CITY OF APOPKA

Minutes of the City Council regular meeting held on March 4, 2020, 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT:	Mayor Bryan Nelson Commissioner Doug Bankson Commissioner Kyle Becker Commissioner Alexander Smith Commissioner Alice Nolan City Attorney Joseph Byrd City Administrator Edward Bass
PRESS PRESENT:	John Peery – The Apopka Chief Teresa Sargeant - The Apopka Chief

INVOCATION – Father Cyril of St. Francis of Asissi Catholic Church gave the invocation.

PLEDGE – Mayor Nelson introduced Nicole Kennedy who led in the Pledge of Allegiance. She said on March 4, 1933, Franklin D. Roosevelt was inaugurated as the thirty-second President of the United States, pledging to lead the country out of the great depression.

APPROVAL OF MINUTES

1. City Council regular meeting February 19, 2020
   MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve the minutes of February 19, 2020, regular meeting. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye. .

AGENDA REVIEW –. City Administrator Bass advised there were no changes

PRESENTATIONS:

1. Florida Department of Health - Update on Coronavirus

Mayor Nelson reported the Department of Health was going to come and give an update on the Coronavirus, but DOH is now having a meeting with the governor and could not be here. He asked Chief Wylam give steps the Fire Department and EMS are taking to mitigate any concerns we may have.

Chief Wylam advised they are working closely with Orange County and the Medical Director's Office, Office of Emergency Management, Florida Department of Health, and surrounding Fire and EMS agencies with regards to the Coronavirus. He reported each of the Fire Department's personnel has been through strict training regarding personnel protection equipment and actual responses. January 30, 2020 they initiated prescreening at initial 911 calls. He said if there is any suspicion that a patient could be infected, the crews are to treat this as a "patient under investigation" as designated by the Medical Director. At that point they would go into strict guidelines for personal protection, equipment, and treatment. The receiving facility will be notified the patient is under strict respiratory precautions. If there is a potential a mask is immediately placed on the patient to alleviate some of the spread. He advised they are receiving daily updates from the Medical Director and Orange County. He stated they are decontaminating and sterilizing weekly with a product that kills instantly and lasts for up to ten days. They have been in communication with Advent Health, as they would be the primary transport facility and Advent Health is in constant communication with CDC. He advised the hospital has three negative pressure rooms within their emergency room that would allow the transport of patients, if needed. He reiterated they are in communication and working with the external agencies.

2. Florida Department of Transportation Recognition regarding the City's Contributions to Mobility Week 2019, Presented by: Ms. Poorna Bhattacharya and Ms. Brenda Young.

Brenda Young, Department of Transportation, District 5, said she was here to recognize the City of Apopka for participation in the 2019 Mobility Week in Central Florida. She stated the State of Florida celebrated our second statewide Mobility Week in 2019 and the fourth celebration of Mobility Week in Central Florida. She presented the award to Nicole Kennedy.

3. HEROES Literacy program outstanding volunteer of the year for Lovell Elementary School presented to Sean Przychocki

Dr. Shakenya Harris-Jackson said she wanted to recognize one of our champion volunteers. The City of Apopka has a HEROES program implemented in four of our local schools. This year Sean Przychocki was named outstanding volunteer of the year for Lovell Elementary School She recognized Sean and thanked him for his service stating he has been an amazing mentor to the students. He has used his own funds to purchase Christmas gifts for the children, and they absolutely love him. She said Sean will be recognized at Sea World from OCPS.

PROCLAMATIONS

1. Art & Foliage Festival Weekend Proclamation presented to Apopka Women's Club
   Mayor Nelson read a proclamation recognizing the Art & Foliage Festival Weekend and presented it to the Apopka Women's Club.

PUBLIC COMMENT

David Hoffman thanked Mayor Nelson for leaving a message stating they would be including additional information on the agenda to include acreage. He stated these were approved through a first reading and then a second reading a brief accounting of other consequences of the building and development should be included.

CONSENT

1. Approve the First Amendment to the School Concurrency Mitigation Agreement for Ponkan Reserve and authorize the Mayor to sign the Agreement.
2. Reappoint Byron Tobias as the Fifth Trustee to the General Employees' Pension Board.
3. Reappoint Jim Green as the Fifth Trustee to the Police Officers' Pension Board of Trustees.
4. Approve fireworks proposal with Zambelli Fireworks for the City's 4th of July event.
5. Award a contract for ITB 2020-02: Purchase & Installation of Two Floating Fountains.
6. Award a contract for ITB 2020-03: East 5th Street Public Parking Lot.
7. Accept the Recycling Partnership award notice.
8. Authorize the issuance of blanket purchase orders for fiscal year 2020.

MOTION by Commissioner Nolan, and seconded by Commissioner Becker, to approve eight items on Consent. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan and Smith, voting aye.

BUSINESS

1. Final Development Plan – Legacy Station Lot 3
   Applicant: 1480 West Orange Blossom Trail, LLC, c/o Raul Socarras and Klima Weeks Civil Engineering, Inc., c/o Selby G. Weeks, P.E.
   Location: 1480 West Orange Blossom Trail
   Project: 2.40 +/-acres; Medical Imaging Center within an 8,000 sq. ft. building
   Project Manager: Jean Sanchez

   Jean Sanchez, Planner, provided and overview of the Final Development Plan for Legacy Station Lot 3. The project is 2.4 acres for a Medical Imaging Center within an 8,000 sq. ft. building. She reviewed the location on an aerial map and gave the surrounding land uses. She advised Lot 2 intended for future commercial use with 1.31 acres. DRC and Planning Commission recommend approval. The recommendation is to approve the Legacy Station Lot 3 Legacy Station Final Development Plan.

   Mayor Nelson opened the meeting to public comment. No one wishing to speak, he closed the public comment.

   MOTION by Commissioner Bankson, and seconded by Commissioner Smith to approve the Legacy Station Lot 3 Final Development Plan. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

2. Major Development Plan – Monarchs at Lake Pleasant
   Applicant: Monarchs at Lake Pleasant, LLC, c/o Rafael Martinez and Jonathan Huels
   Location: 1717 Apopka Boulevard
   Project: 23.52 +/-acres; 126 multi-family residential units within seven, three-story apartment buildings
   Project Manager: Jean Sanchez

   Jean Sanchez, Planner, reviewed the Major Development Plan for Monarchs at Lake Pleasant located just north of Apopka Boulevard and west of Lake Pleasant Road. She reviewed an aerial of the property showing single family residential uses on the western ,eastern, and southern adjacent parcels. The plan shows a cluster development contained on the southern 13 acres of the site. The total site is 19 acres. The project is a total of 126 multi-family units. The access is off Apopka Boulevard with a proposed left turn lane. There will be an emergency access provided to the west of the main entrance. DRC and Planning Commission recommended approval. The recommendation is to approve the Major Development Plan for Monarchs at Lake Pleasant.

   Mayor Nelson opened the meeting to public comment. No one wishing to speak, he closed the public comment.

Commissioner Becket pointed out that the required minimum open space on this project is 7 acres and this project will introduce over 18 acres of open space, far exceeding what is required.

MOTION by Commissioner Becker, and seconded by Commissioner Nolan to approve the Monarchs at Lake Pleasant Major Development Plan. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

3. Preliminary/Final Development Plan/Subdivision/Site Plan/Plat – West Apopka Self Storage
Applicant: Dafflyn Property 2, LLC, c/o John Herbert III, P.E.
Location: 2106 Plymouth Sorrento Road
Project: 8.95 +/-acres; Two-lot commercial subdivision consisting of a 47,500 sq. ft. self-storage facility and 1,200 sq. ft. office space with internal, uncovered RV storage on 6.53 acres; and future commercial lot(s) on 2.42 acre with a maximum of 26,353 sq. ft. of building floor area.
Project Manager: Bobby Howell

Bobby Howell, Senior Planner provided a brief overview of the project for West Apopka Self Storage. This is a request for approval of a two-lot commercial subdivision located at 2106 Plymouth Sorrento Road. He reviewed the surrounding land uses. Planning Commission approved a special exception on January 8, 2019 to allow a self-storage facility on 6.53 acres of the western portion of the 8.95 acre property. He advised the preliminary/final development plan, subdivision, site plan, and plat are consistent with the conditions of approval of a special exception. Lot one is 6.53 acres and consists of a self-storage facility that will consist of 6 buildings A-F, and will have a full access point on Yothers Road with a left turn lane. There will be an RV parking storage area will be provided in the center of lot one. Lot two is reserved for commercial uses via access from Plymouth Sorrento Road. Access points will require approval by Orange County on lot two. DRC and Planning Commission recommend approval. The recommendation is to approve the Preliminary/Final Development Plan, Subdivision, Site Plan, and Plat for West Apopka Self Storage.

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan to approve the Preliminary and Final Development Plan, Subdivision, Site Plan, and Plat for West Apopka Self Storage. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

4. Approve partnership proposal between the City and Advent Health pending official agreement.

Mayor Nelson thanked Brian Foreman, Carolyn Ray, and the Advent Health Team, stating this partnership is something we all will be proud of and benefit from.

Cindy Edwards said she was excited to present a partnership proposal for Advent Health and the City of Apopka to align with a commitment to influence positive change and improved health outcomes within our community. They would like to form a partnership with the goal of connecting community, residents, and visitors to the state of the art medical services, while also providing valuable education, resources, and support for healthy programs throughout the area. She reviewed a Power Point presentation of the proposal with details hat is on file in the Clerk's office. This is a 5-year proposal for a partnership providing funding for enhancements to recreational parks, as well as in-kind curriculum for various activities around the city. She advised that year one Advent Health has agreed to pay $42,000 for the wind screens, $6,000 for the score boards, $50,000 for the digital sign, and have the naming rights to the sign. They agree to pay $10,000 in addition to bring the amount in year one to $98,000. These additional funds will be used in the sports scholarship account. Advent Health agrees to pay another $10,000 in scholarships and another $40,000 toward the fitness area, same amount for the third year, and year four, if they decide on the windscreens again, it would be an additional fee at that point for an all-in total of $50,000. Year five would be the same for $50,000. This is a total of $339,040 and the activation over five years would be funding of $298,000 with a grand total of $637,040. She recognized Tim Clark, President and CEO of Advent Apopka and his team.

Tim Clark, Advent Health said it was exciting to connect with the community in a way as never before done. When they changed their brand to Advent Health, they made a promise to keep their community feeling whole, and that is health and wellbeing. It is no longer sitting on the sidelines waiting for the community to come to the hospital when they are sick, but affecting the community and going out to help them stay well. He said they believe in this partnership and it will help to do that. He said they appreciate the feedback on more cardiac focus and said they welcome more of that feedback. He stated they are excited to have the opportunity and be able to focus in the community in ways they have not before.

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan to approve the concept partnership with Advent Health, authorizing Mayor Nelson to sign an agreement. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Bankson voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2754 – First Reading - Comprehensive Plan – Small Scale – Future Land Use
   From: Agriculture
   To: Industrial (Max. 0.6 FAR)
   Applicant: Stelly Hovan Inc., c/o Tim Hudspeth
   Location: 2200 Clarcona Road
   Project: 9.00 +/-acres; Maximum of 235,224 sq. ft. non-residential building floor area
   Project Manager: Phil Martinez
   The Clerk read the title as follows:

ORDINANCE NO. 2754

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM AGRICULTURE TO INDUSTRIAL FOR CERTAIN REAL PROPERTY LOCATED WEST OF CORAL HILLS ROAD AND NORTH OF STATE ROAD 414, COMPRISING 9.0 ACRES MORE OR LESS, AND OWNED <u>BY STELLY-HOVEN INC</u>; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

David Moon, Planning Manager said this is a request by the applicant to change the future land use on approximately 9 acres from Agriculture to Industrial. He reviewed the location of the site stating it is west of Clarcona Road and directly located north of S.R. 414. The applicant intends to develop the property as a self-storage facility. He reviewed the surrounding land uses stating it is substantially surrounded by nonresidential development with the exception of some single-family homes to the north. After review, DRC and Planning Commission found this to be compatible with the surrounding area and recommends approval. The recommendation is to approve at first reading and hold over for a second reading and adoption.

Mayor Nelson opened the meeting to a public hearing.
David Hoffman inquired how close this project was to the single-family residences, if this would affect the property values, and had they heard from any of the residents.

Mr. Moon advised the property line is 50-feet to the single-family homes to the north, however, based on the grade of the property, the stormwater pond will be to the north, so the buildings will be toward the south of the property. The actual distance will be greater than 50 feet and in addition to the buffer requirements that are set forth. He further stated this followed the normal advertising process to give residents the opportunity to appear before Planning Commission or Council with concerns. They have not heard from any of the neighbors.

No one wishing to speak, Mayor Nelson closed the public hearing.

Commissioner Becker pointed out the property abutting this to the east is a scrap yard that would industrial zoning.

MOTION by Commissioner Nolan, and seconded by Commissioner Bankson, to approve Ordinance No 2754 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

2. Ordinance No. 2755 – First Reading – Change of Zoning
   From: T (Transitional District)
   To: I-L (Light Industrial District)
   Applicant: Stelly Hovan Inc., c/o Tim Hudspeth
   Location: 2200 Clarcona Road
   Project: 9.00 +/-acres; Maximum of 235,224 sq. ft. non-residential building floor area
   Project Manager: Phil Martinez
   The Clerk read the title as follows

ORDINANCE NO. 2755

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM T (TRANSITIONAL DISTRICT) TO I-L (LIGHT INDUSTRIAL DISTCRICT) FOR CERTAIN REAL PROPERTY LOCATED WEST OF CORAL HILLS ROAD AND NORTH OF STATE ROUTE 414, COMPRISING 9.0 ACRES MORE OR LESS, AND OWNED BY STELLY-HOVEN, INC.; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez, Planner said the applicant is proposing a rezoning from Transitional District to Light Industrial District for 2200 Clarcona Road. The subject property is the same location as the previous agenda item. The proposed Light Industrial zoning is compatible with the proposed Industrial Future Land Use as previously presented. DRC and Planning Commission recommend approval. He advised he has received one phone call inquiring about this future land use and rezoning inquiring about the rezoning and future land use in a general context. The recommendation is to approve at first reading and carry over for second reading and adoption.

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

MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to approve Ordinance No. 2755 at first reading and carry over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

3. Ordinance No. 2756 – First Reading – Change of Zoning and Preliminary Development Plan/Subdivision Plan
   From: "County" A-1 (ZIP)
   To: "City" PD (Planned Development)
   Applicant: Mary F. Reid Estate, c/o AVID Group
   Location: 1506 Rock Springs Road
   Project: 3.99 +/-acres; Four lot commercial subdivision with a proposed gas station, drive-thru restaurant, and general retail or office for a maximum building floor area of 43,451 sq. ft. Project Manager: Bobby Howell
   The Clerk read the title as follows:

ORDINANCE NO. 2756

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 (ZIP) TO "CITY" PLANNED DEVELOPMENT (PD), FOR CERTAIN REAL PROPERTY LOCATED AT 1506 ROCK SPRINGS ROAD, COMPRISING 3.99 ACRES MORE OR LESS, AND OWNED BY MARY F. REID ESTATE; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mr. Howell provided an overview stating the subject property is approximately 3.99 acres in size and zoned A-1 ZIP meaning it was annexed in the city and never received a city zoning designation and has a future land use designation of commercial. This is located at the southwest corner of Rock Springs Road and Welch Road. The surrounding area is primarily commercial with the exception of a mobile home park located to the west of the property in unincorporated Orange County. He reviewed the surrounding land uses in the area on an aerial map. The proposed change to Planned Development is being processed under the 1993 LDC. The proposed development is for a four lot commercial subdivision to include a restaurant with a drive-thru, retail, office, or bank, medical or dental office, and a convenience store with fuel. Access to the site is proposed by a right in and right out on Rock Springs Road and a right in on E Welch Road. Cross access is proposed to be provided between Lot 4 to the property to the north located in unincorporated Orange County with a full approved access onto Rock Springs Road. There will be an internal spine road connecting to the approved access arrangement. Parking will be provided on each lot and maintained by the owner of each property. The developer has agreed to provide a 12-foot right-of-way along Rock Springs Road to allow construction of a future right turn lane from Rock Springs Road to E Welch Road. He advised the applicant is requesting four deviations in addition to the Planned Development zoning. The first deviation is to allow a drive-in restaurant to be located within 200 feet of a residential use on Lot 4, which is adjacent to the mobile home park. The second deviation is to allow a reduction of the required buffer yard along Rock Springs Road to a 5-feet width. The third deviation is to allow a reduction of the required buffer yard along the western property line to a width of 5-feet from the required 10-feet. The fourth deviation is to allow landscaping in the required 5-foot buffer between each proposed lot. The dedication of the 12-feet of right-of-way along Rock Springs Road has necessitated the deviation requests. DRC and Planning Commission recommend approval. The recommendation is to approve at first reading and hold over for a second reading and adoptions.

Commissioner Backer said he would want to see assurances that there will be median structure that will force driving movements in this area to make sure it does not contribute to a situation that is already bad in the area.

Pam Richmond said Orange County approved this configuration and made them cut through to the property to the north so they can have full access due to concerns of people trying to make a left turn. She said part of Phase 2 in this area would have a physical barrier to stop people heading southbound turning out of Publix.

Brian Shoalts, developer said they have done all they could to control their traffic. He said they have been working on this for two years stating this was a county property annexed into the city. The county gave them a permit for right in, right out and they did traffic studies dealing with the county on this property. There will be right in right out only with curbing to force the right out.

Commissioner Becker said they needed assurances from the County there will be something done to promote safety on that area.

Commissioner Smith inquired what the structure was between the two lanes. Mr. Shoalts advised it is a raised, striped pork chop in the middle to force going to the right.

Mayor Nelson opened the meeting to a public hearing.
David Hoffman said he and his family live north of that area and he expressed concerns of the traffic and safety in that area.

Pat Meriwether asked that they take into consideration the number of residents coming out on the road as it is now. She spoke of the four way stop at Lester Road stating this all needs to be taken into consideration.

No one else wishing to speak, Mayor Nelson closed the public hearing.

MOTION by Commissioner Becker, and seconded by Commissioner Smith, to approve Ordinance No. 2756 at first reading and hold over for a second reading and adoption. Motion carried 4-1 with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye, and Commissioner Nolan voting nay.

4. Resolution 2020-03 - FY19/20 Budget Amendment
   Presented by: Jamie Roberson
   The Clerk read the title as follows:

RESOLUTION NO. 2020-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, PROVIDING FOR A BUDGET AMENDMENT

Jamie Roberson, Finance Director provided an overview of the budget amendment.

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve Resolution 2020-03. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

CITY COUNCIL REPORTS
Commissioner Bankson reported he attended the Orlando Apopka Airport Association meeting last evening and said he could not determine where everyone was with regards to the development.

Commissioner Smith reported he was in Tallahassee last week advocating for public schools. Though the bill passed in Committee, they are hoping it will not pass in the Senate or the House. He said the governor did oppose the bill for short-term rentals.

Commissioner Becker said they had a nice presentation from the Census Bureau at the last Tri County League of Cities luncheon. He suggested educating the public through our social media or website.

CITY ADMINISTRATOR REPORT –

Edward Bass, City Administrator provided a presentation of a time line and financing of the wastewater plant. A copy of the presentation is on file in the Clerk’s office.

CITY ATTORNEY'S REPORT – No report.

MAYOR’S REPORT
Mayor Nelson reported on the Orange County transportation sales tax initiative (presentation on file). He advised they will be meeting again and he will come back with Mayor Deming’s proposal.

ADJOURNMENT – There being no further business the meeting adjourned at 4:10 p.m.

ATTEST:

Bryan Nelson, Mayor

Linda F. Goff, City Clerk