneer that matches the stone veneer provided around the perimeter of the convenience store will be provided around the perimeter of the support columns of the fueling station. The building exhibits high quality architectural elements that are required in the Development Design Guidelines.

Stormwater run-off and drainage will be accommodated onsite with a dry stormwater retention pond that is located behind the convenience store building.

The adjacent properties to the north and west have Agricultural zoning. Per the Land Development Code, a 6-foot block wall is required to be provided between commercial and agricultural uses. A wall is provided along the northern property boundary and approximately one-quarter of the western property. The wall is not provided along the entire western property line to allow for future cross-access between the subject property and the property to the west at such time that property develops. Landscaping including Live Oaks, Bald Cypress, Holly, and Bahia sod is provided in this location.

The applicant has provided a detailed landscape and irrigation plan that complies with the requirements of the City's Land Development Code. The planting materials and irrigation system design are consistent with the water-efficient, Florida-friendly landscape standards set forth in Ordinance No. 2069.

The applicant has agreed to a tree mitigation payment of \$2,769.41 to mitigate existing trees that are proposed to be removed.

Total inches on-site:	365
Total inches removed	277
Total inches retained:	88
Total inches added:	81.5
Total inches post development:	169.5

The Development Review Committee recommends approval of the RaceTrac Final Development Plan, subject to the findings of the staff report

Staff's recommendation to the Planning Commission was to find the RaceTrac Master Plan\Final Development Plan consistent with the Land Development Code and Comprehensive Plan, and recommend approval of the RaceTrac Hermit Smith Road Master Plan\Final Development Plan, subject to the findings of the staff report

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

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

Petitioner did not have a presentation but was available for questions.

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

Motion: Linda Laurendeau made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend approval of the PUD Master Plan/Final Development Plan for the RaceTrac property owned by Zellwood

Properties, LLC, and located on the northwest corner of Hermit Smith Road and US 441. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

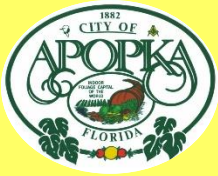
OLD BUSINESS: None.

NEW BUSINESS: Tony Foster announced his resignation from the Planning Commission following the May 22, 2018 meeting.

ADJOURNMENT: The meeting was adjourned at 8:10 p.m.

James Greene, Chairperson

James K. Hitt, FRA-RA
Community Development Director



CITY OF APOPKA PLANNING COMMISSION

☒ PUBLIC HEARING
☐ SITE PLAN
☐ SPECIAL REPORTS
☐ OTHER:

MEETING OF: May 22, 2018
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Future Land Use Map
Adjacent Zoning Map
Adjacent Uses Map

SUBJECT: COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE
AMENDMENT – EAGLES LANDING AT OCOEE, LLC

PARCEL ID #(S): 12-21-27-0000-000-015; 12-21-27-0000-000-017; 12-21-27-0000-000-021

REQUEST: COMPREHENSIVE PLAN - LARGE SCALE - FUTURE LAND USE
AMENDMENT
FROM: MIXED USE (0 – 10 DU/AC) AND AGRICULTURE (0-1 DU/5 AC)
TO: INDUSTRIAL

SUMMARY:

OWNER: Eagles Landing at Ocoee, LLC

APPLICANT: BlueScope Properties Group

LOCATION: South of Peterson Road and west of State Road 429

EXISTING USE: Vacant

**DEVELOPMENT
POTENTIAL:** 977,486 sq. ft. industrial, commercial wholesale, or commercial services space

CURRENT ZONING: R-1AA (Single Family Residential), A-1 (ZIP), Agriculture, and Mixed Use-
Employment Center

PROPOSED ZONING: Planned Unit Development

**MAXIMUM ALLOWABLE
DEVELOPMENT UNDER
FLUM:** **EXISTING FLU:** 511 Dwelling Units
PROPOSED FLU: 977,486 sq. ft.

TRACT SIZE: 37.4 +/- acres (34.05 acres Mixed Use, 3.35 acres Ag)

DISTRIBUTION

Mayor Nelson
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: The applicant intends to use the subject properties for an industrial park, and requests the City to assign a future land use designation of Industrial to the property. A industrial warehouse developer has proposed to city staff to couple the subject site to industrial-zoned parcels to the north and northeast for an industrial complex.

The subject properties were annexed into the City on May 20, 1998 via Ordinance 1171 and on July 3, 2006 via Ordinance 1833. The proposed Large Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties ten acres or more are required to undergo review by State planning agencies.

A request to assign a Future Land Use Designation of Industrial is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 37.4 acres.

Industrial FLUM Uses:

“The primary use shall be *industrial*, intensive commercial, agricultural and business/research parks. Also allowed are public facilities and supporting infrastructure. The use of the Planned Unit Development process shall be encouraged. The maximum floor area ratio shall be 0.60.” [Emphasis added]

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

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is consistent with the Institutional/Public Use designation and the proposed Professional Office\Institutional zoning.

SCHOOL CAPACITY REPORT: Since the proposed use, an industrial park, is a non-residential use, a capacity enhancement agreement with OCPS 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 May 9, 2018.

PUBLIC HEARING SCHEDULE:

June 12, 2018 - Planning Commission (5:30 pm)

June 20, 2018 - City Council (7:00 pm) - 1st Reading & Transmittal

DULY ADVERTISED:

May 11, 2018 - Public Notice (Apopka Chief) and Notification (letters and posting)

June 8, 2018 - Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends transmittal of the change in Future Land Use from Agriculture (0-1 du/5 ac) and Mixed Use to Industrial for the properties owned by Eagles Landing at Ocoee, LLC.

Recommended Motion: Find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend transmittal of the Future Land Use Map designation from Agriculture and Mixed Use to Industrial to the Florida Department of Economic Opportunity.

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)	“City” Industrial	PUD and I-1	Industrial and Vacant Properties; Peterson Road ROW
East (City and County)	“City” Industrial and “County” Rural	“City” I-1 and “County” A-1	Vacant industrial land (City); Vacant land (County)
South (County)	“County” Rural	A-2	Lake Apopka Restoration Area
West (County)	“County” Rural	A-2	Lake Apopka Restoration Area

II. LAND USE ANALYSIS

The applicant intends to use this site for industrial or commercial wholesale business. A warehouse business has submitted concept plans to couple this parcel with those owned by Mod-Florida Freezer Warehouse LTD to the northeast, and development a warehouse or industrial complex. As the subject site current has access through planned industrial areas via from undeveloped Peterson Road right-of-way and an easement to the public road segment of Hermit Smith Road, the site is not attractive for residential development. Use of the subject site for industrial, commercial wholesale, or commercial services is more compatible with the character of the planned and existing uses along Hermit Smith Road and undeveloped Peterson Road.

North: Abutting the subject property to the north are industrial properties and vacant woodlands.

West: The property to the west of the subject site is the Lake Apopka Restoration Area.

South: Lake Apopka Restoration Area

East: To the east of the subject site are vacant wooded properties.

The proposed future land use designation of “City” Industrial is consistent with the surrounding future land use designations to the west and south, considering the proposed use, and with current uses along Hermit Smith Road.

Therefore, staff supports the proposed future land use changes.

Other Information:

Wekiva River Protection Area: No
Area of Critical State Concern: No
DRI / FQD: No

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 properties do not front a paved public road at this time. The concept plan, submitted with the Planned Unit Development Rezoning Application, shows a configuration of industrial buildings and roads.

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

CALCULATIONS:

ADOPTED (City and County designations): 1 Unit(s) x 2.659 p/h = 3 persons

PROPOSED (City designation): Industrial Park, 977,486 sq. ft. of building space

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 ten (10) acres or more in size. This site is greater than ten acres. A habitat study will 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 property is located within the City of Apopka service area for potable water, reclaimed water and sanitary service.

Sanitary Sewer Analysis

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

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

2. Projected total demand under existing designation: 1,372 GPD
3. Projected total demand under proposed designation: 146,623 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

2. Projected total demand under existing designation: 1,470 GPD
3. Projected total demand under proposed designation: 195,497 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD / Capita
6. Projected LOS under proposed designation: 177 GPD / Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: Yes

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: 72 lbs/ day
4. Projected LOS under proposed designation: 1,955 lbs / day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

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

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

Permitting agency: St. John's River Water Management District

Permitted capacity of the water treatment plant(s): 9.353 MGD

Total design capacity of the water treatment plant(s): 33.696 MGD

Availability of distribution lines to serve the property: Yes

Availability of reuse distribution lines available to serve the property: Yes

Drainage Analysis

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

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System ; 3 acre / 1000 capita
2. Projected facility under existing designation: 0.054 acres
3. Projected facility under proposed designation: N/A acres
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.

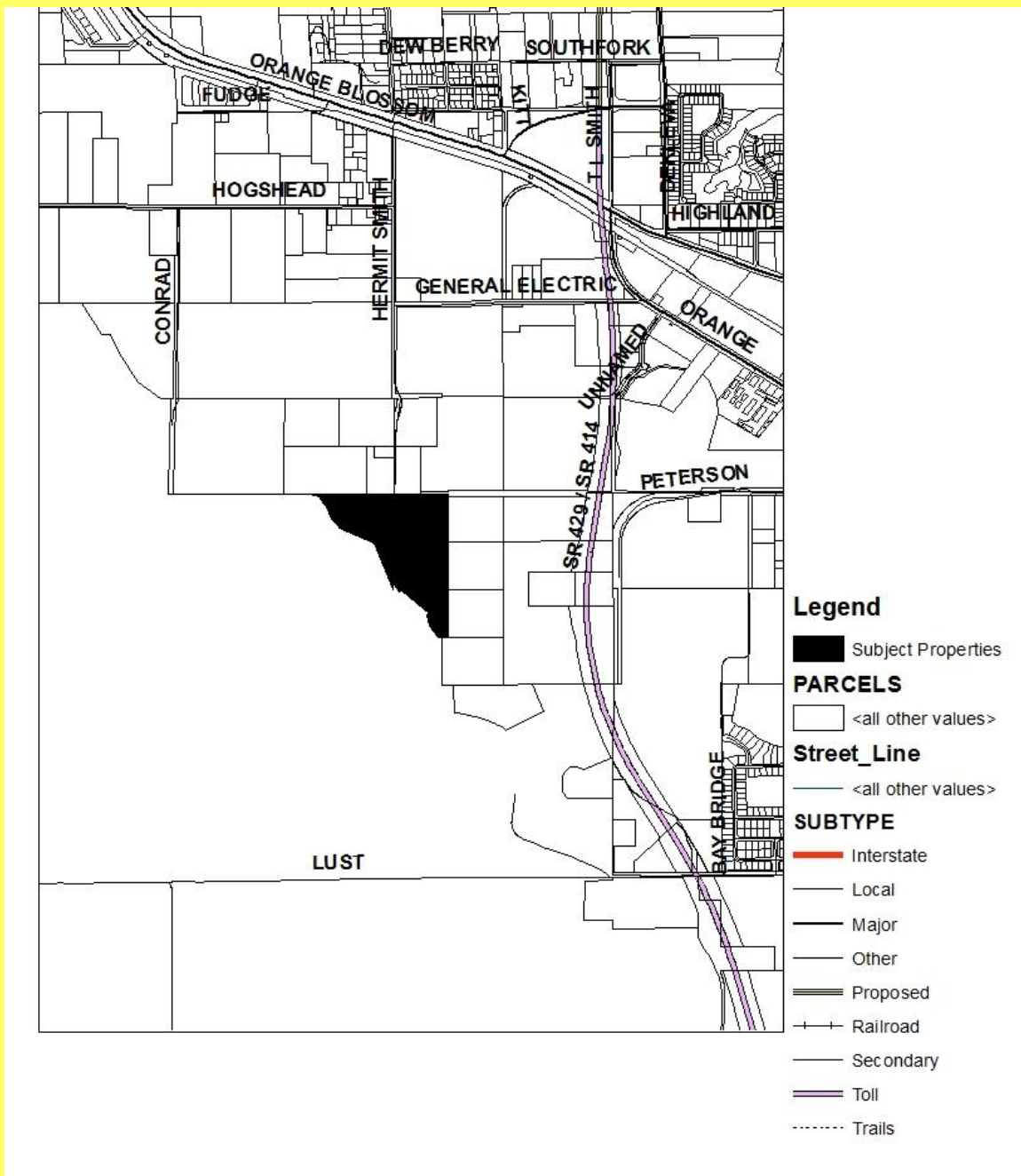


Eagles Landing at Ocoee LLC
Proposed Large Scale Future Land Use Amendment:
From: Agriculture (0-1 du/5 ac) and Mixed Use (0-15 un/ac)
To: Industrial (Max. FAR 0.60)

Proposed Change of Zoning:
From: “County” A-1 (ZIP) and “City” R-1AA, Mixed-EC, and Agriculture
To: “City” Planned Unit Development (PUD)

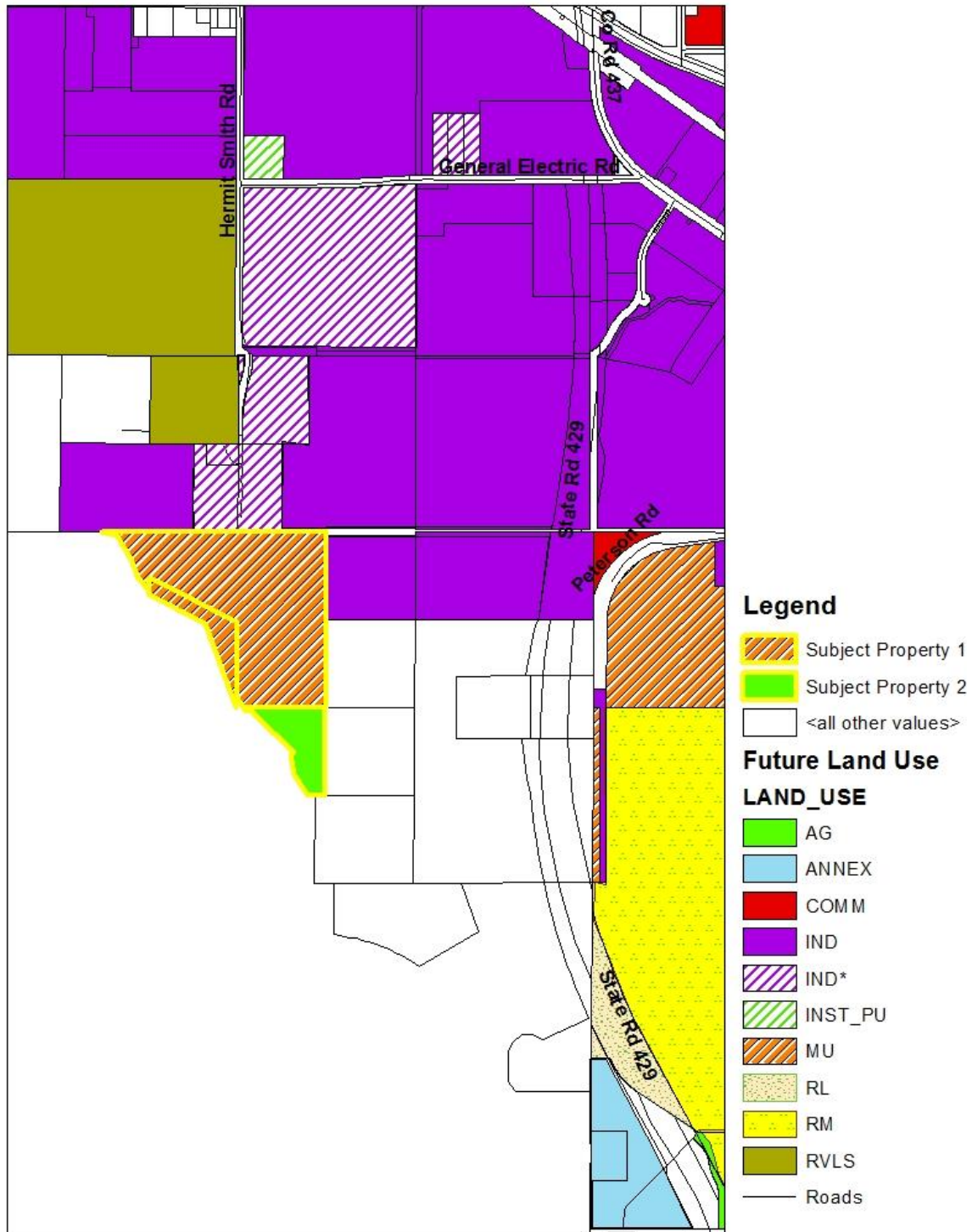
Parcel ID #s: 12-21-27-0000-000-015, 12-21-27-0000-000-017, 12-21-27-0000-000-021

VICINITY MAP



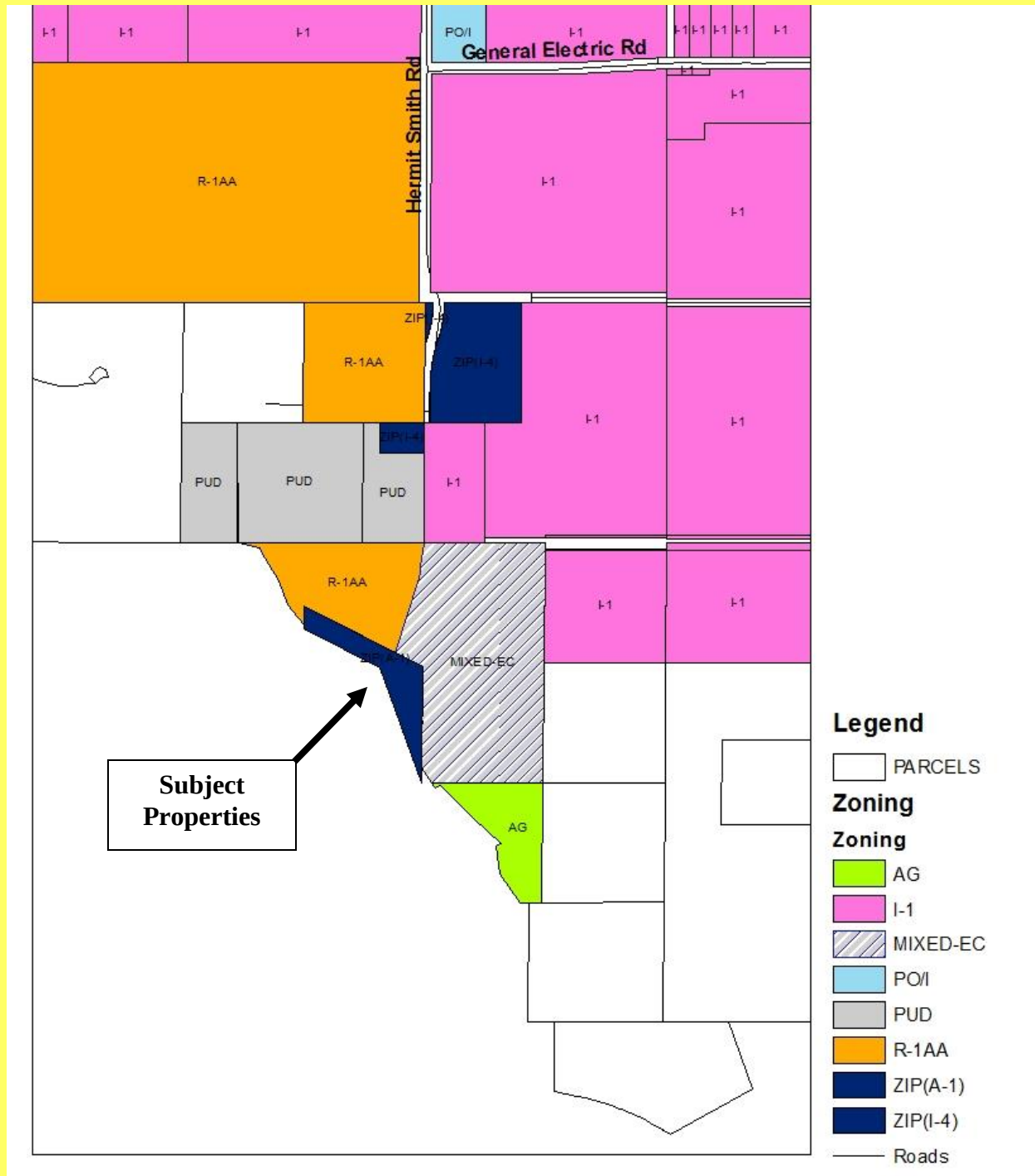


FUTURE LAND USE MAP





ADJACENT ZONING





ADJACENT USES





CITY OF APOPKA PLANNING COMMISSION

<u> </u> CONSENT AGENDA	MEETING OF:	May 22, 2018
<u> X </u> PUBLIC HEARING	FROM:	Community Development
<u> </u> SPECIAL REPORTS	EXHIBITS:	Zoning Report
<u> X </u> OTHER: Preliminary Development Plan		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Existing Use Map
		KPC Form Based Code Map
		Preliminary Development Plan

SUBJECT: PRELIMINARY DEVELOPMENT PLAN – BRIDLE PATH SUBDIVISION

REQUEST: RECOMMEND APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN FOR THE BRIDLE PATH FORM-BASED CODE SUBDIVISION

SUMMARY:

OWNER: AHIFO-18, LLC

APPLICANT: VHB – c/o Jim Hall

LOCATION: West of Plymouth-Sorrento Road and east of SR 429, approximately one-half mile north of the intersection of Kelly Park Road and Plymouth-Sorrento Road

PARCEL ID NUMBERS: 12-20-27-0000-00-032; 12-20-27-0000-00-090

EXISTING USE: Vacant, abandoned two story house and horse stables

FLUM DESIGNATION: Orange County Rural Settlement

CURRENT ZONING: Orange County Planned Development (PD/ZIP)

PROPOSED DEVELOPMENT: 152 single family homes; Pool house, multi-use trails

PROPOSED ZONING: Kelly Park Interchange Mixed-Use (KPI-MU)

TRACT SIZE: 51 +/- acres

DISTRIBUTION

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

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Rural	A-1 (ZIP)	Single-family residential/woodlands
East (County)	Rural	A-1	Woodlands/Plymouth-Sorrento Road
South (City)	Rural	RCE-2 (ZIP)	Equestrian track
West (City)	None	SR 429 right-of-way	SR 429

ADDITIONAL INFORMATION: The owner of the subject property is requesting approval of a Preliminary Development Plan for a 152 unit, single-family detached subdivision located east of SR 429 and west of Plymouth-Sorrento Road, approximately one-half mile north of the intersection of Kelly Park Road and Plymouth-Sorrento Road. The owner is AHIFO-18, LLC. The property is located within the one-mile radius from the SR 429/Kelly Park Road interchange and is subject to the requirements of the Kelly Park Interchange Form Based Code, including its architectural standards for single family homes.

Development Profile:

No. of residential lots: 152 single family homes, detached

Minimum lot width: 50 feet (all lots 50 feet wide)

Minimum lot depth: 110 Feet (all lots 110 feet deep)

Minimum lot size: 5,500 square feet (all proposed\FBC has no minimum lot size)

Minimum house livable area: 1,500 square feet (proposed\FBC does not address)

Setbacks:

Front: Min. 15 feet – Max. 30 feet

Rear: Min. 20 feet

Side: Min. 5 feet

Garage: Same as front

Overflow Parking None

Driveway length: Min. 15 feet – Max. 30 feet

On-street parking: None proposed

Max. number of floors: Two

Parking: Two spaces per house within the lot (enclosed or exterior; FBC does not require enclosed parking). No overflow parking proposed.

Amenities:

- Pool house with cabana; no parking spaces
- Walking paths around stormwater ponds (developer proposes mulch\staff recommends established surface – concrete or asphalt)
- Regional Trails: two – along Plymouth-Sorrento Road, and internal along stormwater pond and wetland edges.

PROJECT DESCRIPTION: The Preliminary Development Plan proposes development of the property with a total of 152 single-family homes on 50-foot by 110-foot wide lots and a minimum living area of 1,500 square feet. The property is located within the one-mile radius from the SR 429/Kelly Park Road interchange and is subject to the requirements of the Kelly Park Interchange Form Based Code. There are no minimum and maximum lot size and living area requirements in the Kelly Park Interchange Form Based Code. The project may be developed in multiple phases, with each phase determined upon submittal of the Final Development Plan. The Preliminary Development Plan details design of the proposed subdivision in accordance with the requirements of the Kelly Park Interchange Form Based Code, and the Neighborhood character zone, which primarily allows single-family homes as permitted uses. The surrounding properties consist of single-family residential and agricultural uses.

Roads and Paths -- Access to the site is proposed via Plymouth-Sorrento Road. A dedication of a 30-foot wide strip for future right-of-way needs for Plymouth-Sorrento Road is detailed on the Master Plan. Behind this strip, a 30-foot area will be reserved for a landscape buffer along Plymouth-Sorrento Road. Three roadway connections will be provided to allow cross-access to the properties to the north and south at such time they develop. The Preliminary Development Plan details the design of the internal street system with public streets utilizing a walkable grid design, which is a fused grid design that includes varied street, sidewalk and pedestrian pathways throughout a development that links developments.. A 10-foot wide trail will be constructed within the development, and connections to the properties to the north and south will be provided to facilitate development of a regional trail system. A cul-de-sac is provided in the southwestern corner of the site, adjacent to the park and stormwater pond, and is provided to accommodate trail connection and to create an open space corridor along stormwater pond system and wetland area. Properties adjacent to the cul-de-sac will have access to the trail system which will allow pedestrian access to the common areas internal to the development. The developer will provide a 12-foot wide multi-purpose trail along the portion of the development abutting Plymouth-Sorrento Road to help facilitate the construction of the regional trail system.

Environmental\Open Space -- A wetland area exists in the northwest corner of the development. A spring is located within the wetland area. Per the Comprehensive Plan, a 300-foot buffer will be provided around the spring. Stormwater ponds are located in the southwestern corner of the site. Four-foot wide walking paths are provided around the perimeter of the ponds. Twenty-percent of the total site area will remain as open space in accordance with the requirements of the Form Based Code. Common recreation elements include a clubhouse with a pool, an internal trail system, preserved wetlands, upland buffers, and a park/stormwater facility.

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is consistent with the Mixed-Use Interchange Future Land Use designation and is consistent with the Kelly Park Interchange Form Based Code.

SCHOOL CAPACITY REPORT: A School Capacity Enhancement Agreement has been approved by OCPS. The location is served by the following schools: Zellwood Elementary, Wolf Lake Middle, and Wekiva High School. No development activity shall occur on the subject property until the developer has obtained a school concurrency mitigation agreement or letter from OCPS.

ORANGE COUNTY NOTIFICATION: Pursuant to Section 7 of the Joint Planning Area agreement, Orange County was notified on April 3, 2018.

PUBLIC HEARING SCHEDULE:

May 22, 2018 - Planning Commission (5:30 pm)

June 20, 2018 – City Council (7:00 pm)

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the Bridle Path Preliminary Development Plan.

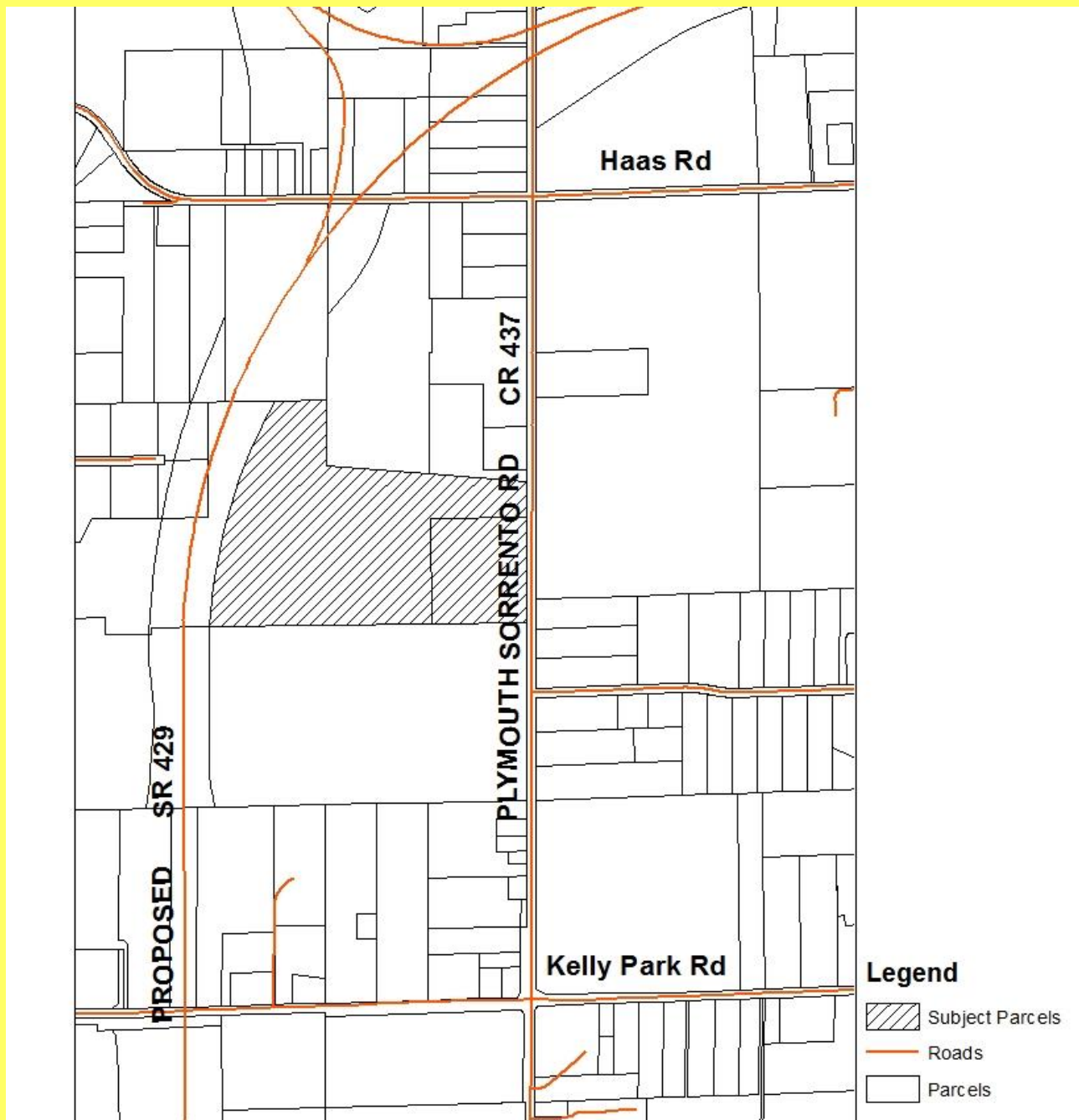
Planning Commission: Find the Bridle Path Preliminary Development Plan consistent with the Comprehensive Plan, Kelly Park Interchange Form Based Code, and Bridle Path Master Plan; and recommend approval of the Bridle Path Preliminary Development Plan subject to the findings of this staff report and City Council approval of a Development Agreement.

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.

Project: BRIDLE PATH
Owned by: AHIFO-18, LLC
Located: WEST OF PLYMOUTH-SORRENTO ROAD AND EAST OF SR 429
Parcel ID#s: 12-20-27-0000-00-032, 12-20-27-0000-00-090

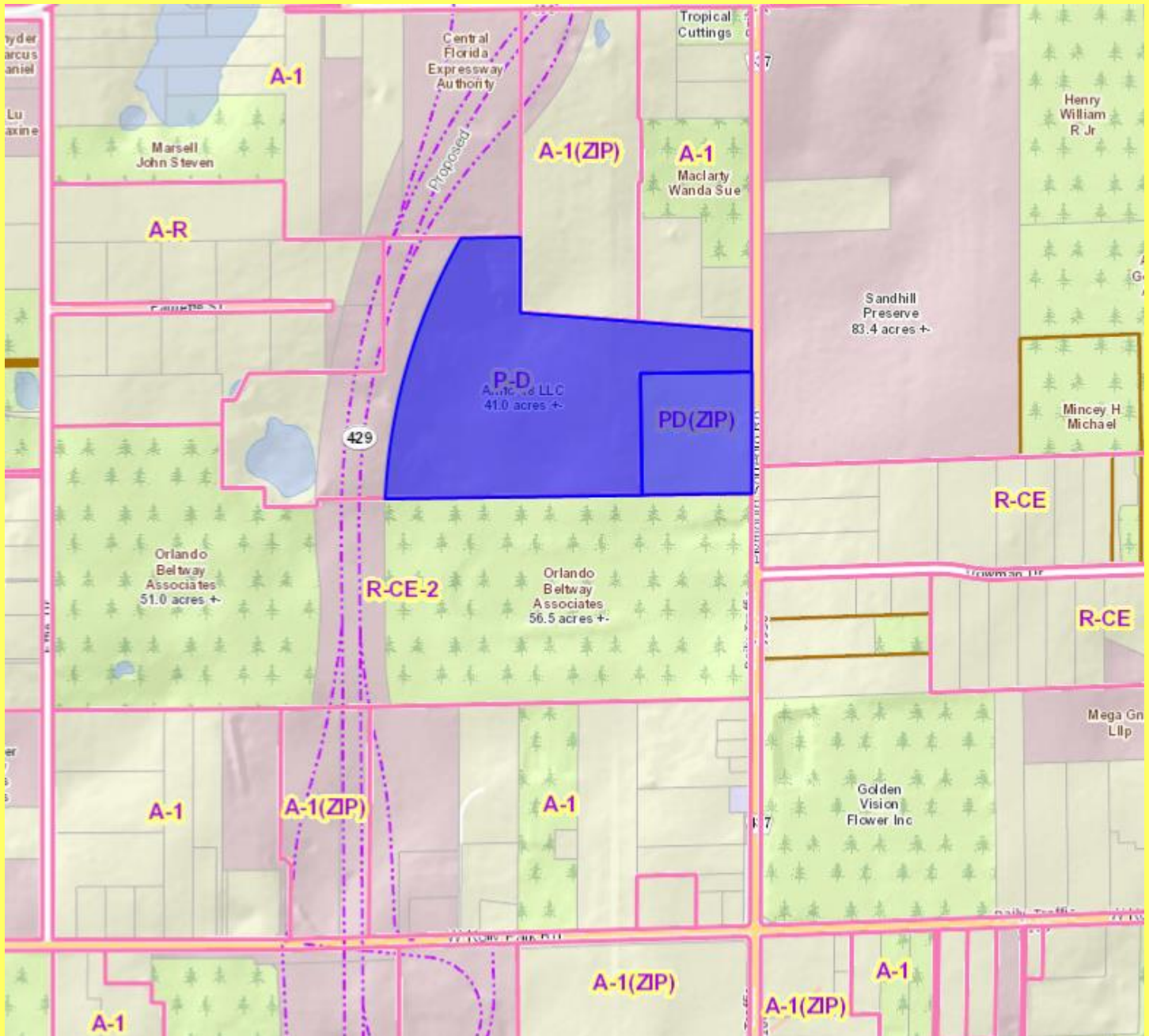


VICINITY MAP



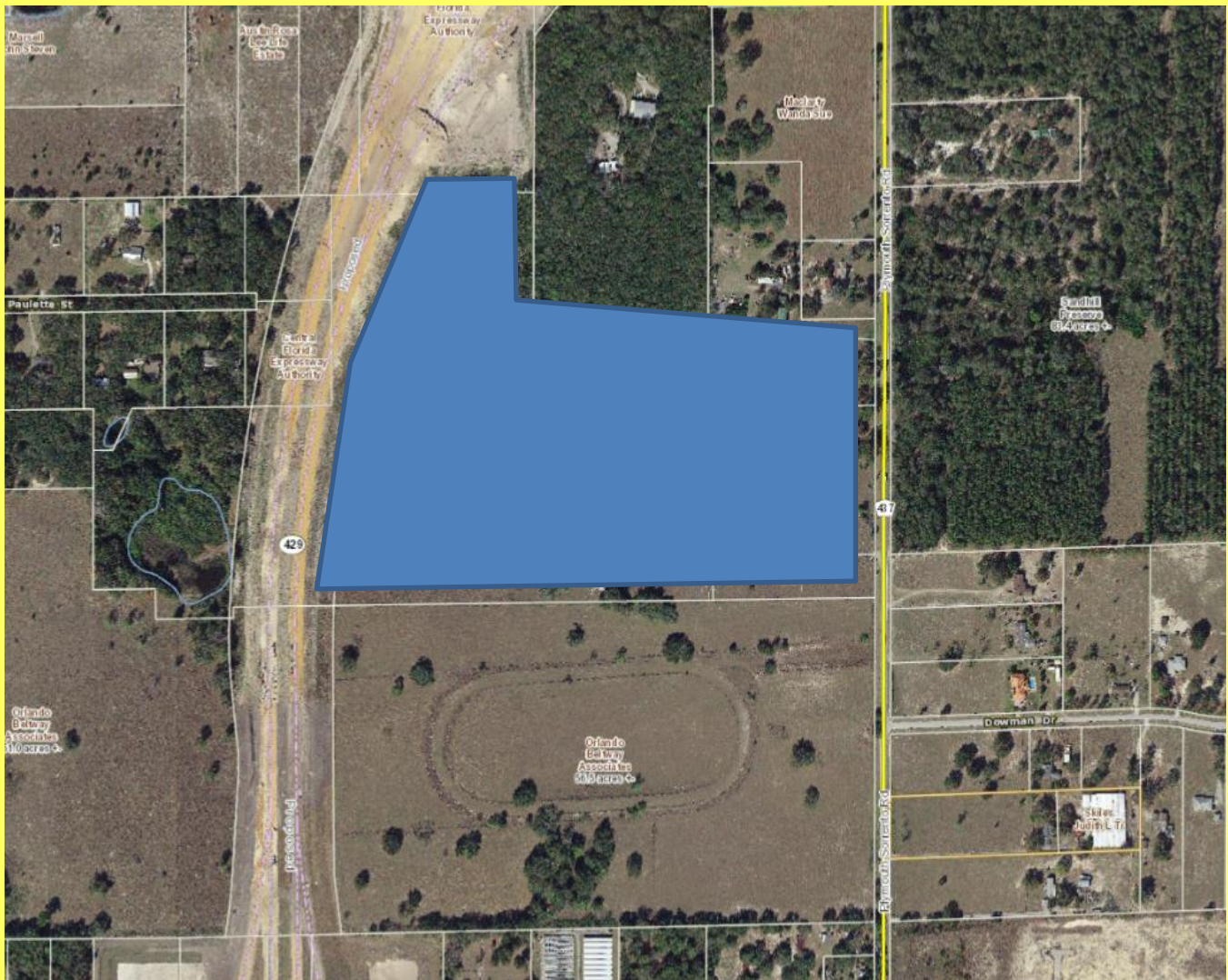


ADJACENT ZONING



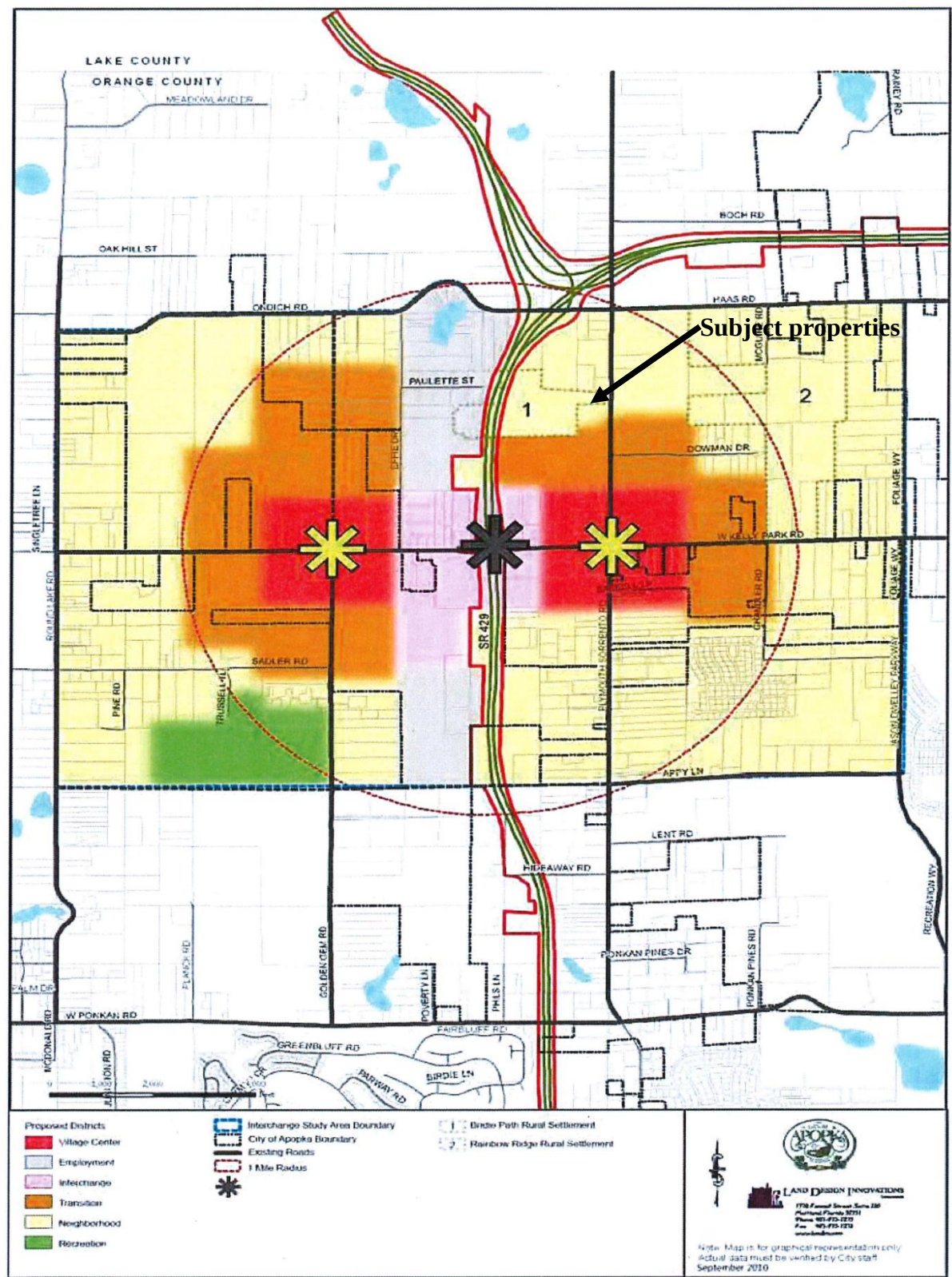


ADJACENT USES





Kelly Park Crossing Form-Based Code Area



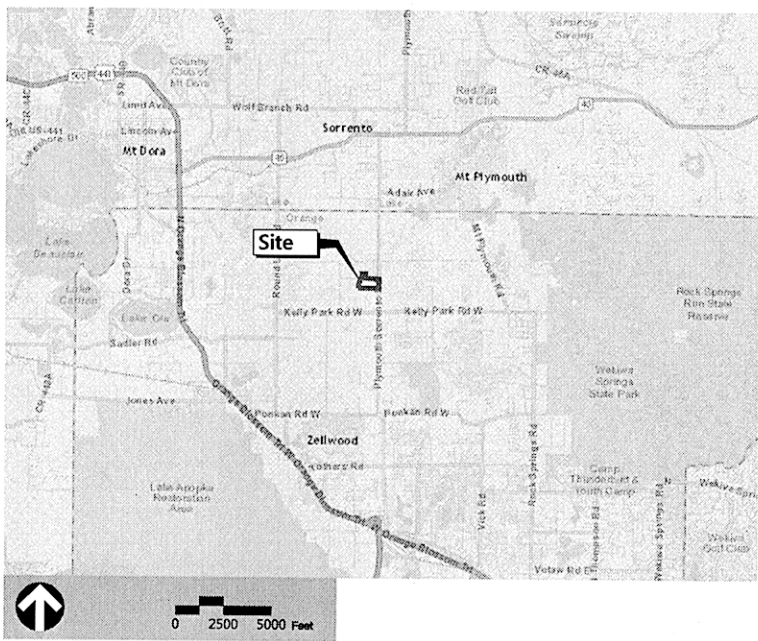
Preliminary Development Plan

Issued for Site Plan Approval
Date Issued December 28, 2017
Latest Issue May 14, 2018

Bridle Path Mixed KPI

City of Apopka, Florida
Parcel IDs: 12-20-27-0000-00-032, 12-20-27-0000-00-090

Owner
Ahifo-18, LLC
1800 N Military Trail, Suite 470
Boca Raton, Florida 33431



Sheet Index

No.	Drawing Title	Latest Issue
C-1	Existing Conditions Plan	03/22/2018
C-2	Master Site Plan & Site Data	05/14/2018
C-3	Drainage & Utility Plan	05/14/2018
C-4	Offsite Utility Improvements Plan	03/22/2018
C-5	Typical Sections & Details	04/10/2018
C-6	Fire Access Plan	04/10/2018
C-7	Tree Removal and Tree Mitigation Plan	04/10/2018
C-8	Signage/Striping & Pedestrian/Bicycle Plan	05/14/2018
L-1	Overall Landscape Plan	05/14/2018
L-2	Landscape Planting Plan	05/14/2018
L-3	Landscape Schedule & Notes	03/22/2018

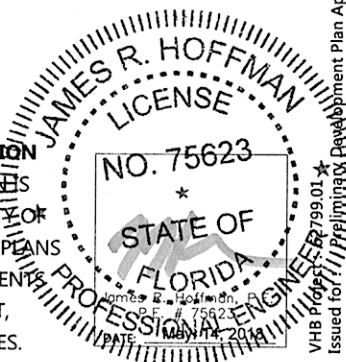
vhb.com
vhb
225 E. Robinson Street
Suite 300
Orlando, FL 32801
407.839.4006
Certificate of Authorization
Number FL #3932

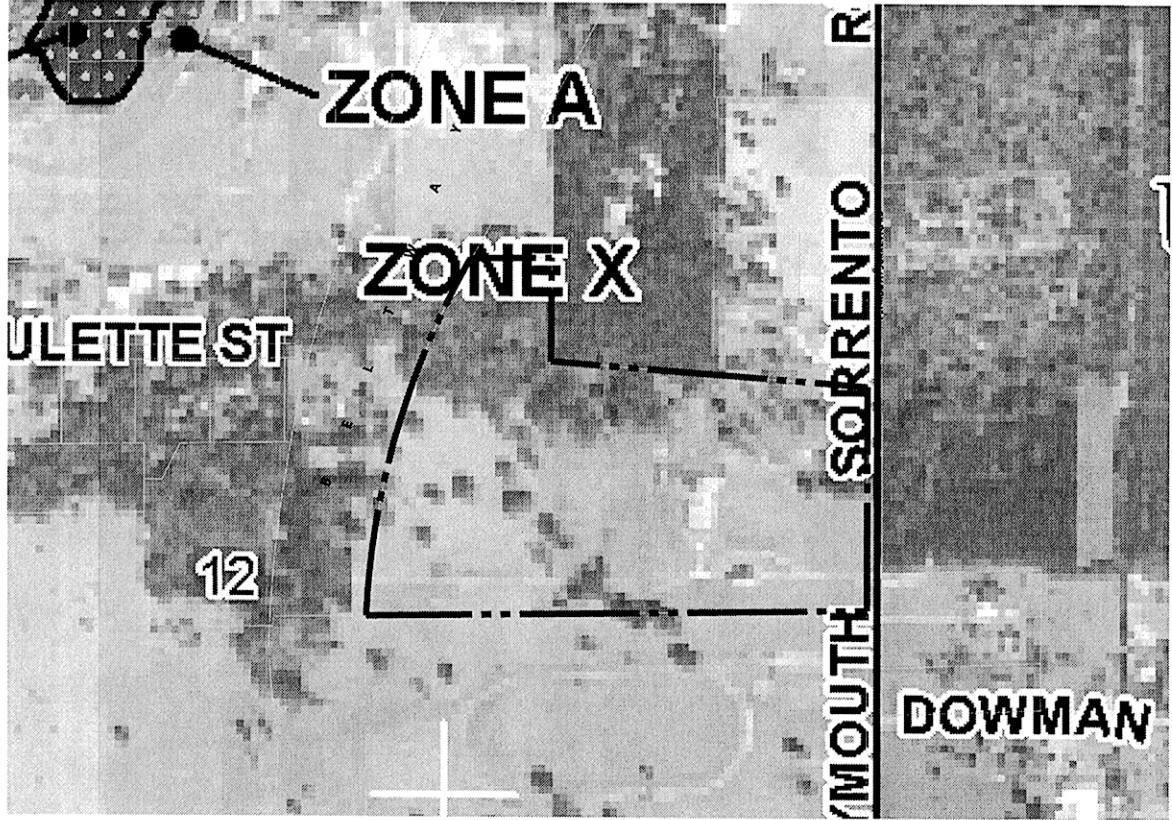
Community Planner & Civil Engineer
VHB
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Surveyor
VHB
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Landscape Architect
VHB
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Orlando, Florida 32801
P 407.839.4006 · F 407.839.4008

PRELIMINARY - NOT FOR CONSTRUCTION
THIS PRELIMINARY DEVELOPMENT PLAN IS
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LEGEND

--- PROJECT BOUNDARY

--- FLOOD PRONE AREA

FLOODPLAIN MAP

FLOODPLAIN SOURCE:
FIRM PANEL NUMBER 12095C0050F
MAP REVISED SEPTEMBER 25, 2009

LEGEND

ZONE A Base Flood Elevations not determined
Special Flood Hazard Areas Subject to Inundation
by the 1% Annual Chance Flood Event

ZONE X Areas determined to be outside the 0.2%
annual chance floodplain.



LEGEND

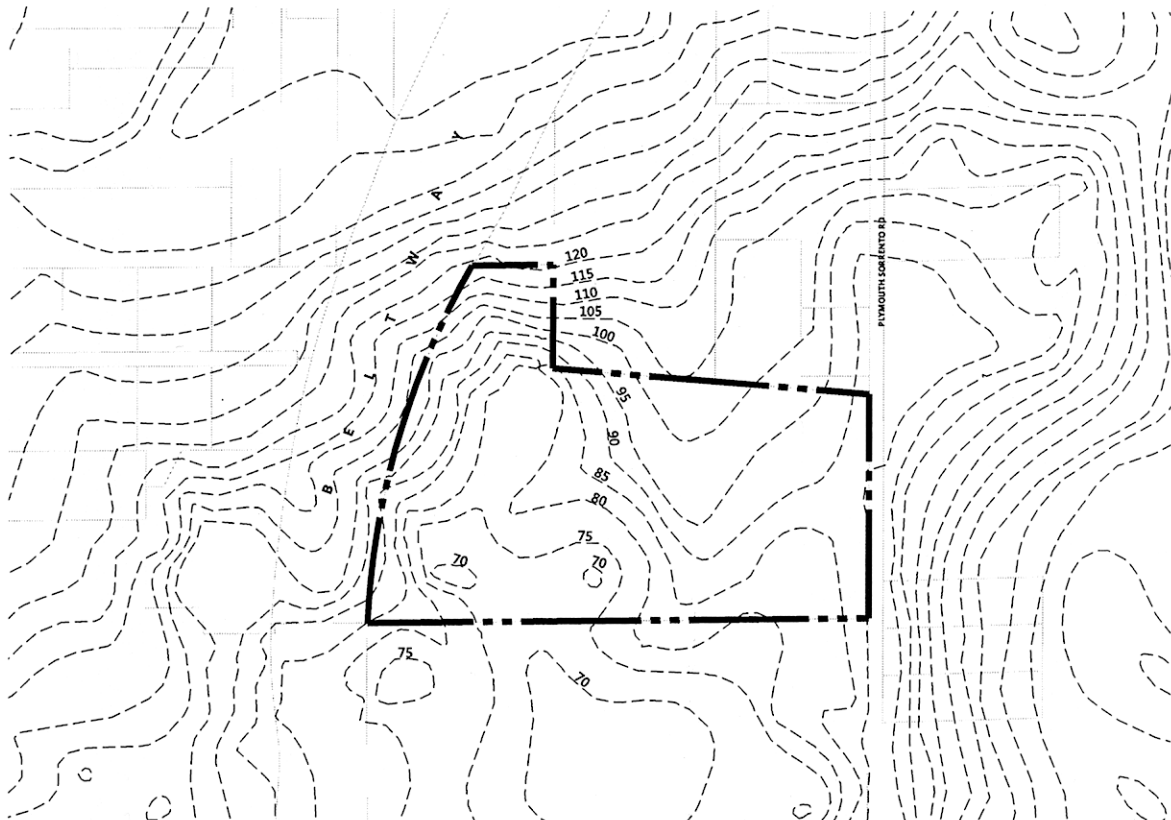
--- PROJECT BOUNDARY

--- SOILS BOUNDARY

SOILS MAP

SOIL CODE	DESCRIPTION
3	BASINGER FINE SAND, DEPRESSIONAL
4	CANDLER FINE SAND, 0 TO 5 PERCENT SLOPES
5	CANDLER FINE SAND, 5 TO 12 PERCENT SLOPES
6	CANDLER-APOLKA FINE SAND, 5 TO 12 PERCENT SLOPES
28	FLORAHOME FINE SAND, 0 TO 5 PERCENT SLOPES
47	TAVARES-MILLHOPPER FINE SAND, 0 TO 5 PERCENT SLOPES

SOURCE:
ORANGE COUNTY GIS, 2017

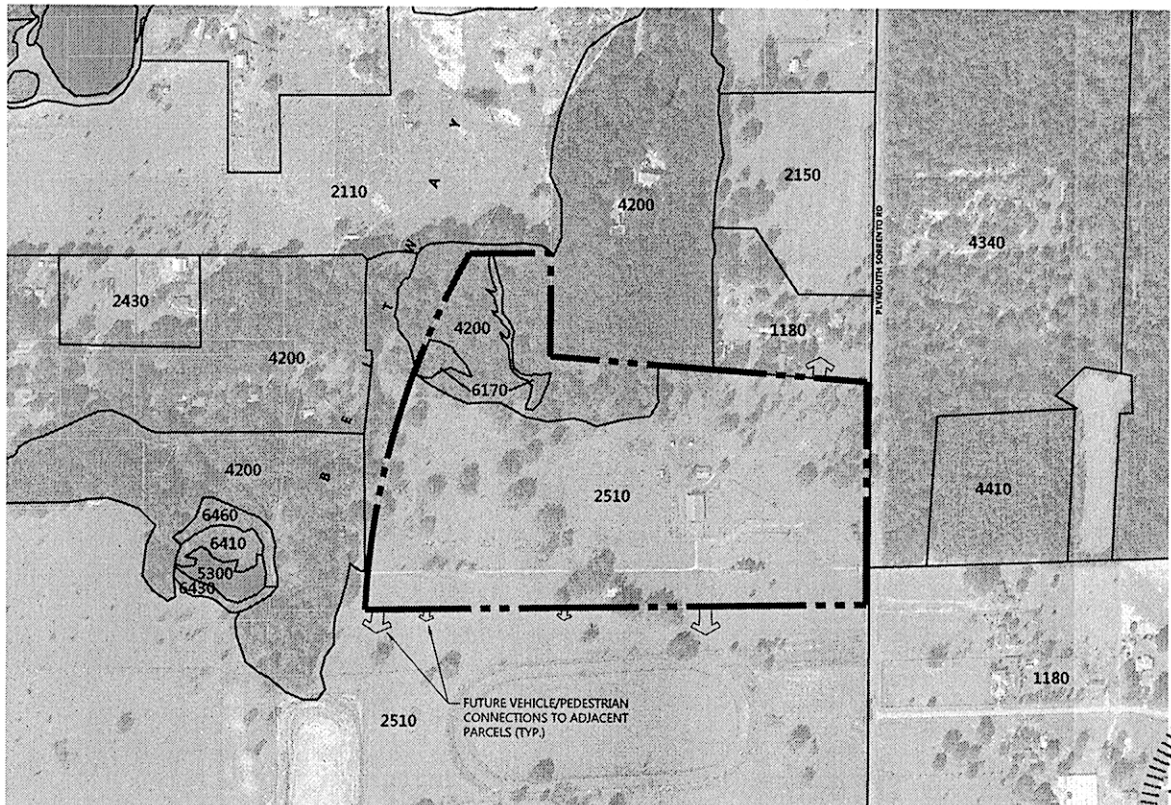


LEGEND

--- PROJECT BOUNDARY

--- TOPOGRAPHIC CONTOUR

TOPOGRAPHY



LEGEND

--- PROJECT BOUNDARY

--- FLUCFCS LIMITS

AERIAL & EXISTING LAND USE

CODE	DESCRIPTION
1180	RESIDENTIAL, RURAL
2510	HORSE FARMS
4200	UPLAND HARDWOOD FORESTS
4340	UPLAND MIXED CONIFEROUS/HARDWOOD
6170	MIXED WETLAND HARDWOODS

SOURCE:
FLUCFCS, 2017

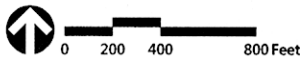
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Bridle Path Mixed KPI

City of Apopka, Florida

No. Revision Date Appr.

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1	Revised per City of Apopka comments	02/27/2018	

Designed by CLG Checked by JRH
Issued for Date

Preliminary Development Dec. 28, 2017

Plan Approval

Vertical Datum NAVD 1988

Existing Conditions Plan

JAMES R. HOFFMAN

LICENSE NO. 75623

STATE OF FLORIDA

PROFESSIONAL ENGINEER

Project Number 62799.01

May 11, 2018

DATE

PROPOSED ZONING	MINDED (KPI)
PROPOSED SINGLE-FAMILY UNITS (included in RPI)	162
TOTAL GROSS AREA	51,006 Ac.
TOTAL WETLANDS	
TOTAL SURFACE WATER ACRES	0.00 Ac.
TOTAL UPLAND BUFFERS	1.37
TOTAL PRESERVED UPLANDS (INCLUDING UPLAND BUFFERS)	4.51
TOTAL PRESERVED OPEN SPACE	8.88 Ac.
IMPACTED WETLAND ACRES	0.00
TOTAL STORMWATER PROVIDED	7.01
NET DEVELOPABLE ACRES	37.17 Ac.
OPEN SPACE	2.16 Ac.
DEDICATED PUBLIC ROW	9.23 Ac.
NET DENSITY	4.09 DU/AC

*WHERE CORNER LOT BACKS UP TO THE SIDE OF A LOT, CORNER SIDE SETBACK SHALL BE 15'

PRODUCT TYPE	SINGLE FAMILY
NUMBER OF UNITS	1/2
MAX BUILDING HEIGHT	36' (2 STORIES)
MIN LOT WIDTH (PROVIDED)	50'
MIN LOT DEPTH (PROVIDED)	34'-0"
MIN. LIVING AREA	1,500 S.F. (3)
MAX LOT COVERAGE	35% (4)
MIN. BUILDING SETBACKS:	
FRONT	15' (1)
REAR	20' (2)
STREET SIDE	10' (1/2) (3)
SIDE	5'
PORCH	4'
DRIVEWAYS (CORNER LOTS)	40' TO CENTER OF INTERSECTION
WETLAND / INRVE ELEVATION SETBACK	50'

PHASING:

THIS PROJECT WILL BE DEVELOPED IN ONE (1) PHASE

POTABLE WATER SERVICE:	CITY OF APOPKA
WASTEWATER, RECLAIMED SERVICE:	CITY OF APOPKA
ELECTRIC SERVICE:	DUKE ENERGY
FIRE PROTECTION:	CITY OF APOPKA
SCHOOL AGE POPULATION:	61 (152 UNITS)
AVERAGE DAILY TRAFFIC PER ITE 210 (10TH EDITION):	1528
P.M. PEAK HOUR TRIPS	152

TOTAL GROSS AREA	REQUIRED OPEN SPACE (20%)* ¹	PROVIDED OPEN SPACE ²	
61.06 ac.	10.21 ac.	PRESERVED WETLANDS	1.00 ac.
		UPLAND BUFFERS	1.31 ac.
		PRESERVED UPLANDS	4.51 ac.
		OPEN SPACE TRACTS	2.16 ac.
		OS-1	0.61 ac.
		OS-2	0.29 ac.
		OS-3	0.58 ac.
		OS-4	0.68 ac.
		HAZARD AREA	0.69 ac.
		STORMWATER	7.01 ac.
		TOTAL 18.70 ac.	

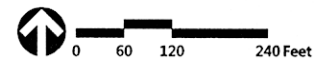
(1) PER SECTION 2 OF THE KELLY PARK INTERCHANGE FORM BASED CODE, 20% OF THE TOTAL AREA WITH THE NEIGHBORHOOD CHARACTER ZONE SHALL BE PUBLIC OPEN SPACE.

(2) PER SECTION 3 OF THE KELLY PARK INTERCHANGE FORM BASED CODE, PUBLIC OPEN SPACE IS DEFINED AS NATURALISTIC OR LANDSCAPED AREA USED PRIMARILY FOR PASSIVE RECREATION, ACTIVE RECREATION, VISUAL AMENITY, OR FOR PURPOSES OF ENVIRONMENTAL CONSERVATION, SPECIFICALLY INCLUDING GREENSPACES, PEDESTRIAN AND BICYCLE PATHWAYS, OUTDOOR RECREATION FACILITIES, WETLANDS, WOODLANDS, A NATIVE PLANT COMMUNITY CONSERVATION AREA AND PRESERVES, PUBLIC PARKS, AND STORMWATER AREAS THAT ARE VISUAL AMENITIES.

Lot Area Table			
Lot Number	Gross Area (Sq Ft)	Gross Area (Ac.)	Nominal Lot Width (ft)
77	8,461.47	0.19	50
78	8,449.25	0.19	50
79	6,609.00	0.15	55
80	6,600.00	0.15	55
81	6,600.00	0.15	55
82	7,752.64	0.18	50
83	7,981.82	0.18	55
84	6,600.00	0.15	55
85	6,600.00	0.15	55
86	6,600.00	0.15	55
87	8,044.59	0.18	55
88	7,665.87	0.18	55
89	6,600.00	0.15	55
90	6,600.00	0.15	55
91	6,600.00	0.15	55
92	7,969.98	0.18	55
93	6,736.99	0.15	55
94	6,486.35	0.15	55
95	6,363.77	0.15	55
96	6,291.48	0.14	55
97	6,452.66	0.15	55
98	6,371.35	0.15	55
99	8,006.58	0.18	55
100	7,546.20	0.17	55
101	6,573.30	0.15	55
102	6,990.00	0.15	55
102	6,900.00	0.15	50
104	6,590.53	0.15	50
105	8,065.81	0.19	50
106	6,556.90	0.15	50
107	12,517.88	0.29	50
108	12,495.42	0.29	50
109	6,343.46	0.15	50
110	6,340.46	0.15	50
111	6,343.45	0.15	50
112	6,343.46	0.15	50
113	6,343.46	0.15	50
114	9,021.71	0.21	50
115	10,251.36	0.24	50
116	6,116.13	0.14	50
117	6,116.13	0.14	50
118	6,116.13	0.14	50
119	6,116.13	0.14	50
120	6,116.13	0.14	50
121	6,116.13	0.14	50
122	6,116.13	0.14	50
123	6,116.13	0.14	50
124	6,116.13	0.14	50
125	6,116.13	0.14	50
126	6,116.13	0.14	50
127	7,262.93	0.17	50
128	6,630.48	0.15	50
129	7,466.50	0.17	50
130	8,212.95	0.19	55
131	7,872.60	0.18	55
132	7,326.72	0.17	55
133	6,721.90	0.15	55
134	6,474.08	0.15	55
135	6,272.45	0.14	55
136	6,059.00	0.14	55
137	7,013.87	0.16	55
138	6,465.87	0.15	50
139	5,500.00	0.13	50
140	5,500.00	0.13	50
141	5,500.00	0.13	50
142	5,500.00	0.13	50
143	5,500.00	0.13	50
144	5,500.00	0.13	50
145	7,273.72	0.17	50
146	12,779.32	0.29	50
147	1,2838.89	0.29	50
148	7,691.30	0.18	50
149	6,000.00	0.14	50
150	6,000.00	0.14	50
151	6,000.00	0.14	50
152	7,176.09	0.16	50

NOTE:
THE PLAT WILL BE PROVIDED WITH THE
FINAL DEVELOPMENT PLAN.

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Designed by CLG		Checked by JRH	

Issued for _____ Date _____

Preliminary Development Dec. 28, 2017

Plan Approval

Plan Approval
Vertical Datum: NAVD 1988

Vertical Datum NAVD 1988

Drawing Title
M. ... G. ... P. ...

Master Site Plan &

Site Date: _____

Site Data

11/11/2011 11:11:11 AM

HOEF

WILLIS R. ROFFM

MESENSE

~~AMERICAN~~ ~~LICENSE~~ ~~PLANT~~ ~~NUMBER~~

11

NO 75623

NO. 75623

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DE

STATE OF Ill.

ER

PR... FLORIDA... JEE

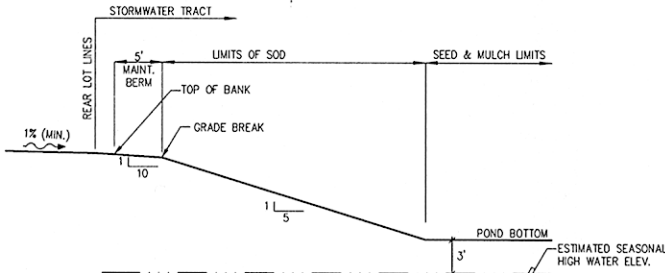
James R. Hoffman, P.E.

75623 _____
Project Number

DATE: May 14, 2018 162799.01

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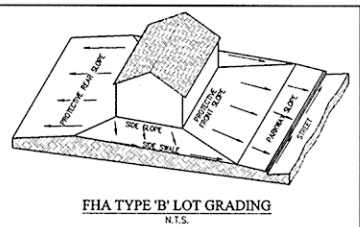
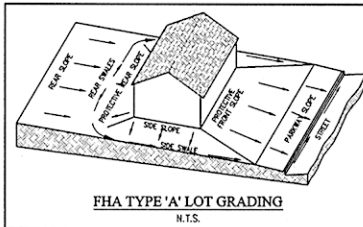
Ownership/Maintenance Table			
Tract	Description	Area (Ac.)	Ownership/Maintenance
OS-1	Open Space	0.61	Homeowners Association
OS-2	Open Space	0.29	Homeowners Association
OS-3	Open Space	0.58	Homeowners Association
OS-4	Open Space	0.68	Homeowners Association
OS-5	Open Space	0.03	Homeowners Association
SW-1	Stormwater/Open Space	7.01	Homeowners Association w/ Easement to City of Apopka
A-1	Amenity Area	0.65	Homeowners Association
LS-1	Lift Station	0.03	City of Apopka
U-1	Upland	4.51	Homeowners Association



POND SLOPES & MAINTENANCE BERMS SHALL BE IN ACCORDANCE WITH CITY OF APOPKA LDC SECTION 6.025.00 D.1.6

Typical Dry Pond Detail

N.T.S.



NOTES:

1. LOT GRADING TYPES ARE ASSUMED. FINAL LOT GRADING TO BE DETERMINED WITH ENGINEERING PLANS.
2. FINISH GRADES FOR PROPOSED IMPROVEMENTS SHALL BE DETERMINED WITH ENGINEERING PLANS. FINISHED GRADES MAY VARY FROM EXISTING CONDITIONS BY MORE THAN 1'.
3. PROPOSED GRADES TO TIE INTO EXISTING GRADES AT ALL BOUNDARY CONDITIONS.

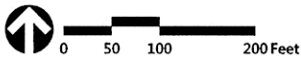


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Legend

- PSP BOUNDARY
- PROPOSED STORM DRAIN, CURB INLET, MANHOLE
- PROPOSED SANITARY SEWER & MANHOLE
- PROPOSED WATERMAIN & GATE VALVE
- PROPOSED FIRE HYDRANT ASSEMBLY
- PROPOSED RECLAIMED WATER & GATE VALVE
- PROPOSED FORCEMAIN

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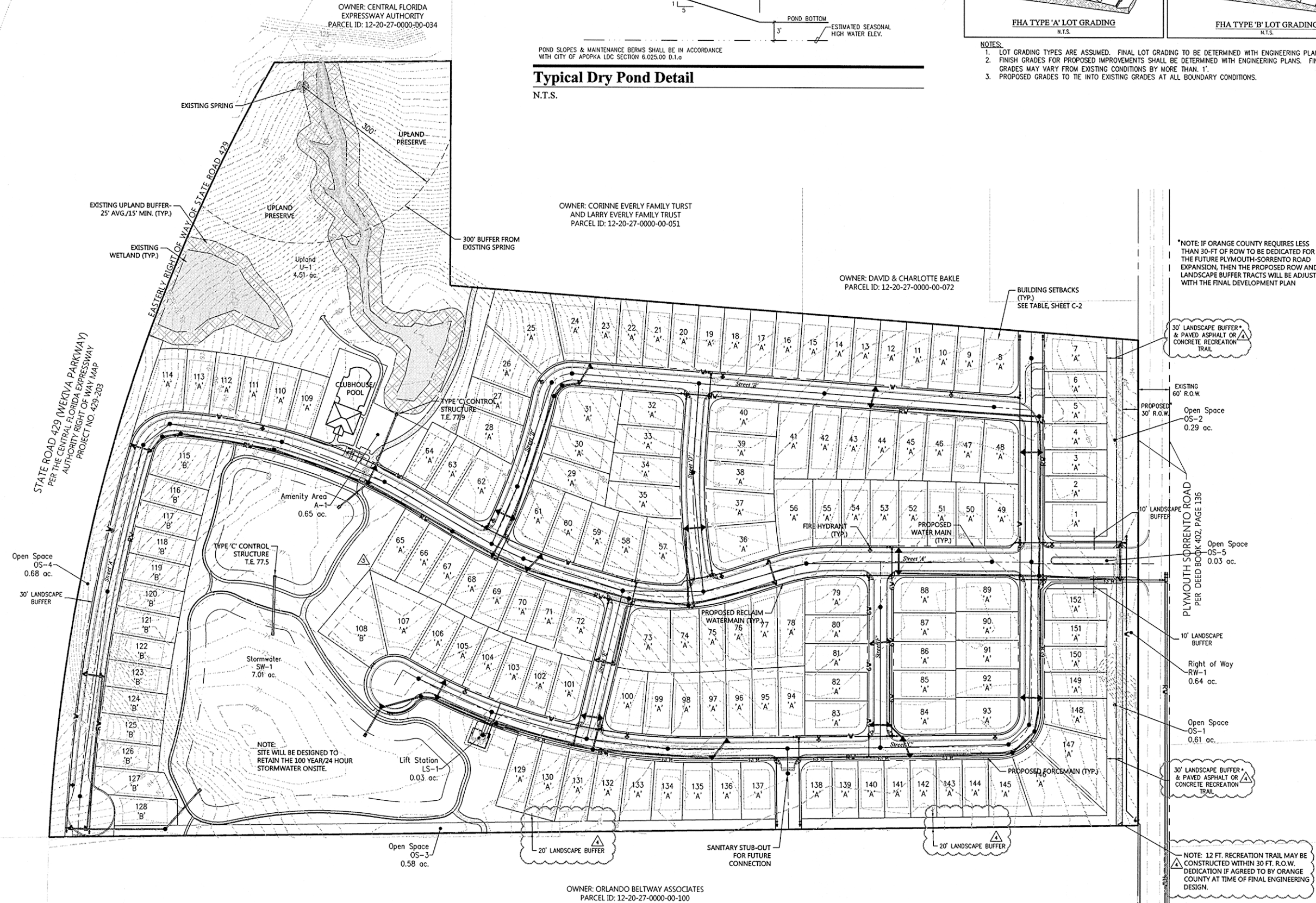
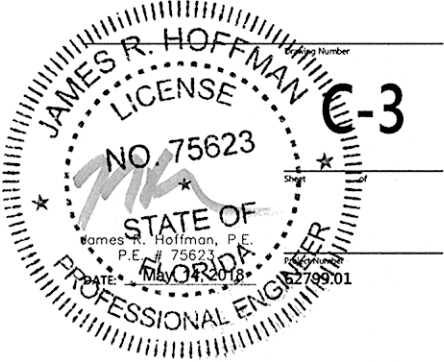


Bridle Path Mixed KPI

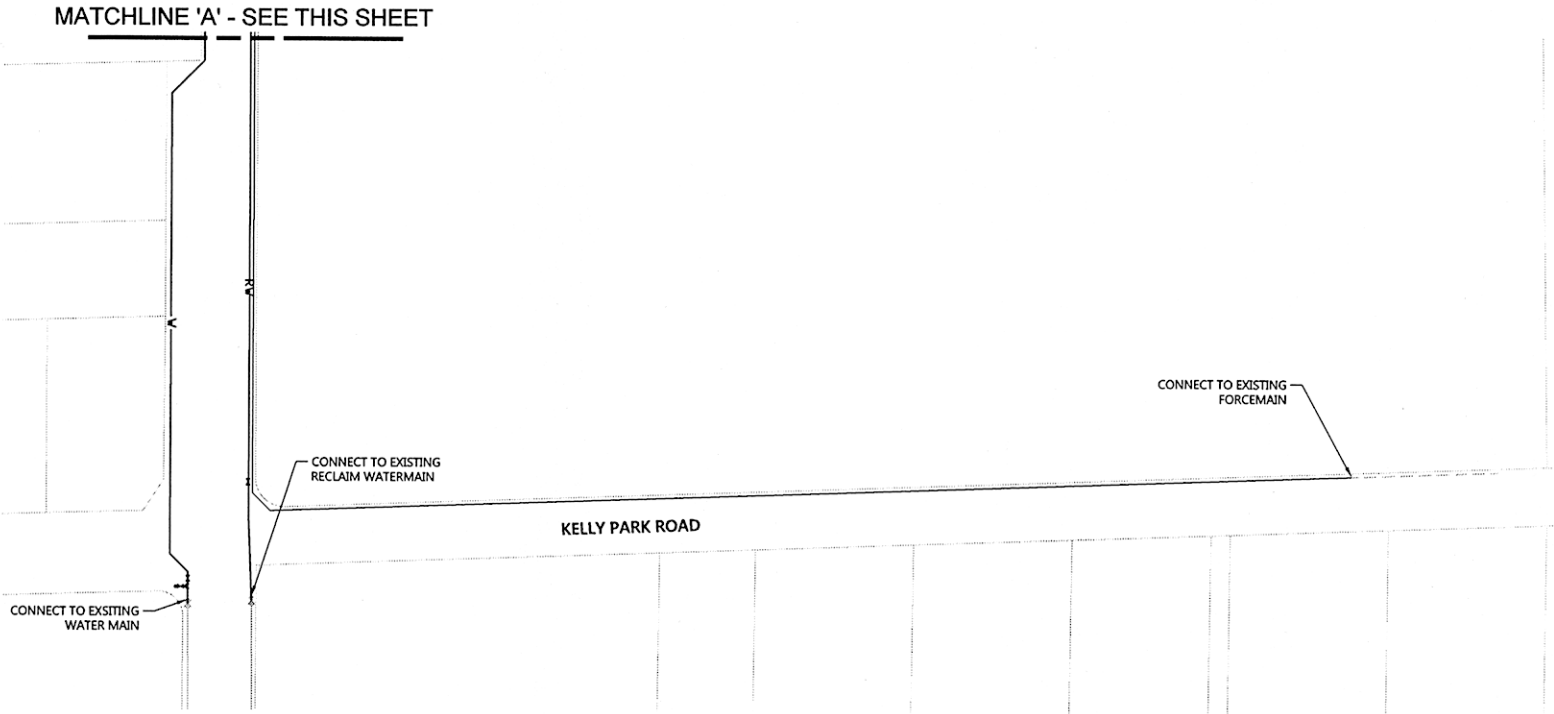
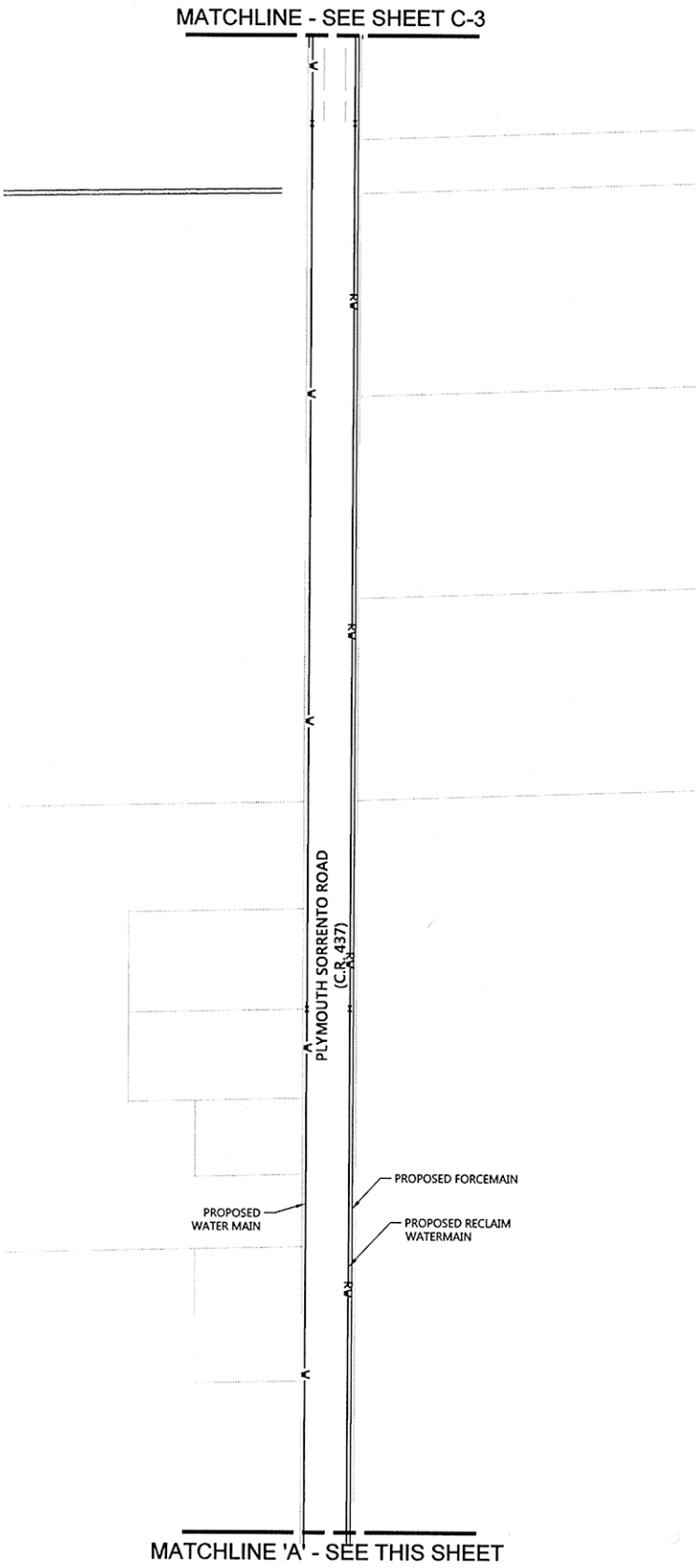
City of Apopka, Florida

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Designed by		CLG	Checked by JRH
Issued for		Date	

Preliminary Development
Plan Approval
Vertical Datum NAVD 1988
Drawing Title
Drainage & Utility Plan



MATCHLINE - SEE SHEET C-4

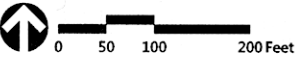


- Legend**
- PSP BOUNDARY
 - PROPOSED STORM DRAIN, CURB INLET, MANHOLE
 - PROPOSED SANITARY SEWER & MANHOLE
 - PROPOSED WATERMAIN & GATE VALVE
 - PROPOSED FIRE HYDRANT ASSEMBLY
 - PROPOSED RECLAIMED WATER & GATE VALVE
 - PROPOSED FORCEMAIN

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Designed by: CLG Checked by: JRH

Issued for: Preliminary Development Date: Dec. 28, 2017

Plan Approval

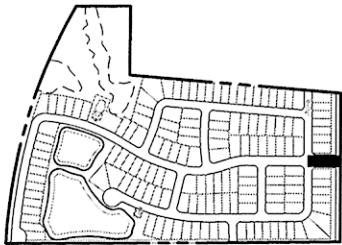
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**Offsite Utility
Improvements Plan**

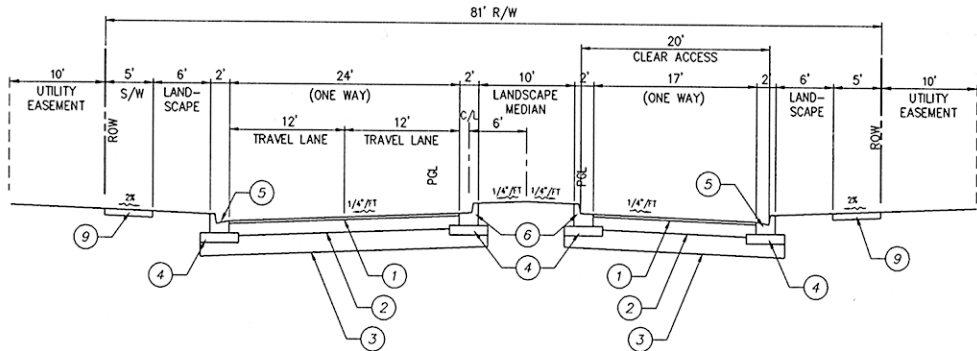
JAMES R. HOFFMAN
LICENSE
NO. 75623
STATE OF
FLORIDA
PROFESSIONAL ENGINEER

€-4

Project Number: 62799.01



KEY MAP



A - Typical Entrance Road Section (76' ROW)

N.T.S.

LEGEND:

- 1 ASPHALT
- 2 BASE
- 3 SUBGRADE
- 4 6" STABILIZED SUBGRADE IN CURB AREA TO EXTEND 12" EACH SIDE TO 50 FBV
- 5 TYPE 'F' CONC. CURB
- 6 TYPE 'F' CONC. CURB (MODIFIED)
- 7 2" RIBBON CONC. CURB
- 8 2" MIAMI CONC. CURB
- 9 4" CONC. SIDEWALK (3000 P.S.I.)+

NOTE: FINAL PAVEMENT SECTIONS WILL BE DETERMINED AT TIME OF CONSTRUCTION PLAN SUBMITTAL.



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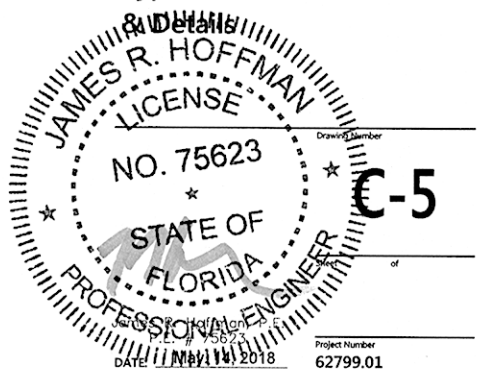
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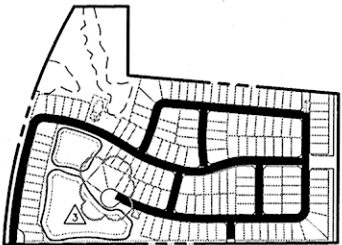
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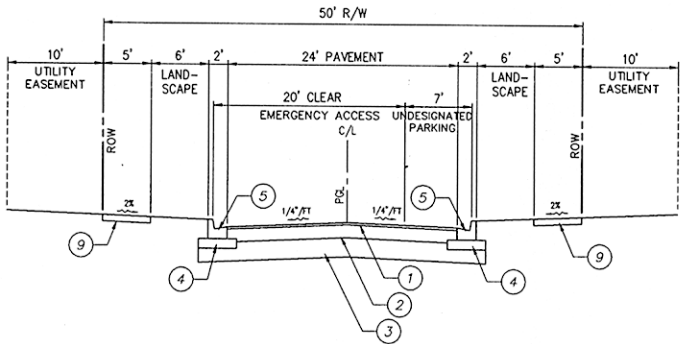
Typical Sections



DATE: 11/14/2018 Project Number: 62799.01



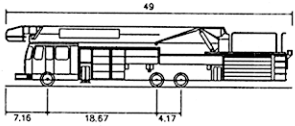
KEY MAP



NOTE: NO PARKING SIGNAGE SHALL BE PROVIDED ON ONE SIDE OF STREET

C - Typical Road Section - Parking One Side (50' ROW)

N.T.S.

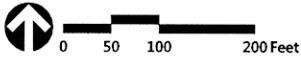


FT-Aerial - Orange Co
Overall Length 49.000ft
Overall Width 7.16ft
Overall Body Height 18.67ft
Min. Body Ground Clearance 4.17ft
Track Width 6.70ft
Lock-to-lock time 6.00s
Curb to Curb Turning Radius 32.280ft



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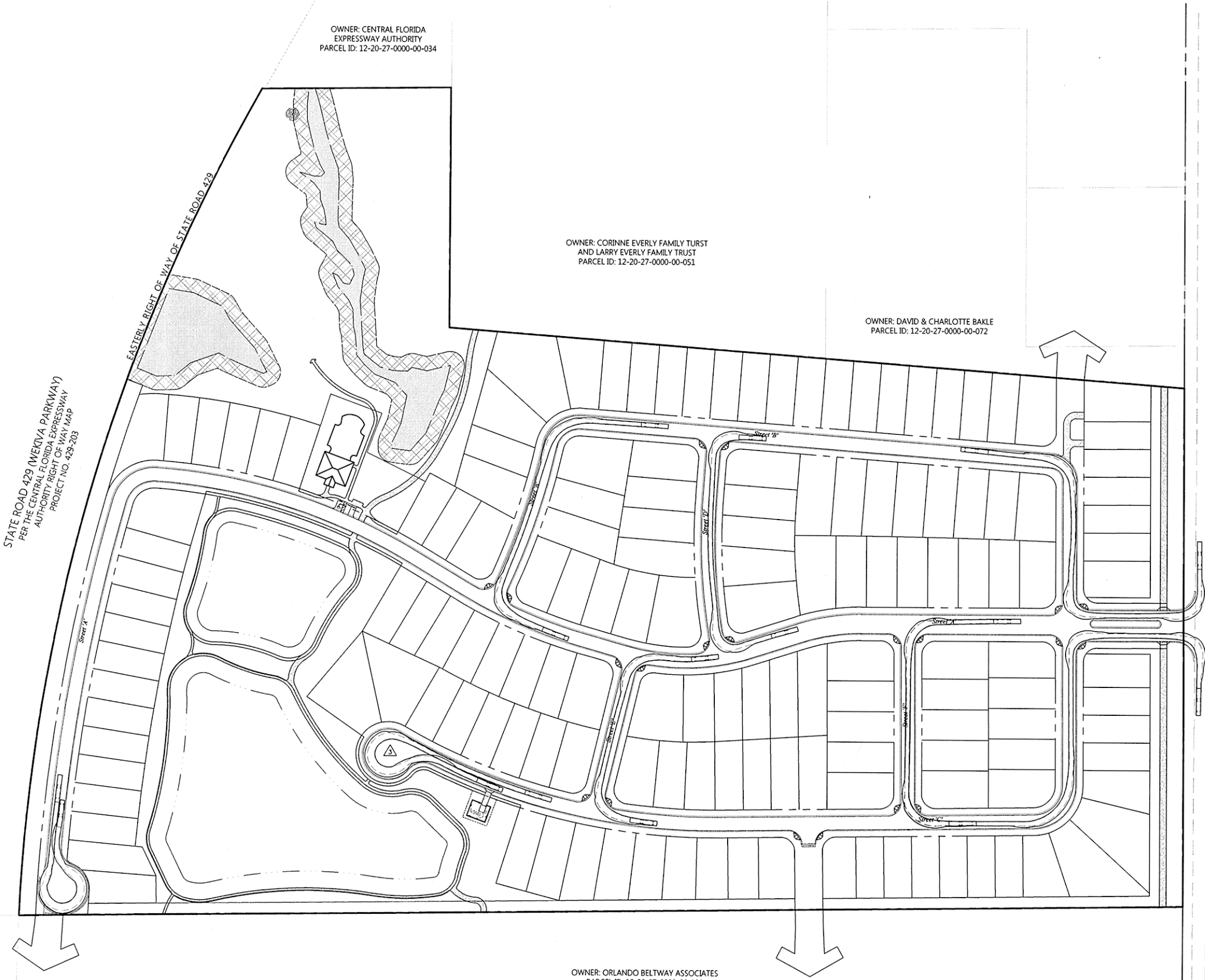
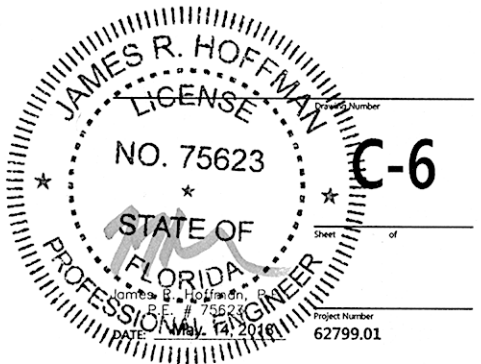
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Designed by		Checked by	
CLG		JRH	

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Vertical Datum NAVD 1988

Dec. 28, 2017

Fire Access Plan



PLYMOUTH SORRENTO ROAD
PER DEED BOOK 402, PAGE 136

Tree Chart

Total Inches To Be Preserved	Total Inches To Be Removed	Total Replacement Inches Required	Trees Provided (3" Min.)	Proposed Replacement Trees	Caliper Provided (3" Min.)	Total Inches Provided
2,891	3,573	3,573	CANOPY (PARKS)	202	4	808"
			STREET TREES	293	4	1,172"
			HOMES (152 @ 3 PER LOT)	456	3.5	1,596"
				TOTAL		3,576"

Point #	Description
1008	37" OAK
1009	51" OAK
1010	48" OAK
1011	35" OAK
1012	32" OAK
1013	39" OAK
1014	28" OAK
1015	20" PINE
1016	28" OAK
1017	22" TREE
1029	30" OAK
1030	29" OAK
1031	22" OAK
1032	35" OAK
1033	46" OAK
1034	55" OAK
1037	46" OAK
1049	23" OAK
1050	20" PINE
1051	22" PINE
1052	13" CAMPHOR
1062	23" OAK
1063	24" PINE
1064	22" PINE
1065	37" OAK
1068	56" OAK
1077	28" OAK
1078	43" OAK
1079	39" OAK
1080	33" OAK
1081	23" OAK
1082	39" OAK
1083	22" OAK
1084	35" OAK
1085	28" OAK
1086	29" OAK
1104	41" OAK
1105	48" OAK
1106	30" OAK
1107	24" OAK

Point #	Description
1108	36" OAK
1109	52" OAK
1111	41" OAK
1112	40" OAK
1113	52" OAK
1116	36" OAK
1117	19" OAK
1119	36" OAK
1123	60" OAK
1157	72" OAK
1158	52" OAK
1174	27" PINE
1175	51" OAK
1176	13" PALM
1177	27" PINE
1178	43" OAK
1179	33" OAK
1180	41" OAK
1181	33" OAK
1183	36" OAK
1184	30" OAK
1185	29" OAK
1192	51" OAK
1193	35" OAK
1194	36" OAK
1195	24" OAK
1196	22" OAK
1197	22" OAK
1198	28" OAK
1199	28" OAK
1235	36" OAK
1236	48" OAK
1237	36" OAK
1238	36" OAK
1239	48" OAK
1241	30" OAK
1242	36" OAK
1243	28" OAK
1266	18" OAK
1287	60" OAK
1288	36" OAK

Point #	Description
1273	32" OAK
1274	36" OAK
1275	50" OAK
1276	48" OAK
1293	30" OAK
1294	24" OAK
1295	32" OAK
1296	24" OAK
1297	35" OAK
1298	28" OAK
1299	36" CAMPHOR
1305	39" OAK
1306	24" OAK
1307	29" OAK
1326	48" OAK
1327	24" OAK
1328	36" PINE
1329	35" OAK
1330	36" OAK
1331	52" OAK
1332	24" PINE
1333	32" OAK
1340	32" OAK
1341	48" OAK
1342	30" OAK
1343	24" OAK
1344	30" OAK
1345	35" OAK
1346	32" OAK
1353	32" PINE
1354	24" PINE
1355	36" PINE
1356	30" PINE
1357	24" OAK
1358	30" PINE
1359	34" PINE
1360	24" PINE
1361	36" OAK
1362	30" OAK
1363	30" PINE
1364	24" PINE

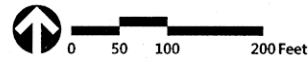
Point #	Description
1365	24" PINE
1366	32" PINE
1367	24" PINE
1368	24" OAK
1369	30" OAK
1370	33" PINE
1380	30" OAK
1381	60" OAK
1382	42" OAK
1383	60" OAK
1384	38" OAK
1385	57" OAK
1386	16" PINE
6001	24" PINE
6003	16" PINE
6004	26" PINE
6006	20" PINE
6009	24" PINE
6010	20" PINE
6013	20" PINE
6015	24" PINE
6016	25" PINE
6018	14" PINE
6020	20" PINE
6022	15" PINE
6023	24" PINE
6025	24" OAK
6026	24" PINE
6027	16" PINE
6028	20" PINE
6029	24" PINE
6039	20" PINE
6040	20" PINE
6041	20" PINE
6044	34" OAK
6047	25" PINE
6048	24" PINE
6049	34" OAK
6050	15" PINE
6051	26" PINE
6053	25" PINE

Point #	Description
6054	16" PINE
6056	34" OAK
6057	40" OAK
6062	24" PINE
6073	24" PINE
6074	24" PINE
6077	42" OAK
6078	24" PINE
6081	25" PINE
6082	25" PINE
6085	20" PINE
6086	16" PINE
6089	24" PINE
6090	23" PINE
6093	24" PINE
6094	24" PINE
6096	24" PINE
6097	16" PINE
6100	16" PINE
6101	16" PINE
6104	38" OAK
6105	60" OAK
6108	42" OAK
6115	38" OAK
6141	20" PINE
6142	20" PINE
6145	42" OAK
6146	52" OAK
6148	48" OAK
6149	36" OAK
6152	46" OAK
6154	48" OAK
6156	42" OAK
6157	32" OAK
6160	60" OAK
6161	32" OAK
6164	42" OAK
6165	52" OAK



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City of Apopka, Florida

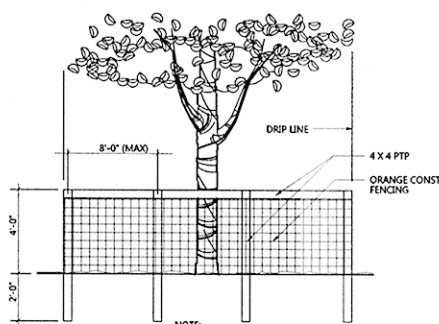
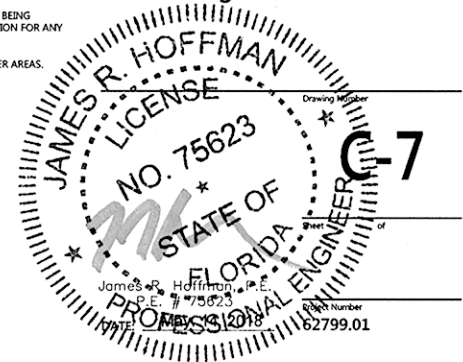
No.	Revision	Date	Appr.
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4	Revised per City of Apopka comments	05/14/2018	
3	Revised per City of Apopka comments	04/10/2018	
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1	Revised per City of Apopka comments	02/27/2018	

Designed by	CLG	Checked by	JRH
Issued for		Date	

Preliminary Development
Plan Approval
Vertical Datum NAVD 1988

Tree Removal and Tree Mitigation Plan



EXISTING TREE PROTECTION DETAIL
N.T.S.

GENERAL NOTES:

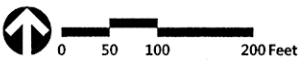
1. RESIDENTIAL PDP'S SHALL COMPLY WITH SECTION 5.01.07 CONCERNING MINIMUM NUMBER OF TREES PER LOT. EXISTING TREES SHALL BE PRESERVED AS FEASIBLE IN ACCORDANCE WITH SECTION 4.5 OF THE DEVELOPMENT DESIGN GUIDELINES.
2. TREE REMOVAL MITIGATION PER LOT IS THE RESPONSIBILITY OF EACH LOT OWNER AND SHALL BE CONSISTENT WITH THIS TREE SURVEY/REMOVAL/REPLACEMENT PLAN.
3. ANY TREES PROPOSED TO BE PRESERVED ON THIS PLAN SHALL NOT HAVE ANY FILL OR EXCAVATION AT POINTS CLOSER THAN SIX (6) FEET FROM THE BASE OF THE TREE OR AT THE RADIUS OF THE DRIP-LINE OF THE PROTECTED TREE OR STAND OF TREES, WHICHEVER IS GREATER.
4. A TREE PRESERVATION/MITIGATION PLAN IS INCLUDED WITH THIS PDP SUBMITTAL DUE TO FINAL SITE ENGINEERING EVALUATION, UP TO (BUT NO MORE THAN) 10% OF THE AMOUNT OF TREES (BY INCHES) SHOWN TO BE PRESERVED MAY BE REMOVED, PROVIDED SUCH REMOVALS ARE REFLECTED IN AN ADJUSTED TREE PRESERVATION/MITIGATION PLAN SUBMITTED AND APPROVED BY THE ZONING ARBOR OFFICE PRIOR TO REMOVALS. SUCH REMOVALS AND MITIGATIONS SHALL BE IN ACCORDANCE WITH REGULAR MITIGATION REQUIREMENTS, AND SHALL NOT BE CONSIDERED A VIOLATION.
5. BUILDER WILL BE RESPONSIBLE FOR REPLACING ANY TREE IDENTIFIED AS BEING "PRESERVED" THAT WAS REMOVED, AND FOR PROVIDING TREE PROTECTION FOR ANY PRESERVED TREES.
6. NO TREES SHALL BE REMOVED FROM WETLAND OR UNDISTURBED BUFFER AREAS.



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NOTE:
SIDEWALKS FRONTING RESIDENTIAL
LOTS SHALL BE CONSTRUCTED BY
THE HOME BUILDER AT THE TIME OF
RESIDENTIAL LOT CONSTRUCTION.

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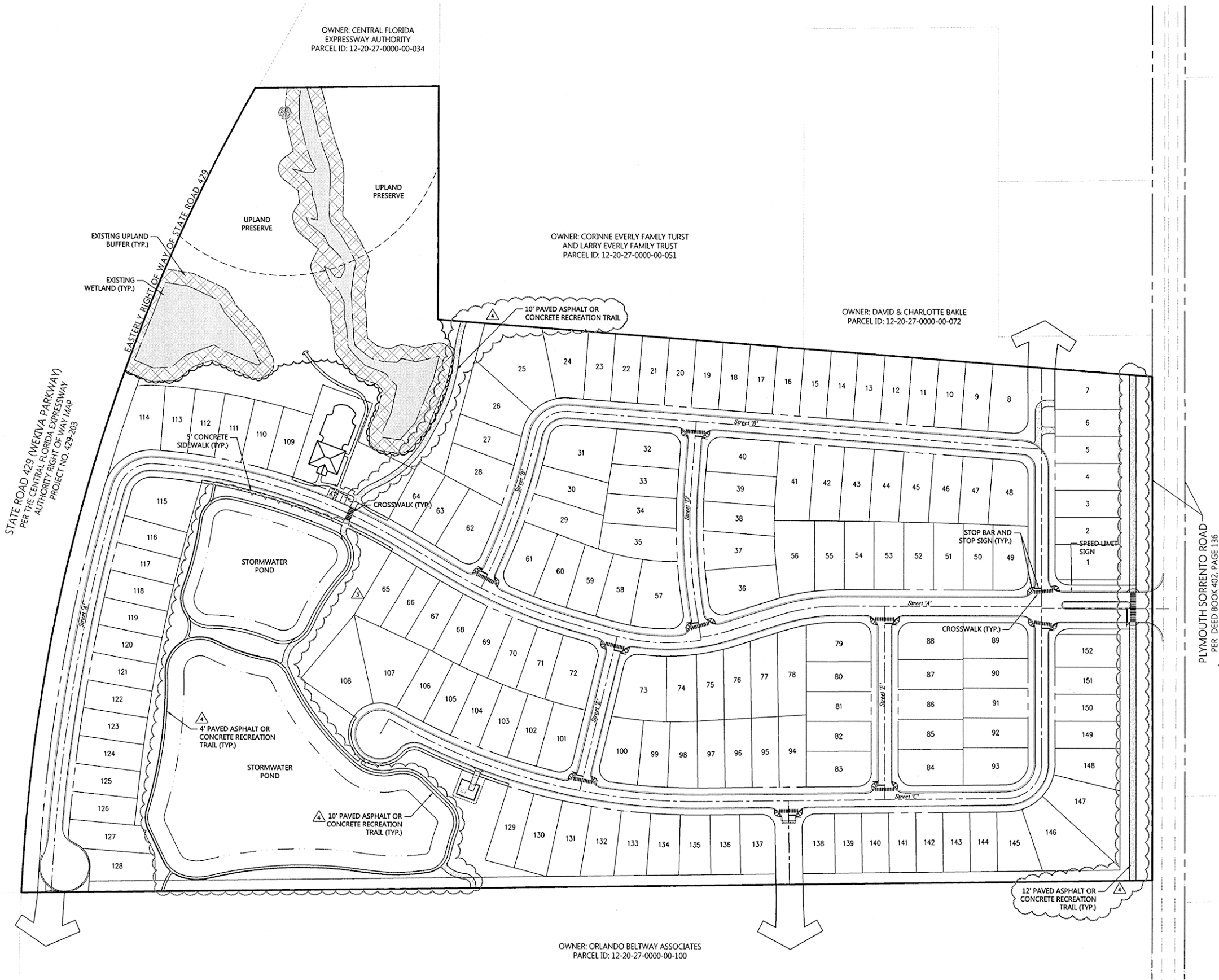
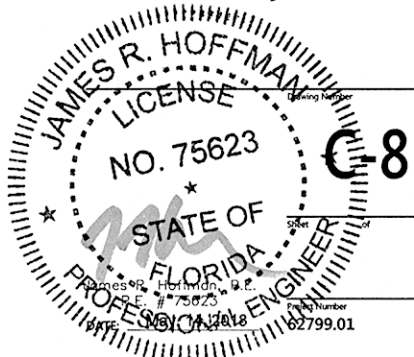
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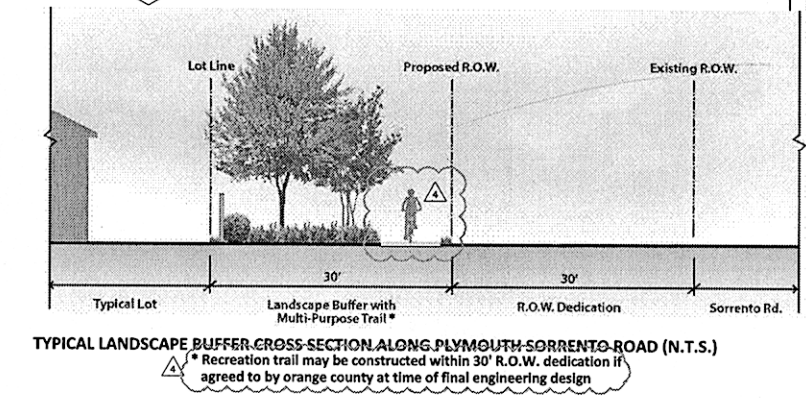
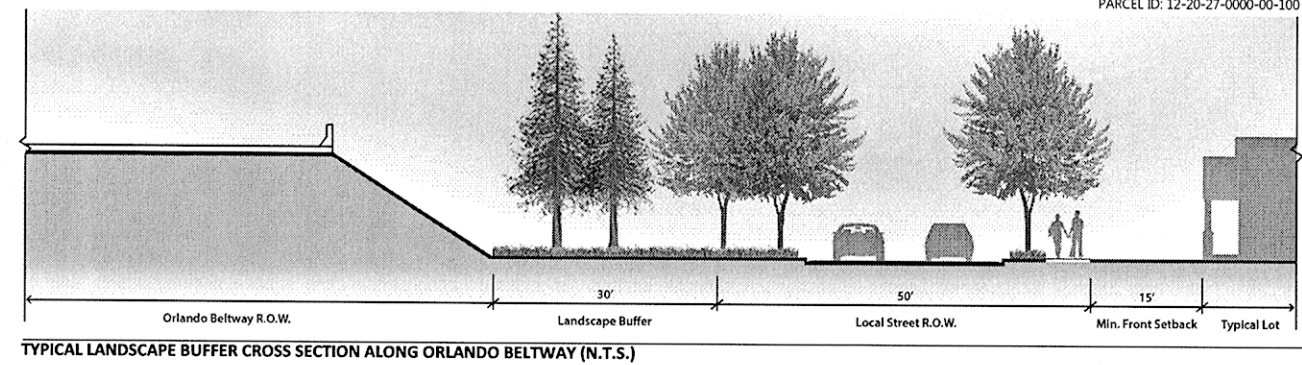
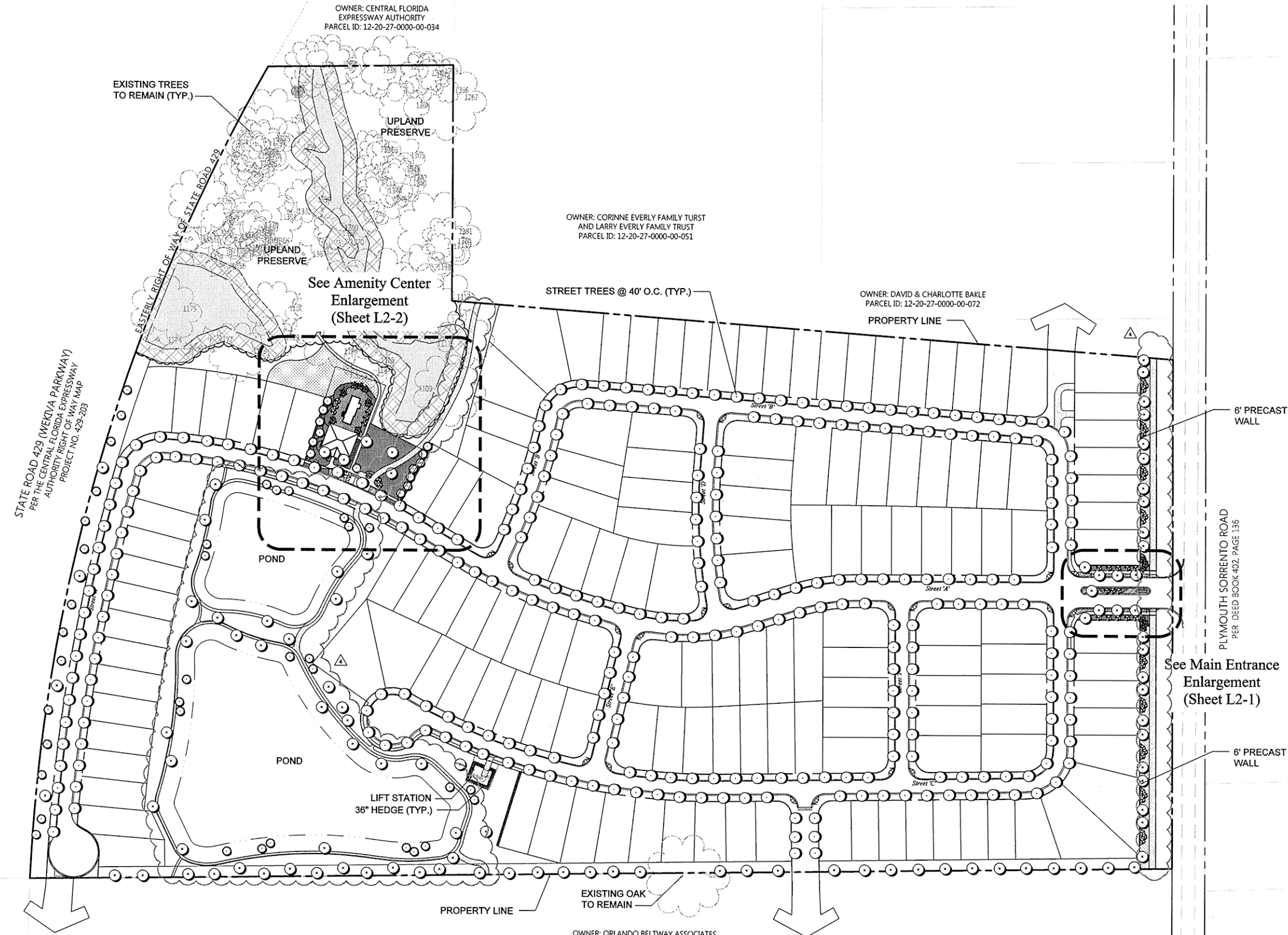
City of Apopka, Florida

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1	Revised per City of Apopka comments	03/27/2018	
Designed by		CLG	Checked by
			JRH

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Plan Approval**
Vertical Datum NAVD 1988

**Signage/Striping &
Pedestrian/Bicycle Plan**

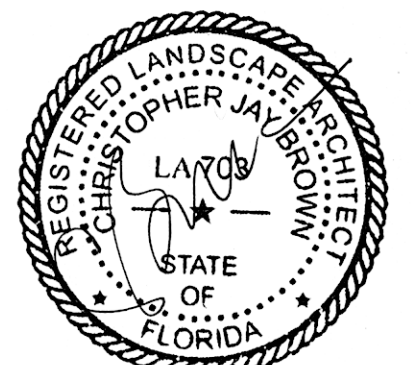




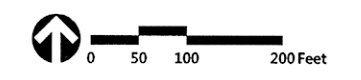
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Designed by: CLG
Checked by: JRH

Issued for: Preliminary Development
Plan Approval
Vertical Datum NAVD 1988

Date: Dec. 28, 2017

Overall Landscape Plan

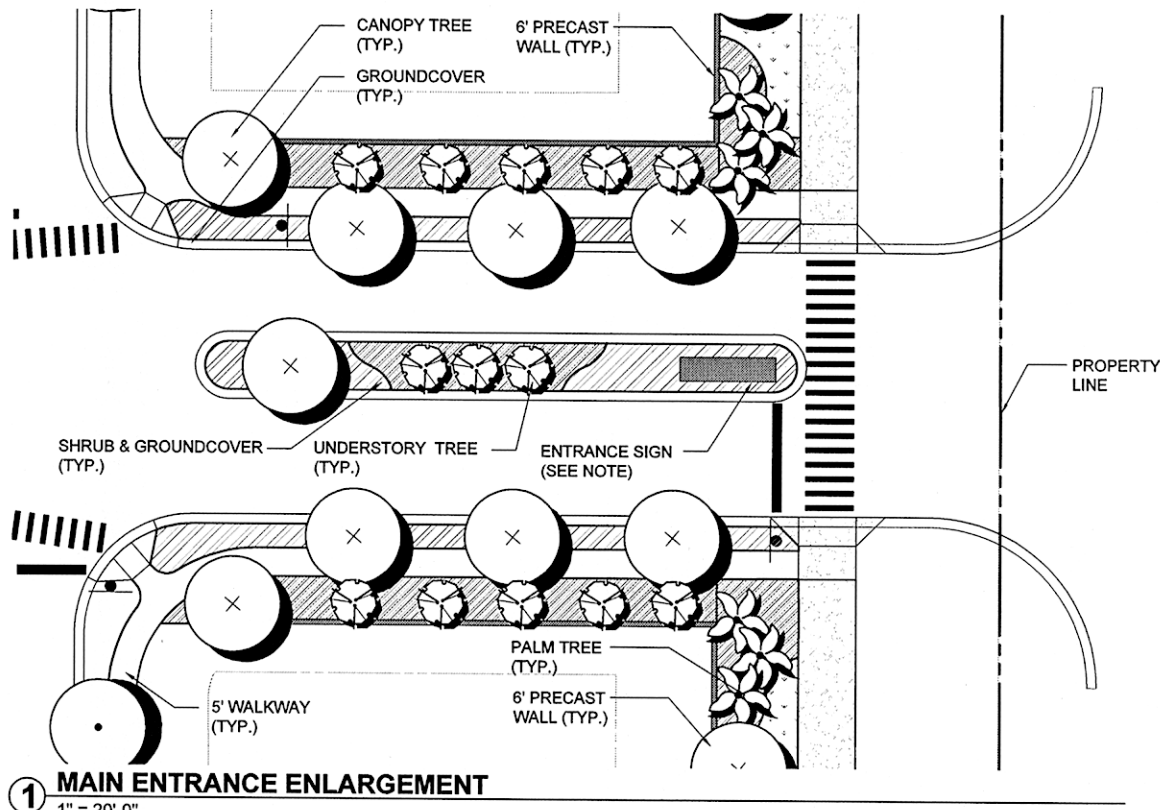
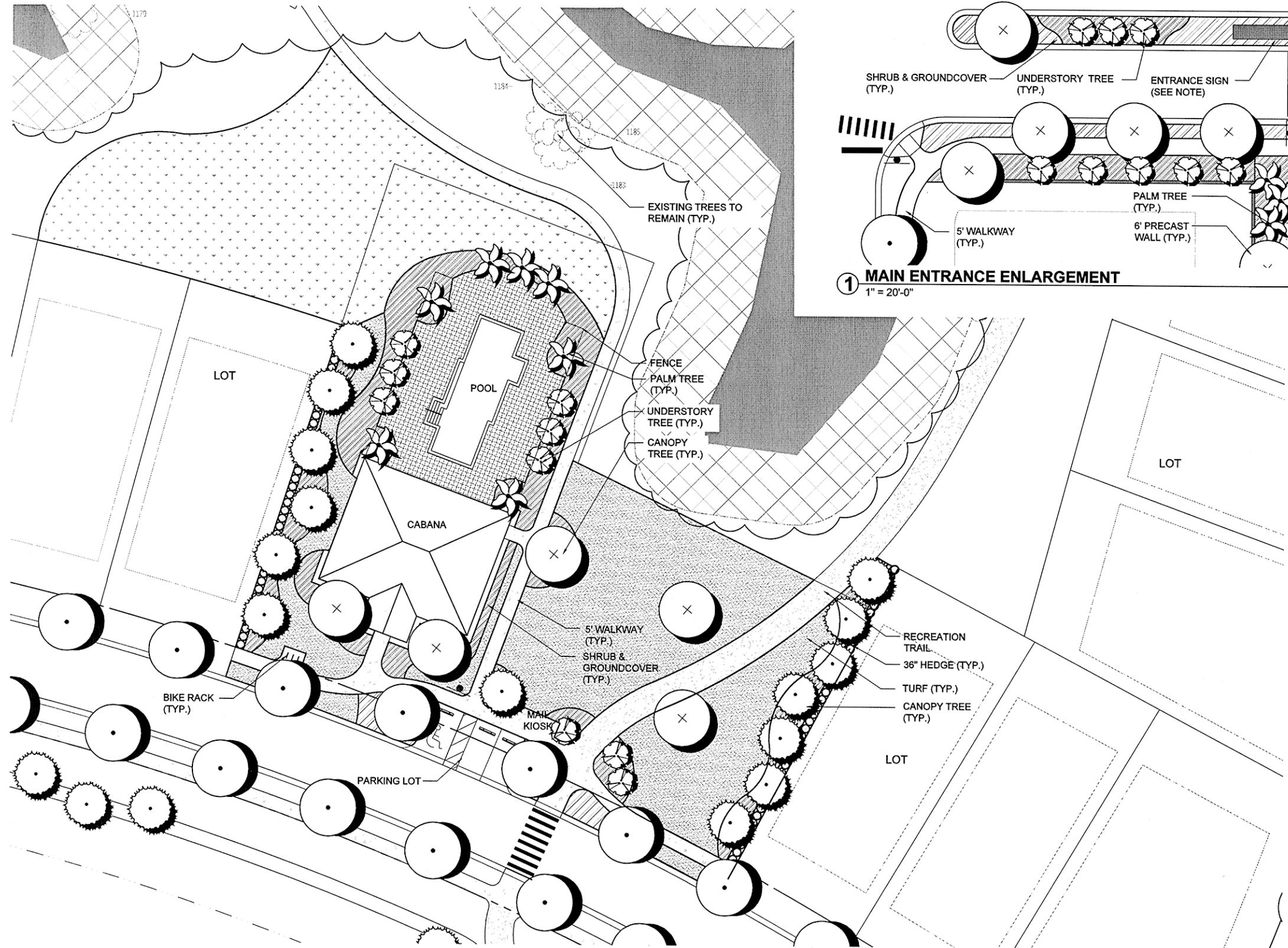
Drawing Number

L-1

Sheet of

Christopher J. Brown
LA 0000703
DATE: May 14, 2018

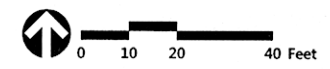
Project Number
62799.01



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NOTE:
ENTRANCE SIGN SHALL NOT
EXCEED 8-FEET IN HEIGHT.

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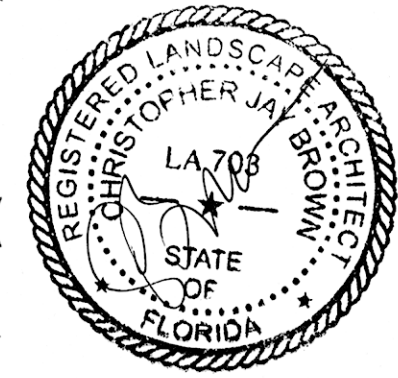


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Designed by: CLG
Checked by: JRH
Issued for: Preliminary Development Plan Approval
Vertical Datum NAVD 1988
Drawing Title: Landscape Planting Plan



Sheet **L-2** of

Christopher J. Brown
LA 000703
DATE: May 14, 2018

Project Number: 62799.01

LEGEND

TREES	COMMON NAME / BOTANICAL NAME	CONT	CAL	SIZE
CANOPY TREES				
(L)	Southern Live Oak / <i>Quercus virginiana</i>	B&B	4" Cal	16' Ht., 8' Spd. 6' CT.
(L)	Shumard Oak / <i>Quercus shumardii</i>	B&B	4" Cal	16' Ht., 8' Spd. 6' CT.
(L)	Allee Elm / <i>Ulmus parvifolia</i> 'Allee'	B&B	4" Cal	14' Ht., 8' Spd. 6' CT.
(L)	Southern Magnolia / <i>Magnolia grandiflora</i>	B&B	4" Cal	14' Ht., 8' Spd. 6' CT.
(L)	Red Maple / <i>Acer rubrum</i>	B&B	4" Cal	14' Ht., 8' Spd. 6' CT.
(L)	Sycamore / <i>Platanus occidentalis</i>	B&B	4" Cal	14' Ht., 8' Spd. 6' CT.
(L)	Southern Red Cedar / <i>Juniperus silicicola</i>	B&B	4" Cal	12' Ht., 6' Spd. 4' CT.
(L)	Bald Cypress / <i>Taxodium distichum</i>	B&B	4" Cal	12' Ht., 5' Spd. 4' CT.
(L)	'Emer II' Allee Elm / <i>Ulmus parvifolia</i> 'Emer II'	B&B	4" Cal	13' Ht., 9' Spd. 5' CT.
UNDERSTORY TREES				
(L)	Ligustrum / <i>Ligustrum japonicum</i>	B&B	4" Cal	8' Ht. x 10' Spd. (multi-trunk)
(L)	Tuscarora Crape Myrtle / <i>Lagerstroemia indica</i>	B&B	4" Cal	8' Ht., 5' Spd. 3' CT.
(M)	Yellow Trumpet Tree / <i>Tabebuia chrysotricha</i>	B&B	4" Cal	16' Ht., 14' Spd. 4' CT.
PALMS				
(L)	Sabal Palm / <i>Sabal palmetto</i>	B&B		8' -12' C.T.
(L)	Trachycarpus fortunei / Windmill Palm	B&B		8' -12' C.T.
(L)	Indian Date Palm / <i>Phoenix sylvestris</i>	B&B		8' -12' C.T.
SHRUBS / GROUND COVER				
	COMMON NAME / BOTANICAL NAME	CONT	CAL	SPACING
(M)	Walter's Viburnum / <i>Viburnum cbovatum</i>	7 gal	36" Ht., 24" Sp	30" o.c.
(L)	Sweet Viburnum / <i>Viburnum odoratissimum</i>	7 gal	36" Ht., 24" Spd.,	30" o.c.
(L)	Podocarpus / <i>Podocarpus macrophyllus</i>	7 gal	36" Ht., 24" Spd.,	30" o.c.
(L)	White Indian Hawthorn / <i>Raphiolepis indica</i>	3 gal	15" Ht., 18" Spd.	30" o.c.
(L)	Coccoloba / <i>Zamia floridana</i>	3 gal	15" Ht., 18" Spd.	24" o.c.
(M)	Fringe Flower / <i>Loropetalum chinensis</i>	3 gal	15" Ht., 18" Spd.	30" o.c.
(L)	Star Jasmine / <i>Trachelospermum asiaticum</i>	1 gal	12" Runners	24" o.c.
(L)	Flax Lily / <i>Dianella tasmanica</i> 'Variegata'	1 gal	15" Ht. x 15" Spd.	24" o.c.
(M)	Gold Mound Duranta / <i>Duranta erecta</i> 'Gold Mound'	3 gal	18" Ht., 24" Spd.	30" oc
(L)	Thyrallis / <i>Galphimia glauca</i>	3 gal	18" Ht., 24" Spd.	30" oc
(L)	Fire Bush / <i>Hamelia patens</i> 'Compacta'	3 gal	18" Ht., 24" Spd.	30" oc
(L)	Dwarf Burford Holly / <i>Ilex cornuta</i> 'Dwarf Burford'	3 gal	24" Ht., 24" Spd.	30" oc
(L)	Dwarf Yaupon / <i>Ilex vomitoria</i> 'Stokes Dwarf'	3 gal	18" Ht., 18" Spd.	24" oc
(L)	Pink Muhly / <i>Muhlenbergia capillaris</i>	1 gal	18" O.A.	24" oc
(M)	Philodendron / <i>Philodendron xanadu</i>	3 gal	24" Ht., 24" Spd.	30" oc
(L)	Plumbago / <i>Plumbago auriculata</i> cvs. 'Imperial Blue'	3 gal	24" Ht., 24" Spd.	30" oc
(L)	Blue Pacific Juniper / <i>Juniperus conferta</i>	3 gal	8" Ht., 24" Spd	30" o.c.
(L)	Tricolor Jasmine / <i>Trachelospermum asiaticum</i> 'Tricolor'	1 gal	12" Runners	18" oc
(L)	Asiatic Jasmine / <i>Trachelospermum asiaticum</i>	1 gal	12" Ht., 18" Spd.	24" oc
SOD				
(L)	Bahia Grass (<i>Paspalum notatum</i>) [Irrigated]			
(N/A)	Bahia Grass (<i>Paspalum notatum</i>) [Non-Irrigated]			

GENERAL LANDSCAPE NOTES

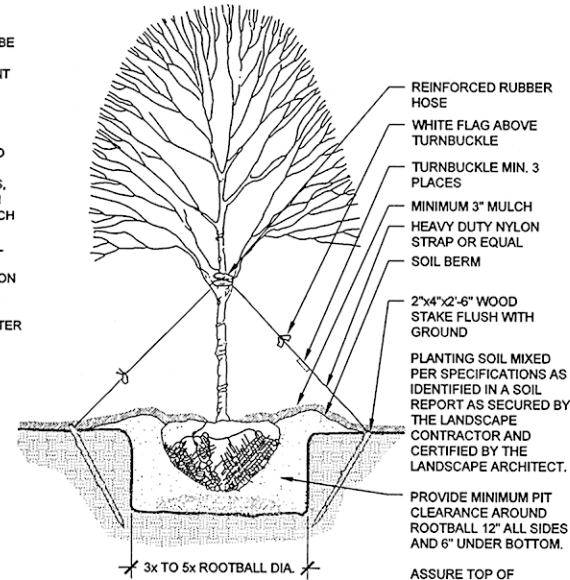
- 1) ALL ON-SITE EXISTING CONDITIONS INCLUDING SURFACE AND SUBSURFACE UTILITIES, GRADES, DIMENSIONS AND SOIL CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION BEGINS. THE CONTRACTOR SHALL BECOME FAMILIAR WITH ALL PLANS PREPARED BY OTHERS THAT AFFECT THE LANDSCAPE AND IRRIGATION WORK. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT.
- 2) EVERY POSSIBLE SAFEGUARD SHALL BE TAKEN TO PROTECT BUILDING SURFACES, EQUIPMENT, FURNISHINGS AND EXISTING PLANTING AREAS TO REMAIN INCLUDING LAWN. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE OR INJURY TO PERSON OR PROPERTY THAT MAY OCCUR AS A RESULT OF NEGLIGENCE IN THE EXECUTION OF THE CONTRACTOR'S WORK.
- 3) THE CONTRACTOR SHALL INTERFACE WITH OTHER WORK BEING PERFORMED BY OTHER CONTRACTORS. IT WILL BE NECESSARY FOR THE CONTRACTOR TO COORDINATE AND SCHEDULE ACTIVITIES, WHERE NECESSARY, WITH OTHER CONTRACTORS AND THEIR SUBCONTRACTORS. THE LANDSCAPE CONTRACTOR SHALL INSURE THAT THEIR WORK DOES NOT IMPACT ESTABLISHED OR PROJECTED DRAINAGE PATTERNS.
- 4) PRIOR TO PLANTING INSTALLATION, THE CONTRACTOR SHALL CONFIRM THE AVAILABILITY OF ALL THE SPECIFIED PLANT MATERIALS AND MAKE ARRANGEMENTS WITH THE LANDSCAPE ARCHITECT AND OWNER'S REPRESENTATIVE TO REVIEW AND MUTUALLY FIELD TAG AGREED UPON PLANT MATERIALS AT LEAST ONE (1) WEEK PRIOR TO DELIVERY TO SITE.
- 5) ALL PLANT MATERIAL SIZES SPECIFIED ARE MINIMUM SIZES. ALL CONTAINER AND TREE CALIPER SIZES ARE MINIMUM. CONTAINER OR CALIPER SIZE MAY BE INCREASED IF NECESSARY TO PROVIDE OVERALL PLANT SIZE SPECIFIED.
- 6) THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING EXISTING VEGETATION AS REQUIRED AND PREPARING PLANTING AREAS PRIOR TO INSTALLATION OF PLANT MATERIALS.
- 7) THE LANDSCAPE CONTRACTOR SHALL TEST PROJECT SOILS TO VERIFY THAT THE SOILS ON-SITE ARE ACCEPTABLE FOR PROPER GROWTH OF PLANT MATERIALS AND ADEQUATE DRAINAGE IN PLANT BEDS AND PLANTERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE LOCATION, AND PROCUREMENT OF EXISTING ON-SITE SOIL SAMPLES WITH THE LANDSCAPE ARCHITECT. REPRESENTATIVE SAMPLES SHALL BE SUBMITTED TO A CERTIFIED TESTING LABORATORY FOR ANALYSIS. THE FINDINGS, TOGETHER WITH RECOMMENDATIONS FOR AMENDING THE SOILS SHALL BE REVIEWED AND APPROVED BY THE OWNER, LANDSCAPE ARCHITECT, AND OWNER'S REPRESENTATIVE PRIOR TO DELIVERY AND INSTALLATION OF PLANT MATERIALS AT THE JOB.
- 8) THE LANDSCAPE CONTRACTOR SHALL INSURE ADEQUATE VERTICAL SOIL DEPTH AND DRAINAGE IN ALL PLANT BEDS AND PLANTERS. EXCAVATION OF COMPACTED FILL SHALL BE ACCOMPLISHED TO INSURE PROPER SOIL DEPTH AND DRAINAGE.
- 9) ALL PLANTING BEDS SHALL BE STAKED IN ACCORDANCE WITH THE PLANS AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL PROVIDE STAKES OR IRRIGATION FLAGS TO LOCATE THE EDGES OF ALL SHRUB AND GROUND COVER PLANT BEDS AND INDIVIDUAL TREES AND PALMS. IF EXISTING CONDITIONS DO NOT ALLOW THE DESIGN TO BE LAID OUT AS SHOWN, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.
- 10) ALL PROPOSED TREES SHALL BE INSTALLED EITHER ENTIRELY IN OR ENTIRELY OUT OF PLANTING BEDS. PLANTING BED OUTLINES SHALL NOT BE OBSTRUCTED AND SHALL BE SMOOTH AND FLOWING. IF TREES ARE LOCATED OUTSIDE PLANTING BEDS IN GRASS AREAS, MAINTAIN A MINIMUM THREE FEET 3" WIDE OFFSET TO ALLOW FOR MOWERS TO MANEUVER.
- 11) THE PLANT QUANTITIES SHOWN ON THE LANDSCAPE CONTRACT DOCUMENTS ARE FOR THE CONVENIENCE OF THE LANDSCAPE CONTRACTOR. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES AND REPORTING ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT FOR CLARIFICATION PRIOR TO CONTRACT AWARD AND COMMENCEMENT OF WORK.
- 12) THE LANDSCAPE CONTRACTOR SHALL VERIFY THE EXTENT OF GRASSING WORK IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING GRASS IN THE AREAS SHOWN ON THE PLAN IN SUFFICIENT QUANTITY TO PROVIDE FULL COVERAGE. ADDITIONAL GRASS REQUIRED WILL BE ADJUSTED BASED ON A SQUARE FOOTAGE UNIT PRICE. AREAS TO BE GRASSED SHALL BE AMENDED PER SOILS REPORT TO PROVIDE REQUIRED NUTRIENTS AND SOIL PH OF BETWEEN 6.0 AND 7.0.
- 13) THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING PLANTS, SPACED AS SPECIFIED ON THE PLANT LIST. WHEN INSTALLING SHRUBS IN PLANTING BEDS, SPACING OF MATERIAL SHALL TAKE PRECEDENCE OVER QUANTITY OF MATERIALS INDICATED FOR PLANTING AREAS. NOTIFY LANDSCAPE ARCHITECT IMMEDIATELY IF SUCH SITUATIONS ARISE. SHRUB AND GROUND COVER SPACING IS GENERALLY INDICATED ON THE PLANT LIST FOR ALL 'MASS PLANTINGS'. ACCENT SHRUBS AND TREES THAT ARE NOT PART OF MASS PLANTINGS SHALL BE SPACED AS SHOWN ON THE PLANS.
- 14) THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE STABILITY AND PLUMB CONDITION OF ALL INSTALLED PLANT MATERIALS. THE CONTRACTOR SHALL REMOVE ALL STAKING MATERIALS THE END OF THE GROW-IN PERIOD AND DISPOSE OFFSITE.
- 15) ALL PLANTING BEDS SHALL BE TOP-DRESSED WITH A 3" LAYER OF MULCH AS SPECIFIED. ALL TREES SHALL HAVE A 3" THICK MULCH RING PLACED AROUND THE BASE OF THE TRUNK. THE LANDSCAPE SCOPE OF WORK INCLUDES MULCHING AS AN INTEGRAL PART OF THE PROJECT.
- 16) ALL PLANT MATERIALS SHALL RECEIVE ADEQUATE WATERING BY THE LANDSCAPE CONTRACTOR AS REQUIRED UNTIL THE LANDSCAPE IRRIGATION SYSTEM IS FULLY OPERATIONAL AND UNTIL FINAL ACCEPTANCE BY OWNER.
- 17) ALL EXISTING PLANT BEDS TO REMAIN WITHIN THE CONSTRUCTION LIMIT LINE SHALL BE LEFT UNDISTURBED. EXISTING TREES TO REMAIN, AS NOTED ON THE DRAWINGS, SHALL BE LEFT UNDISTURBED AND PROTECTED BY WOODEN BARRICADES ERRECTED AT THE PERIMETER OF THE TREE DRIP-LINE (S). NO VEHICLE SHALL TRAVERSE THIS AREA NOR SHALL ANY STORAGE OF MATERIALS OR EQUIPMENT BE PERMITTED WITHIN THE AREA OF THE TREE DRIP-LINE(S). ANY EXISTING PLANT BEDS OR TREES DAMAGED BY CONSTRUCTION ACTIVITY SHALL BE REPLACED BY THE RESPONSIBLE PARTY AT THEIR OWN EXPENSE.
- 18) NO TREES SHALL BE PLANTED WITHIN DESIGNATED UTILITY CORRIDORS, PUBLIC RIGHT OF WAY NOR ANY PLANTS LOCATED WITHIN FOUR FEET (4') OF ANY SWALE CENTERLINE IDENTIFIED ON THE DRAWINGS. FIELD ADJUST AS NECESSARY AND REVIEW ADJUSTMENTS WITH THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- 19) THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL DEBRIS AND EXCAVATED BACKFILL OFF-SITE ON A DAILY BASIS AT NO ADDITIONAL COST TO THE OWNER.
- 20) SEE LANDSCAPE SPECIFICATIONS FOR FURTHER REQUIREMENTS.

APOPKA LAND DEVELOPMENT CODE NOTES

- 1) FINAL LANDSCAPE PLAN SHALL CONFORM TO THE "FLORIDA FRIENDLY PLAN" AND WILL BE CONSISTENT WITH APOPKA LAND DEVELOPMENT CODE.
- 2) ALL EXISTING INVASIVE EXOTIC PLANTS, AS LISTED ON THE FLORIDA EXOTIC PEST PLANT COUNCIL'S INVASIVE PLANT SPECIES LIST, SHALL BE REMOVED.
- 3) IRRIGATION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF APOPKA LAND DEVELOPMENT CODE (ORDINANCE NO. 2069, SECTION 5.01.10). AN IRRIGATION SYSTEM PROVIDING 100% COVERAGE TO ALL LANDSCAPE AREAS IS TO BE INSTALLED AND BE FULLY OPERATIONAL PRIOR TO THE INSTALLATION OF ANY SPECIFIED PLANT MATERIALS. THE OPERATION TIMES AND DURATIONS SHALL BE SCHEDULED TO PROVIDE NORMAL WATER REQUIREMENTS BASED ON PLANT MATERIAL TYPE, (I.E. TREES, SHRUBS, GROUND COVERS, AND SOD) PER APOPKA LAND DEVELOPMENT CODE SECTION 5.01.10. ALL IRRIGATION SYSTEMS SHALL HAVE A RAIN SENSOR DEVICE OR SWITCH WHICH WILL OVERRIDE THE IRRIGATION CYCLE WHEN ADEQUATE RAINFALL HAS OCCURRED.
- 4) THE IRRIGATION SYSTEM WILL BE PERMANENT FOR THE PURPOSE OF ESTABLISHING ALL PLANT MATERIAL ON SITE.
- 5) INSTALLATION OF PLANT MATERIAL SHALL BE PERFORMED IN ACCORDANCE WITH SECTION 5.01.00 OF THE LAND DEVELOPMENT CODE AND WITH SECTION M OF THE KELLY PARK INTERCHANGE FORM-BASED CODE.
- 6) ALL LANDSCAPE MATERIALS SHALL BE MAINTAINED IN A HEALTHY AND VIABLE STATE AFTER ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
- 7) AN IRRIGATION PLAN SHALL BE SUBMITTED WITH THE FINAL DEVELOPMENT PLAN SUBMITTAL THAT WILL PROVIDE 100% HEAD-TO-HEAD COVERAGE OF ALL TREES, SHRUB AND GROUND COVER AREAS (SEC 5.01.10).
- 8) LANDSCAPE AND IRRIGATION PLANS SHALL BE IN COMPLIANCE WITH "WATER WISE ORDINANCE 2069 AND COMPLETED BY A LICENSED LANDSCAPE ARCHITECT."

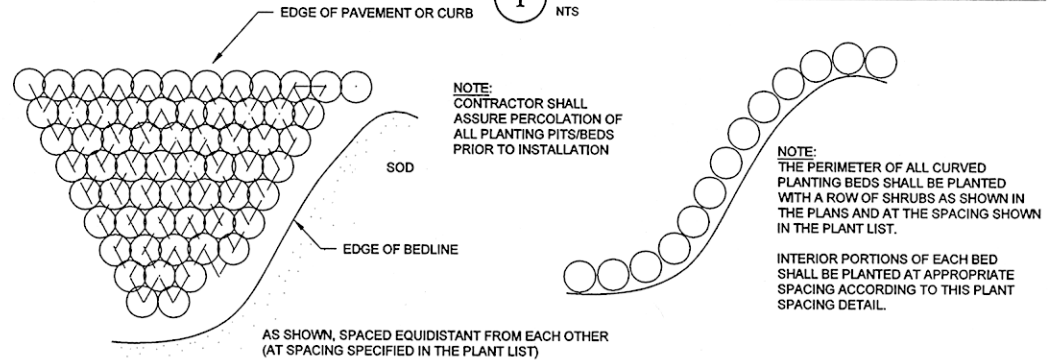
LANDSCAPE CONSTRUCTION DETAIL NOTE

ALL CONSTRUCTION DETAILS ARE CONCEPTUAL AND SUBJECT TO REVIEW AND MODIFICATION DURING APPROVAL OF FINAL CONSTRUCTION PLANS

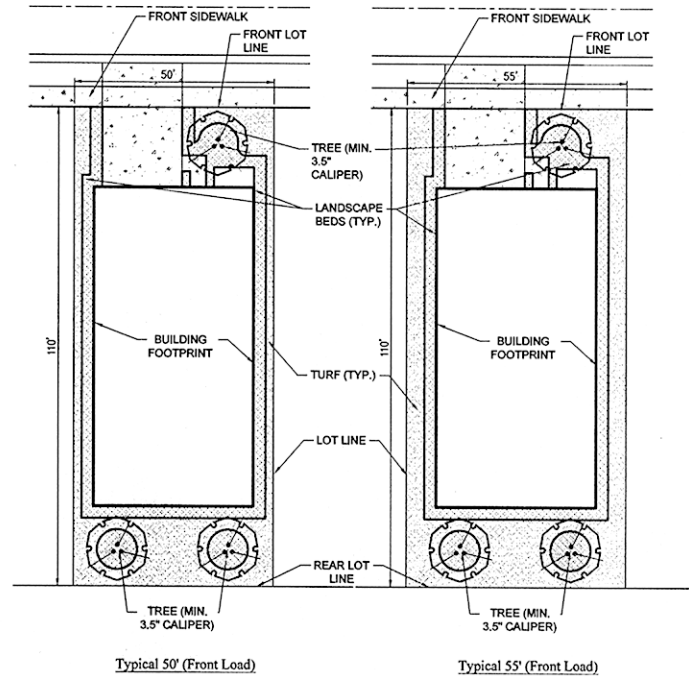


NOTE: CONTRACTORS TO REMOVE ALL NON-BIODEGRADABLE NYLON STRAPPING OR ROPING FROM ATOP OF PLANTED TREE ROOT BALLS. MULCH NOT PLACED ANY CLOSER THAN 12 - 18\"/>

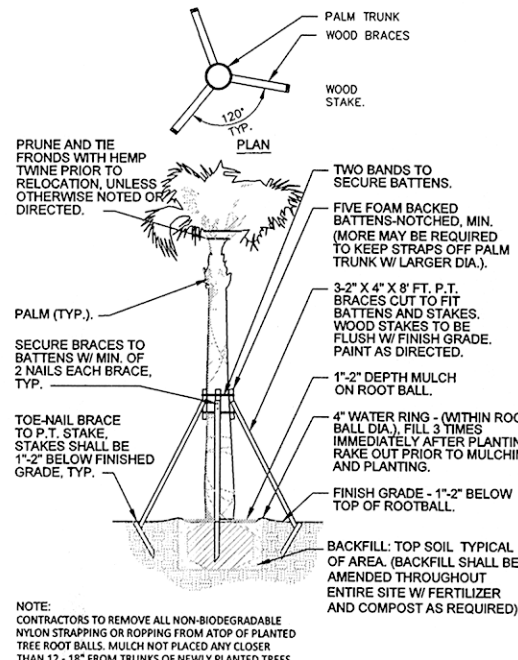
1 TREE PLANTING DETAIL



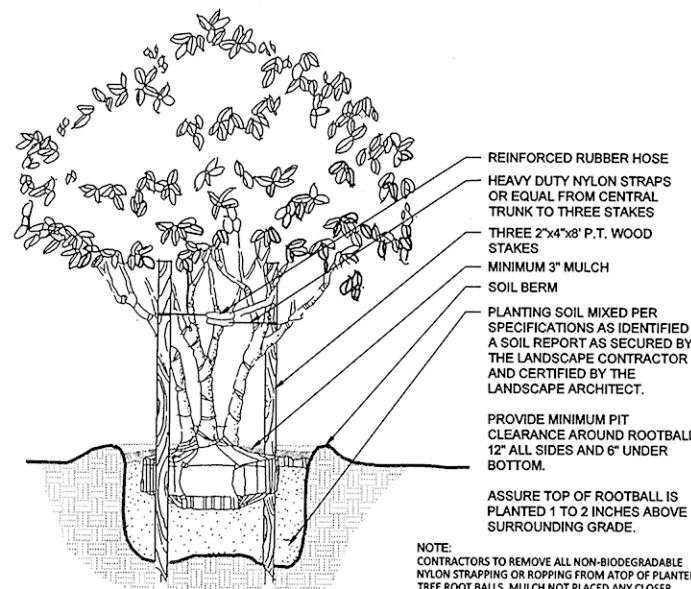
2 SHRUB/GROUND COVER SPACING PLAN



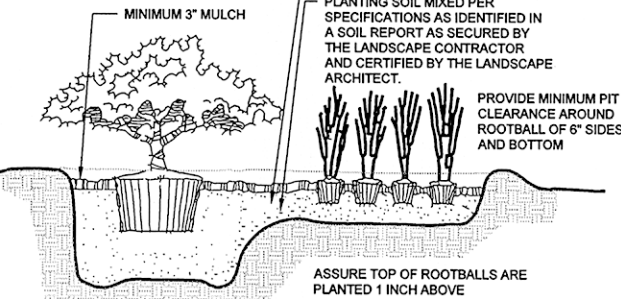
6 TYPICAL LANDSCAPE LOT DIAGRAM



3 PALM BRACING DETAIL



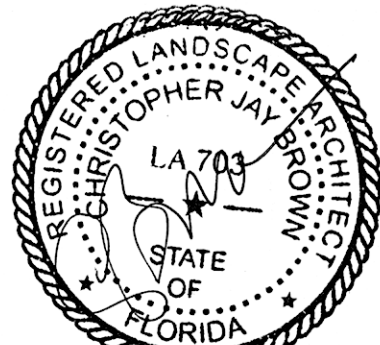
4 MULTI-STEM TREE PLANTING DETAIL



5 SHRUB/GROUND COVER PLANTING DETAIL

vhb

225 E. Robinson Street
Suite 300
Orlando, FL 32801
407.839.4006
Certificate of Authorization
Number FL #3932



PRELIMINARY - NOT FOR CONSTRUCTION
THIS PRELIMINARY DEVELOPMENT PLAN IS SIGNED AND SEALED AS REQUIRED BY CITY OF APOPKA CODE SECTION 12.02.04.B. THESE PLANS ARE NOT FINAL CONSTRUCTION DOCUMENTS AND ARE NOT INTENDED FOR PERMIT, CONSTRUCTION, OR BIDDING PURPOSES.

Bridle Path Mixed KPI

City of Apopka, Florida

No.	Revision	Date	Appov.
4	Revised per City of Apopka comments	05/14/2018	
3	Revised per City of Apopka comments	04/10/2018	
2	Revised per City of Apopka comments	03/22/2018	
1	Revised per City of Apopka comments	02/27/2018	
Designed by		CLG	Checked by JRH
Issued for			Date

Preliminary Development
Plan Approval
Vertical Datum NAVD 1988

Landscape Schedule & Notes

Christopher J. Brown
LA 000703
DATE: May, 14, 2018

Project Number
62799.01

L-3

Sheet of