CITY OF APOPKA
DEVELOPMENT REVIEW COMMITTEE

DATE: **January 27, 2016**
TIME: **9:00 PM Development Review Committee Meeting**
LOCATION: **120 E. Main Street (Community Development Conference Room)**

I. Staff Comments on the following:

A. Special Events:

B. Concept Plan:

1. SDA Apopka Gymnasium — SPR16-04C
Concept Plan
Parcel No.: 22-21-28-0000-00-196
Location: 1822 Sheeler Avenue

C. Site Plans:

D. Plats:

E. Street Name Review

F. FLUM / Rezoning:

G. Special Exception:

II. Other Business:

A. Public Hearing:

B. Vacate/Variance:

C. Request for Extension:

2. Sandpiper Road (PR15-14) — PR16-04EX
Request for Extension
City Council: Approved April 15, 2015
Expires: April 15, 2016

D. Discussion:

E. Peddlers Permit:

F. Plan Final Review and Sign-off: **Projects at "Zoning Counter"**

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

David B. Moon

David B. Moon, AICP,
Planning Manager

Backup material for agenda item:

2. Sandpiper Road (PR15-14) PR16-04EX
   Request for Extension
   City Council: Approved April 15, 2015
   Expires: April 15, 2016

RECEIVED
JAN 20 2016

Florida Land Trust #111
100 S. Virginia Avenue Unit 201
Winter Park, FL 32789
(407) 947-4225

January 15, 2016

Jay Davoll
Community Development Director
City of Apopka
120 E. Main Street, 2nd Floor
Apopka, FL 32703

Re: Extension Request Section 252.363, FS

Dear Mr. Davoll,

Please accept this letter as our request to toll the expiration date of Sandpiper Road – ~~PR14-17~~ PR15-14 PUD Master Site Plan/Preliminary Development Plan in accordance with Section 252.363 of the Florida Statutes.

Allan Goldberg
Trustee

Approved: April 15, 2015
Expires: April 15, 2016

1882 CITY OF APOPKA
INDOOR FOLIAGE CAPITAL OF THE WORLD
FLORIDA

P.O. BOX 1229 • APOPKA, FLORIDA 32704-1229
PHONE (407) 703-1700

August 10, 2015

Florida Land Trust #111
C/o ZDA at Sandpiper, LLC
Attn.: Mr. Allan Goldberg
100 S. Virginia Avenue, Unit 201
Winter Park, FL 32789

RE: Florida Land Trust #111 – ZDA At Sandpiper, LLC.
Change of Zoning - Ordinance No. 2386
Sandpiper Road - Planned Unit Development (PUD) Master Site Plan/Preliminary Development Plan - PR15-14 (49 Lots)
Parcel No.'s: 02-21-28-0000-00-106, 02-21-28-0000-00-131, 03-21-28-0000-00-015, 03-21-28-0000-00-022, 03-21-28-0000-00-023, 03-21-28-0000-00-046, 03-21-28-0000-00-047, 03-21-28-0000-00-072, 03-21-28-0000-00-073, And 03-21-28-0000-00-119

Dear Mr. Goldberg:

On April 15, 2015, the City Council approved the Sandpiper Road – ~~PR14-17~~ PR15-14 Planned Unit Development (PUD) Master Site Plan/Preliminary Development Plan and adopted Ordinance No. 2386, changing the zoning from "County" PD (ZIP) (Residential to "City" Planned Unit Development (PUD/R-1A) (Residential) and approval of the Planned Unit Development Master Site Plan for the above referenced project.

This action allows you to submit the Final Development Plan. Additional, development standards are set forth within Ordinance No. 2386. The property owner/developer is responsible for monitoring any termination date set forth within the ordinance. A copy of the approved plan and Ordinance No. 2386 are enclosed for your records.

Sincerely,

David B. Moon

David B. Moon, AICP
Planning Manager

Enclosure: Ordinance No. 2386

C: R. Jay Davoll, P.E., Community Development Director/City Engineering
DRC Members
Madden, Moorhead & Glunt, Inc., Attn.: Mr. David A. Stokes, P.E., 100 S. Virginia Avenue Unit 201, Winter Park, FL 32789

Mayor: JOE KILSHEIMER Commissioners: J. WILLIAM ARROWSMITH BILLIE L. DEAN SAM RUTH DIANE VELAZQUEZ

ORDINANCE NO. 2386

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" PD TO "CITY" PLANNED UNIT DEVELOPMENT (PUD/R-1A) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF SANDPIPER STREET, WEST OF NORTH THOMPSON ROAD, EAST OF USTLER ROAD, COMPRISING 58.23 ACRES, MORE OR LESS AND OWNED BY FLORIDA LAND TRUST #111 - ZDA AT SANDPIPER, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed Planned Unit Development (PUD/R-1A) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Apopka, Florida, as follows:

Section I. That the zoning classification of the following described property be designated as Planned Unit Development (PUD/R-1A), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

A. The uses permitted within the PUD district shall be: single family homes and associated accessory uses or structures consistent with land use and development standards established for the R-1A zoning category except where otherwise addressed in this ordinance.

B. Development of the property shall occur consistent with the Master Site Plan set forth in Exhibit "A" Development standards applicable to the Exhibit "A" Sandpiper Master Site Plan are set forth within Exhibit "B". If a development standard or zoning regulation is not addressed within Exhibit "B", development shall comply with the R-1A zoning standards set forth in the Land Development Code. Where any development standard conflicts between the Sandpiper Master Site Plan and the Land Development Code, the Master Site Plan shall preside. Any proposed revision to the Master Site Plan shall be evaluated and processed pursuant to Section 2.02.18.N. (Master plan revision), LDC.

C. If a Final Development Plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Site Plan\PDP provisions will expire. At such time, the City Council may:

1. Permit a single six-month extension for submittal of the required Final Development Plan;

2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Site Plan provisions and any conditions of approval; or

3. Rezone the property to a more appropriate zoning classification.

D. The following PUD development standards shall apply to the development of the subject property:

1. Development standards are established within the PUD/PDP Master Site Plan.

2. Unless otherwise addressed within the PUD development standards, the R-1A zoning standards will apply to the subject property.

Section II. That the zoning classification of the following described property, being situated in the City

of Apopka, Florida, is hereby Planned Unit Development (PUD/R-1A) as defined in the Apopka Land Development Code.

Legal Description:

The Northeast ¼ of the Southeast ¼ of the Northeast ¼ of Section 3, Township 21 South, Range 28 East, Orange County, Florida.

The West 275.0 feet of the Northwest ¼ of the Southwest ¼ of the Northwest ¼ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof.

The West ½ of the North ½ of the Southeast ¼ of the Northeast ¼ of Section 3, Township 21 South, Range 28 East, Orange County, Florida, LESS, the North 330 feet of the East 200 feet of the West 220 feet thereof, AND LESS the North 30 feet thereof.

That part of the Southwest ¼ of the Northwest ¼ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, beginning at a point South 00 degrees 02 minutes 00 seconds West, 30.0 feet and North 89 degrees 35 minutes 59 seconds East, 550.0 feet from the Northwest corner of said Southwest ¼ of the Northwest ¼, run North 89 degrees 35 minutes 59 seconds East, 108.90 feet along the South line of Sandpiper Road; thence run South 00 degrees 01 minutes 08 seconds West, 312.00 feet; thence run North 89 degrees 35 minutes 59 seconds East, 193.00 feet; thence run South 00 degrees 03 minutes 49 seconds West, 320.19 feet; thence run South 89 degrees 35 minutes 00 seconds West, 301.81 feet; thence run North 00 degrees 02 minutes 00 seconds East, 632.27 feet to the POINT OF BEGINNING.

ALSO: The East 275.0 feet of the West 550.00 feet of the Northwest ¼ of the Southwest ¼ of the Northwest ¼ of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof for Sandpiper Road.

The Northeast ¼ of the Southwest ¼ of the Northeast ¼ of Section 3, Township 21 South, Range 28 East, Orange County, Florida; less the North 30 feet thereof.

The North 330.00 feet of the West 220.00 feet of the West ½ of the North ½ of the Southeast ¼ of the Northeast ¼ of Section 3, Township 21 South, Range 28 East, Orange County, Florida, LESS the North 30.00 feet thereof, AND LESS the West 20.00 feet thereof.

The West 145 feet of North 643 Feet of the West ½ of the Southwest ¼ of the Northeast ¼ of Section 3-21-28 (Less R/W on North & West)

Parcel ID Nos.: 02-21-28-0000-00-106; 02-21-28-0000-00-131; 03-21-28-0000-00-015; 03-21-28-0000-00-022; 03-21-28-0000-00-023; 03-21-28-0000-00-046; 03-21-28-0000-00-047; 03-21-28-0000-00-072; 03-21-28-0000-00-073; and 03-21-28-0000-00-119
Combined Acreage 57.7 +/- Acres

Section III. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section IV. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

Section V. That if any section or portion of a section or subsection of this Ordinance proves to be

invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this ordinance.

Section VI. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VII. That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: April 1, 2015

READ SECOND TIME
AND ADOPTED: April 15, 2015

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED: March 20, 2015

EXHIBIT "A"

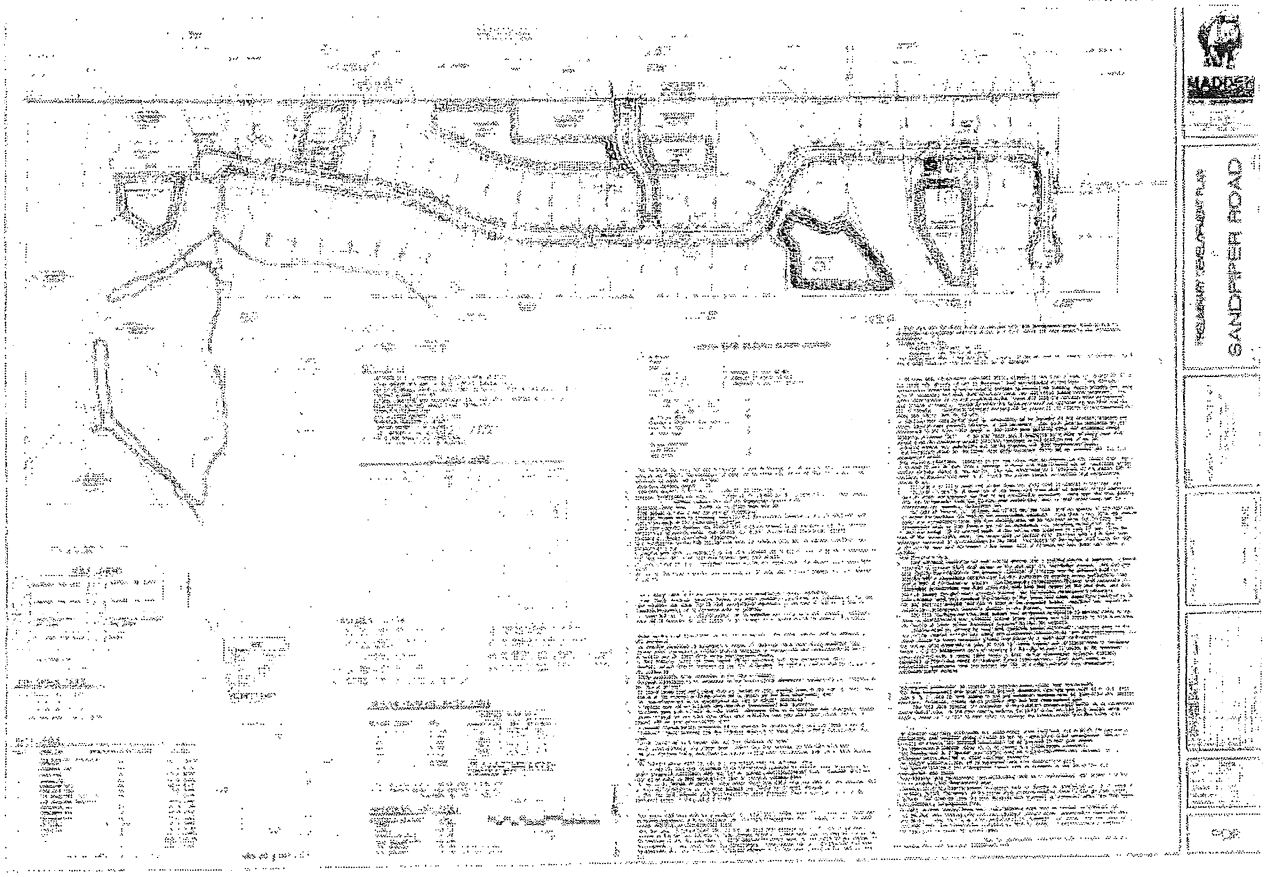

EXHIBIT "B"

SANDPIPER MASTER SITE PLAN DEVELOPMENT STANDARDS

A. Design Standards

1. LOT SETBACKS:

Front--	25'
Side --	10'
Lots 10 –	20' adjacent to east lot line
Lots 12, 13	40' adjacent to south lot line
Lots 5, 6, 17, 18	0' adjacent to gas line easement
Corner Lot--	25'
Rear –	
Lots 19 – 27; 11-12; 40 -41	50'
Lots 1 – 10; 13 – 18; 28 – 39; 42 – 49	20'
Lk. McCoy NHWE --	50'
Accessory Structure Rear Setback—	
Lots 19 – 27; 11 -12; 40 - 41	35'
All other Lots	10'
Garage Setback—	
Front Entry	30'
Side Entry	25'

2. The minimum lot width for lots 6 through 10 and 19 through 27 will be 110 feet at the building setback line ("BSL"). The minimum lot width for all other lots will be 85 feet at the BSL. The minimum lot depth will be 140 feet.
3. Maximum Building Height: 35'
4. Maximum number of Stories: Two; Lots 23 – 25 one-story only
5. Minimum Developable Lot Area: 11,500 sq. ft; 10,000 sq. ft. for lots 29 to 37 (area outside SJRWMD wetland line and its designated upland buffer.)
6. Minimum Living Area; 2,200 sq. ft. under heat and air.
7. Each house to have a two car garage (minimum).
8. Internal streets shall be privately owned by the Homeowners Association and an electronic gate system provided at the community entrance.
9. After the adoption hearing, the Master Plan shall be revised to be consistent with the adopted development standards herein, and all lots and tracts re-numbered accordingly, subject to Development Review Committee acceptance.
10. Any modification to the PUD Master Plan shall be reviewed according to Section 2.02.18.N, Land Development Code.
11. A passive park shall be dedicated to the HOA between lots 8 and 9 (Tract "M"). Lot 10 will be a minimum of 120 feet wide with a 20-foot wide eastern side yard setback.
12. On Lots 12 and 13, if courtyard/side loaded entries are constructed, the garage doors must face north.
13. On Lot 15, the eastern building line and setback will align with the front building line and setback of Lot 14.

B. Buildings and Accessory Structures

1. Home design shall meet the intent of the City's Development Design Guidelines.
2. Pools, sheds, buildings, gazebos, fences and other accessory structures are prohibited in the side yard setbacks and within the 30 foot conservation easement at the rear of lots 11-12 and 19-27.
3. Existing structures will be removed prior to platting.
4. At least 500 sq. ft. of driveway pavers will be installed per house or a side-loaded / courtyard entry will be provided for each house, to be decided on a house-by-house basis by the builder.

C. Utilities and Infrastructure

1. Water service shall be provided by the City of Apopka. The water system shall be designed to city standards.
2. An oversize agreement is necessary to install 12" diameter force main along sandpiper road.
3. Storm water management system shall be designed to comply with the requirements of the City of Apopka and St. Johns River Water Management District.
4. A final drainage report and soils report will be submitted with final development plans
5. Sanitary service shall be provided by the City of Apopka. The sanitary system shall be designed to city standards.
5. Utility easements to be dedicated to the City of Apopka.
6. Drainage easements to be dedicated to the home owners association unless otherwise accepted by the City of Apopka.
7. All storm water and utility pipes may be moved to save existing trees in the right-of-way. Any change in the location of these pipes will be shown on the final engineering plans.
8. On-site streets are to be constructed per City of Apopka standards.
9. A signage plan will be provided with the final development plan submittal.

10. Entrance gate shall conform to city codes. Entrance gate to be equipped with emergency access system through an opti-com type visual gate activation and yelp siren. There must also be a keypad with an emergency access code.
11. A blanket ingress/egress easement will be granted for access to the city over Road A and B.
12. Stabilized access roadways and fire hydrants must be in place before building construction may begin
13. Street names will be provided with the final development plans
14. Solid waste collection and public safety (police and fire) provided by the City of Apopka.
15. All/any overhead utility lines must be placed underground, coordination with City's Public Service Dept.
16. The internal street right-of-way is to be private with an entrance gate;
17. A five (5) foot wide sidewalks to be constructed adjacent to internal roads throughout the entire project in compliance with the City of Apopka Land Development Code. Sidewalk alignment may be adjusted at final development plan to preserve existing trees.
18. In lieu of installation of sidewalk along Ustler Road, the owner may pay into the city sidewalk fund at the rate of $3.50/sf for 4" thick sidewalk and $4.25 for 6" thick sidewalk.
19. A five-foot wide sidewalk shall be constructed along Sandpiper Road from Ustler Road to the northeast corner of the project boundary.

D. Recreation, Open Space, Lake Access

1. The active park area shall be a minimum of 15,000 sq.ft. within Tract "C". A park site plan and recreation equipment shall be provided with the Final Development Plan. Design of the park shall comply with the Land Development Code.
2. Only the nine lot owners (Lots 29-37) who will have lots backing up to Lake McCoy will have access to the lake and be able to build private docks to access said lake. All nine lot owners will be required to join the Lake McCoy taxing district. No other docks or recreation will be allowed to have access to Lake McCoy from this development. Dock details will be evaluated with the final development plan and is to include language allowing a 15-foot wide access to the lake for each lot.
3. A park site plan for Tract "M" will be provided with final development plans. Tract "M" shall be designated as a passive park and placed in a Tract owned and maintained by the Homeowners Association.
4. Project open space:
   Required = 20% min. per LDC
   Provided = 40.89% (23.81 acres.).
5. The active park (Tract "C") at the end of the western cul-de-sac and the passive park (Tract "M") between Lots 8 and 9 shall total not less than 15,000 sq. ft. combined.

E. Buffers and Landscaping

1. A 30 foot wide conservation easement will be provided on the back of Lots 11- 12 and 19-27 and the south side of Lots 12 and 13. Easement shall be dedicated to the HOA. (The 30-foot conservation easement is not a required SJRWMD easement.) No building, fence, gazebo, swimming pool, or accessory structure shall be placed within the thirty-foot conservation easement. The buffer shall remain as natural vegetated buffer. Trees that that are removed shall be replaced. Any removal of trees or vegetation within the bufferyard must be approved by the HOA and the City of Apopka. Easement boundary markers will be placed at the interior of the easement line along the side lot line for all lots.

2. A ten (10) foot wide buffer tract for landscaping will be provided on the northern property line, except against lake, wetland, retention, or gas easement. This tract shall be dedicated to and maintained by the HOA. The design of this buffer shall generally follow the landscape design appearing in Exhibit "B.1". A tri-trail fence that is supported by a brick or stone post shall extend from the northeast project boundary westward to the western end of lot 38.
3. Entrance feature and community sign will be provided with final development plans.
4. Final landscape plans for the buffer area along Sandpiper Street will be provided with the final development plans.
5. Tree Planting Conditions. Minimum of two new trees shall be planted per lot, except that Lots 6 to 10 and 15 and 16 shall have a minimum of three new trees planted per lot, regardless of the number of trees saved on the any lot. The new trees shall be a minimum of 2.5 inches DBH at the time of planting and shall count toward the overall number of required tree replacement inches, if any.
   a. On Lots 6 to 11, at least two of the three new trees shall be planted in the rear yard.
   b. On Lots 12 and 13, at least two of the three new trees shall be planted on the south side yard or within the northern ten feet of the conservation easement. Note that this tree planting area will be removed from the 30-foot wide conservation area so that these trees can be maintained, i.e., watering, fertilization, etc.
   c. On Lots 19 through 27, at least one of the two new trees shall be planted in the rear yard or within the northern ten feet of the conservation easement. Note that if the trees are planted within the conservation area, this tree planting area will be removed from the 30-foot wide conservation area so that these trees can be maintained, i.e., watering, fertilization, etc.
6. A viburnum hedge will be planted south of the cul-de-sac adjacent to Lots 12 and 13 at the edge of the conservation area. The hedge shall be planted in a 100-foot wide by 5-foot deep landscape easement to be maintained by the HOA. The length of the hedge shall equal the width of the cul-de-sac, and the height of the hedge shall be at least six feet within two years of planting.
7. Tree Protection Plan.
   a. Any individual residential lot shall not be cleared until a building permit is approved. Existing trees (6" or greater DBH) shall appear on the plot plan (i.e. foundation survey). The plot plan shall identify the location of the driveway. Location of a house and its driveway shall be oriented with a reasonable consideration for the protection of existing trees, particularly trees with a DBH of 24 inches or greater. The Community Development Director shall determine if a reasonable consideration has been made and shall take final action on the plot plan, and may deny or accept the plot plan; provided, however, the Community Development Director's determination shall only consider the location of the house and other impervious surfaces on the lot and shall not consider the type or style of the proposed house. Applicant can appeal the Community Development Director's decision to the Planning Commission.
   b. The Final Development Plan shall include tree protection techniques to prevent harm to any trees or encroachment into protected natural areas, including but not limited to tree barricades, silt fencing or other similar techniques accepted by the city engineer.
   c. Clearing shall be allowed for road ROW, retention ponds, community recreation area at the end of the western cul-de-sac, utility and stormwater infrastructure, off-site improvements, and areas needed to make necessary grading transitions for a safe work environment.
8. Any conservation easement or area of Tract "A" within twenty feet of Ustler Road or Sandpiper Street may be encroached upon or removed by the City, in part or whole, at its discretion to make improvements to roads, utility mains or lines, and\or stormwater systems, including expansion of the Ustler Road or Sandpiper Street right-of-way. Such open space or conservation easements shall not prevent the City or a utility provider from implementing necessary public services.

F. Maintenance and Plat

1. Homeowners association will maintain all common areas, roads, and fences\walls.
2. The final development plan shall include the plat document, and the plat shall be in final form.
3. Lots 5, 6, 17, and 18 have access to the gas easement surface area as allowed by the recorded easement. Easement details will be provided with the final development plan.
4. The HOA shall enforce the protection of the southern conservation buffer as an undisturbed natural buffer area. If the HOA fails to enforce the buffer area, the City may require either the property owner or the HOA to take action to remedy any encroachment into the buffer area.

G. Wetlands and Environmental

1. All acreage regarding developable and conservation areas (wetlands and buffers) are considered approximate until finalized during a review by the St. Johns River Water Management District and the City of Apopka. The SJRWMD concurrency will be provided at final plan review.
2. The jurisdictional wetland areas are to be placed in a conservation easement.
3. Any development in a special flood hazard area will require the finish floor elevation to be 20-inches above the 100 yr. Flood elevation, minimum.
4. An erosion protection plan will be submitted with final development plans.
5. The habitat inventory and management report shall be provided to the city no later than the final development plan stage.
6. Tree removal, tree replacement, and landscaping shall be in conformance with Article V of the City of Apopka Land Development Code.
7. Individual lot arbor/clearing permit is required prior to clearing or grading of any lot or issuance of building permit. Placement of the house shall preserve existing trees to the greatest extent practical. Plot plan for each lot shall illustrate tree locations as presented within the PUD Master Plan\Preliminary Development Plan.
8. In order to save existing trees stem walls/retaining walls may be utilized on individual lots.
9. The 25 foot wide (average)/15 foot wide minimum wetland buffer/conservation easement within Lots 28 to 37 and Tract A is to be dedicated to the SJRWMD. Lot owners may not clear any vegetation within the conservation easement on their lot except to accommodate a maximum 15 foot wide path to reach the water's edge.

H. Development Condition Continuity. The PUD Development Standards shall be printed within the PUD Master Plan and the Final Development Plan.