CITY OF APOPKA

Minutes of the regular City Council meeting held on February 6, 2019, at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Bryan Nelson
Commissioner Doug Bankson
Commissioner Kyle Becker
Commissioner Alice Nolan
Commissioner Alexander Smith
City Attorney Joseph Byrd
City Administrator Edward Bass

PRESS PRESENT: John Peery - The Apopka Chief

INVOCATION: - Mayor Nelson called on Pastor Kevin Goza, Trinity Baptist Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Nelson led in the Pledge of Allegiance. He said on this day in 1862, forces under the command of Brigadier General Ulysses S. Grant and Flag Officer Andrew Hull Foote captured Fort Henry, Tennessee, in the Battle of Fort Henry, giving the Union its first victory of the Civil War.

APPROVAL OF MINUTES:

1. City Council regular meeting January 16, 2019.
   Commissioner Becker said to clarify the motion for Ordinance 2700, Land Development Code it should state, *"…add medical marijuana dispensaries as an option in the grid so they may be permitted where applicable in the future,…"*.

   MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve the minutes of January 16, 2019, as corrected. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Nolan voting aye.

AGENDA REVIEW – City Administrator Bass said staff has requested Item 3 under the Consent Agenda be pulled for separate discussion.

PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT

PRESENTATIONS:

1. Presentation of Grant Award – Captain Wil Sanchez said the Fire Department received formal notification from Orange County EMS Services of being awarded $32,702.25 for the purchase of one Cardiac Life Pack 15. This monitor gives the ability to take vitals of a patient and transmit in real time the EKG to the cath lab. This is of no cost to the city.

2. Wellness Program – Tangela Whaley, Human Resources Operation Manager, provided an update of the City's Wellness program. The City partnered with CareHere implementing a

program that encourages employees to have a health risk assessment (HRA) performed at no cost. As an incentive, names will be drawn for two $500 gift cards and four $250 gift cards. From the employees that had the HRA there were 41 risk factors identified that were able to be treated and placed on a care plan.

PUBLIC COMMENT: No speakers.

CONSENT

1. Authorize the issuance of blanket purchase orders.
2. Signing of Amendment #1 to Contract #W1136 with the Department of Corrections for an inmate work squad.
3. Authorize a replacement Purchasing Card and E-Payables Program.
4. Approval of alcohol sales at the Apopka BBQ Showdown at the Northwest Recreation Complex on February 9, 2019.

Mayor Nelson said there has been a request to pull Item 3 for discussion and separate action.

MOTION by Commissioner Becker, and seconded by Commissioner Nolan, to approve Items 1, 2, and 4 on the Consent Agenda. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker, Smith and Nolan voting aye.

Jamie Roberson, Finance Director, said for clarification this is a transition from the existing provider at IBERIA Bank to the current bank provider, Synovus. The bank asked for recognition that in addition to an annual $5 million spend there is an actual $5 million credit limit for us to be able to have P-cards and E-payables in order to pay vendors electronically. She asked this be part of the motion.

Motion by Commissioner Bankson and seconded by Commissioner Nolan to approve Item 3 on the Consent Agenda recognizing a $5 million dollar credit limit with Synovus' Bank Treasury Management Visa Program and E-Payable. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker, Smith and Nolan voting aye.

BUSINESS

1. Final Development Plan/Plat–Fairfield Inn and Self-Storage
Project: Farish Enterprises, LLC
Location: 1615 East Semoran Boulevard

Jean Sanchez, Planner, provided a brief lead-in reviewing the location of the project on a map and providing surrounding land-uses. This is abutting existing properties of Aldi and RaceTrac. Approximately 10-acres will be developed for a self-storage facility and hotel. The hotel will have 92 rooms, 4 floors and an outdoor seating area. The self-storage site contains 62 parking spaces, 2 of which area handicap and the hotel contains 106 parking spaces with 5 ADA compliant spaces. There will be a 35-foot wide landscape buffer on the eastern portion abutting residential uses. The Planning Commission recommended approval. City Council approved the preliminary development plan on August 1, 2018. The recommendation is to approve the Fairfield Inn/ Self-Storage Final Development Plan and Plat.

Commissioner Bankson inquired if the main signage will be at the entrance to the west where Aldi is located to which Ms. Sanchez responded in the affirmative.

Mr. Moon advised the project is treated as a commercial center with more than one business with a out parcel that fronts on Semoran with a potential for a driveway to 441. Access to the site now is through McVilla and a service road.

Chris Blurton, Interplan LLC, said they are the civil engineers for the project. The signage being referenced will have both drive-ins directly after the signage, one being a right in and right out to Aldi with a cross access easement. The next intersection has a traffic signal at McVilla between Aldi and RaceTrac.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Smith to approve the Final Development Plan for Fairfield Inn and Self-Storage. Motion carried unanimously with Mayor Nelson and Commissioners Bankson Becker, Smith, and Nolan voting aye.

2. Final Development Plan/Plat – Vista Reserve
Project: Pulte Home Company, LLC
Location: East side of Rogers Road, approx. ½ mile north of the intersection of Rogers Road & Lester Road

Bobby Howell, Senior Planner, said on October 3, 2018, City Council approved the Final Development Plan and Plat for the Vista Reserve subdivision and reviewed the location of the property. Following approval, the applicant submitted a revised FDP/Plat for partitioning the development into two phases. Phase 1 will consist of 52 units and Phase 2 will consist of 101 units. He said each phase is designed to function on its own. There are no other changes. DRC and Planning Commission recommend approval.

Tom Sullivan, representing the applicant said the first phase will begin as soon as possible and the second phase will be dependent on the pace of sales of the homes in the first phase. He said measures will be taken with the second phase so not to interfere with the first phase.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Smith to approve the Final Development Plan for Vista Reserve. Motion carried unanimously with Mayor Nelson and Commissioners Bankson Becker, Smith, and Nolan voting aye.

3. Ratify two agreements with Stryker and their associated expenditures.

Captain Wil Sanchez said the Apopka Fire Department purchased medical equipment for ambulances in FY 17 and had a formal agreement with Stryker. This was approved in the budget to be funded 100% FY 17. However, this was never ratified and brought back to Council. Staff requests at this time ratification of both agreements and expenditures.

MOTION by Commissioner Smith, and seconded by Commissioner Nolan to ratify the two agreements with Stryker and the associated expenditures. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION

1. Ordinance No. 2702 – Second Reading - Small Scale – Future Land Use Amendment
   Project: Construesse USA, Inc.
   Location: 2600 Rock Springs Road.
   The City Clerk read the title as follows:

ORDINANCE NO. 2702

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM "COUNTY" LOW DENSITY RESIDENTIAL TO "CITY" RESIDENTIAL LOW SUBURBAN FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF WEKIVA POINTE CIRCLE AND WEST OF ROCK SPRINGS ROAD, COMPRISING 9.59 ACRES, MORE OR LESS AND OWNED BY CONSTRUESSE USA, INC.; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Phil Martinez, Planner, said there have been no changes since the first reading.

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

MOTION by Commissioner Becker, and seconded by Commissioner Nolan, to adopt Ordinance No. 2702. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

2. Ordinance No. 2705 – Second Reading – Small Scale – Future Land Use Amendment
   Project: William & Cecilia Uebel and Jose & Iris Acevedo
   Locations: 355, 363, and 371 West Kelly Park Road.
   The City Clerk read the title as follows:

ORDINANCE NO. 2705

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE AOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE ESIGNATION FROM COMMERCIAL TO RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FORE CERTAIN REAL PROPERTY LOCATED NORTH OF W. KELLY PARK ROAD AND WEST OF MT. PLYMOUTH ROAD, COMPRISING 1.36 ACRES MORE OR LESS, AND OWNED BY WILLIAM & CECILIA UEBEL AND

JOSE & IRIS ACEVEDO; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIE DATE.

Mr. Martinez said there have been no changes since the first reading.

Mayor Nelson opened the meeting to a public hearing.

Deborah Miller inquired if this was going back to residential zoning from commercial and if this would affect her taxes in anyway.

Mayor Nelson advised this was going back to residential and it would not affect her taxes.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Smith, to adopt Ordinance No. 2705. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

3. Ordinance No. 2706 – Second Reading - Change of Zoning
Project: William & Cecilia Uebel and Jose & Iris Acevedo
Locations: 355, 363, and 371 West Kelly Park Road.
The City Clerk read the title as follows:

ORDINANCE NO. 2706

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM C-1 (COMMERCIAL RETAIL DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) FOR CERTAIN REAL PROPERTY LOCATED NORTH OF WEST KELLY PARK ROAD AND WEST OF MT. PLYMOUTH ROAD, COMPRISING 1.36 ACRES MORE OR LESS, AND OWNED BY WILLIAM & CECILLIA UEBEL AND JOSE & IRIS ACEFEDO PROVING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mr. Martinez said there have been no changes since the first reading.

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 adopt Ordinance No. 2706. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

6. Ordinance No. 2690 – First Reading – First Reading/Transmittal – Large Scale – Future Land Use Amendment.
Project: Carrol M. Hamrick
Location: North of West Ponkan Road, west of Mt. Stirling Avenue

The City Clerk read the title as follows:

ORDINANCE NO. 2690

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 RESIDENTIAL ESTATES TO RESIDENTIAL VERY LOW SUBURBAN FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF WEST PONKAN ROAD AND WEST OF MOUNT STERLING AVENUE, OWNED BY CARROL M. HAMRICK; COMPRISING 35.21 ACRES MORE OR LESS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

David Moon, Planning Manager, said on December 5, 2018, City Council held an advertised public hearing on this case and listened to substantially competent evidence presented by staff as well as input from the public. At that hearing, Council continued the hearing to February 6, 2019, to allow for the applicant to conduct a community meeting with nearby residents. January 29, 2019, the applicant did hold a community meeting and they are present to give details of that community meeting if Council desires. He stated there is no additional information provided by staff and the staff report from December 5, 2018, carries over to this hearing.

Jason Searl, representing the applicant, said Jeff Summitt of Summitt Engineering was with him. He said before talking about the recap of the community meeting he would like to dispel a couple of points. He stated the applicant, subject to this being approved and transmitted, so that their project may move forward will not use Mt. Stirling Avenue for access. He said there has also been some misinformation and possibly a rumor about the type of product that will go on this subdivision as it makes its way through the city's process. He affirmed the residential project will not be zero lot lines. It will rather be comparable to the Rock Springs Ridge residences in that the proposed parcel lots will meet or exceed the dimension and lot areas of the criteria for the parcels current R-1AA zoning. He declared this shows the recap of the community meeting held at Wolf Lake Elementary. The overwhelming majority of the items they discussed came back to what they were going to do as it relates to Mt. Stirling Avenue. He stated they all acknowledge that they are here on a Comprehensive Plan Amendment and they are not rezoning the property. The key issue is Mt. Stirling Avenue. He said the community meeting was a two-hour long dialogue with many questions. He stated this was a good exchange and a worthwhile exercise for them to do at the Council's direction.

Mr. Searl revisited a couple of points from the staff report, stating staff recommends approval and they concur with that recommendation. He pointed out they are not changing the zoning, it is R-1AA single family residential today and will remain so. Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land-use change and determined the proposed use of the property is consistent with the residential very low suburban designation being requested. He said the allowable density south adjacent is two dwelling units per acre which is what they are requesting. He said staff has done a great job with their report and recommend transmittal. He said he and Mr. Summitt are present to answer any questions.

Commissioner Becker thanked the applicant for conceding the idea of ingress/egress on Mt. Stirling Avenue. He asked staff if they were going to honor that request, or was staff recommendation two access points, one utilizing Mt. Stirling?

Jim Hitt, Community Development Director, said they need two access points, but it does not have to be Mt. Stirling. There could be a stub out like they do for other developments, whether commercial or residential, and it could be from the middle of the subdivision going south or it could have two accesses off of Pitman Road.

Commissioner Becker said this was worth talking through for the benefit of those present. He stated when they say the full plan, it is a full plan inclusive of a piece of property not involved in the business of today. There is a piece of property currently zoned mixed use that has different lot sizes, density classifications than what is being discussed today.

Mr. Hitt responded in the affirmative.

Commissioner Becker said if this ordinance is approved, he would envision the stub out for the second entry point to the south and no points to the east. He stated the design of a roadway or the designs of this piece of property are not for discussion here, but it has become part of this conversation due to the applicant wanting to utilize Mt. Stirling Avenue. He affirmed with the current designation 35 homes are allowed on that property and they are requesting to double that amount. He inquired how binding is this to state they do not plan to utilize Mt. Stirling Avenue, adding he wanted assurance that was not going to happen.

City Attorney Byrd said in full disclosure and transparency, he does have a contract on a house in Rock Springs Ridge. He stated our code does not currently require two access points. It is part of the process that has gone on and has been established. He stated the applicant has gone on record and specifically stated they will not use Mt. Stirling Avenue. He advised this could be used as defense if they tried to change. He said after transmittal to the state this will come back to staff and Council will have the final review of this matter.

Commissioner Smith said during his campaign he said he would be a voice for all people. They have heard from residents of Rock Springs Ridge and satisfied them. There were also five other residents not members of Rock Springs Ridge, but live along Pitman Road who are also concerned about this development. He inquired if the applicant had met with those residents.

Mr. Searls said they provided the notice for the community meeting and most definitely they were wanting as many to attend this meeting as possible.

Commissioner Bankson asked if the intention along all abutting properties that do have one unit per acre will have the same matching their property, making smaller lots in the interior to make up for those.

City Attorney conducted swearing in of the engineer for the project.

Jeff Summitt, Summitt Engineering, pointed out on a map a mixed-use designation area stating that was the differentiation between the zoning categories. He affirmed everything to the north of this was in the R-1AA zoning category and had the bigger lots. This is the area they are discussing today and will meet the zoning requirements as far as lot size, and minimum living area. They are requesting 2 DU/AC.

Mr. Moon affirmed the Hamrick property is currently zoned R-1AA, which allows for a minimum lot size of 12,500 square feet.

Commissioner Bankson said he was looking for a reflection of the same nature along the bordering lots.

Mr. Searls said the zoning is R-1AA today and it will be the same zoning that provides structure within what they have to abide by in terms of lot size, house size, setbacks and buffer requirements. They are not changing that in any way.

Commissioner Nolan agreed she wanted to make sure the neighborhood was going to match with Rock Springs Ridge with regards to lot lines and types of houses.

Mr. Searls said this will be brought back with the development plan and that process will go through staff review, Planning Commission, and Council as the City Attorney outlined. He stated there will be a number of opportunities for this to be back before Council.

Mr. Summitt said the holidays played a part with regards to being able to find a location to hold the community meeting. He stated there are no guidelines or requirements in the city code with regard to community meetings so he tried to notify all who were within 500 feet of the development.

Mayor Nelson said there is a court reporter present and asked each witness who will testify to stand and if any of the affected parties intend to testify to facts and request their testimony to be entered into the record on this matter to please stand, raise their right hand and be sworn in by the City Attorney.

City Attorney Byrd conducted swearing in of the witnesses.

In response to Commissioner Becker asking what makes this different than the first hearing, City Attorney advised the applicant has a court reporter for testimony, therefore witnesses are sworn in for the record.

Mayor Nelson opened the meeting to a public hearing.

Tiffany Johnson said the literature in the agenda packet mentioned the land-use report analysis showing four different areas utilized, one being Rock Springs Ridge, and two other areas that are vacant land. She stated this was not consistent with two houses per acre from her standpoint.

Commissioner Becker said there was some uniqueness with Rock Springs Ridge because of the golf course and the calculations. There is not a true one house per acre with the golf course in those calculations. He said to staff's point, the lot width would be comparable to what abuts the property to the north and to the east and square footage.

Megan Yockus said she was here for clarification and asked if the orange area on the map currently was zoned for multi-use and there was no request for change in this area.

Mayor Nelson responded in the affirmative.

Ms. Yockus said in the information they received the zero lot lines were in that section and asked who distributed that document.

Mr. Summitt said with respective lot sizes, they showed the larger lots on the north parcel and the smaller lots on the south parcel, but nothing with zero lot lines.

Mayor Nelson said if this is approved and transmitted to the state, when it comes back is when they would go into details of lot sizes and the layout.

Robert Duncan asked if building today on this property, how many homes would be allowed, to which Mr. Moon said if he was referring to the current land-use designation on the property, it is 1-unit per acre with 35 acres so it would be 35 units. He added at 2-units per acre, if transmitted and adopted, then it would be 70 units. Mr. Duncan said at 1-unit per acre it is the same as Rock Springs Ridge, even though they are structured a little different, but they have green space there that has value. He stated north of Rock Springs Ridge is Bluegrass Estates that is anywhere from 4 to 6 acres per unit, and to the south is Spring Hollow that is 1-unit per acre or larger. He declared there is a golden opportunity here to retain a large residential estate piece of property where they can get bigger homes rather than giving it away to density.

Jeff Outlaw said he lives on Mt. Stirling Avenue and his backyard goes against this property. He said with the golf course, Rock Springs Ridge is 1-unit per acre, but not really. They will need to section off a large part of their land for run off that will knock down their two houses per acre to less than an acre. He stated is more than likely he will be looking at more than two houses through his backyard which now looks at beautiful trees. They invested in their property less than a year ago because it was secluded and private. He said he was happy they made the concession to close off Mt. Stirling.

Hank Dunn said he lives on Mt. Stirling Avenue and said he appreciates the fact they are not going to use Mt. Stirling Avenue, but he would like some assurances. He stated in the beginning not many of the residents were not against the development as they all know Apopka is growing. He said this request came to the City without any input from the affected residents and Council was kind enough to as them to meet with the residents. He affirmed they have seen multiple plans. He said he did not want to see Council pass it and then find out what is in the plan. He declared their concern is not to stop growth, but they want controlled growth. He asked that the residents of Rock Springs Ridge priorities be put first and to please vote no.

Michelle Chase said everyone is here today because they enjoy their homes and want to make sure they continue to enjoy their homes. She appreciates that they are not going to use Mt. Stirling Avenue. She stated she is a realtor and sent a fact in written form to the Commissioners showing what could happen to property values if opening Mt. Stirling Avenue and using it as access. She declared this would reduce the values of homes by $30,000. She said the roads in Rock Springs Ridge do not have curbs and are already in poor condition. She asked what the buffer would be between the backyards of Rock Springs Ridge residents and this new development.

David Hoffman said the proposed Ordinance 2690 raises many compelling questions and issues. He stated not just this development, but the trend they are seeing in the City as a whole. One issue raised by this proposed expansion is crowding and larger class sizes in public schools. This places in jeopardy water resources and available green space, exacerbating traffic and lowering life quality. He declared this was setting the stage for change in the PUD at Rock Springs Ridge and building on the golf course. He asked why at the Community meeting on January 29, they refused to divulge the name of the proposed builder/developer, stating the lack of transparency is offensive.

Simon McKenna has been a resident of Rock Springs Ridge since 2007 after having immigrated from the UK. He said Rock Springs Ridge is a beautiful community and the residents have had to live with the golf course closure and their home values going down. He spoke of the schools and overcrowding. He stated there has not been a development go in Apopka since 2007 that he would want to live in. He asked this Council to take their votes seriously.

Debra Charest said she lives on Pitman Road and pointed out her property on the map stating two sides of her property lines will be up against this development and she will be looking at homes. She has owned this property since January 1985, and an area in the country she felt she could raise children. She spoke of the traffic on Pitman Road speeding and running off the road. She said the end of Pitman Road at Ponkan is an extremely dangerous area. She spoke of illegal matters that have gone on in that area and items brought up to that area and left. She stated this would end up being less than two houses per acre by the time stormwater and other issues are taken into consideration. She has had residents from Rock Springs Ridge trespass on her property. She reiterated that they moved there to get away from being up next to people and before any of the development.

Donald Bynum said he lives in Rock Springs Ridge and he is a retired Captain from the Detroit Fire Department. He has been here for 7 years. He said they already have an issue with speeding on Caledonia Avenue and if more traffic is permitted it will become worse. He declared the round a bout needs to be inspected as it is deteriorating.

Vanessa Cruz said she wanted to echo all the sentiments her neighbors have made here and have on record that she is against the 2 units per acre. She said they are in the Wekiva Protection Act area and there are natural springs in the area. She urged Council to consider not approving this.

Wendy Paradise-Chase lives in Rock Springs Ridge and she is a real estate broker, having been in the business 42 years. She prices homes for banks that are in foreclosure and knows what the impact is on a development when you allowed unbridled growth around it. Additionally she questioned what amount of green space is included in this proposal. She asked with Mt. Stirling Avenue taken off, did that mean they might want to utilize another road and asked if Rock Springs Ridge would stay within its PUD boundaries.

Cory Clark lives on Mt. Stirling Avenue and said he has three small children. He thanked the developers for taking Mt. Stirling off the table. His back yard backs up to this property and it is currently heavily wooded and beautiful with a lot of wildlife. He stated if more density is approved in this area, all of those beautiful trees will die. He said Mt. Stirling was not a cul-de-sac road and there was an old map with it continuing to Ponkan Road. He asked that Council have that taken off the table.

Robert Moore lives on Pitman Road, built a new house there just this past year, and has 10-acres. He stated he moved here to get away from the hustle bustle of the City and was against using Pitman Road, asking the access be to Ponkan Road.

An unidentified resident said it was easy to say no access off Mt. Stirling, but they could go a little pass there and provide another access. He would like this development to have their own access and not use any of the three existing accesses to Rock Springs Ridge.

Renita Thomas lives in Rock Springs Ridge having recently moved there. She asked for clarification of who the actual owners/developers are of the property. She agreed the access to Mt. Stirling being eliminated was a plus, however, there were other issues to contend with such as crime, emergency services, and learning what they are intending to develop here.

Laney Chase, daughter of Michelle Chase, said when she gets off the school bus there are speeders who are texting and not paying attention. She said they do not need more traffic.

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

Mr. Searls said it was raised at the community meeting and they heard several times today, the owner of this property is Hamrick as listed on the Orange County Property Appraiser and they are the applicant, property purchaser from the owner. He said PMDW Ventures, LLC, as he stated at the community meeting, is an Illinois LLC and any search of this on the Illinois Secretary of State’s office produces agent name, principal office, and any information that can be shared. He declared he was not here on behalf of any interest related in any way to the golf course. He said transportation did come up and he distributed a document to Council from Traffic & Mobility Consultants, a transportation and expert planner in Orlando. He read this memorandum into the record, a copy of which is on file in the Clerk’s office. In summary, he said the inner connected grid that they initially led with in the eyes of the transportation experts is the way to go. Notwithstanding, back to his very first comment, they have taken that completely off the table by their own volition. He said they were asked to hold a community meeting, which they did and had a great turnout. They worked to address the comments. He believes the overwhelming majority deals with this one issue they have addressed. They would request approval of transmittal so their project can move forward.

Commissioner Nolan said she wanted to make sure the project was cohesive and matched up to what was there. She stated she understands residents not wanting additional traffic on Mt. Stirling Avenue.

Commissioner Bankson said he likes to give the opportunity for people to maximize their profits, but not when it is at the expense of others investment. He stated having lived through that process it was an early decision such as this that opened the door for a greater density. He affirmed he is against this.

Commissioner Becker said with regard to the people whose property abuts this, if this does not pass today, the landowner still has the opportunity to build homes there and density wise could still build homes to the degree you say you do not want. The property is currently zoned accordingly that this could happen. He stated there is not a compelling case to say we need the increased density.

Commissioner Smith said he did reveal at the last meeting that he lives in Rock Springs Ridge and has been there for 19 years. When he purchased the home, he was informed that Mt. Stirling Avenue would go out to Ponkan Road. However, this is not what the developer is proposing. He stated they were being somewhat mislead. He did receive the certified letter and in this there was a layout of the proposed homes and according to this map, there were 36 homes built on the 35 acres. He said he did not see the rationale to amend this to two homes per acre.

MOTION by Commissioner Smith, and seconded by Commissioner Bankson to deny Ordinance No. 2690. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

Commissioner Becker said during the public comment there was a point made as it pertains to Mt. Stirling Avenue and the Comprehensive Plan. It would be Mt. Stirling Avenue and Mt. Berwick Drive that the Comprehensive Plan Transportation Element talks about extending Mt. Stirling to Ponkan. He asked what it would take to remove that long term.

Mr. Hitt said it would be best to amend the PUD in order to cut off ties to any other access points to which Commissioner Becker requested the process be provided for what that would entail.

5. Ordinance No. 2709 – First Reading – Amendment - PUD Master Plan/Preliminary Development Plan
   Project: Mid-Florida Freezer Warehouses LTD; Florida Express Trucking, Inc.; Eagles Landing at Ocoee, LLC.
   Location: West side of SR 429, south of General Electric Road, and east of Hermit Smith Road - The City Clerk read the title as follows:

ORDINANCE NO. 2709

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING ORDINANCE NO. 2678, WHICH AMENDS THE ADOPTED "MID-FLORIDA LOGISTICS PARK PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN" FOR CERTAIN REAL PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF SR 429, SOUTH OF GENERAL ELECTRIC ROAD, AND EAST OF HERMIT SMITH ROAD, COMPRISING 189.00 ACRES MORE OR LESS; OWNED BY MID FLORIDA FREEZER WAREHOUSES LTD, FLORIDA EXPRESS TRUCKING, INC., AND EAGLES LANDING AT OCOEE, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Bobby Howell, Senior Planner reviewed the property on an aerial map and the surrounding land-uses. The applicant submitted an amendment to the PUD Master Plan for approval and is requesting this amendment to accomplish reducing the overall square footage, relocate building two, and extend building five further to the east and rename to 5A and 5B, and reconfigure two public rights-of-ways on the PUD Master Plan. The last is to allow an extension of a rail spur to connect to the southernmost lot. He reviewed the dedication of right-of-way and 25-foot dedication leading to the south and allowing access to the property to the south in the future. He advised an amendment to the Development Agreement will be presented for consideration at the February 20, 2019, Council meeting. DRC and Planning Commission recommend approval.

Julie Shrader said she was here representing the applicant and they agree with the staff recommendation.

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. 2709 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

6. Ordinance No. 2710 – First Reading – Vacate – Public Right-of-Way
Project: City of Apopka
Location: East of S.R. 414 and west of South Hawthorne Avenue
The City Clerk read the title as follows:

ORDINANCE NO. 2710

AN ORDINANCE OF THE CITY OF APOPKA, TO VACATE A 30-FOOT WIDE RIGHT-OF-WAY, LOCATED NORTH OF EAST S.R. 414 AND WEST OF SOUTH HAWTHORNE AVENUE IN SECTION 21, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

Ms. Sanchez provided a brief lead-in on the project, reviewing the location on a map. DRC has no objection to the request to vacate. The recommendation is to accept the 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 Nolan, and seconded by Commissioner Becker to approve Ordinance No. 2710 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

7. Ordinance No. 2712 – First Reading - Annexation
   Project: City of Apopka
   Location: 3251 Harry Street (Lift Station)
   The City Clerk read the title as follows:

ORDINANCE NO. 2712

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBD LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY THE CITY OF APOPKA; LOCATED AT 3251 HARRY STREET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Mr. Howell said the request is to annex 1.22 acres of property owned by the City of Apopka. This is the site of a lift station located at 3251 Harry Street. This is contiguous to the city limits and eligible for annexation per Florida Statutes. The recommendation is to approve at first reading and carry over for a second reading. DRC recommends approval.

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

MOTION by Commissioner Nolan, and seconded by Commissioner Smith to approve Ordinance No. 2712 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

8. Resolution 2019-03 - FY18/19 Budget Amendment
   The City Clerk read the title as follows:

RESOLUTION NO. 2019-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019, PROVIDING FOR A BUDGET AMENDMENT.

Ms. Roberson reviewed the budget amendments stating the bulk of this is for purchase order carry forwards from FY 18 to FY 19. She provided an overview of the amendments as attached to the resolution. The recommendation is to approve Resolution 2019-03.

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 Resolution No. 2019-03. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

CITY COUNCIL REPORTS

1. Presentation with Girl Scouts 2 troops STEM Project
   Commissioner Nolan reviewed photographs of the Girl Scouts working on and achieving their badge for a STEM Project that was a robotic theme.

Mayor Nelson recognized Bob Elmquist for stepping in and helping as the Interim Public Services Director. He thanked Mr. Elmquist, Mr. Elmquist said he spent over half of this life working for the City and it meant a lot to him to be asked to come back for this purpose. He said they had a great group of people at Public Services.

Commissioner Smith said he would like the Council to consider having a youth council. Commissioner Nolan said she has been working with Melissa Byrd and involving both High Schools. Commissioner Becker said in 2016 he put forth a recommendation for this same effort and built a program around it and it never came back before Council. He offered bringing that proposal back for Council to review.

Edward Bass said he would forward Commissioner Becker's information to Council. Mayor Nelson suggested having Ms. Whaley oversee this and he further suggested Kathy Till be asked to give a presentation.

CITY ADMINISTRATOR'S REPORT.

1. Appointment of Kevin Becotte as the Public Services Director

Mr. Bass introduced Kevin Becotte and reviewed his background stating he had over 28 years of local government experience.

MOTION by Commissioner Smith, and seconded by Commissioner Bankson to ratify the appointment of Kevin Bicotte as Public Services Director. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

MAYOR'S REPORT - Mayor Nelson reminded everyone the BBQ showdown, chili and steak cook-offs were this weekend.

ADJOURNMENT: There being no further business the meeting adjourned at 4:12 p.m.

ATTEST:

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Bryan Nelson, Mayor

____
Linda F. Goff, City Clerk