City of Apopka
Planning Commission
Meeting Agenda
February 11, 2014
5:01 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 meeting held January 14, 2014, at 5:01 p.m.

IV. PUBLIC HEARING:

1. CHANGE OF ZONING – Cooper Palms Commerce Center, c/o Michael R. Cooper, From I-1 (Industrial) to Planned Unit Development (PUD/I-1), for property located south of 1st Street, north of 3rd Street, east of South Bradshaw Road, and west of S. Hawthorne Avenue.

V. SITE PLANS:

1. REPLAT – Cooper Palms Commerce Center -Lots 1-4, owned by Property Industrial Enterprises, Inc., c/o Michael Cooper, property located south of 1st Street, north of 3rd Street, east of South Bradshaw Road, and west of S. Hawthorne Avenue.

VI. OLD BUSINESS:

Planning Commission

Public

VII. NEW BUSINESS:

Planning Commission

Public

VIII. ADJOURNMENT:

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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 prior to the proceeding.

Backup material for agenda item:

1 Approve minutes of the Planning Commission meeting held January 14, 2014, at 5:01 p.m.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON JANUARY 14, 2014, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan

ABSENT: Orange County Public Schools (Non-voting)

OTHERS PRESENT: David Moon, AICP - Planning Manager, Suzanne Kidd, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

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

ELECTION OF OFFICERS:

CHAIRPERSON:

MOTION: James Greene nominated Steve Hooks as Chairperson of the Planning Commission. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

VICE - CHAIRPERSON:

MOTION: Ben Dreiling nominated Mallory Walters as Vice-Chairperson of the Planning Commission. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

APPROVAL OF MINUTES: Chairperson Hooks asked if there were any corrections or additions to the December 10, 2013 minutes. With no one having any corrections or additions, he asked for a motion to approve the minutes of the Planning Commission meeting held December 10, 2013.

Motion: Mallory Walters made a motion to approve the Planning Commission minutes from the December 10, 2013 meeting, and Melvin Birdsong seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

REPLAT – LESTER RIDGE – David Moon, AICP, Planning Manager, stated this is a request to recommend approval of the Replat for Lester Ridge Subdivision. The owner is Meritage Homes of Florida, Inc.; the applicant is JJL Properties, Inc.; and the engineering firm is June Engineering Consultants, Inc., c/o Jeffrey A. Sedloff and Jimmy Dunn. The property is located north of Lester Road and east of Rogers Road. The future land use is Residential Low Suburban (0-3.5 du/ac) and the zoning designation is R-1. The existing use is a platted single-family residential subdivision with 102 lots. The proposed use is a replat of a portion of the Lester Ridge Plat affecting right-of-way and lots along Water Rock Drive and Gray Stone Drive. The replated tract size is 4.143 +/- acres. This item is quasi-judicial and the staff report to be incorporated into the record.

After Planning Commission reviewed this replat application on November 12, 2013, but prior to City Council review, the applicant identified new site information that must be included in the replat. The revised replat addresses site information regarding a retaining wall and associated changes related thereto.

The original replat of the Lester Ridge Plat was necessary to address inconsistencies between location of recently constructed Water Rock Drive, the construction plans, and the record plat. The replat does not create any change in the number of residential lots established within the Lester Ridge Plat.

Re-plat application does not create any additional residential lots, resulting in no additional impacts to public schools.

As the replat does not create any additional residential lots, nor creates impacts on any County utilities or road, notification of the County is not necessary.

The Development Review Committee recommends approval of the Lester Ridge Replat, subject to the findings of this staff report.

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

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

Motion: **Ben Dreiling made a motion to recommend approval of the Lester Ridge Replat, subject to the information and findings in the staff report; and Mallory Walters seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).**

OLD BUSINESS:

Planning Commission: None
Public: None

NEW BUSINESS:

Planning Commission: None
Public: None

ADJOURNMENT: The meeting was adjourned at 5:06 p.m.

_____
Steve Hooks, Chairperson

_____
R. Jay Davoll, P.E.
Community Development Director

Backup material for agenda item:

1. CHANGE OF ZONING – Cooper Palms Commerce Center, c/o Michael R. Cooper, From I-1 (Industrial) to Planned Unit Development (PUD/I-1), for property located south of 1st Street, north of 3rd Street, east of South Bradshaw Road, and west of S. Hawthorne Avenue.

CITY OF APOPKA
PLANNING COMMISSION

__X__	PUBLIC HEARING	DATE:	February 11, 2014
_____	ANNEXATION	FROM:	Community Development
_____	PLAT APPROVAL	EXHIBITS:	Zoning Report
_____	OTHER:		Vicinity Map
			Adjacent Zoning
			Adjacent Uses

SUBJECT: **COOPER PALMS COMMERCE PARK, C/O MICHAEL R. COOPER**

Request: **CHANGE OF ZONING**
FROM: I-1
TO: PLANNED UNIT DEVELOPMENT (PUD/I-1)

SUMMARY

OWNERS:	Property Industrial Enterprises, Inc., c/o Michael Cooper; and ELRO Properties LLC
APPLICANT:	Property Industrial Enterprises, Inc., c/o Michael Cooper
LOCATION:	South of 1st Street, north of 3rd Street, east of South Bradshaw Road, and west of S. Hawthorne Avenue
EXISTING USE:	Platted 12 Lot Industrial Subdivision
FUTURE LAND USE:	Industrial
ZONING:	I-1
PROPOSED DEVELOPMENT:	Mixed Use Industrial, Commercial or Office Uses Within a Business Park
PROPOSED ZONING:	Planned Unit Development (PUD/I-1)
TRACT SIZE:	17.64 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT:	EXISTING: 461,039 sq. ft. PROPOSED: 461,039 sq. ft.

DISTRIBUTION

Mayor Land	Finance Dir.	Public Ser. Dir. (2)
Commissioners (4)	HR Director	City Clerk
CAO Richard Anderson	IT Director	Fire Chief
Community Dev. Dir.	Police Chief	

ADDITIONAL COMMENTS:

An eastern portion of the subject property was annexed into the City of Apopka on September 5, 2012, through the adoption of Ordinance No. 2267; and a western portion on July 18 1990, through the adoption of Ordinance No. 622. The proposed zoning change is requested by the applicant. At this time the property owner is requesting that the City to rezone the property to Planned Unit Development to accommodate a maximum building height of seventy-five feet.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change.

SCHOOL CAPACITY REPORT: The proposed rezoning will not increase the number of permanent residential uses presently occurring at the subject site. A capacity enhancement agreement with OCPS is not necessary for the City to adopt this Change of Zoning.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County before any public hearing or advisory board. The City properly notified Orange County on January 22, 2014.

PUBLIC HEARING SCHEDULE:
February 5, 2014 - City Council (1:30 pm) - 1st Reading
February 11, 2014 – Planning Commission (5:01 pm)
February 19, 2014 – City Council (8:00 pm) - 2nd Reading

DULY ADVERTISED:
January 24, 2014 – Public Notice and Notification
February 7, 2014 – Ordinance Heading Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the change in Zoning from I-1 to Planned Unit Development (PUD/I-1) for the property owned by Property Industrial Enterprises, Inc., c/o Michael Cooper; and ELRO Properties LLC, subject to the PUD standards set forth in the Zoning Report.

The **City Council**, at its meeting on February 5, 2014, accepted the First Reading of Ordinance No. 2346 and Held it Over for Second Reading and Adoption on February 19, 2014, subject to a recommendation of approval by the Planning Commission.

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. Planning Commission's role is advisory to City Council regarding compliance with the Land Development Code and Comprehensive Plan.

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	*Future Land Use*	*Zoning*	*Present Use*
North (County)	Commercial	C-2	Vacant Land, SFR, Auto Dealer
North (City)	Commercial	C-3	Vacant Land; CSX/FCEN Railroad ROW; 1st Street ROW
East (City)	Commercial	C-2, R-2 C-3	Church, SFR (3 homes) Vacant
South (County)	Residential Low (0-5.0 du/Ac)	R-2	Vacant land owned by a church, SFR (3 homes)/ Single family homes south of 3rd Street.
South (City)	Industrial	I-1	Vacant Land/3rd Street ROW
West (City)	Industrial	I-1	Abandoned Foliage Nursery/Bradshaw Road

LAND USE & TRAFFIC COMPATIBILITY: The subject property buts the Florida Central railroad track and 1st Street to the north, Bradshaw Road to the west, vacant industrial property to the south and existing residential, commercial and industrial uses to the east. Current character of the surrounding area along Bradshaw Road is existing small business industrial parks and vacant industrial lands. To the north the development character if dominated by retail commercial and warehousing uses. To the east, a small number of single family homes occur but are located in an area that will transition to industrial or commercial based on assigned zoning and development trends.

COMPREHENSIVE PLAN COMPLIANCE: The proposed Planned Unit Development zoning designation is consistent with the Future Land Use Designation of Industrial assigned to the property. Site development cannot exceed the densities and intensities allowed by the Future Land Use policies.

PUD RECOMMENDATIONS: The PUD recommendation is to assign a zoning classification of Planned Unit Development (PUD) for the described subject property with the following Master Plan provisions is subject to the following zoning provisions:

A. The uses permitted within the PUD district shall be all those uses allowed within the I-1 zoning category.

B. All development standards set forth in the Land Development Code and Development Design Guidelines shall apply to development within the PUD unless as otherwise allowed and defined as follows:

1. Building Height. Maximum building height is seventy-five (75) feet above ground elevation.

2. Building Separation. A building shall be no closer than twenty feet to another building whether located on the same lot or parcel or an abutting lot or parcel. However, the City may require a greater building separation distance if determined that a public health or safety risk may potentially occur from the location of an industrial building or use next to a commercial, office or institutional building or use, or vice versa.

3. Signage shall comply with the City's sign codes unless otherwise approved through a master sign plan.

I-1 PERMISSIBLE USES:

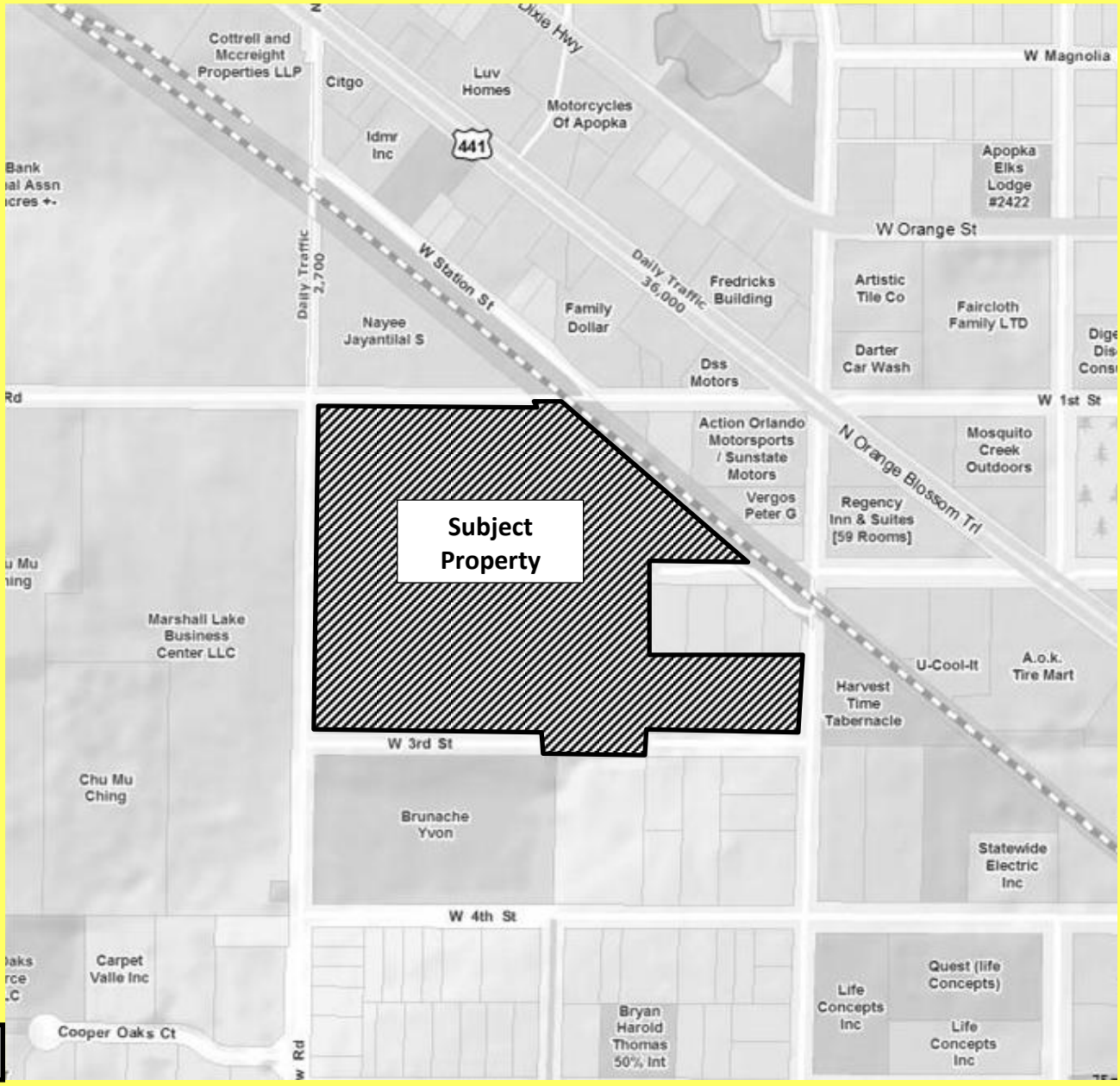
Permitted uses allowed within the I-1 zoning district are listed below. All uses allowed within the following zoning districts are also allowed within properties assigned the I-1 zoning district: C-3, C-2, C-1, PO/I, and CN. Any C-3 Commercial District permitted use; Manufacture and processing of novelties, souvenirs, bakery or confectionery products, garments, scientific, electrical, optical and precision instruments or equipment, computers, advanced electronics, lasers and robotics, batteries, boats, building products, ceramics, chemical products, dairy products, electrical machinery and equipment, furniture, decorating materials, upholstering materials, glass and glass products, metal plastic or cardboard containers, paint or varnish, pharmaceutical products, photographic equipment and supplies, shoes and leather goods, signs, textiles, and tires, etc.; Bus, cab and truck repair; Dyeing, dry cleaning and laundering; Machinery sales; Machine shops; Meat storage, cutting and distribution; Adult entertainment consistent with the standards of the Apopka Municipal Code; Bottling and distribution plants; ice cream manufacturers; Warehouses; Testing of materials, equipment and products; Cold storage and frozen food lockers; Frozen food lockers; Book binding, lithography and publishing plants; Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district and which are not prohibited as specified in this Code. Use determination shall be based upon the community development director's recommendation; and Guard or custodian living quarters may be permitted as an accessory use when attached to one primary structure.

N

Cooper Palms Commerce Park
17.64 +/- Acres
Existing Maximum Allowable Development: 461,039 sq. ft.
Proposed Maximum Allowable Development: 461,039 sq. ft.
Proposed Zoning Change:
From: I-1
To: Planned Unit Development (PUD/I-1)

Legal Description: **Lots 1 through 12, COOPER PALMS, according to the plat thereof, as recorded in Plat Book 80, Pages 110 and 111, Public Records of Orange County, Florida.**

VICINITY MAP



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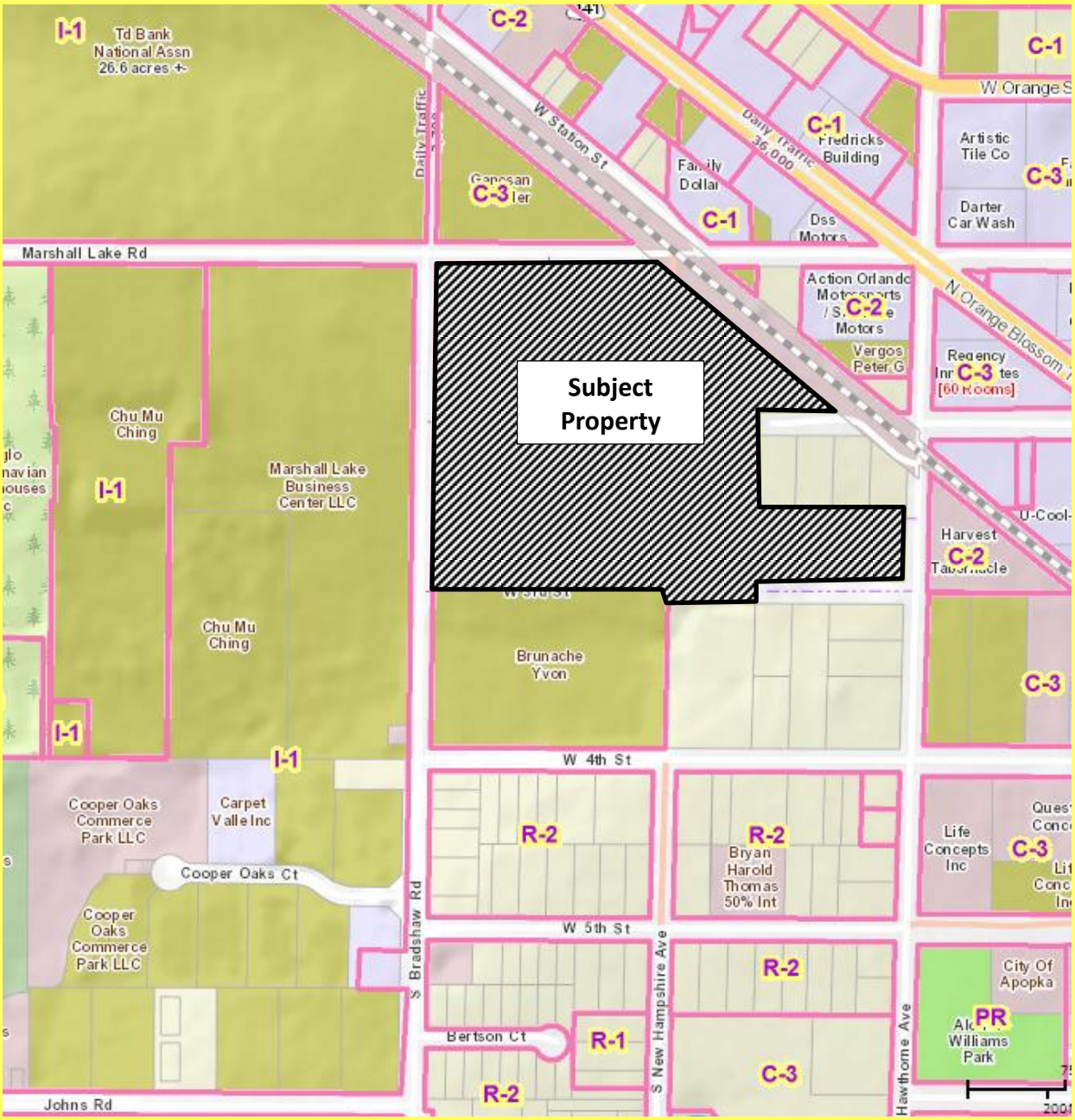
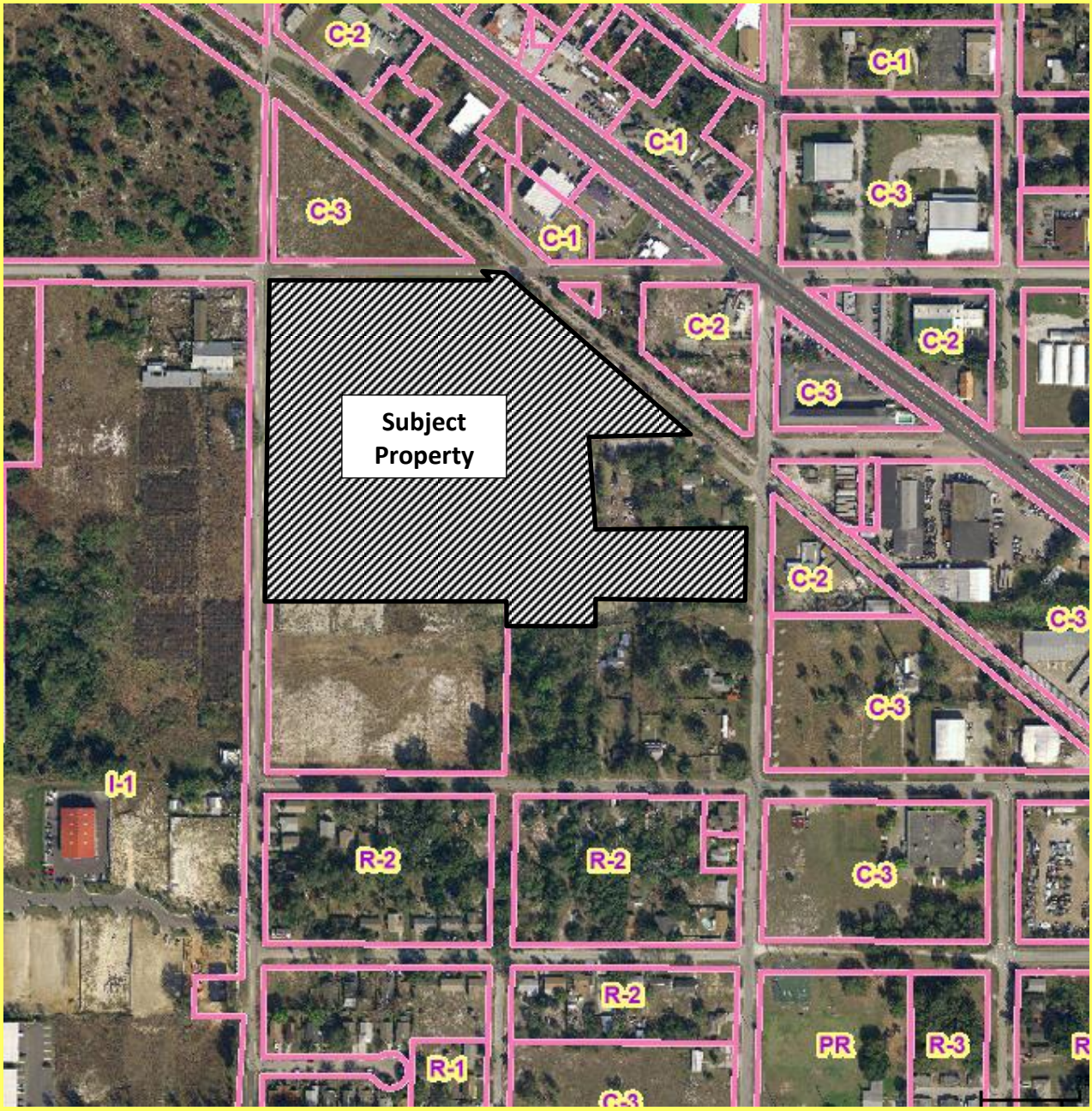
ADJACENT ZONING



ADJACENT USES



Backup material for agenda item:

1. REPLAT – Cooper Palms Commerce Center -Lots 1-4, owned by Property Industrial Enterprises, Inc., c/o Michael Cooper, property located south of 1st Street, north of 3rd Street, east of South Bradshaw Road, and west of S. Hawthorne Avenue.

CITY OF APOPKA
PLANNING COMMISSION

_X_ PUBLIC HEARING
___ SPECIAL REPORTS
___ PLAT APPROVAL
_X_ OTHER: Replat

MEETING OF: February 11, 2014
FROM: Community Development
EXHIBITS: Vicinity Map
Replat

PROJECT: **COOPER PALMS COMMERCE PARK REPLAT**

Request: **RECOMMEND APPROVAL OF THE COOPER PALMS COMMERCE PARK REPLAT**

SUMMARY:

OWNER/APPLICANT:	Property Industrial Enterprises, Inc., c/o Michael Cooper
ENGINEER:	Tehrani Engineering Consulting, c/o Al Tehrani, P.E.
LOCATION:	South of 1st Street, north of 3rd Street, east of South Bradshaw Road, and west of S. Hawthorne Avenue.
LAND USE:	Industrial
ZONING:	I-1
EXISTING USE:	Platted subdivision for industrial, commercial, and office uses
PROPOSED USE:	Replat of a portion of the Cooper Palms Commerce Center affecting Lots 1, 2, 3, and 4 and Athletes Row area.
OVERLAY ZONING:	None
TRACT SIZE:	17.64 +/- Acres

DISTRIBUTION

Mayor Land	Finance Dir.	Public Ser. Dir. (2)
Commissioners (4)	HR Director	City Clerk
CAO Richard Anderson	IT Director	Fire Chief
Community Dev. Dir.	Police Chief	

ADDITIONAL COMMENTS:

Owners of lots within the Cooper Palms Commerce Park Plat request approval of a modification to the existing plat to address changes to their development plans for the property. These changes are not substantial and involve the shifting of lot lines to accommodate proposed development of lots 1 through 4. All property owners affected by the modification are applicants of the replat application. Development of all lots appearing within the Cooper Palms Commerce Park Replat are subject to zoning and development standards set forth in the assigned PUD zoning (Ordinance No. 2346).

PUBLIC HEARING SCHEDULE:

Planning Commission – February 11, 2014, 2013, 5:01 p.m.
City Council – February 19, 2014, 8:00 p.m.

RECOMMENDED ACTION:

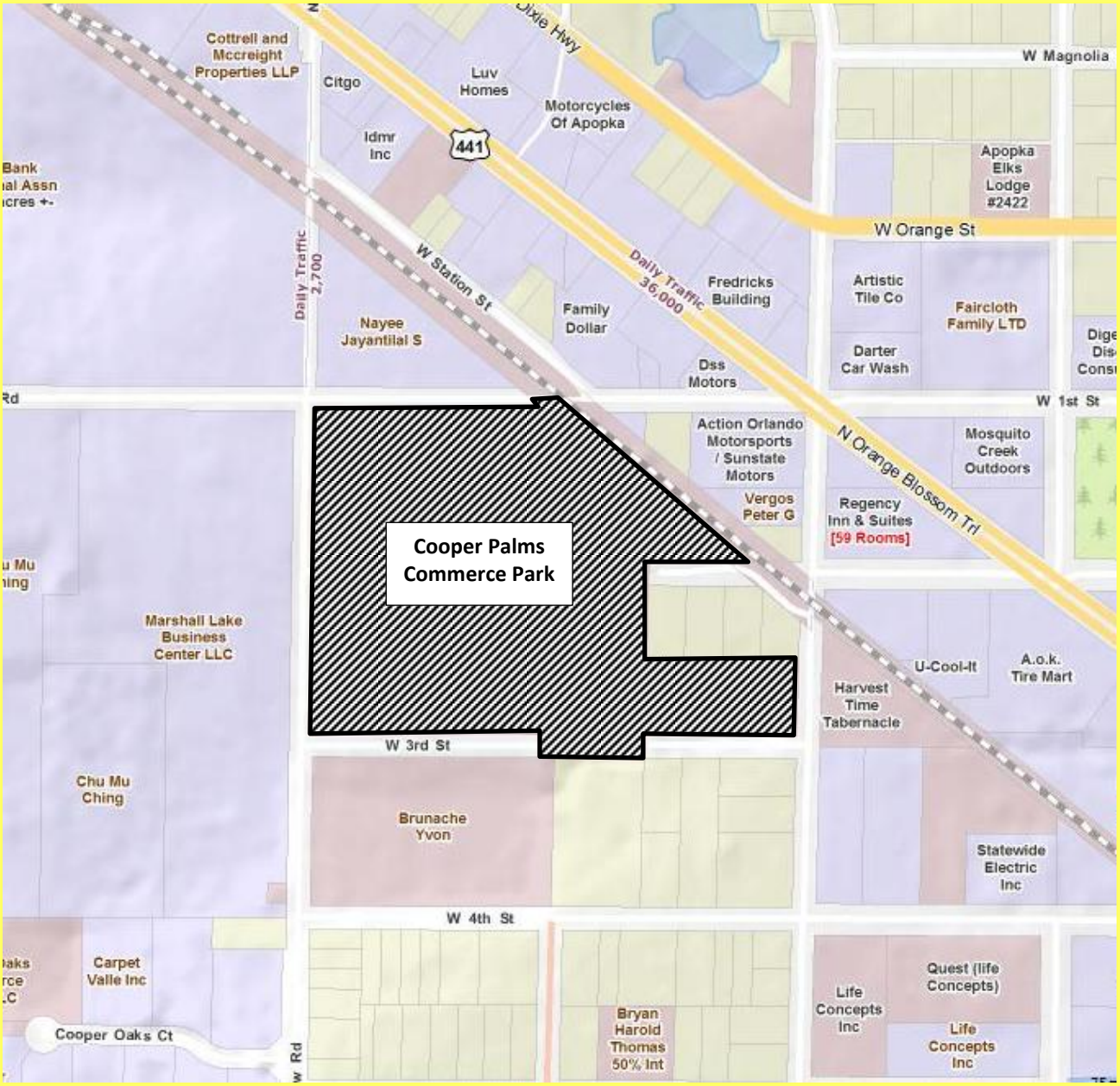
The **Development Review Committee** recommends approval of the COOPER PALMS COMMERCE PARK REPLAT, subject to the findings of this staff report and the conditions of approval.

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

Application:	**Cooper Palms Commerce Park Final Development Plan/Plat**
Owner/Applicant:	**Property Industrial Enterprises, Inc., c/o Michael Cooper**
Engineer:	**Tehran Engineering, Inc., c/o Al Tehrani, P.E.**
Parcel ID No.s:	**09-21-28-0868-01-050 & 09-21-28-0868-01-060**
Project Site:	**Lots 1 – 4**
Total Acres:	**7.35 +/-**

N

VICINITY MAP

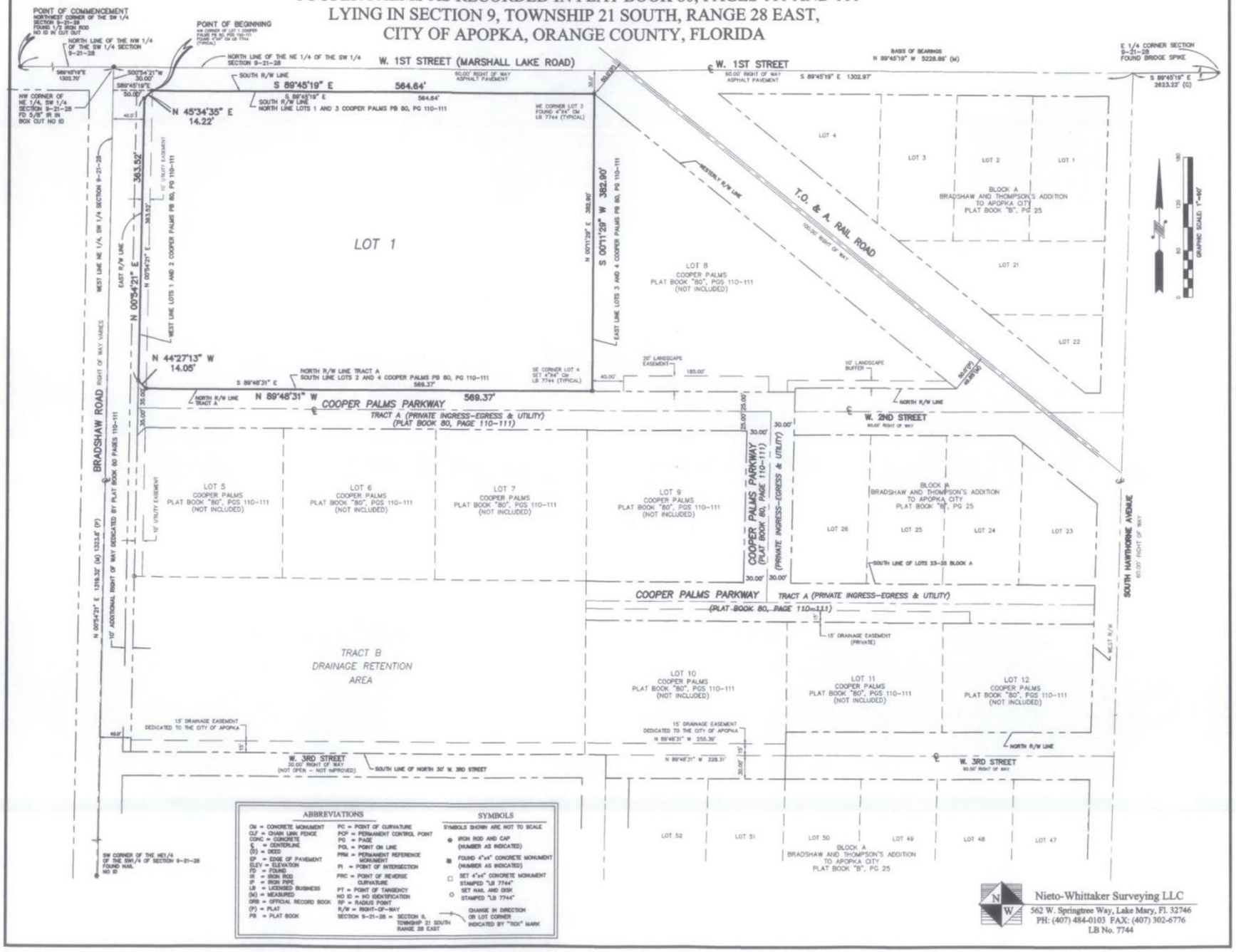


SHEET 2 OF 2

PLAT BOOK PAGE

COOPER PALMS LOT 1

A REPLAT OF LOTS 1 THROUGH 4 AND A PORTION OF TRACT "A" COOPER PALMS AS RECORDED IN PLAT BOOK 80, PAGES 110 AND 111 LYING IN SECTION 9, TOWNSHIP 21 SOUTH, RANGE 28 EAST, CITY OF APOPKA, ORANGE COUNTY, FLORIDA



ABBREVIATIONS

CM = CONCRETE MONUMENT
CLF = CHAIN LINK FENCE
CONC = CONCRETE
℄ = CENTERLINE
(D) = DEED
EP = EDGE OF PAVEMENT
ELEV = ELEVATION
FD = FOUND
IR = IRON ROD
IP = IRON PIPE
LB = LICENSED BUSINESS
(M) = MEASURED
ORB = OFFICIAL RECORD BOOK
(P) = PLAT
PB = PLAT BOOK
PC = POINT OF CURVATURE
PCP = PERMANENT CONTROL POINT
PG = PAGE
POL = POINT ON LINE
PRM = PERMANENT REFERENCE MONUMENT
PI = POINT OF INTERSECTION
PRC = POINT OF REVERSE CURVATURE
PT = POINT OF TANGENCY
NO ID = NO IDENTIFICATION
RP = RADIUS POINT
R/W = RIGHT-OF-WAY
SECTION 9-21-28 = SECTION 9, TOWNSHIP 21 SOUTH RANGE 28 EAST

SYMBOLS

SYMBOLS SHOWN ARE NOT TO SCALE

- IRON ROD AND CAP (NUMBER AS INDICATED)
- FOUND 4"x4" CONCRETE MONUMENT (NUMBER AS INDICATED)
- SET 4"x4" CONCRETE MONUMENT STAMPED "LB 7744"
- SET NAIL AND DISK STAMPED "LB 7744"

CHANGE IN DIRECTION OR LOT CORNER INDICATED BY "TICK" MARK

Nieto-Whittaker Surveying LLC
562 W. Springtree Way, Lake Mary, Fl. 32746
PH: (407) 484-0103 FAX: (407) 302-6776
LB No. 7744