APOPKA PLANNING COMMISSION AGENDA
August 12, 2025 5:30 PM
Apopka City Hall Council Chambers

APOPKA PLANNING COMMISSION MEETING WILL BE LIVE-STREAMED ON YOUTUBE. TO WATCH, PLEASE VISIT:
https://www.youtube.com/CityofApopkaFL

CALL TO ORDER

OPENING AND INVOCATION

APPROVAL OF MINUTES

1. Meeting Minutes from May 13, 2025

2. Meeting Minutes from June 10, 2025

PUBLIC COMMENT PERIOD

The Public Comment Period is for City-related issues that may or may not be on today's Agenda. If you are here for a matter that requires a public hearing, please wait for that item to come up on the agenda. If you wish to address the Council, you must fill out an Intent to Speak form and provide it to the City Clerk prior to the start of the meeting. If you wish to speak during the Public Comment Period, please fill out a green-colored Intent-to-Speak form. If you wish to speak on a matter that requires a public hearing, please fill out a white-colored Intent-to-Speak form. Speaker forms may be completed up to 48 hours in advance of the Council meeting. Each speaker will have four minutes to give remarks, regardless of the number of items addressed. Please refer to Resolution No. 2025-19 for further information regarding our Public Participation Policy & Procedures for addressing the City Council.

PUBLIC HEARING

1. **Legislative - Ordinance No. 3105 - Future Land Use Amendment - 724 W. Keene Road**
   Owner(s): Dewar Keene 40 LLC
   Applicant(s): Logan Opsahl
   Location: 724 W. Keene Road, 632 W. Keene Road, 608 W. Keene Road and 2751 Marden Road
   Project: 38.59 Acres +/-
   Density: 7.5 Dwelling Units Per Acre
   Project Manager: Amer Hamza

2. **Quasi- Judicial - Ordinance No. 3106 - Change of Zoning - 724 W. Keene Road**
   Owner(s): Dewar Keene 40 LLC
   Applicant(s): Logan Opsahl
   Location: 724 W. Keene Road, 632 W. Keene Road, 608 W. Keene Road and 2751 Marden Road
   Project: 38.59 Acres +/-
   Density: 7.5 Dwelling Units Per Acre
   Project Manager: Amer Hamza

3. **Legislative – Ordinance No. 3108 – Large-Scale Future Land Use Amendment – Ondich North**
   Owner(s): PM S-1 REO, LLC; HMF, LLC; Charles P. Stallings; Kim L. Stallings; Euell E. Stallings, Jr.; and Crystal Denise Stallings
   Applicant(s): Appian Engineering, Inc. c/o Luke Classon, P.E.
   Parcel Identification Number(s): 01-20-27-0000-00-007, 01-20-27-0000-00-034, 01-20-27-0000-00-053, 02-20-27-0000-00-010, 02-20-27-0000-00-011, 02-20-27-0000-00-020 (portion of)
   Location: Northwest corner of Ondich Road and SR 453/SR 429
   Future Land Use: County Rural
   Zoning: County R-2 (Residential District)
   Proposed Future Land Use: Rural Settlement

Existing Use: Mostly vacant and some parcels with single-family residences
Tract Size: 196.83 +/- acre(s)
Density: one dwelling unit per acre
Project Manager: Jean Sanchez

4. **Legislative – Ordinance No. 3110 – Future Land Use Amendment – The Summit at Wolf Lake Ranch (Wolf Lake Ranch Phase III)**
Owner(s): Lutz David L Life Estate; Lutz Mary T Life Estate; Rem: David M Lutz; Rem: Michelle M Gregory
Applicant(s): William Maki
Parcel Identification Number(s): 19-20-28-0000-00-019
Location: North of Ponkan Road, west of Ponkan Pines Road and west of Jason Dwelley Parkway
Existing Future Land Use: Mixed-Use
Proposed Future Land Use: Residential Very Low Suburban (maximum 2 du/ac)
Existing Zoning: MU-ES-GT (Mixed-Use - East Shore - Gateway)
Existing Use(s): Single-family residence
Density: 2 dwelling units per acre
Tract Size: 21.43 +/- acre(s)

5. **Quasi-Judicial – Ordinance No. 3111 – Change of Zoning – The Summit at Wolf Lake Ranch (Wolf Lake Ranch Phase III)**
Owner(s): Lutz David L Life Estate; Lutz Mary T Life Estate; Rem: David M Lutz; Rem: Michelle M Gregory
Applicant(s): William Maki
Parcel Identification Number(s): 19-20-28-0000-00-019
Location: North of Ponkan Road, west of Ponkan Pines Road and west of Jason Dwelley Parkway
Existing Future Land Use: Mixed-Use
Proposed Future Land Use: Residential Very Low Suburban
Existing Zoning: MU-ES-GT (Mixed-Use - East Shore - Gateway)
Proposed Zoning: RSF-1B (Residential Single-Family — Large Lot)
Existing Use(s): Single-family residence
Density: 2 dwelling units per acre
Tract Size: 21.43 +/- acre(s)
Project Manager: Jean Sanchez

6. **Legislative - Ordinance No. 3119 - Future Land Use Amendment - Cold Link Logistics**
Owner(s): MG88 Central Florida Cold Storage II LLC
Applicant(s): Joshua Enot
Location: 2424 & 2428 W Orange Blossom Trail
Project: 0.38 Acres +/-
Density: 0.6 MAX FAR
Project Manager: Amer Hamza

7. **Quasi-Judicial - Ordinance No. 3120 - Change of Zoning - Cold Link Logistics**
Owner(s): MG88 Central Florida Cold Storage II LLC
Applicant(s): Joshua Enot
Location: 2424 & 2428 W Orange Blossom Trail
Project: 0.38 Acres +/-
Density: N/A
Project Manager: Amer Hamza

8. **Legislative - Ordinance No. 3122 – Small-Scale Future Land Use Amendment – 1920 Sheeler Avenue**
Owner(s): Marvin Wayne Reid and Susan Thomas Reid
Applicant(s): Jonathan Huels
Location: 1920 Sheeler Avenue (PID 22-21-28-0000-00-073, 22-21-28-0000-00-227)
Project: Small-Scale Future Land Use Amendment
Density: 3.5 DU/A
Project Manager: Jun Sohn, Ph.D.

9. **Quasi-Judicial – Ordinance No. 3123 – Change of Zoning – 1920 Sheeler Avenue**
Owner(s): Marvin Wayne Reid and Susan Thomas Reid
Applicant(s): Jonathan Huels
Location: 1920 Sheeler Avenue

Project: Change of Zoning
Density: 3.5 DU/A
Project Manager: Jun Sohn, Ph.D.

10. **Quasi-Judicial – Ordinance No. 3124 – Change of Zoning/PD (Planned Development) Amendment – Shoppes at East Shore**
Owner(s): Shoppes at East Shore, LLC
Applicant(s): Lowndes c/o Jonathan Huels, Esq.
Parcel Identification Number(s): 20-21-28-0000-00-021, 20-21-28-0000-00-024, 20-21-28-0000-00-025 and 20-21-28-0000-00-028
Location: Northeast corner of Ocoee Apopka Road and West Keene Road
Current Future Land Use: Mixed Use
Current Zoning: Planned Development (PD)
Existing Use(s): Approved for a mixed use development including grocery, multi-family and other commercial and medical uses
Project: 27.99 +/- acre(s)
Density/Intensity: 8.2 dwelling units per acre/0.07 floor area ratio
Project Manager: Jean Sanchez

11. **Legislative – Ordinance No. 3125 – Future Land Use Amendment – Paulucci Acres residential**
Owner(s): Paulucci Acres, LLC
Applicant(s): Daniel O'Keefe
Location: East side of Vick Road, approximately 1/4 mile north of the intersection of Vick Road and W. Lester Road
Project: 39.85 +/- acre(s)
Density: 3.5 dwelling units per acre
Project Manager: Bobby Howell, AICP

12. **Legislative – Ordinance No. 3126 – Future Land Use Amendment – Paulucci Acres commercial**
Owner(s): Paulucci Acres, LLC
Applicant(s): Daniel O'Keefe
Location: South side of Ponkan Road, west of Jason Dwelley Parkway
Project: 5.789 +/- acre(s)
Density: N/A (Commercial proposed)
Project Manager: Bobby Howell, AICP

SITE PLANS

1. **Springhaven (fka Chandler Hills) Major Development Plan**
Owner(s): Orchid Estate HOA Community, Mega GNG, LLC, Jacob Snavely, 4625 Chandler Road, LLC, Matthew & Deborah Shaw, Daphne Martin, Walter H. Robinson III, Yoo Shik Um Irrevocable Trust, PM-S1 REO, LLC
Applicant(s): Luke Classon, P.E.
Location: 2350 W. Kelly Park Road
Project: Springhaven (fka Chandler Hills)
Density: 3.38 Units/Acre (Mixed-Use Future Land Use permits maximum of 15 du/ac)
Project Manager: Bobby Howell, AICP

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT
Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Planning Commission with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Planning Commission meeting shall be the voluntary offering of a private person, to and for the benefit of the Planning Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Planning Commission or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the Planning Commission meeting are invited to

stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON MAY 13, 2025 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: William Gusler, Howard Washington, Robert Ryan, Eric Mock, Wes Dumey, David Woods and Mary Norwood

ABSENT: Orange County Public Schools (Non-voting)

STAFF PRESENT: Bobby Howell – Planning Manager, Jun Sohn – Planner II, Amer Hamza – Planner I, Andrew Hand – City Attorney (Cliff Sheppard's Office), Vladimir Simonovski, City Engineer, Kelly Robertson – Content Administrator, Marta Schwarz – Content Specialist and Erin Arnold – Executive Assistant.

OTHERS PRESENT: Genevieve Labuda, Nancy Brown, Bobby & Jessica Sanders, Kevin Roberson, Nick Diangelis, Jeffrey Manso & Virginia Perez

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

PUBLIC COMMENT: Chairperson Gusler asked if anyone from the public wished to speak on a matter that is not on the agenda. With no one wishing to speak, Chairperson Gusler closed the public comment period.

APPROVAL OF MINUTES: Chairperson Gusler asked if there were any corrections or additions to the regular meeting minutes of April 8, 2025 at 5:30 p.m.

MOTION: Howard Washington made a motion to approve the Planning Commission minutes from the regular meeting held on April 8, 2025 at 5:30 p.m. and seconded by Mary Norwood. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Wes Dumey, Mary Norwood and David Woods (7-0).

SPECIAL EXCEPTION – CHILD CARE FACILITY IN THE RSF-1A ZONING DISTRICT – 4410 & 4420 CHANDLER ROAD

Chairperson Gusler read the item description and asked if anyone had ex-parte communication on this matter. All commissioners responded no.

Staff Presentation: Jun Sohn presented the item based on the staff report.

Commissioner Woods asked staff if this exception is limited to only child care or can it be converted into something else eventually. He also asked if there were any plans for the 2 vacant lots behind the property.

Mr. Sohn said that it will only be for a child care facility and those 2 lots are not part of this project.

Commissioner Ryan asked why the applicant isn't asking to rezone the property to a commercial or educational use zoning.

Mr. Sohn stated that the future land use is residential and staff would not support changing the land use to commercial or office use, however, per land development code a child care facility is permitted with a special exception and rezoning or changing the land use is not necessary.

Commissioner Ryan asked what is the benefit of this child care facility being zoned residential as opposed to commercial or educational use zoning and what is the maximum number of children that can attend that facility.

Mr. Howell responded that this exception allows the planning commission more conditions to be placed on the use. There is a list of 12 criteria outlined in the staff report for a special exception that an applicant has to fulfill and that is ultimately the determination of the planning commission to ensure that it meets those criteria.

Andrew Hand, City Attorney, said that the number of children would depend on the size of the structure and what is allowed by fire code. He reminded the commission that this is not a home occupation type of facility. It is for a special exception that is not a residential facility. It's not a home or someone's house that they live in.

Mr. Howell explained to Commissioner Ryan that this is a commercial daycare center and not a residential one. There was a similar project that was approved by the same board a few years ago off of Lester Road.

Commissioner Ryan asked if there are any restrictions on signage for the residential lot.

Mr. Sohn responded that wall and window signs are not permitted in residential zoning, but freestanding signs are.

Commissioner Ryan said that in the project summary of the staff report line 7 it states that it's a safe entrance and exit and wanted to know if that is correct.

Mr. Sohn responded that the applicant is not going to use the Chandler Hills Road which is a dirt road. They are going to create a new access from the Jason Dwelley Parkway.

Mr. Howell reminded Commissioner Ryan that he is only considering the use on the property at this stage and nothing else which is why it wasn't mentioned here.

Mr. Sohn said that the applicant doesn't have a concept plan yet and this is just for the use so when they submit the development plan he will make sure they provide a safe access from the public right of way.

Commissioner Ryan asked if the daycare operator will be residing in the facility for the daycare center as required by state law.

Mr. Sohn deferred that response to the applicant.

Commissioner Washington asked if the current building on the property is going to be torn down and a new building constructed.

Mr. Sohn responded that the applicants plan is to demolish the existing building and a build a new one.

Applicant, Camila Neira stated that she is available to any questions.

Commissioner Ryan asked what is the benefit of this child care facility being zoned residential as opposed to commercial or educational use zoning and what is the maximum number of children that can attend that facility.

Ms. Neira responded that when they approached the city about this property they were told that they could apply for a special exception which they have done in order to build a daycare. The facility will be 15,000 square feet and per DCF there has to be 35 square feet indoor per child so they maximum capacity would be 250 children.

Commissioner Ryan said that sounds like a commercial building and he thinks it should be zoned commercial.

Chairperson Gusler opened the meeting for public hearing.

Nancy Brown, address is 123 Faye Street, asked if it's residential then what would prevent them from building a house on it.

Chairperson Gusler responded that once the facility is built there, if someone tried to come and add a home to it, that wouldn't be allowed because they would be over density and plus the special exception for this piece of land is for this use only.

Chairperson Gusler closed the public hearing.

Chairperson Gusler asked Mr. Howell for clarification and stated that if the property would be zoned commercial and then the day care went away then any commercial operation could be established there but with this exception, if the daycare ceases to function or closes, it's still residential so someone could buy the lot and build a house on it but they couldn't put a convenience store on it. The protection of not making it commercial to fit this in that area, it limits that to where in the future nobody can use it for a commercial use and it could only be a daycare if they approve that.

Commissioner Dumey commented that the demand for this type of business is very high and it seems like a waiting list is created almost instantly but believes that this is going to be a good use of the land and is comforted by the fact that someone can't buy them out and put a real nice Circle K out there.

Commissioner Dumey started to make a motion, but there was not a second vote and Commissioner Ryan asked if there could be a discussion with Mr. Hand regarding the email that he sent to him.

Mr. Hand explained that what is being proposed is actually regulated by the city's code and we are talking about zoning here, not the state regulations that are on a daycare facility. The type of facility that Mr. Ryan is mentioning is more of a home occupation and that is a completely different standard.

Commissioner Ryan said that his understanding of state law is that you can't have a commercial building in a residential area that is zoned residential and have more than 5 children.

Mr. Hand responded that is a very specific type of daycare facility that can occur in a residential use. The city has its own regulations as far as zoning goes and we are basically comparing apples and oranges here. The city is allowing this type of facility in a residential area via a special process where they normally wouldn't be allowed and that is a different type of facility than the type of facility we're discussing that is a home occupation type of facility so the rules don't overlap. There's a specific set of rules for the type of facility that's being proposed here. There is a specific set of rules for the type of facility that would be operating in a single-family home with a residing operator who lives in that home and would be limited to the number of children and the type of care that would be provided. That's not we're talking about here. There is no overarching state regulation that says you can't have other types of daycare facilities in residential zoning. This facility would be compatible with the city's use table and there's no overarching state regulation that prevents you all from making that decision.

Commissioner Ryan commented that he thinks Mr. Hand is mistaken.

Commissioner Washington asked if the existing building on the property is going to be torn down and what the number of kids in the building would be.

Mr. Sohn responded that yes, per the applicant, it will be torn down and he deferred to the applicant regarding the number of kids.

Applicant, Camila Neira said that there will be 250 children. The plan is to build it on the land in the back that is far from the house and then the entrance and the exits will be through the main road.

Chairperson Gusler asked for the record if the house is going to be removed.

Ms. Neira responded that she cannot say yes or no because the building is going to be in the back end and if more space is needed, then she will demolish the house.

Commissioner Dumey responded that's not what has been discussed and his motion was based on the expectation that the lot would be cleared and a new building would be constructed, not a building behind the existing building.

Ms. Neira said that they have no issue with demolishing the home. She showed a survey to Commissioner Dumey showing where the entrance will be and where the building will be placed which is at 4420 Chandler Road. They were not intending on using the home on the other lot. 98

Mr. Howell reiterated the role of the planning commission to the board for a special exception and they can approve, deny or approve with conditions so the condition would be the demolition of the house.

Commissioner Woods asked Mr. Howell if this project has to come back to the board to approve the lot and everything.

Mr. Howell said that if the building is under 25,000 square feet, the land development code says no. However, it is the discretion of the director to make that determination. He mentioned that he is the planning manager currently in the acting role of director, but would make that recommendation that it come back based on all the concerns raised tonight about access and the home.

Commissioner Washington asked if they needed to define what part of Chandler Road the applicant would be obligated to upgrade.

Mr. Howell responded that Chandler Road is a private piece of property. The Chandler Road on the project that came forward several months ago, that applicant dedicated right of way to the city for construction of that Chandler Road and that was part of the Chandler Hills project so it's going to be improved. It's in a different area off of Kelly Park Road. This property is off of Jason Dwelley.

Vladimir Simonovski, City engineer, said that the map on the property appraisers the road that goes to the house on the west side that is in the back of the current house so that's a separate property and there's another property just to the south of that. The other road that wraps around into the subdivision is called White Dahlia which is unrelated and is a public road so what they would request from the development once it gets in to the approval process is going to be to provide a legal cross access easement from these two properties and combine into one to the other two properties to the west side just for safety reasons and public safety.

Commissioner Ryan asked how long and how wide Chandler Road is.

Richard Chandler, owner of the property located at 4410 & 4420 Chandler Road, said that the road is 1 mile long and 15 feet wide and it is just an easement.

The city engineer approached the dais and spoke with Commissioner Ryan but audio was not available.

Mr. Hand pointed out that any discussions are testimony so we need to be able to hear.

Commissioner Ryan said that he doesn't think that there should be access to those two lots to Chandler Road because it's only 15 feet across.

Commissioner Dumey asked the applicant if we have no access to this road does that affect your business plan.

Ms. Neira said no.

Chairperson Gusler mentioned concern with 250 kids and realizes that is going to be a lot of traffic in the morning and in the afternoon and that goes into that thought process too with the load on the road and the new subdivision.

MOTION: Wes Dumey made a motion to approve the special exception to allow a child care facility at the property located at 4410 & 4420 Chandler Road in the RSF-1A (Residential Single Family) zoning district subject to the exhibits and findings of the staff report with the following four conditions: 1) The existing building is

demolished. 2) All roads are upgraded on the property for good egress and access according to City Code. 3) The building before it is built comes back and is reviewed by the Planning Commission again. 4) There is no access granted to Chandler Road. Motion seconded by Howard Washington. Aye votes were cast by William Gusler, Howard Washington, Eric Mock, Wes Dumey, Mary Norwood and David Woods (6-1). Nay votes were cast by Robert Ryan.

ORDINANCE NO. 3098 – SMALL-SCALE FUTURE LAND USE AMENDMENT – 2501 ROCK SPRINGS ROAD

Chairperson Gusler read the item description.

Staff Presentation: Jun Sohn presented the item based on the staff report.

Commissioner Woods asked how the stormwater is going to be handled on this lot and if this was a premature question.

Mr. Sohn responded that would be a concern for when they apply for a development plan since right now we are only concerned with the change of future land use and zoning.

Chairperson Gusler asked if this area was in the Wekiva protection area.

Mr. Sohn said that it was and that the county has sent him an email requesting the special condition about the Wekiva study areas. He deferred to the applicant to provide further information.

Elizabeth Crane said that she was here on behalf of the applicant. She said that this development is going to mirror a development that is located at 2600 Rock Springs Road and no homes will back up against the Wekiva protection area and they are going to be in compliance with the county's requirements.

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

MOTION: Eric Mock made a motion to find the proposed Change in Future Land Use designation from "County" Rural to "City" RVLS (Residential Very Low Suburban), consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding area, and recommends approval of the proposed Change of Future Land Use, based on the findings and facts presented in the staff report and exhibits. Motion seconded by David Woods. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Wes Dumey, Mary Norwood and David Woods (7-0).

ORDINANCE NO. 3099 – CHANGE OF ZONING – 2501 ROCK SPRINGS ROAD

Chairperson Gusler read the item description.

Staff Presentation: Jun Sohn presented the item based on the staff report.
Elisabeth Crane, applicant, said that she doesn't have a presentation but is happy to explain what they

are putting on the property. There will be 18 single-family homes with a price point of $850,000 per home and 85-foot-wide lots.

Chairperson Gusler opened the meeting for public hearing.

Jeffery Manso, address is 163 Faye Street said that he was concerned because it was originally supposed to be 14 houses and now he is hearing that there will be 18. He also asked what type of fencing are they going to build for privacy and if this is going to affect the taxes.

Chairperson Gusler responded that the tax rate won't change just because the property next to you has changed unless your property was encompassed in that property.

Mr. Howell said that per the Comprehensive Plan, it's capped at 2 dwelling units per acre because they are in the Wekiva. There is a policy within the comp plan that states this. The fencing concern would be dealt with during the development review plan stage. Since this would be under 25 dwelling units, the land development code doesn't require it to be a public hearing so they would go straight to DRC level of approval and the only thing that would come back here is the plat.

Commissioner Washington said that Mr. Manso needs a comfort level of knowing if there is going to be a fence around the property and he deserves an answer.

Ms. Crane said that they discussed this at the community meeting that they had before even annexing the property into the city. The developer is planning on putting up a fence in accordance with city code and it is their intention to have a fence and not be bad neighbors.

Angela Messina, address is 123 Faye Street asked if she would be allowed to speak with the applicant regarding any upcoming meetings because they have the same concerns.

Ms. Crane said that she would give her a business card so if Ms. Messina wanted to discuss anything once they get further down the road to the planning they could.

Chairperson Gusler asked if anyone else from the public wanted to speak on this matter. With no one wishing to speak, Chairperson Gusler closed the public hearing.

MOTION: Howard Washington made a motion to find the proposed Change of Zoning from T (Transitional) to RSF-1B (Residential Single-Family District – Large Lot) consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, and recommends approval of the proposed Change of Zoning, based on the findings and facts presented in the staff report and exhibits. Motion seconded by Robert Ryan. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Wes Dumey, Mary Norwood and David Woods (7-0).

ORDINANCE NO. 3101 – REWRITE OF THE COMPREHENSIVE PLAN

Staff Presentation: Bobby Howell presented the item based on the staff report. At the end of his presentation, he said that they have learned of some new legislation that has been approved by the Florida

legislature known as the Senate Bill 180 which will stymie some of the things that they have sought out to do and turned it over to city attorney, Andrew Hand for further discussion.

Mr. Hand said that there was a bill presented and it was amended at the last minute that includes some provisions that he is going to go over but there are two of note and one in particular of note. In the last section of the bill that is most directly relevant to the comp plan rewrite is that if this bill becomes a law it would affect every county in Florida. It cites federal disaster declarations for Hurricane Debbie, Hurricane Helene or Hurricane Milton and any county that is names in one of those declarations the bill is applicable. With those three declarations, they cover the entire state of Florida so even though it's not stated in the bill that it is a statewide law, it will be a statewide law if it becomes a law. It states that any municipality within those counties and the county governments may not propose or adopt any moratorium on construction, reconstruction or redevelopment of any property damaged by hurricanes. That municipality or county may not propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land development regulations or propose or adopt more restrictive or burdensome procedures concerning review, approval or issuance of a site plan development permit or development order to the extent that those terms are defined by Florida statutes. This would be retroactive to August 1, 2024. This directly affects the comprehensive planning process. The bill doesn't contain any details as to what more restrictive or more burdensome is so we are left with the rules of statutory construction until it is interpreted. The provisions within the comprehensive plan, at least the amendment, are not more restrictive and if this bill becomes a law anything that is more restrictive in the comp plan may not be allowed. This particular restriction runs for a period of 2 years until 2027 that this particular piece of legislation is in place. The other provision is perspective looking and, in the future, if a disaster declaration includes a particular area, county and so forth, then that county would be prohibited or local government within the county from creating a more burdensome, more restrictive regulation for a period of a year from the date of the disaster declaration. If this bill becomes a law, unless it is amended at the next session, there is the potential that this may be an ongoing type of situation depending on what type of hurricanes and disasters we see for the foreseeable future.

Commissioner Washington asked what these restrictions would look like.

Mr. Howell responded that one of the main things could be upping the open space to 30% on some site could be one thing. There is a policy that was identified that limits density north of Sebastian Springs Lane on the east side to one dwelling unit per acre and currently the comp plan limits it to two dwelling units per acre because it's in the Wekiva, that could be considered to be burdensome. Another thing is the removal of the HDR 25 policy high density residential which allows 25 dwelling units per acre in certain areas of the city, that might have to get put back in because that could be seen as taking away rights from somebody. We have a proposed policy in the comp plan draft that if you are on city utilities and you are contiguous to the city, you would be required to annex into the city. That might have to be removed as well because you would be forcing an annexation on somebody. The resiliency sustainability element might also have to be removed altogether.

Chairperson Gusler asked what the politicians were trying to accomplish by changing that rule.

Mr. Hand responded that it is a disaster management bill and the idea that the legislature is putting forth is to not interfere with any kind of reconstruction efforts and to make sure that reconstruction can proceed

without new or additional burdens than may be in place that were in place prior to last years hurricane season or at least prior to August 1st of last year.

Commissioner Ryan stated that it sounds like they want to grandfather in any houses that were built with the old code and they don't have to get brought up to current code and asked if that was correct.

Mr. Hand said that it's not so much that specific that it's regulating grandfathering structures in, but it is essentially freezing, from a certain aspect, on local governments ability to create a more burdensome regulation. It is also not indefinite and is for a period of time and is tailored to deal with the past hurricanes from the proceeding year 2024. He specified that he was referring to that portion of the bill since there are many other portions of the bill.

Commissioner Dumey asked if this bill prohibits them from changing the land development code to be able to say that they want to green space to be raised from 20 to 33%.

Mr. Hand responded yes and it's not just the comprehensive plan. He is using the comprehensive plan because that is what they are specifically talking about right now but the bill goes on with limits on moratoria for reconstruction, it limits any type of land development regulations and it limits procedural aspects as well to grease the wheels and allow reconstruction to occur uninhibited so it goes beyond the comprehensive plan.

Commissioner Mock addressed Mr. Howell and asked him if his understanding of the comp plan is correct. He stated that the comprehensive plan is a policy and that it is not the land development code but there seems to be some crossover where the comprehensive plan is the initial authority and then the land development code gets into very specifics.

Mr. Howell responded yes and that was a good way of explaining it. There are some things on the comp plan that are very specific and in a lot of cases it overrides what is in the land development code.

Commissioner Mock asked if at some point in the future will there be a rewrite of the land development code.

Mr. Howell responded Yes.

Commissioner Mock said that he has probably 15-18 pages of questions that he has and will give those to Mr. Howell.

Commissioner Dumey said that he is against this because he thinks that if the land development code and comp plan should harmonize then we should go to 35% green space and be congruent with Orange County.

Commissioner Mock responded that could easily be construed as burdensome and restrictive at this moment.

Mr. Howell said to Commissioner Dumey that while he agrees with him and is not discounting what he is saying about needing additional green space, the legislature has the upper hand and we are at their mercy.

Commissioner Dumey responded that the land development code is where this should be, not the comp plan. He would rather see it in the land development code fixed and done correctly. He said that if we are voting on the comp plan we need green space and we need to increase the green space and if we did it today and it doesn't go into effect until 2027 he would feel more comfortable with that than kicking the can down the road.

Chairperson Gusler asked Mr. Howell if they are voting on the rewrite of the comprehensive plan and not the specifics of the rewrite.

Mr. Howell responded that they are being requested to make a recommendation on the rewrite of the comp plan. It was supposed to go to city council next week and they would like the recommendation from this board to either move forward with approval or denial, but staff is going to need some time to look at what's burdensome. Then we will take it to city council and then transmit to the state for their review and then it goes back to city council again for adoption and then back to the state of Florida so it is still about a 3 to 4-month process afterwards.

Mr. Hand said that this particular version is applicable between August 1, 2024 until October 1, 2027 so for that period, that's where the city would have an issue creating more burdensome regulations or policies in the LDC and within the comprehensive plan.

Commissioner Dumey asked Mr. Hand if we put it in here, would it be non-effective but then go into effect on October 1, 2027 or would it strike the whole document as being null at this point.

Mr. Hand responded that it's still a bill but it will probably become law. At this point, you have a finished product so it's fine to take a look at it but if this does become a law then yes, certain parts of may need to be dismantled and a comprehensive plan update could be adopted sooner than later just some of those portions may have to be taken out. There would then be a new process if the city wanted to continue pursuing those policies, if it becomes the law and stays the law as it's written now, at the earliest October 2027.

Commissioner Dumey said that if we miss an opportunity to tighten up on these green space requirements now we may mot get it again for along time. He recognizes that staff has done a lot of work but he feels very strongly about the green space issue. This was brought up during the workshop and it was discussed that it really belonged in the land development code but if that isn't going to change then he feels obligated to put it here.

Commissioner Mock responded by saying that Mr. Howell didn't say that the land development code wasn't going to be changed, he said it was going to be reviewed.

Mr. Howell said that it will be reviewed and eventually be changed to reflect the new comprehensive plan if the new comprehensive plan rewrite gets adopted then they will have to go back and make sure

things are consistent because the land development code has to be consistent with the comp plan. That would be the next thing that they would start after the adoption of the comp plan. He also said that the open space issue may just be a vague policy that says preservation of open space shall be required on sites. They would have to look at it and see if it specifies a number.

Commissioner Mock said that he recommends that the board approve this at this point and while he doesn't like the fact that we would have to come back in October 2027, he feels like it leaves it cleaner to come back after the timeline is expired because it if gets too cumbersome, there's potential exposure for litigation.

Commissioner Dumey asked what the consequence of tabling the discussion until the July meeting would be.

Mr. Howell said that they are asking for a recommendation of approval or denial tonight so that they can look into a little bit more as to what needs to go forward and what can't. In his professional opinion, he believes that this draft has encompassed everything that both workshops have had and public input through the internet and feels its best if they get a recommendation from the planning commission.

Commissioner Dumey said that he is having a hard time getting to approving something based on what somebody else may or may not do and we won't know for six weeks.

Chairperson Gusler said that if we don't know if it's going to affect us, we can't stop and wait for them. We move forward. If it doesn't pass and we put this off and drag it out, we don't have any control over them. We pass or deny or make the recommendation on this. He also told Commissioner Dumey that he can add his reason for his decision for the record.

Commissioner Woods mentioned that he noticed that something was missing from the comprehensive plan and that is the protection for adjacent property owners.

Mr. Howell responded that is in the property rights element that he sent to Commissioner Woods.

Chairperson Gusler asked Commissioner Woods what does that have to do with what's in front of us right now. If someone is egressing into somebody else's property that's for the police department or code enforcement and has nothing to do with us. He stated that he is trying to narrow this back down to the subject matter at hand.

Commissioner Woods asked again if property owners should have some sort of protection and if that should be in the comp plan. The example of protection he gave was a developer working on a site and then they go on to an adjacent property owner's property

Chairperson Gusler said that is a police issue or code violation and not a planning and zoning matter. The property owner calls the police.

Mr. Howell said that it sounded more like trespassing. Usually if someone is doing construction and they need to get on the neighbor's property, they would get a construction easement.

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

MOTION: Eric Mock made a motion to recommend approval of Ordinance Number 3101, the rewrite of the Comprehensive Plan in its entirety, with the exception of the Transportation Element, and authorize staff to transmit to the Florida Department of Commerce. Motion seconded by Robert Ryan. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Mary Norwood and David Woods (6-1). Aye vote was cast by Wes Dumey due to the need to address the open space green space contiguous area and harmonize with Orange County.

ORDINANCE NO. 3103 – SMALL-SCALE FUTURE LAND USE AMENDMENT – 438 NORTH PARK AVENUE

Chairperson Gusler read the item description.

Staff Presentation: Amer Hamza presented the item based on the staff report.

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

MOTION: Mary Norwood made a motion to find the proposed Change in Future Land Use designation from County Low Density Residential to Commercial, consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, and recommends approval of the proposed Change of Future Land Use, based on the findings and facts presented in the staff report and exhibits. Motion seconded by Eric Mock. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Wes Dumey, Mary Norwood and David Woods (7-0).

ORDINANCE NO. 3104 – CHANGE OF ZONING – 438 NORTH PARK AVENUE

Chairperson Gusler read the item description.

Staff Presentation: Amer Hamza presented the item based on the staff report.

Chairperson Gusler asked if anyone else from the public wanted to speak on this matter. With no one wishing to speak, Chairperson Gusler closed the public hearing.

MOTION: Mary Norwood made a motion to find the proposed Change of Zoning from T (Transitional) to C-C (Community Commercial) consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, and recommends approval of the proposed Change of Zoning, based on the findings and facts presented in the staff report and exhibits. Motion seconded by David Woods. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Wes Dumey, Mary Norwood and David Woods (7-0).

OAKS AT KELLY PARK PHASE 3B - REPLAT

Chairperson Gusler read the item description.

Staff Presentation: Bobby Howell presented the item based on the staff report.

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

MOTION: Howard Washington made a motion to approve the Oaks at Kelly Park Phase 3B - Replat. Motion seconded by Robert Ryan. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Mary Norwood, Wes Dumey and David Woods (7-0).

OLD BUSINESS: None

NEW BUSINESS: Chairperson Gusler asked that items like the Comprehensive Plan discussion need to be put at the end of the meeting moving forward. There were 3 applicants tonight that shouldn't have had to sit through this since it isn't relevant to them. Mr. Howell said that we can do that and also explained that the agenda is set up based on ordinance numbers so everything is numeric order.

ADJOURNMENT: The meeting adjourned at 7:13 p.m.

_____
William Gusler, Chairperson

_____
Bobby Howell, Planning Manager

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON JUNE 10, 2025 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: William Gusler, Howard Washington, Robert Ryan, Eric Mock, Wes Dumey, David Woods and Mary Norwood

ABSENT: Orange County Public Schools (Non-voting)

STAFF PRESENT: Jean Sanchez – Senior Planner, Jun Sohn – Planner II, Amer Hamza – Planner I, Andrew Hand – City Attorney (Cliff Sheppard's Office), Vladimir Simonovski - City Engineer, Kelly Robertson – Content Administrator, Marta Schwarz – Content Specialist and Erin Arnold – Executive Assistant.

OTHERS PRESENT: Josh Enot, Carter Elfert, Andrew Vaclon, Ben Henry, Genevieve Labuda, Maurice Grier, Steve Acevedo & Kim Fischer

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

PUBLIC COMMENT: Chairperson Gusler asked if anyone from the public wished to speak on a matter that is not on the agenda. With no one wishing to speak, Chairperson Gusler closed the public comment period.

APPROVAL OF MINUTES: There were no minutes prepared for approval at the time of this meeting.

LEGISLATIVE - ORDINANCE NO. 3110 – FUTURE LAND USE AMENDMENT – THE SUMMIT AT WOLF LAKE RANCH (WOLF LAKE RANCH PHASE III)

Chairperson Gusler read the item description.

Staff Presentation: Jean Sanchez asked that public hearing items one and two (Ordinance No. 2111 – Change of Zoning – The Summit at Wolf Lake Ranch – Wolf Lake Ranch Phase III) be administratively pulled due to a discrepancy in advertisement and it will come back before the board at the August 12th planning commission meeting.

MOTION: Wes Dumey made a motion to table public hearing items one and two until the August 12th planning commission meeting. Motion seconded by Howard Washington. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Wes Dumey, Mary Norwood and David Woods (7-0).

ZONING VARIANCE – MAXIMUM BUILDING HEIGHT – 2560 W ORANGE BLOSSOM TRAIL

Chairperson Gusler read the item description.

Staff Presentation: Jun Sohn presented the item based on the staff report.

Chairperson Gusler asked if any of the members had questions for staff.

Commissioner Ryan asked what the hardship is for the variance and Mr. Sohn deferred that response to the applicant to answer.

Commissioner Mock said that he has some questions about traffic. Mr. Sohn replied that since this is only a zoning variance they didn't request a traffic analysis. At the time of development plan submittal, the applicant will have traffic studies at that time.

Applicant, Ben Henry, address 2560 West Orange Blossom Trail, stated that he is here on behalf of Mandich Group MG88 Central Florida and they are the owners of the Cold-Link Logistics located on Orange Blossom Trail. He gave a presentation and provided information regarding the need for the height variance. The expansion will add over 17,000 pallet positions and create numerous jobs and bring economic investment into the community. The project includes infrastructure upgrades to Mayflower Avenue and improvements to the stormwater retention pond which will aid in flood management for the surrounding neighborhood. He introduced key members of the team for this project and concluded his presentation.

Commissioner Ryan asked the applicant what the hardship is behind this variance request.

Josh Enot with Kimley Horn located at 200 South Orange Avenue Orlando, FL is the civil engineer on this project and he stated that the hardship for this site is that they can't expand anymore horizontally so the only way that they can expand is vertically.

Commissioner Ryan asked Mr. Enot if the project would work without this variance and Mr. Enot said that it would not.

Commissioner Mock stated that he doesn't have a concern about the height request, but he is concerned about the traffic. He would like to see conditions added that are related specifically to the turn radius of semi-trucks so that they don't have to turn into oncoming traffic to make the turn and that is his greatest concern.

Mr. Enot responded that when they come back through with the MDP they will take that information into account and in their design. They have completed a TIA and it does mention some off-site improvements that are needed so when they go through that process they will provide that to the board for review and keep in mind all these turn radii and make sure that those work for the trucks and help mitigate traffic.

Commissioner Woods asked if the other part of the property for this project that is currently in the county will be annexed into the city.

Mr. Enot said that they are already in the annexation process for that property and have passed the first reading and are waiting for the second reading.

Commissioner Washington asked if the intent was to knock down the existing buildings an reconstruct up to 58 feet.

Mr. Enot said no, they are not intending on knocking down any of the industrial buildings. There are two residential buildings and those will be demolished and then this building will be built adjacent to the

existing industrial building.

Commissioner Dumey asked the applicant if they had an estimate on the number of jobs that would be added with this addition.

Maurice Greer 2560 West Orange Blossom Trail stated that they are anticipating between 15 to 20 jobs in the range of about $21 and hour for hourly staff and about twice that for a couple of new salary positions.

Chairperson Gusler asked the city attorney for some clarification. He stated that if they have a variance in front of them and they start asking questions that aren't relevant to the variance, isn't the question in front of us "are we going to allow them to go the extra 18 feet?" He said that we are getting a little preliminary here and a lot of times things run concurrently so they are applying for one thing and they are getting the variance and that puts this out of the way and so our question here is a single item, the variance. He said that he doesn't know that we could put a condition on it that would be relevant to traffic as Commissioner Mock had suggested.

Mr. Hand stated that would be more relevant during the planning or the site plan process.

Chairperson Gusler asked if anyone from the public wanted to speak on this matter. With no one wishing to speak, Chairperson Gusler closed the public hearing.

MOTION: Wes Dumey made a motion to approve the variance based on the findings and facts presented in the staff report and exhibits. Motion seconded by Eric Mock. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Wes Dumey, Mary Norwood and David Woods (7-0).

INVITATION COVE – MAJOR DEVELOPMENT PLAN

Chairperson Gusler read the item description.

Staff Presentation: Amer Hamza presented the item based on the staff report.

Commissioner Washington asked staff about the ponds on the project. He wanted to know where the water would go if the ponds overflowed.

Mr. Hamza deferred that response to the applicant.

Commissioner Ryan asked if there are any left or right turn lanes for the traffic coming from Monroe.

Mr. Hamza responded that there is a proposed left turn lane from Monroe Avenue coming to the west and a right turn lane coming from the east.

Commissioner Dumey asked if this property had a previous plan.

Mr. Hamza said that there was a plan for multifamily development apartments on the site but this is a different project with different developers who will be putting townhomes on the property.

Applicant, Kim Fischer 1614 White Dove Drive Winter Springs, said that she doesn't have a presentation but wanted to thank staff for their hard work and is available for any questions. She addresses the question about the stormwater pond saying that it is a dry pond and will hold a larger than normal event and then there will be an emergency outfall that will connect to Monroe Avenue.

Commissioner Dumey asked if they will be tearing down all of the mature oak trees on the property.

Ms. Fischer responded that there is an area that they will be saving but the site has become a dumping ground and the owner has been having an issue with code enforcement because people won't stop dumping there and he is having to keep paying money to clean up the site.

Commissioner Dumey stated that he didn't see an area on the plans. He said that Tract E looks like a retention pond with no trees.

Ms. Fischer stated that Tract E is the tree preservation area and it is adjacent to 436.

Commissioner Ryan asked if the townhouses were going to be rear loaded because he doesn't see any access.

Ms. Fischer responded that there is an alley behind them and proceeded to give a visual on the map that was on the screen to show where the turns were.

Chairperson Gusler asked if anyone from the public wanted to speak on this matter. With no one wishing to speak, Chairperson Gusler closed the public hearing.

Commissioner Dumey expressed his concern of inadequate protection the green space on the property. He is concerned that all of those trees that are currently there are going to be torn down just to put these townhouses up and just protecting 15 feet on the east side.

Commissioner Ryan asked if there would be some sort of wall that will be put up around the development.

Ms. Fischer stated the code requires a block wall along the east property line. She mentioned that code required buffers so there will also be landscaping around the perimeter as well.

MOTION: Eric Mock made a motion to find the proposed Invitation Cove Major Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommends approval of the Major Development Plan, based on the findings and facts presented in the staff report and exhibits. Motion seconded by David Woods. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Mary Norwood and David Woods. Nay votes were cast by Wes Dumey (6-1).

QUASI JUDICIAL - CROSSROADS AT KELLY PARK PHASE 2B - PLAT

Chairperson Gusler read the item description and asked if anyone had ex-parte communication on this matter. All commissioners responded no.

Staff Presentation: Jean Sanchez presented the item based on the staff report.

Commissioner Ryan asked how wide the lots are and if these were bungalows or single-family homes.

Mrs. Sanchez deferred that question to the applicant to respond to.

Applicant, Genevieve Labuda 2602 East Livingston Street stated that these are going to be single-family homes and the lot sizes are between 52 to 55 feet. They are not bungalows.

Chairperson Gusler asked what the driveway length on the property is.

Ms. Labuda responded that she wasn't sure since that isn't something that is usually covered on plats. It would have been part of the construction plan approval. She also mentioned that several of the phases in this neighborhood have already been plotted or are under construction so this is just to subdivide this particular phase so they can start vertical construction.

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

MOTION: Howard Washington made a motion to approve the Crossroads at Kelly Park Phase 2B - Plat. Motion seconded by Mary Norwood. Aye votes were cast by William Gusler, Howard Washington, Robert Ryan, Eric Mock, Mary Norwood, Wes Dumey and David Woods (7-0).

OLD BUSINESS: None

NEW BUSINESS: Commissioner Washington wanted to congratulate Mr. Gusler, Ms. Norwood and Mr. Dumey on their reappointments to the planning commission.

Commissioner Woods stated that he noticed that there is a budget meeting that is scheduled in July at the same time as the next planning commission meeting and was wondering if the planning commission meeting will still be held.

Ms. Sanchez responded that she was informed by the planning manager that the July meeting for the planning commission may be cancelled or postponed and that the members would be getting an email confirming that information.

ADJOURNMENT: The meeting adjourned at 6:12 p.m.

_____
William Gusler, Chairperson

_____
Bobby Howell, Planning Manager

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 1.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Legislative - Ordinance No. 3105 - Future Land Use Amendment - 724 W. Keene Road

ACTION ITEM INFORMATION:
Owner(s): Dewar Keene 40 LLC
Applicant(s): Logan Opsahl
Location: 724 W. Keene Road, 632 W. Keene Road, 608 W. Keene Road and 2751 Marden Road
Project: 38.59 Acres +/-
Density: 7.5 Dwelling Units Per Acre
Project Manager: Amer Hamza

REQUEST:
Recommend approval of the Future Land Use Map Amendment from Agriculture/In Progress to Residential Medium Low to permit a clustered subdivision on the combined properties.

SUMMARY:
Owner(s): Dewar Keene 40 LLC
Applicant: Logan Opsahl
Parcel Identification Number(s): 28-21-28-0000-00-002, 28-21-28-0000-00-024, 28-21-28-0000-00-029, 28-21-28-0000-00-006
Location: 724 W. Keene Road, 632 W. Keene Road, 608 W. Keene Road and 2751 Marden Road
Existing Future Land Use: Agriculture/In-Progress
Proposed Future Land Use: Residential Medium Low
Existing Use(s): Abandoned Nursery
Existing Zoning: AG (Agriculture) and T (Transitional)
Tract Size: 38.59 +/- Acres

Zoning Report
This chart includes the relationships to adjacent properties.

Direction	Future Land Use	Zoning	Present Use
North	Agriculture	AG (Agriculture)	Nursery
East	County Rural Settlement, County Rural Settlement	County A-1, County A-1	Single Family Residence and Vacant Parcel
South	County Industrial	County A-1	Northern Water Reclamation Facility
West	County Rural Settlement, County Rural Settlement, Agriculture, Residential Low	County A-1, County A-1, T (Transitional), RSF-1B (Residential Single-Family Large Lot)	Single Family Residences and Vacant Parcel

PROJECT SUMMARY:

The applicant has submitted a Small-Scale Future Land Use Amendment from Agriculture/In Progress to Residential Medium Low for four parcels which equal a total of 38.59 acres. The four parcels are adjacent to each other and are located at the addresses of 724 W. Keene Road, 632 W. Keene Road, 608 W. Keene Road and 2751 Marden Road. A nursery previously existed on all four properties and is currently abandoned. The applicant is requesting the Small-Scale Future Land Use Amendment to allow the permitting of a subdivision which will consist of single family homes and townhomes, and to be compatible with the proposed zoning of the property which is RMF (Residential Multi-Family) zoning per Land Development Code Table 1.8.2. Currently, nearby properties in the surrounding area do not have the proposed Residential Medium Low future land use designation, but staff is expecting an application to be submitted in the near future for a proposed subdivision located adjacent to the northwest of the subject parcels that will consist of single-family homes and townhomes with a proposed Residential Medium Low future land use designation. This development also proposing the same Residential Medium Low future land use designation. The nearby proposed subdivision is 0.30 miles away from the subject parcels and is located at the northwest section of Marden Road and W. Keene Road, while the subject parcels for this project are located at the southwest corner of Marden Road and W. Keene Road. Currently, some of the properties nearby have future land use designations which give a higher density than the proposed Residential Medium Low. These properties are located north of the subject parcels and already include existing subdivisions or subdivisions under construction. The majority of these subdivisions have a future land use designation of Mixed-Use which allows a max density of 15 dwelling units per acre which is double the density allowed under the proposed Residential Medium Low Future Land Use, which is at a maximum of 7.5 dwelling units per acre. The subdivisions in the surrounding area are listed below along with the distance from the subject properties:

- Emerson Park (0.30 miles) (Northwest) (Mixed Use FLU - 15 Dwelling Units per Acre)
- Hilltop Reserve (0.50 miles) (North) (County Low Medium Residential FLU - 10 Dwelling Units per Acre)
- Residences at Emerson Park (0.80 miles) (Northwest) (Mixed Use FLU - 15 Dwelling Units per Acre)
- Emerson Pointe (0.80 miles) (North) (Mixed Use FLU - 15 Dwelling Units per Acre)
- Crossing at Emerson Park (0.80 miles) (Northwest) (Mixed Use FLU - 15 Dwelling Units per Acre)

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

a. Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans;

- Applicant's response: Proposed development of the Property into residential uses under the RMF (Residential Multi-Family) zoning district with a Future Land Use ("FLU") designation of RML (Residential Medium Low) would be consistent with and furthers the goals, objectives and policies of the City of Apopka.
- Staff response: Staff has no objection.

b. Is in conflict with any provisions of the LDC;

- Applicant's response: The business operations on the Property as an agricultural nursery have ceased. The proposed future land use amendment and rezoning would allow redevelopment of Property in compliance with LDC 3.3.7 for small to medium multifamily developments. Further in accordance with FLU Policy 3.1.g for medium density residential development, the RML future land use would permit 7.5 dwelling units per acre.
- Staff response: Staff has no objection.

c. Addresses a demonstrated community need;

- Applicant's response: In accordance with the City's Comprehensive Plan Housing Element, a need for single family and multifamily units is identified to accommodate projected population growth. Its objective is to provide diverse housing choices with varying densities, types and designs.
- Staff response: Staff has no objection.

d. Is required by changed conditions;

- Applicant's response: Agricultural nursery operations in the general area have decreased significantly over recent years and decades while residential needs have increased. In compliance with Objective 3 and Policy 3.2 of the comprehensive plan, redevelopment of the Property shall integrate with adjacent land uses and development patterns. In order to reduce incompatibility of a commercial operation with adjacent residential uses, Applicant requests this future land use amendment to RML and rezoning to RMF.
- Staff response: Staff has no objection.

e. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;

• Applicant's response: Existing use of adjacent property to the north is an agricultural nursery with an AG zoning within City of Apopka. Existing use of adjacent property to the east is horse farm and residential zoned A-1 within Orange County. Existing use of adjacent properties to the west are residential and undeveloped residential within an A-1 zoning in the Orange County jurisdiction and zoned T and RSF-1B in City of Apopka. Additional properties within the immediate area contain higher intensity and densities of residential and commercial uses. City Code provides that RMF zoning is intended to provide lands that accommodate small to medium multifamily developments. The rezoning of the Property will allow use of the Property in accordance with LDC Section 3.3.7 zoning district while providing for a compatible use with existing and proposed uses surrounding the Property.
• Staff response: Staff has no objection.

f. Would result in a logical and orderly development pattern;
• Applicant's response: Property lies southeast of residential neighborhood, Emerson Park, and south of Hilltop Reserve. The proposed redevelopment from agricultural nursery with commercial nursery buildings would create more logical and orderly development pattern relative to the surrounding residential uses as envisioned in the Comprehensive Plan.
• Staff response: Staff wants clarification that redevelopment is for residential use.

g. Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
• Applicant's response: In accordance with FLU Policy 3.3, new development and redevelopment must mitigate any adverse impact to property and adjacent land uses. The proposed redevelopment of this Property from an agricultural nursery to a residential use will be more compatible with the adjacent residential land uses. Further redevelopment of the site into a residential use will not cause adverse impacts on the natural environment, including, but not limited to, water and air resources, stormwater management, wildlife, vegetation, wetlands, and natural functioning of the environment. Proposed project will provide a compact and efficient development of the property with stormwater ponds and amenities. Therefore, this proposed development would not create adverse environmental impacts.
• Staff response: Staff has no objection.

h. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).
• Applicant's response: Property is located south of S.R. 414 and east of S.R. 429. The proposed development would support FLU Policy 2.9 creating a desirable proximity of housing to already existing infrastructure facilities, employment centers, shopping, public parks and open space.
• Staff response: Staff has no objection.

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on March 6, 2025.

SCHOOL CAPACITY REPORT:
OCPS determined that school concurrency capacity is available for elementary, middle, and high school with regard to the proposed development. The properties are zoned for the following schools:

Prairie Lake Elementary School
Piedmont Lakes Middle School
Wekiva High School

PUBLIC HEARING SCHEDULE:
August 12, 2025 – Planning Commission (5:30 P.M.)
September 3, 2025 – City Council (1:30 P.M.), First Reading
September 17, 2025 – City Council (7:00 P.M.), Second Reading and Adoption

DULY ADVERTISED:
July 18, 2025 – Apopka Chief
July 17, 2025 – Mailed notices to adjacent property owners
July 18, 2025 – Posters placed on property

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES

Direction	Future Land Use	Zoning	Present Use
North	Agriculture	AG (Agriculture)	Nursery
East	County Rural Settlement, County Rural Settlement	County A-1, County A-1	Single Family Residence and Vacant Parcel
South	County Industrial	County A-1	Northern Water Reclamation Facility
West	County Rural Settlement, County Rural Settlement, Agriculture, Residential Low	County A-1, County A-1, T (Transitional), RSF-1B (Residential Single-Family Large Lot)	Single Family Residences and Vacant Parcel

II. LAND USE ANALYSIS

The subject properties are located on the Southeast corner of W. Keene Road and Marden Road. Other parcels with Commercial Future Land Use exist in this area of the City. The properties all together used to be a nursery and have a combined size of 38.59 acres. This future land use amendment is being requested to allow for a clustered subdivision proposing single family homes and townhomes and to be compatible with the proposed zoning of the property which is RMF (Residential Multi-Family). While there are no nearby properties in the surrounding area having the proposed Residential Medium Low future land use designation, as mentioned staff is expecting an application to be submitted in the near future for a proposed subdivision located to the northwest of the subject parcels consisting of single-family homes and townhomes and is also proposing the same Residential Medium Low future land use designation. The parcel is not located in the following areas:

Wekiva Parkway Interchange Vision Plan Area: No
Wekiva River Protection Area: No
Area of Critical State Concern: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The proposed Small-Scale Future Land Use Amendment request for a change from Commercial to Mixed Use is consistent with the terms of the JPA (Second Amendment).

City of Apopka Comprehensive Plan Policies:

Future Land Use Element:
Policy 3.1.f
Low-Medium Density Residential

The primary use shall be residential dwelling units up to 7.5 dwelling units per acre, elementary schools; middle schools, high schools; supporting infrastructure of less than five acres, neighborhoods.

Special exception uses shall include:

1) Institutional uses of ten acres or less
2) Supporting infrastructure and public facilities of five acres or more
3) Horticultural nurseries as a primary use;

Planned Development uses may include:

(1) All primary uses
(2) All special exception uses
(3) Neighborhood commercial uses at a rate not in excess of 50 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
(4) Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods.

Transportation Element:

Policies 1.1 and 1.2 state that the City of Apopka is a Transportation Concurrency Exception Area. The properties have existing access from W Keene Road and Marden Road.

Infrastructure Element:
Policies 1.1.1, 2.1.1 and 5.1.2 state the minimum levels of service for the City's wastewater and water systems as well as the City's solid waste collection service.

Conservation Element:
A habitat study will be required as the development is more than ten (10) acres.

Land Use Calculations:
CURRENT: Future Land Use – Agriculture
1 DU/AC X 38.59 ac = 38.59 Units
Future Land Use – In-Progress
N/A

PROPOSED: Future Land Use – Residential Medium Low
7.5 DU/AC X 38.59 ac = 289.43 Units

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

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:
Development Review Committee:
Recommends approval of the change in Future Land Use from Agriculture/In Progress to Residential Medium Low and finds the proposed amendment consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, recommending approval of the future land use amendment, based on the findings and facts presented in the staff report and exhibits.

Recommended Motion – Planning Commission:
Find the proposed Change in Future Land Use from Agriculture/In Progress to Residential Medium Low, consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Future Land Use, based on the findings and facts presented in the staff report and exhibits.

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

ATTACHMENTS:
1. Ordinance Number 3105
2. Map Series
3. Advertisement
4. Future Land Use Amendment Criteria Questions - 724 W Keene Rd(15251717.2)
5. APK-25-007 Capacity Determination Letter

ORDINANCE NO. 3105

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 AND IN PROGRESS TO RESIDENTIAL MEDIUM LOW FOR PROPERTY OWNED BY DEWAR KEENE 40 LLC; LOCATED AT 608 W KEENE ROAD, 632 W KEENE ROAD, 724 W KEENE ROAD, AND 2751 MARDEN ROAD; COMPRISING 38.59 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the City's Comprehensive Plan by Ordinance No. 653 on October 2, 1991, in accordance with the laws of the State of Florida; and

WHEREAS, the City of Apopka is committed to planning and managing the future growth and development of the City; and

WHEREAS, the City Council of the City of Apopka has the authority to amend its Comprehensive Plan pursuant to Chapter 163, *Florida Statutes*; and

WHEREAS, the City of Apopka Planning Commission held a public hearing on August 12, 2025, to consider this small-scale amendment to the Future Land Use Map of the Comprehensive Plan and determined that this amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, the City of Apopka has complied with all requirements and procedures of Florida law in processing this small-scale amendment to the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka hereby finds and determines that this amendment is internally consistent with the City's Comprehensive Plan.

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

Section I. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act. The City of Apopka has complied with all requirements of Florida Law in processing this ordinance. The recitals set forth above recitals are hereby adopted.

Section II. Future Land Use Map Amendment. Page 1-32 (Map 1-6) of the Future Land Use Element of the City of Apopka Comprehensive Plan, is hereby amended to change the land use from Agriculture and In-Progress to Residential Medium Low for Dewar Keene 40 LLC at 608 W Keene Road, 632 W Keene Road, 724 W Keene Road, and 2751 Marden Road, comprising 38.59 acres more or less; as shown and further described in Exhibit "A" attached hereto.

Section III. Applicability and Effect. The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Community Planning Act as set forth in Chapter 163, *Florida Statutes*.

Section IV. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed**.**

Section VI. Effective Date. This Ordinance shall become effective thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, the Ordinance shall become effective after the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with applicable law.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this _____ day of _____, 2025.

READ FIRST TIME: September 3, 2025

READ SECOND TIME AND ADOPTED:

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

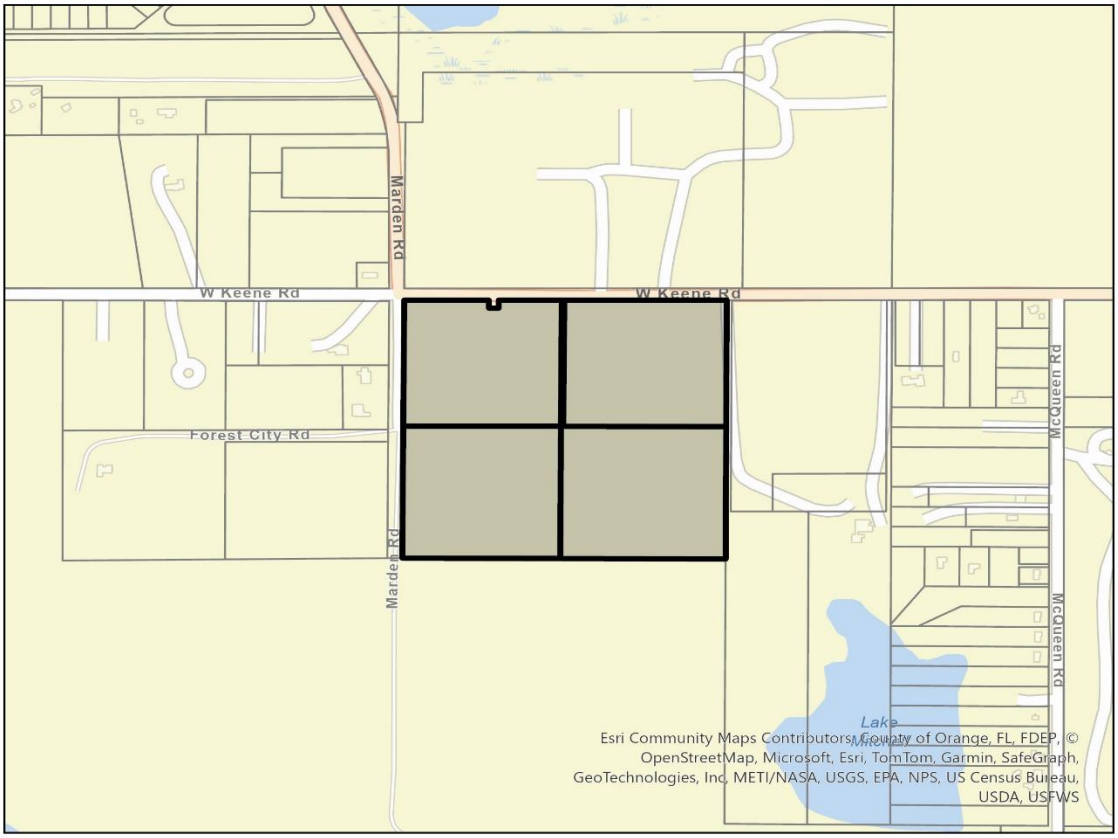
Approved as to form and legal sufficiency:

_____

Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 18, 2025

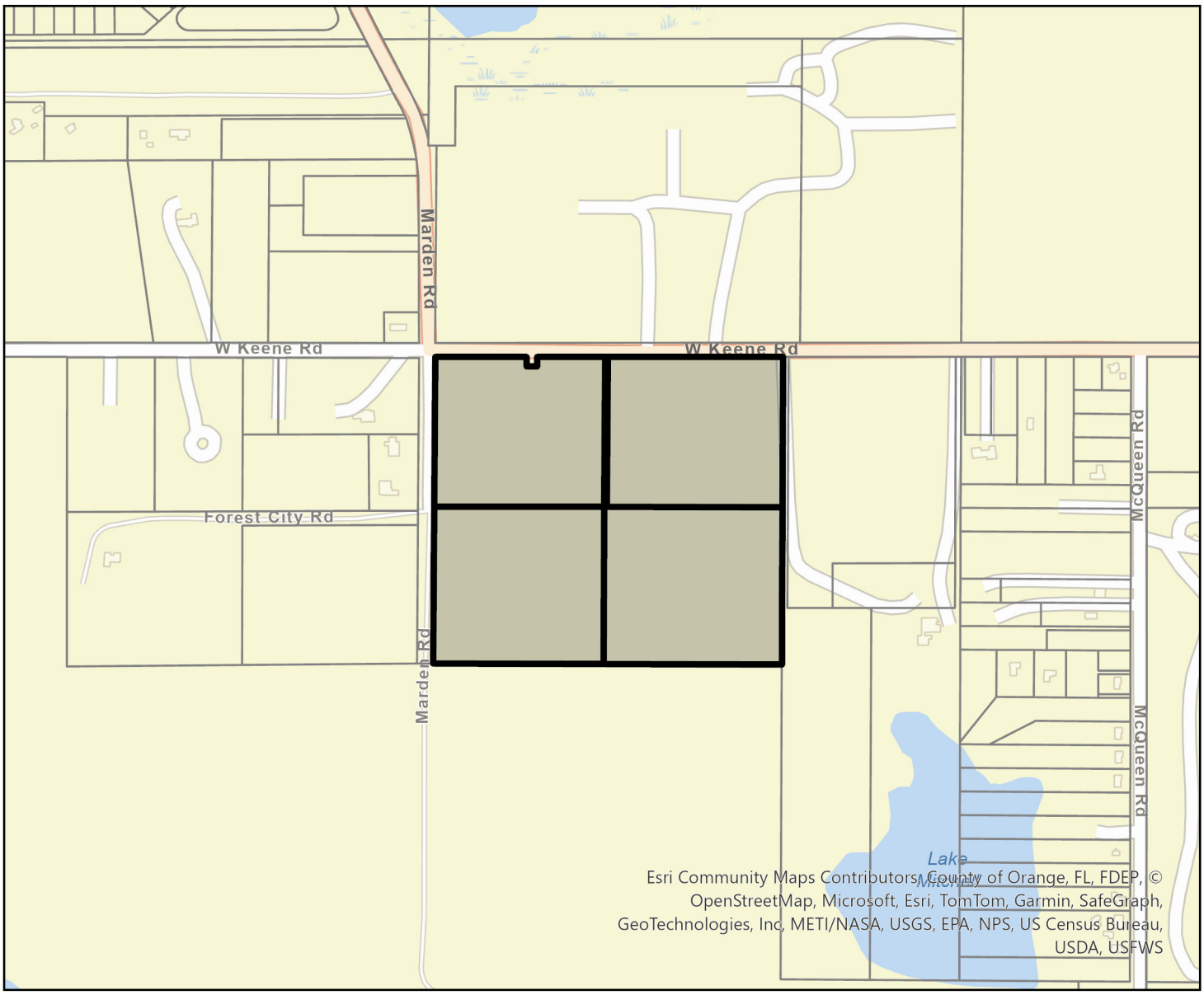
EXHIBIT "A"
Parcel Identification Number(s): 28-21-28-0000-00-002, 28-21-28-0000-00-024, 28-21-28-0000-00-029, 28-21-28-0000-00-006
Acreage: 38.59 +/- Acres



Parcel
724 W Keene Road

0 0.1 0.2 0.39 Miles

N

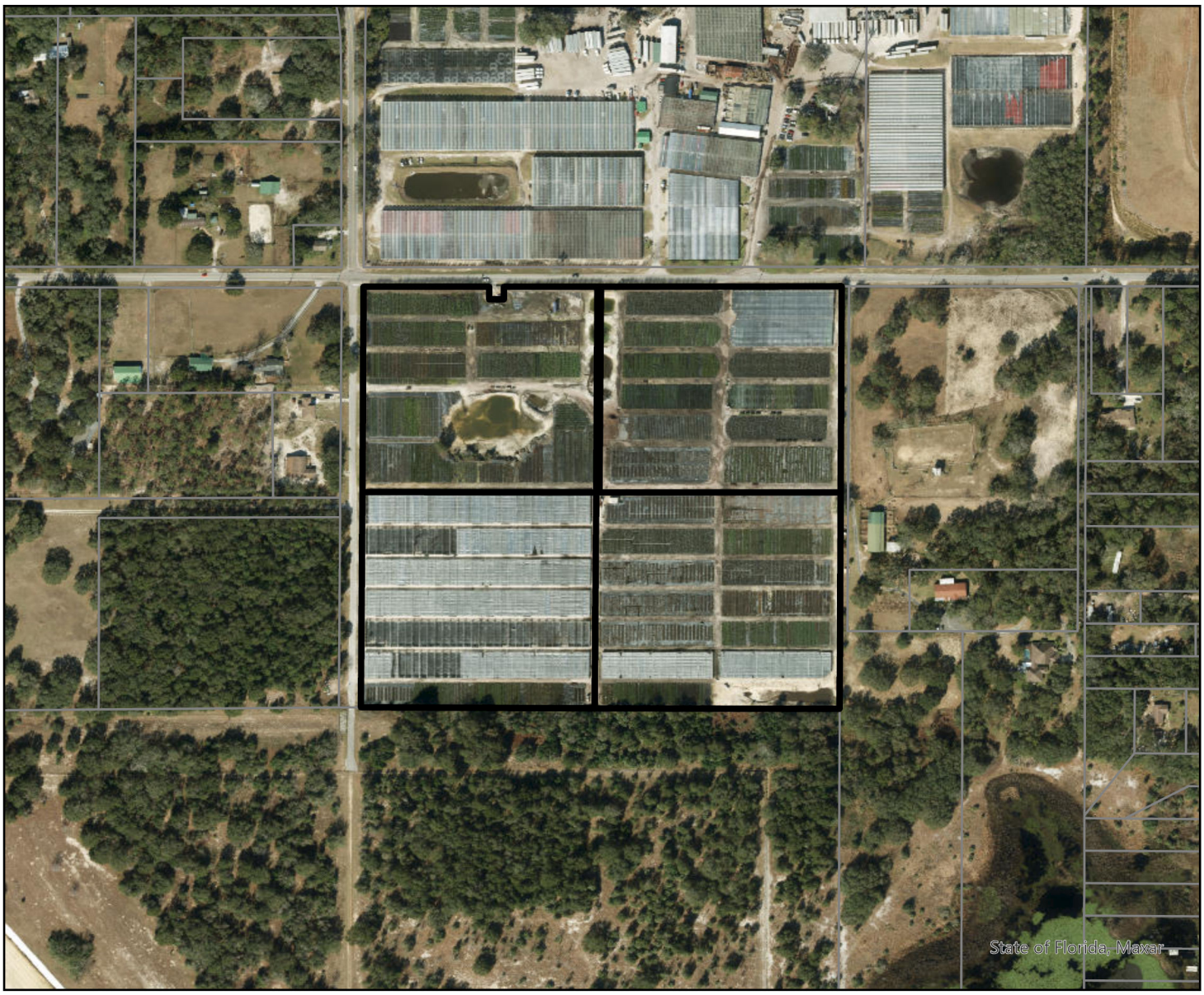


Parcel

724 W Keene Road

0 0.1 0.2 0.39 Miles

N

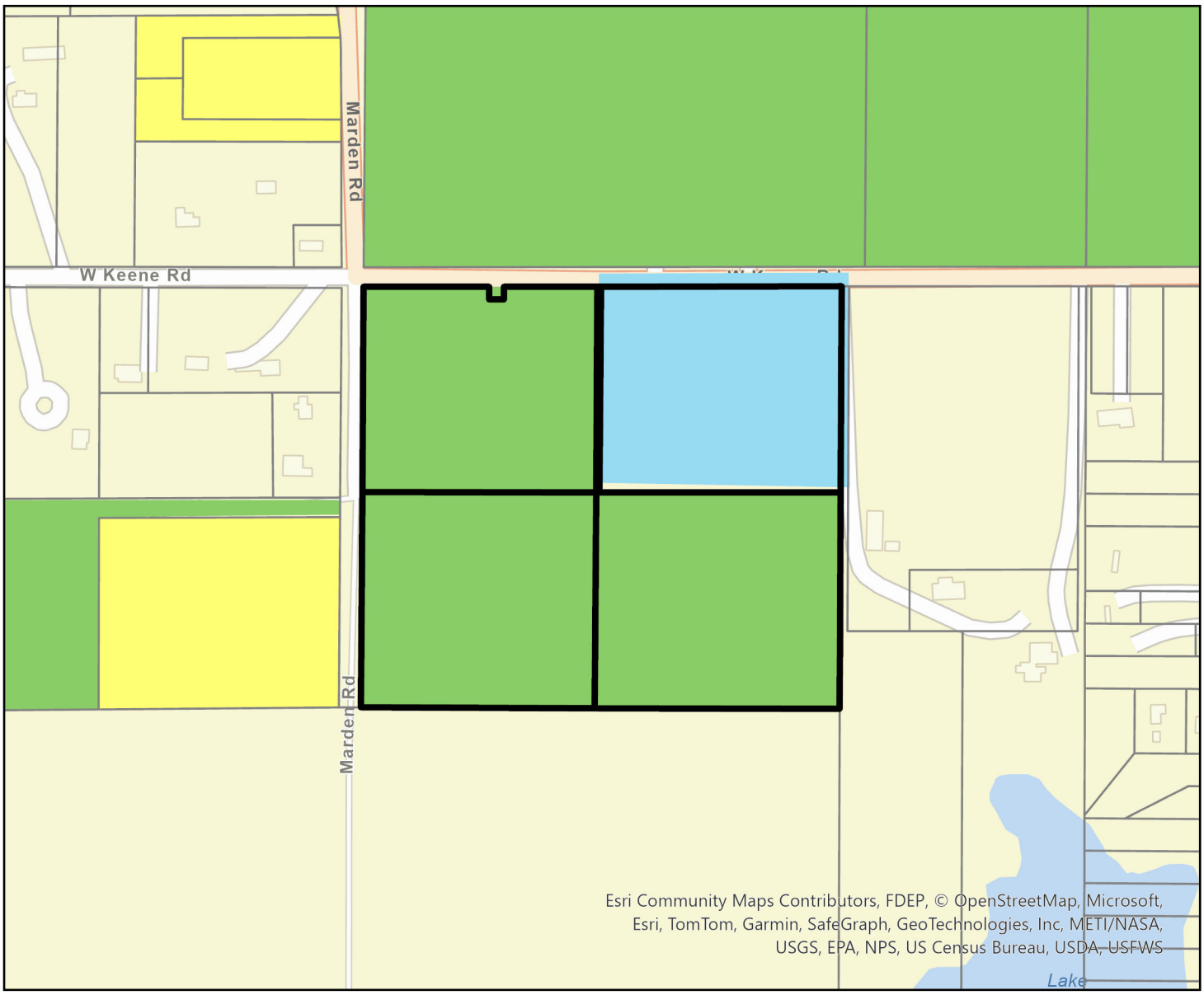


Parcel

724 W Keene Road Project Parcels

0 0.07 0.14 0.28 Miles

N



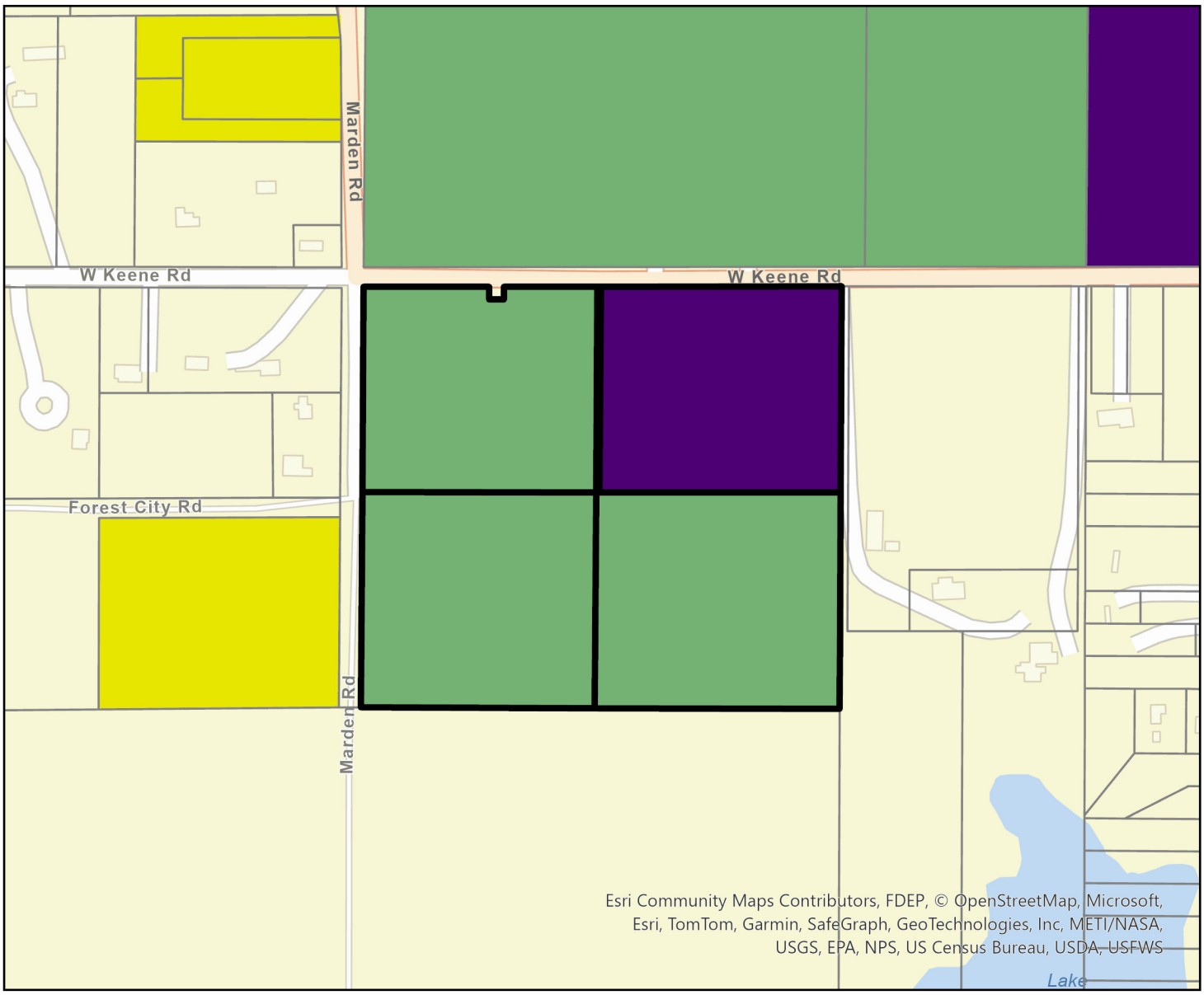
Parcel

Apopka Future Land Use

- AG
- AG-E
- AG-HOME
- COMM
- CONSV
- FLU-IP
- HDR-25
- IND
- INST_PU
- MU
- OFF
- PR
- RE
- RH
- RL
- RLS
- RM
- RML
- RS
- RVLS
- 724 W Keene Road Project Parcels

0 0.07 0.14 0.28 Miles

N



Parcel

Apopka Zoning

- AG
- AIR
- C-C
- C-COR
- C-N
- C-R
- I-H
- I-L
- INST
- MHP
- MU-D
- MU-ES-GT
- MU-INT
- MU-MED
- MU-N
- MU-T
- MU-VC
- O
- PD
- PR
- RCE
- RMF
- RSF-1A
- RSF-1B
- RTF
- T
- 724 W Keene Road Project Parcels

0 0.07 0.14 0.28 Miles

N

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

The Apopka Chief
400 N. Park Avenue, Apopka, FL 32712
(407) 886-2777

I, J.C. Derrick, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of The Apopka Chief, a publication that is a "legal newspaper" as that phrase is defined for the city of Apopka, for county of Orange, in the state of Florida, that this affidavit is 1 of 3 with the full text of the sworn-to notice set forth on the page(s) that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

Publication Dates:
- Jul 18, 2025

Notice ID: uDdgd5QtAoJvlQTpI5qL

Notice Name: City of Apopka ords. 3105 and 3106

J. C. Derrick

Publisher

VERIFICATION

STATE OF FLORIDA
COUNTY OF ORANGE

Signed or attested before me on this

18 day of July, A.D. 2025.

Nancy C Thomas

Notary Public

Notary Public State of Florida
Nancy C Thomas
My Commission HH 688639
Expires 7/4/2029

Newspaper page size: Width: 11.25 in., Height: 20.125 in.

CITY OF APOPKA
PUBLIC HEARING NOTICE
CHANGE OF FUTURE LAND USE
AND CHANGE OF ZONING

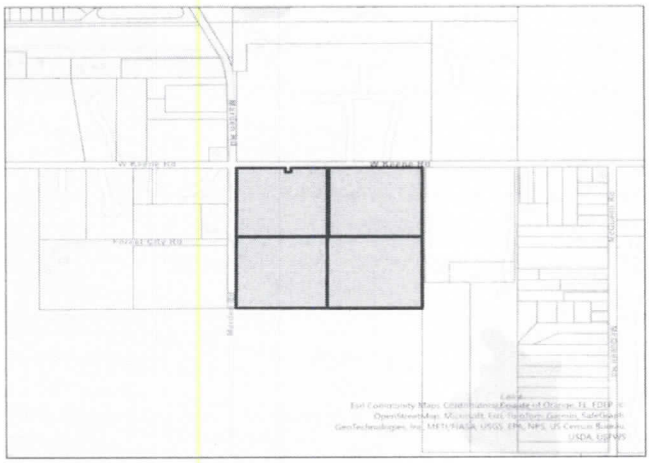
NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Logan Opsahl** have made application relating to the following described property.

ORDINANCE NO. 3105

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE FUTURE LAND USE FROM AGRICULTURE/IN PROGRESS TO RESIDENTIAL MEDIUM LOW, FOR PROPERTIES LOCATED AT 724 W KEENE ROAD, 632 W KEENE ROAD, 2751 MARDEN ROAD, AND 608 W KEENE ROAD; OWNED BY DEWAR KEENE 40 LLC COMPRISING 38.59 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

ORDINANCE NO. 3106

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM AG (AGRICULTURE), AND T (TRANSITIONAL) TO RMF (RESIDENTIAL MULTI-FAMILY), FOR PROPERTIES LOCATED AT 724 W KEENE ROAD, 632 W KEENE ROAD, 2751 MARDEN ROAD, AND 608 W KEENE ROAD; OWNED BY DEWAR KEENE 40 LLC COMPRISING 38.59 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): 28-21-28-0000-00-002, 28-21-28-0000-00- 024, 28-21-28-0000-00-029, 28-21-28-0000-00-006
Contains: 38.59 +/- Acres

Notice is given that the **City of Apopka Planning Commission** will hold a public hearing at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:30 P.M.**, or as soon thereafter as possible.

FURTHER NOTICE is given that a public hearing for Ordinance Numbers 3105 & 3106 will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, September 3, 2025 beginning at 1:30 P.M**.

Affected parties and the public may appear at the above listed hearings to speak. The proposed Small-Scale Future Land Use and Rezoning Applications can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with

Newspaper page size: Width: 11.25 in., Height: 20.125 in.

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

Apopka City Council
Apopka Planning Commission
Community Development Department

July 18, 2025

CITY OF APOPKA
Comprehensive Plan
FLU Amendment and Rezoning Justification
For 724 W. Keene Road (assemblage)

Objective 3:

The City of Apopka shall implement the Future Land Use Map and discourage the proliferation of urban sprawl by promotion of land uses which are consistent with its character and that are coordinated with planned and proposed regional and local transportation and other public facilities.

Policy 3.14:

The City shall consider the following when evaluating land use amendments, especially changes from very low density categories to higher density categories and voluntary annexation requests:

- **Whether the amendment demonstrates a functional relationship of the proposed amendment to other more densely or intensely designated or development lands;**

  RESPONSE: Agricultural nursery operations have decreased significantly over recent years and economic growth of City of Apopka has added desire and demand for additional housing supply, diversity of housing options, and the appropriate blend of uses. Existing large residential neighborhoods like Emerson Park and Hilltop Reserve lie to the north and west of Keene Road. The new Ascend at Oakpointe community is offering single family homes and townhomes south of West Keene Road. Additionally, the new J.Ardin with 304 garden style 3-story and 4-story apartment buildings is being developed across from Shoppes at East Shore at the intersection of West Keene Road on Ocoee Apopka Road. These new development represent the City's growing and changing demographics and population and demonstrate the practical connection of economic need and evolving land use amendments.

  This proposed development would provide a fully-amenitized single family townhome community on a small to medium scale consistent with City of Apopka Code Section 3.3.7 and provide a variety of housing types consistent with Comprehensive Plan Housing Element Objective 1.1. The proposed future land use amendment requests a change to RM (Residential Medium) and rezoning to RMF (Residential Multi-Family). Pursuant to FLU Policy 3.1.g for medium density residential development, the RMD future land use would permit a maximum of 10 dwelling units per acre.

- **The availability of public facilities and water supplies to service a more dense or intense land use; and**

RESPONSE: Property is located less than a mile to Ocoee Apopka Road with convenient utility connection to the south to S.R. 414 and east of S.R. 429. The proposed development would support FLU Policy 2.9 – creating a desirable proximity of housing to already existing infrastructure facilities, employment centers, shopping, public parks and open space. Population density on West Keene Road between Ocoee Apopka Road and Marden Road varies with increasing densities moving west and major highway to the east. The proposed development is within an area with increasing commercial and retail development. The property has convenient access to Shoppes at East Shore and large employers, such as the Advent Health hospital and Amazon Distribution Center – further illustration of increasing densities and intensities in the area. Small scale residential development supports employment centers, reduces travel time, road congestion and improves quality of life.

Multi-modal transportation linkages between proposed residential use and neighborhood.

RESPONSE: The parcels are located on West Keene Road with less than a mile connection to of Ocoee Apopka Road with convenient connection to the Western Beltway (S.R. 429) and the Apopka Expressway (S.R. 414). To support the City's Mobility Strategies we note the proposed development is located 3 miles from the Lynx Apopka Superstop on Main Street in Downtown Apopka. The proposed development is also located west of the West Orange Trail, a popular biking and hiking trail connecting to Lake County.

It is also worth noting that Keene Road is identified as a priority for the City for improvements, potential widening and renovations to support increased traffic and activity. This further demonstrates the anticipated increased growth and densities in the area by the City. The Project also proposes portion of the property to be dedicated to the City for a future roundabout and road improvements.

Orange County Public Schools

6501 Magic Way · Building 200 · Orlando, Florida 32809 · (407) 317-3700 · www.ocps.net

FORMAL SCHOOL CAPACITY DETERMINATION
CAPACITY LETTER

March 24, 2025

E-MAIL: LOGAN.OPSAHL@LOWNDES-LAW.COM
Logan Opsahl, Esq
Lowndes
215 N. Eola Dr.
Orlando, FL 32801

Application APK-25-007 724 West Keene Road Multifamily

This letter serves as the official determination by Orange County Public Schools that school capacity for the following development is **AVAILABLE**:

Type of Development Application	☐ FLUM ☒ Rezoning ☐ Amendment or Extension CEA		
Development Application #:	TBD		
Project Name:	724 West Keene Road Multifamily		
OCPS Completed Application Date:	03/10/2025		
Parcel #(s):	28-28-21-0000-00-002, 28-28-21-0000-00-006, 28-28-21-0000-00-024, 28-28-21-0000-00-029		
Requested New Units (#):	SF:	MF: 270	TH:
Vested Unit(s):	SF:	MF: 7	TH:
Total Project Units:	277		
School Board District:	#7		

In accordance with Section 8 of the Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency ("Interlocal Agreement"), a detailed Capacity Analysis is provided in **Attachment A**.

This determination expires on **September 20, 2025.** OCPS is not required to extend the expiration date of this determination letter. In the event this project does not possess Development Application approval from Apopka by the expiration date, but still intends to move forward in the development process, the applicant must resubmit the application and application fee to be reevaluated by OCPS. In addition, should the scope of the project change (e.g., modification of unit count and/or unit type), a new determination will be required.

This project is subject to School Concurrency. The Applicant will need to apply for School Concurrency review and satisfy any requirements of School Concurrency prior to Site Plan approval by the City.

"The Orange County School Board is an equal opportunity agency."

This determination is governed by the Interlocal Agreement, the provisions of city of Apopka adopted Comprehensive Plan, and the Orange County Charter and Code.

Please contact me at (407) 317-3700 ext. 2022139 or e-mail me at tamara.pelc@ocps.net with any questions.

Sincerely,

Tamara L. Pelc
Administrator, Facilities Planning

SV/tp

Attachments – Attachment A: Detailed Capacity Analysis

CC: Bobby Howell, City of Apopka (via e-mail)
Thomas Moore, OCPS (via e-mail)
Project File

Attachment A

Orange County Public Schools
Facilities Planning

School Capacity Determination

User ID SV March 24, 2025 11:03:47

Project ID: CEA – APK – 25 – 007 Valid Until: September 20, 2025

Project Name:	724 WEST KEENE ROAD MULTIFAMILY				
Unvested Units	Single Family Units:	0	Vested Units	Single Family Units:	0
	Multi Family Units:	270		Multi Family Units:	7
	Multi Family High Rise Units:	0		Multi Family High Rise Units:	0
	Town Homes Units:	0		Town Homes Units:	0
	Mobile Home Units:	0		Mobile Home Units:	0

Capacity Enhancement	School Level	Elementary	Middle	High
	CSA:	CC		
	School:	PRAIRIE LAKE ES	PIEDMONT LAKES MS	WEKIVA HS
	Analysis of Existing Conditions			
	School Capacity (2023-2024)	863	1,072	2,797
	Enrollment (2023-2024)	775	862	2,159
	Utilization (2023-2024)	94.0%	89.0%	76.0%
	LOS Standard	110.0%	100.0%	100.0%
	Available Seats	174	210	638
	Analysis of Reserved Capacity			
	School Level	Elementary	Middle	
	Encumbered Capacity	51	71	512
	Reserved Capacity	34	2	25
	Adjusted Utilization	99.7%	87.2%	96.4%
	Adjusted Available Seats	89	137	101
	Analysis of Proposed Development			
	Students Generated	38.070	17.550	21.600
	Adjusted Utilization	104.1%	88.9%	97.2%
	AVAILABLE/NOT AVAILABLE	AVAILABLE	AVAILABLE	AVAILABLE
	Number of Seats to Mitigate	0.000	0.000	0.000

PRAIRIE LAKE ES	
PIEDMONT LAKES MS	
WEKIVA HS	

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 2.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Quasi- Judicial - Ordinance No. 3106 - Change of Zoning - 724 W. Keene Road

ACTION ITEM INFORMATION:
Owner(s): Dewar Keene 40 LLC
Applicant(s): Logan Opsahl
Location: 724 W. Keene Road, 632 W. Keene Road, 608 W. Keene Road and 2751 Marden Road
Project: 38.59 Acres +/-
Density: 7.5 Dwelling Units Per Acre
Project Manager: Amer Hamza

REQUEST:
Recommend approval of the Change of Zoning from AG (Agriculture), and T (Transitional) to RMF (Residential Multi-Family) to permit a clustered subdivision on the combined properties.

SUMMARY:
Owner(s): Dewar Keene 40 LLC
Applicant: Logan Opsahl
Parcel Identification Number(s): 28-21-28-0000-00-002, 28-21-28-0000-00-024, 28-21-28-0000-00-029, 28-21-28-0000-00-006
Location: 724 W. Keene Road, 632 W. Keene Road, 608 W. Keene Road and 2751 Marden Road
Existing Future Land Use: Agriculture/In-Progress
Proposed Future Land Use: Residential Medium Low
Existing Use(s): Abandoned Nursery
Existing Zoning: AG (Agriculture) and T (Transitional)
Tract Size: 38.59 +/- Acres

Direction	Future Land Use	Zoning	Present Use
North	Agriculture	AG (Agriculture)	Nursery
East	County Rural Settlement, County Rural Settlement	County A-1, County A-1	Single Family Residence and Vacant Parcel
South	County Industrial	County A-1	Northern Water Reclamation Facility
West	County Rural Settlement, County Rural Settlement, Agriculture, Residential Low	County A-1, County A-1, T (Transitional), RSF-1B (Residential Single-Family Large Lot)	Single Family Residences and Vacant Parcel

PROJECT SUMMARY:
The subject properties, which combined is approximately 38.59 acres in size, are located at 724. W Keene Road, 632. W Keene Road, 608. W Keene Road and 2751 Marden Road and previously had an agricultural nursery located on the combined properties. The applicant is requesting the rezoning of the property to permit a subdivision

on the combined properties. The proposed subdivision will consist of single family homes and townhomes which are permitted under the RMF (Residential Multi-Family) zoning district. Currently, nearby properties in the surrounding area do not have the proposed RMF (Residential Multi-Family) zoning, but staff are expecting an application to be submitted in the near future for a proposed subdivision near the subject parcels consisting of single-family homes and townhomes that is also proposing the same RMF (Residential Multi-Family) zoning. The nearby proposed subdivision would be 0.30 miles away from the subject parcels and is located at the northwest section of Marden Road and W Keene Road, while the subject parcels for this project are located at the southwest corner of Marden Road and W Keene Road. The proposed RMF (Residential Multi-Family) zoning district also complements the proposed future land use of the combined properties which is Residential Medium Low. There are properties in the surrounding area with other residential zoning districts as well such as MU-ES-GT (Mixed Use East Shore Gateway) zoning district and Planned Development. Some of these properties have residential subdivisions that are already built or under construction and are listed below:

- Emerson Park (0.30 miles) (Northwest) (Zoning: MU-ES-GT Mixed Use East Shore Gateway)
- Hilltop Reserve (0.50 miles) (North) (Zoning: County Planned Development)
- Residences at Emerson Park (0.80 miles) (Northwest) (Zoning: MU-ES-GT Mixed Use East Shore Gateway)
- Emerson Pointe (0.80 miles) (North) (Zoning: PD Planned Development)
- Crossing at Emerson Park (0.80 miles) (Northwest) (Zoning: MU-ES-GT Mixed Use East Shore Gateway)

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

a. Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans;
- Applicant's response: Proposed development of the Property into residential uses under the RMF (Residential Multi-Family) zoning district with a Future Land Use ("FLU") designation of RML (Residential Medium Low) would be consistent with and furthers the goals, objectives and policies of the City of Apopka.
- Staff response: Staff has no objection.

b. Is in conflict with any provisions of the LDC;
- Applicant's response: The business operations on the Property as an agricultural nursery have ceased. The proposed future land use amendment and rezoning would allow redevelopment of Property in compliance with LDC 3.3.7 for small to medium multifamily developments. Further in accordance with FLU Policy 3.1.g for medium density residential development, the RML future land use would permit 7.5 dwelling units per acre.
- Staff response: Staff has no objection.

c. Addresses a demonstrated community need;
- Applicant's response: In accordance with the City's Comprehensive Plan Housing Element, a need for single family and multifamily units is identified to accommodate projected population growth. Its objective is to provide diverse housing choices with varying densities, types and designs.
- Staff response: Staff has no objection.

d. Is required by changed conditions;
- Applicant's response: Agricultural nursery operations in the general area have decreased significantly over recent years and decades while residential needs have increased. In compliance with Objective 3 and Policy 3.2 of the comprehensive plan, redevelopment of the Property shall integrate with adjacent land uses and development patterns. In order to reduce incompatibility of a commercial operation with adjacent residential uses, Applicant requests this future land use amendment to RML and rezoning to RMF.
- Staff response: Staff has no objection.

e. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;
- Applicant's response: Existing use of adjacent property to the north is an agricultural nursery with an AG zoning within City of Apopka. Existing use of adjacent property to the east is horse farm and residential zoned A-1 within Orange County. Existing use of adjacent properties to the west are residential and undeveloped residential within an A-1 zoning in the Orange County jurisdiction and zoned T and RSF-1B in City of Apopka. Additional properties within the immediate area contain higher intensity and densities of residential and commercial uses. City Code provides that RMF zoning is intended to provide lands that accommodate small to medium multifamily developments. The rezoning of the Property will allow use of the Property in accordance with LDC Section 3.3.7

zoning district while providing for a compatible use with existing and proposed uses surrounding the Property.
- Staff response: Staff has no objection.

f. Would result in a logical and orderly development pattern;
- Applicant's response: Property lies southeast of residential neighborhood, Emerson Park, and south of Hilltop Reserve. The proposed redevelopment from agricultural nursery with commercial nursery buildings would create more logical and orderly development pattern relative to the surrounding residential uses as envisioned in the Comprehensive Plan.
- Staff response: Staff wants clarification that redevelopment is for residential use.

g. Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
- Applicant's response: In accordance with FLU Policy 3.3, new development and redevelopment must mitigate any adverse impact to property and adjacent land uses. The proposed redevelopment of this Property from an agricultural nursery to a residential use will be more compatible with the adjacent residential land uses. Further redevelopment of the site into a residential use will not cause adverse impacts on the natural environment, including, but not limited to, water and air resources, stormwater management, wildlife, vegetation, wetlands, and natural functioning of the environment. Proposed project will provide a compact and efficient development of the property with stormwater ponds and amenities. Therefore, this proposed development would not create adverse environmental impacts.
- Staff response: Staff has no objection.

h. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).
- Applicant's response: Property is located south of S.R. 414 and east of S.R. 429. The proposed development would support FLU Policy 2.9 creating a desirable proximity of housing to already existing infrastructure facilities, employment centers, shopping, public parks and open space.
- Staff response: Staff has no objection.

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on March 6, 2025.

SCHOOL CAPACITY REPORT:
OCPS determined that school concurrency capacity is available for elementary, middle, and high school with regard to the proposed development with 270 unvested units and 7 vested units. The properties are zoned for the following schools:

Prairie Lake Elementary School
Piedmont Lakes Middle School
Wekiva High School

PUBLIC HEARING SCHEDULE:
August 12, 2025 – Planning Commission (5:30 P.M.)
September 3, 2025 – City Council (1:30 P.M.), First Reading
September 17, 2025 – City Council (7:00 P.M.), Second Reading and Adoption

DULY ADVERTISED:
July 18, 2025 – Apopka Chief
July 17, 2025 – Mailed notices to adjacent property owners
July 18, 2025 – Posters placed on property

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:
Development Review Committee (DRC):
Recommends approval of the Change of Zoning from AG (Agriculture), and T (Transitional) to RMF (Residential Multi-Family), finding the proposed change consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, based on the findings and facts presented in the staff report and exhibits.

Recommended Motion – Planning Commission:
Find the proposed Change of Zoning from AG (Agriculture), and T (Transitional) to RMF (Residential Multi-Family), consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, recommend approval of the proposed Change of Zoning, based on the findings and facts presented in the staff report and exhibits.

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.

ATTACHMENTS:
1. Ordinance Number 3106
2. Map Series
3. Advertisement
4. APK-25-007 Capacity Determination Letter

ORDINANCE NO. 3106

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM AG (AGRICULTURE) AND T (TRANSITIONAL) TO RMF (RESIDENTIAL MULTI-FAMILY), FOR PROPERTY LOCATED AT 608 W KEENE ROAD, 632 W KEENE ROAD, 724 W KEENE ROAD, AND 2751 MARDEN ROAD; OWNED BY DEWAR KEENE 40 LLC; COMPRISING 38.59 ACRES, MORE OR LESS; PROVIDING FOR 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 applicant, Logan Opsahl, on behalf of the fee simple owners of the Property, submitted an application for a change in zoning on the Property identified and depicted in Exhibit "A," attached hereto, from AG (Agriculture) and T (Transitional) to RMF (Residential Multi-Family); and

WHEREAS, the proposed RMF (Residential Multi-Family) District rezoning of the Property is consistent with the City's Comprehensive Plan and Land Development Code; and

WHEREAS, the City of Apopka Planning Commission, sitting as the Local Planning Agency, recommended approval of the change in the zoning of the Property and found that the rezoning is consistent with the City's Comprehensive Plan; and

WHEREAS, the City of Apopka has followed all statutory and Code requirements for noticing and advertising this rezoning Ordinance and public hearings associated with the rezoning; and

WHEREAS, the City Council has received public input on the rezoning and a recommendation from staff; and

WHEREAS, the City Council of the City of Apopka finds that the applicants have met the necessary criteria for rezoning under City's Land Development Code and that rezoning serves a legitimate public purpose and will not adversely affect the public interest.

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

Section I. Findings and Intent. The City of Apopka has complied with all requirements and procedures of Florida Law in processing this Ordinance. The recitals set forth above are hereby adopted.

Section II. Rezoning. The Property described and shown in Exhibit "A", being situated in the City of Apopka, Florida, is hereby rezoned and assigned the RMF (Residential Multi-Family) Zoning District, as defined in the Apopka Land Development Code.

Section III. Zoning Map. The Official Zoning Map of the City of Apopka shall be amended to conform to the zoning assignment approved in Section 2 of this Ordinance. The Community Development Director, or the Director's designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

Section IV. Severability. 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 V. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. Effective Date. This Ordinance shall become effective immediately following such time that its companion future land use map amendment ordinance (Ordinance 3105) takes effect.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this ____ day of _____, 2025.

READ FIRST TIME: September 3, 2025

READ SECOND TIME AND
ADOPTED:

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

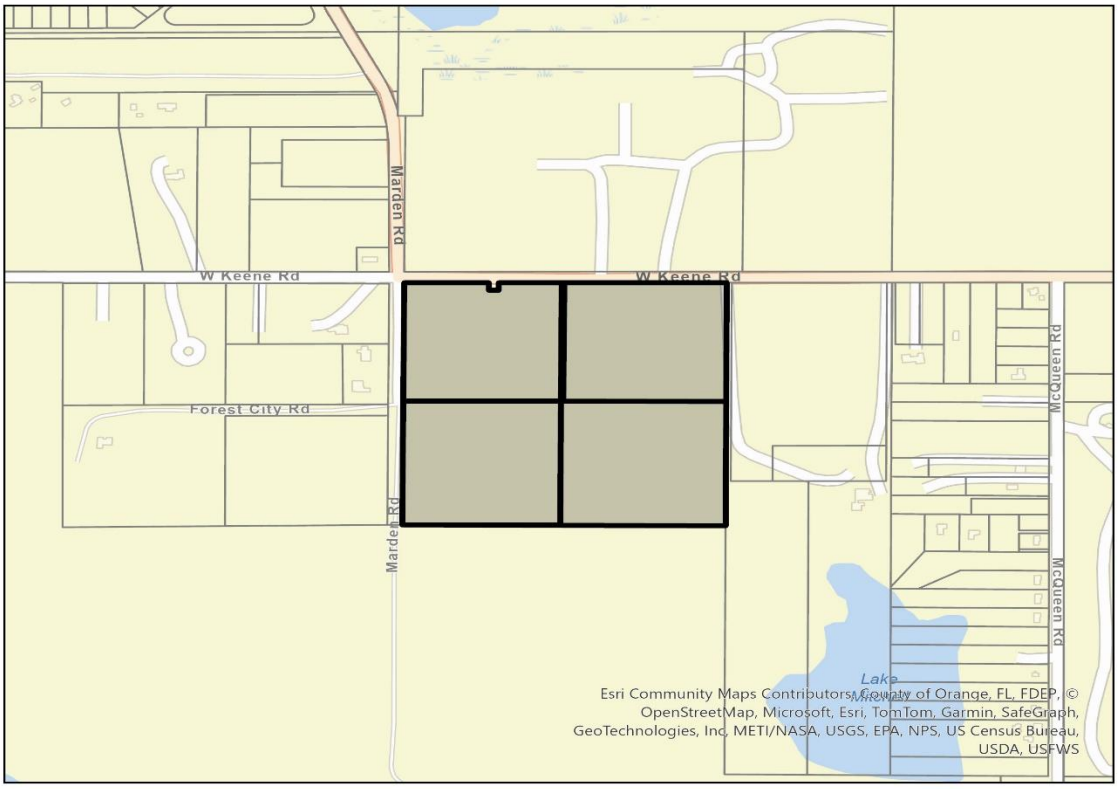
Approved as to form and legal sufficiency:

_____

Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 18, 2025

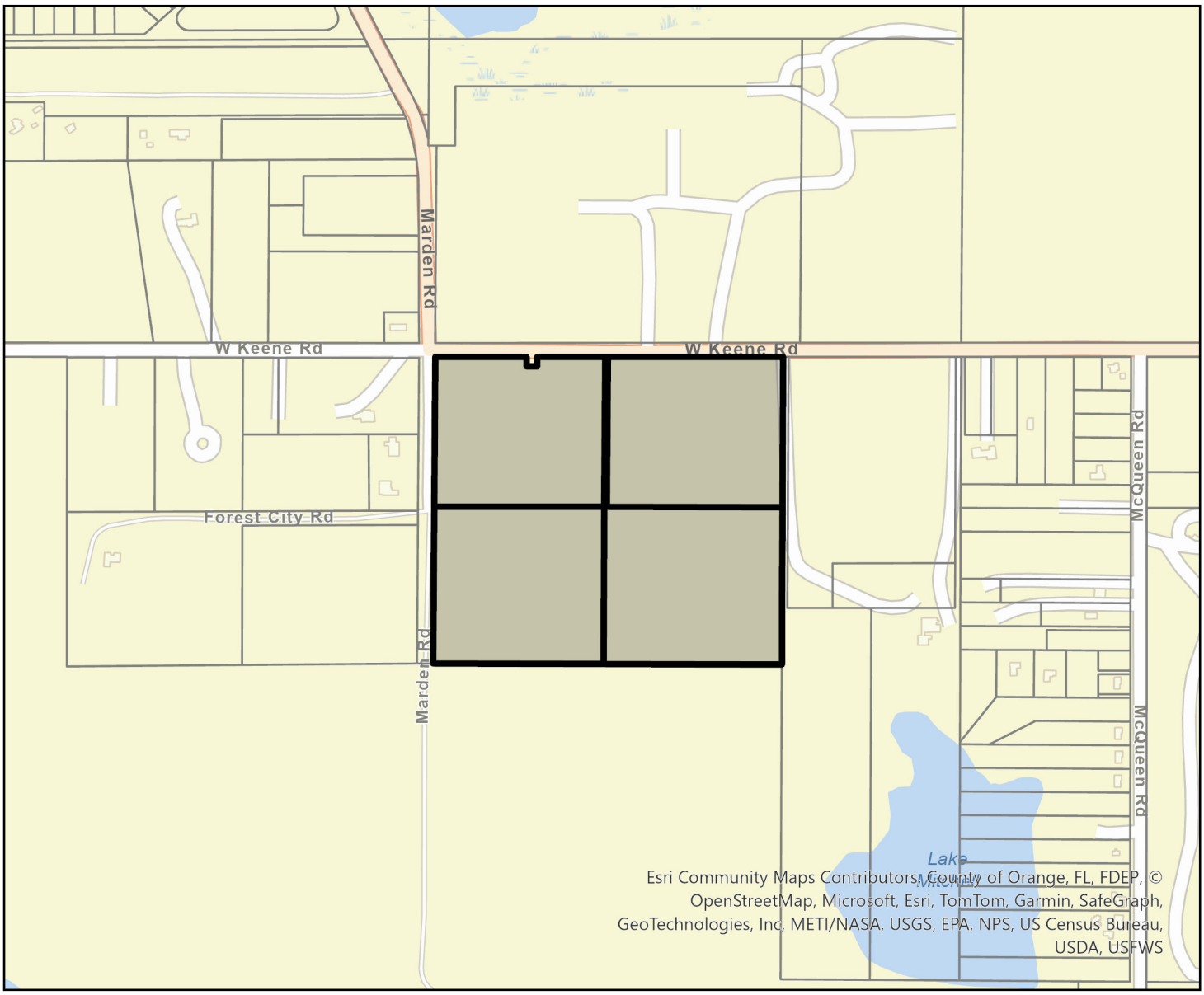
EXHIBIT A
Parcel Identification Number(s): 28-21-28-0000-00-002, 28-21-28-0000-00-024, 28-21-28-0000-00-029, 28-21-28-0000-00-006
Acreage: 38.59 +/- Acres



Parcel
724 W Keene Road

0 0.1 0.2 0.39 Miles

N

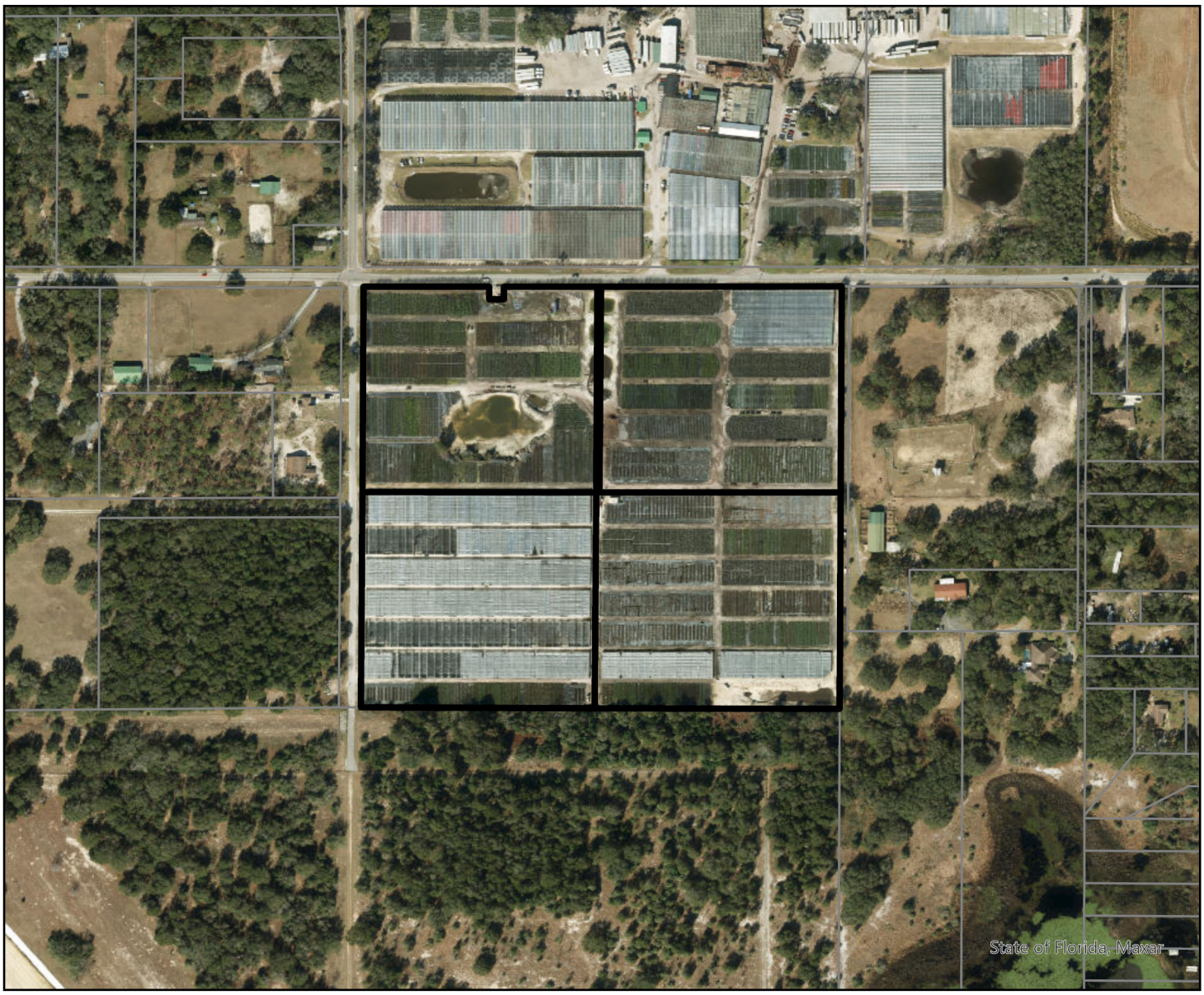


Parcel

724 W Keene Road

0 0.1 0.2 0.39 Miles

N

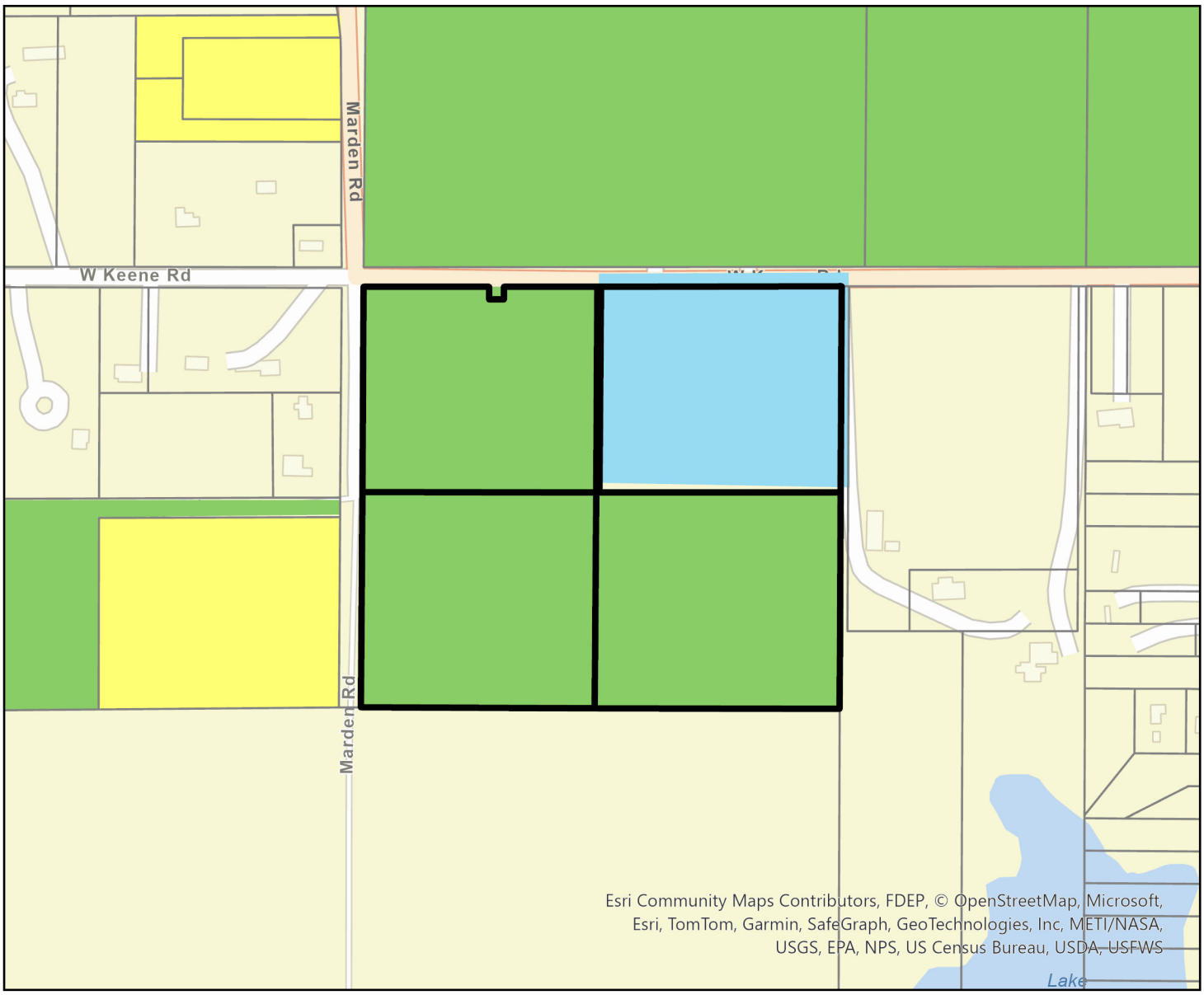


Parcel

724 W Keene Road Project Parcels

0 0.07 0.14 0.28 Miles

N



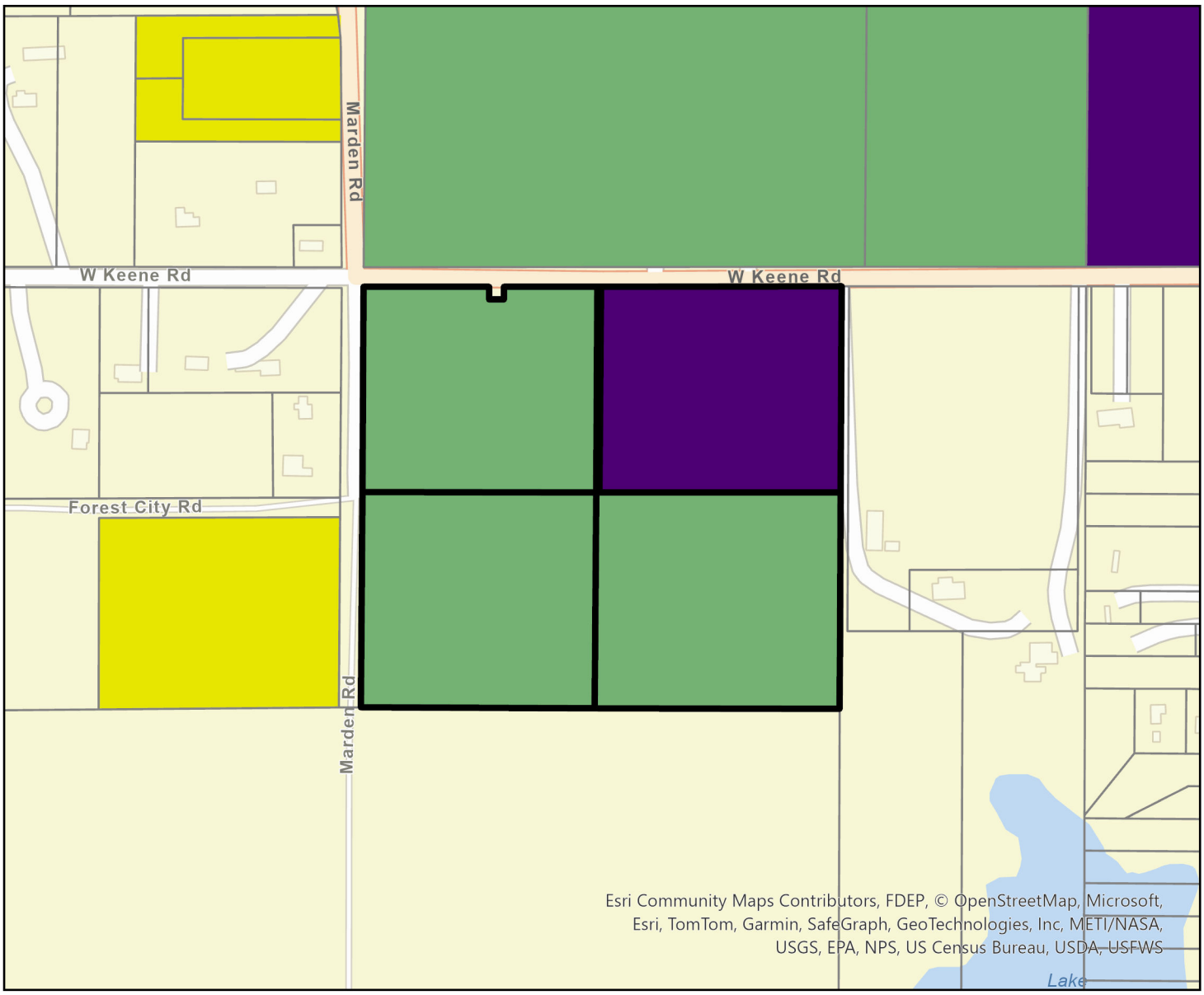
Parcel

Apopka Future Land Use

- AG
- AG-E
- AG-HOME
- COMM
- CONSV
- FLU-IP
- HDR-25
- IND
- INST_PU
- MU
- OFF
- PR
- RE
- RH
- RL
- RLS
- RM
- RML
- RS
- RVLS
- 724 W Keene Road Project Parcels

0 0.07 0.14 0.28 Miles

N



Parcel

Apopka Zoning

- AG
- AIR
- C-C
- C-COR
- C-N
- C-R
- I-H
- I-L
- INST
- MHP
- MU-D
- MU-ES-GT
- MU-INT
- MU-MED
- MU-N
- MU-T
- MU-VC
- O
- PD
- PR
- RCE
- RMF
- RSF-1A
- RSF-1B
- RTF
- T
- 724 W Keene Road Project Parcels

0 0.07 0.14 0.28 Miles

N

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

The Apopka Chief
400 N. Park Avenue, Apopka, FL 32712
(407) 886-2777

I, J.C. Derrick, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of The Apopka Chief, a publication that is a "legal newspaper" as that phrase is defined for the city of Apopka, for county of Orange, in the state of Florida, that this affidavit is 1 of 3 with the full text of the sworn-to notice set forth on the page(s) that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

Publication Dates:
- Jul 18, 2025

Notice ID: uDdgd5QtAoJvlQTpI5qL

Notice Name: City of Apopka ords. 3105 and 3106

J. C. Derrick

Publisher

VERIFICATION

STATE OF FLORIDA
COUNTY OF ORANGE

Signed or attested before me on this

18 day of July, A.D. 2025.

Nancy C Thomas

Notary Public

Notary Public State of Florida
Nancy C Thomas
My Commission HH 688639
Expires 7/4/2029

Newspaper page size: Width: 11.25 in., Height: 20.125 in.

CITY OF APOPKA
PUBLIC HEARING NOTICE
CHANGE OF FUTURE LAND USE
AND CHANGE OF ZONING

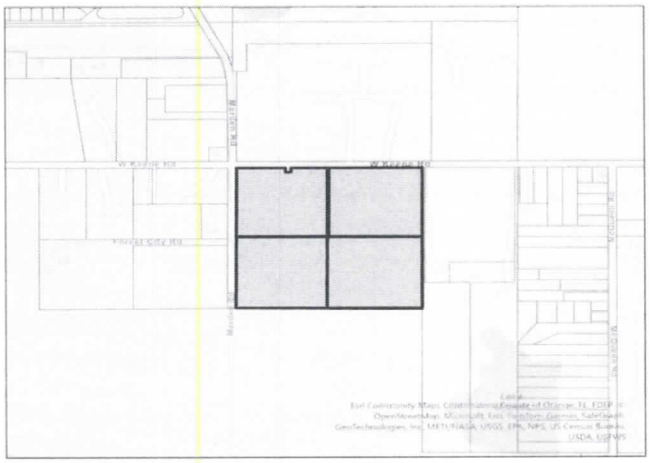
NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Logan Opsahl** have made application relating to the following described property.

ORDINANCE NO. 3105

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE FUTURE LAND USE FROM AGRICULTURE/IN PROGRESS TO RESIDENTIAL MEDIUM LOW, FOR PROPERTIES LOCATED AT 724 W KEENE ROAD, 632 W KEENE ROAD, 2751 MARDEN ROAD, AND 608 W KEENE ROAD; OWNED BY DEWAR KEENE 40 LLC COMPRISING 38.59 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

ORDINANCE NO. 3106

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM AG (AGRICULTURE), AND T (TRANSITIONAL) TO RMF (RESIDENTIAL MULTI-FAMILY), FOR PROPERTIES LOCATED AT 724 W KEENE ROAD, 632 W KEENE ROAD, 2751 MARDEN ROAD, AND 608 W KEENE ROAD; OWNED BY DEWAR KEENE 40 LLC COMPRISING 38.59 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): 28-21-28-0000-00-002, 28-21-28-0000-00- 024, 28-21-28-0000-00-029, 28-21-28-0000-00-006
Contains: 38.59 +/- Acres

Notice is given that the **City of Apopka Planning Commission** will hold a public hearing at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:30 P.M.**, or as soon thereafter as possible.

FURTHER NOTICE is given that a public hearing for Ordinance Numbers 3105 & 3106 will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, September 3, 2025 beginning at 1:30 P.M**.

Affected parties and the public may appear at the above listed hearings to speak. The proposed Small-Scale Future Land Use and Rezoning Applications can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with

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

Apopka City Council
Apopka Planning Commission
Community Development Department

July 18, 2025

Orange County Public Schools

6501 Magic Way · Building 200 · Orlando, Florida 32809 · (407) 317-3700 · www.ocps.net

FORMAL SCHOOL CAPACITY DETERMINATION
CAPACITY LETTER

March 24, 2025

E-MAIL: LOGAN.OPSAHL@LOWNDES-LAW.COM
Logan Opsahl, Esq
Lowndes
215 N. Eola Dr.
Orlando, FL 32801

Application APK-25-007 724 West Keene Road Multifamily

This letter serves as the official determination by Orange County Public Schools that school capacity for the following development is **AVAILABLE**:

Type of Development Application	☐ FLUM ☒ Rezoning ☐ Amendment or Extension CEA		
Development Application #:	TBD		
Project Name:	724 West Keene Road Multifamily		
OCPS Completed Application Date:	03/10/2025		
Parcel #(s):	28-28-21-0000-00-002, 28-28-21-0000-00-006, 28-28-21-0000-00-024, 28-28-21-0000-00-029		
Requested New Units (#):	SF:	MF: 270	TH:
Vested Unit(s):	SF:	MF: 7	TH:
Total Project Units:	277		
School Board District:	#7		

In accordance with Section 8 of the Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency ("Interlocal Agreement"), a detailed Capacity Analysis is provided in **Attachment A**.

This determination expires on **September 20, 2025.** OCPS is not required to extend the expiration date of this determination letter. In the event this project does not possess Development Application approval from Apopka by the expiration date, but still intends to move forward in the development process, the applicant must resubmit the application and application fee to be reevaluated by OCPS. In addition, should the scope of the project change (e.g., modification of unit count and/or unit type), a new determination will be required.

This project is subject to School Concurrency. The Applicant will need to apply for School Concurrency review and satisfy any requirements of School Concurrency prior to Site Plan approval by the City.

"The Orange County School Board is an equal opportunity agency."

This determination is governed by the Interlocal Agreement, the provisions of city of Apopka adopted Comprehensive Plan, and the Orange County Charter and Code.

Please contact me at (407) 317-3700 ext. 2022139 or e-mail me at tamara.pelc@ocps.net with any questions.

Sincerely,

Tamara L. Pelc
Administrator, Facilities Planning

SV/tp

Attachments – Attachment A: Detailed Capacity Analysis

CC: Bobby Howell, City of Apopka (via e-mail)
Thomas Moore, OCPS (via e-mail)
Project File

Attachment A

Orange County Public Schools
Facilities Planning

School Capacity Determination

User ID SV March 24, 2025 11:03:47

Project ID: CEA – APK – 25 – 007 Valid Until: September 20, 2025

Project Name:	724 WEST KEENE ROAD MULTIFAMILY

Unvested Units			Vested Units		
	Single Family Units:	0		Single Family Units:	0
	Multi Family Units:	270		Multi Family Units:	7
	Multi Family High Rise Units:	0		Multi Family High Rise Units:	0
	Town Homes Units:	0		Town Homes Units:	0
	Mobile Home Units:	0		Mobile Home Units:	0

Capacity Enhancement				
	School Level	Elementary	Middle	High
	CSA:	CC		
	School:	PRAIRIE LAKE ES	PIEDMONT LAKES MS	WEKIVA HS
	Analysis of Existing Conditions			
	School Capacity (2023-2024)	863	1,072	2,797
	Enrollment (2023-2024)	775	862	2,159
	Utilization (2023-2024)	94.0%	89.0%	76.0%
	LOS Standard	110.0%	100.0%	100.0%
	Available Seats	174	210	638
	Analysis of Reserved Capacity			
	School Level	Elementary	Middle	
	Encumbered Capacity	51	71	512
	Reserved Capacity	34	2	25
	Adjusted Utilization	99.7%	87.2%	96.4%
	Adjusted Available Seats	89	137	101
	Analysis of Proposed Development			
	Students Generated	38.070	17.550	21.600
	Adjusted Utilization	104.1%	88.9%	97.2%
	AVAILABLE/NOT AVAILABLE	AVAILABLE	AVAILABLE	AVAILABLE
	Number of Seats to Mitigate	0.000	0.000	0.000

PRAIRIE LAKE ES	
PIEDMONT LAKES MS	
WEKIVA HS	

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 3.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Legislative – Ordinance No. 3108 – Large-Scale Future Land Use Amendment – Ondich North

ACTION ITEM INFORMATION:
Owner(s): PM S-1 REO, LLC; HMF, LLC; Charles P. Stallings; Kim L. Stallings; Euell E. Stallings, Jr.; and Crystal Denise Stallings
Applicant(s): Appian Engineering, Inc. c/o Luke Classon, P.E.
Parcel Identification Number(s): 01-20-27-0000-00-007, 01-20-27-0000-00-034, 01-20-27-0000-00-053, 02-20-27-0000-00-010, 02-20-27-0000-00-011, 02-20-27-0000-00-020 (portion of)
Location: Northwest corner of Ondich Road and SR 453/SR 429
Future Land Use: County Rural
Zoning: County R-2 (Residential District)
Proposed Future Land Use: Rural Settlement
Existing Use: Mostly vacant and some parcels with single-family residences
Tract Size: 196.83 +/- acre(s)
Density: one dwelling unit per acre
Project Manager: Jean Sanchez

REQUEST:
Recommend approval of the Future Land Use Map Amendment from County Rural to Residential Estates for Ondich North and transmittal to FloridaCommerce.

SUMMARY:
Owner(s): PM S-1 REO, LLC; HMF, LLC; Charles P. Stallings; Kim L. Stallings; Euell E. Stallings, Jr.; and Crystal Denise Stallings
Applicant(s): Appian Engineering, Inc. c/o Luke Classon, P.E.
Parcel Identification Number(s): 01-20-27-0000-00-007, 01-20-27-0000-00-034, 01-20-27-0000-00-053, 02-20-27-0000-00-010, 02-20-27-0000-00-011, 02-20-27-0000-00-020 (portion of)
Location: Northwest corner of Ondich Road and SR 453/SR 429
Future Land Use: County Rural
Zoning: County A-1 (Citrus Rural)
Proposed Future Land Use: Rural Settlement
Existing Use: Vacant, single-family residences and agricultural facilities
Tract Size: 196.83 +/- acre(s)
Density: one dwelling unit per acre

Direction	Future Land Use	Zoning	Present Use
North	County Rural	County A-1 (Citrus Rural)	Vacant
East	County Rural	County A-1	SR 429/453

South	County Rural and City Mixed-Use	County A-1 (Citrus Rural) and KPI-MU (Kelly Park Interchange - Mixed Use)	Proposed Ondich South Residential Subdivision
West	County Rural	County A-1	Vacant, single-family residences and agricultural facilities

PROJECT SUMMARY:

The subject properties are approximately 196.83 acres in total and are currently housing single-family residences and agricultural facilities. The applicant is requesting the amendment of the future land use of the property to Rural Settlement to provide a transition from the City's form-based code area located to the south and rural character located to the north. The request to change the future land use designation to Rural Settlement allows one dwelling unit per acre. According to the City's Comprehensive Plan, Future Land Use Element Policy 3.1.s, Rural Settlement is defined as the "Northern Area" in the Joint Planning Area Agreement between the City of Apopka and Orange County adopted on October 26, 2004. This application is being processed simultaneously with an application to amend the zoning of the property from County A-1 (Citrus Rural) to PD (Planned Development) Zoning District.

The Applicant requests a Future Land Use Map Amendment from Orange County Rural to City of Apopka Residential Estates (RE) to allow low-density residential development with enhanced open space preservation in accordance with the City's Comprehensive Plan. The subject property lies within the Northern Planning Area of the Joint Planning Area (JPA) between Orange County and the City of Apopka. The area is characterized by large tracts of open land with minimal existing development. The proposed amendment is intended to facilitate a clustered single-family residential development that will provide a transitional density between the Kelly Park Interchange to the south and the surrounding rural lands. The proposed FLU creates a clear and logical pattern of transitioning densities from high intensity near KPI to rural levels northward, especially given its proximity to SR 453.

The amendment aligns with the goals of the City's Comprehensive Plan, particularly FLU Goal 1 and Objective 3, by promoting orderly growth and discouraging urban sprawl; supporting clustered development that maximizes open space; and providing a transition in development intensity from the KPI southward. The amendment addresses the need for a transition in density and development type north of KPI, responding to projected population growth and land use shifts in the JPA. The project will be served by City utilities and services. The Applicant will be required to meet all concurrency and capacity requirements for roads, water, sewer, schools, stormwater, and emergency services during the development plan review.

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

- **Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans**;
    - *Applicant's response:* The proposed amendment to add the subject parcels to the City of Apopka Comprehensive Plan Future Land Use (FLU) Map with designation Rural Settlement (RS) is consistent with and furthers the goals, objectives, and policies of the City's Comprehensive Plan. The annexation of the parcels is consistent with the City's vision for growth through expected future annexations as set forth in the Comprehensive Plan, and the proposed RS district is consistent with the location.
      The parcels are located within the Northern Area of the Joint Planning Agreement (JPA) area between Orange County and the City of Apopka, and this area is characterized by large open spaces and minimal development, both of which are characteristics of the proposed RS district. Per Policy 3.1.s, the RS district is designed to facilitate development of single-family dwelling units and associated infrastructure which maximize the preservation of open space and promote the clustering of developments to both preserve and enhance the natural environment. The proposed amendment also furthers the City's Comprehensive Plan FLU Element Objective 3, which states the City shall discourage the proliferation of urban sprawl by promotion of land uses which are consistent with its character and that are coordinated with planned and proposed regional and local facilities. Specifically, the requested Comprehensive Plan Future Land Use Map Amendment

is consistent with FLU Goal 1, which provides that the character and location of new development maximizes the economic benefit to the land and meets the housing needs of the current and projected population.
    - *Staff response:* Staff has no objection/comments.
- **Is in conflict with any provisions of the LDC**;
    - *Applicant's response:* The proposed amendment is not in conflict with any provisions of the City of Apopka LDC.
    - *Staff response:* Staff has no objection/comments.
- **Addresses a demonstrated community need**;
    - *Applicant's response:* The proposed amendment addresses a demonstrated community need as the City of Apopka experiences growth consistent with the anticipated changes to the JPA. The proposed FLU Amendment limits the density and provides for larger lot sizes to serve as a transition area from the Kelly Park Interchange planning area (KPI) to the south of the subject parcels. Compared to the City's Kelly Park Interchange planning area, the RS district provides a development with very low density and a minimum of 50% open space preservation, a combination that serves the community by providing a transition in densities and housing development types that is not currently provided elsewhere within the JPA-defined Northern Planning Area.
    - *Staff response:* Staff has no objection/comments.
- **Is required by changed conditions;**
    - *Applicant's response:* The proposed amendment addresses a demonstrated community need as the City of Apopka experiences growth consistent with the anticipated changes to the JPA.
    - *Staff response:* Staff has no objection/comments.
- **Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land**;
    - *Applicant's response:* The subject parcels are located just north of the one-mile radius of the City's KPI, which provides allowances for low to high density and intensity developments. The proposed amendment to RS restricts the subject parcels to a maximum density of one dwelling unit per acre, which serves as a transition between the KPI's Neighborhood district's five dwelling units per acre and the surrounding Rural parcels currently unincorporated.
      Additionally, the subject parcels are located within the Northern Area of the Joint Planning Agreement (JPA) area between Orange County and the City of Apopka, and this area is characterized by large open spaces and minimal development, both of which are characteristics of the proposed RS district. Per Policy 3.1.s, the RS district is designed to facilitate development of single-family dwelling units and associated infrastructure which maximize the preservation of open space and promote the clustering of developments to both preserve and enhance the natural environment. The proposed amendment also furthers the City's Comprehensive Plan FLU Element Objective 3, which states the City shall discourage the proliferation of urban sprawl by promotion of land uses which are consistent with its character and that are coordinated with planned and proposed regional and local facilities.
    - *Staff response:* Staff has no objection/comments.
- **Would result in a logical and orderly development pattern**;
    - *Applicant's response:* The proposed amendment would result in a logical and orderly development pattern due to its location next to SR 453 and north of the City's development-focused KPI. The lowest maximum density within the City's KPI is five dwelling units per acre, which is greater than the allowable maximum of the proposed RS district at one dwelling unit per acre. This creates a transition between this project and the adjacent rural parcels.
    - *Staff response:* Staff has no objection/comments.
- **Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**
    - *Applicant's response:* The proposed amendment would not result in significant adverse impacts to the natural environment. Contrarily, the RS district imposes a minimum requirement of 50% open space, which the Applicant intends to satisfy in part by the provision of multiple areas of tree preservation, which maintain the natural functioning environment and provide natural buffers between the subject parcels and adjacent properties.
    - *Staff response:* During the initial review of the applicant's proposed PD (Planned Development) Master Plan, the applicant worked with Staff to maximize the preservation of land for open space, recreation, or environmental protection. The applicant, therefore, designed the site with the

approach of clustered development planning technique that demonstrates the compatibility with the character of the area's rural nature.

- **Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).**
    - *Applicant's response:* The development, which is located within the JPA, will be adequately served by public facilities. The Applicant will comply with all capacity and concurrency requirements for public facilities under the City's Comprehensive Plan and LDC, as well as required by Florida Statutes.
    - *Staff response:* Staff has no objection/comments.

SCHOOL CAPACITY REPORT:

Orange County Public Schools (OCPS) has indicated that capacity is not available at elementary, middle and high school levels. Ondich North is deficient by 32.040, 16.920 and 23.940 students at Zellwood Elementary, Wolf Lake MIddle and Apopka High Schools, respectively.

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on March 11, 2025.

PUBLIC HEARING SCHEDULE:
June 10, 2025 (5:30 P.M.) – Planning Commission (Tabled to August 12, 2025)
August 12, 2025 (5:30 P.M.) – Planning Commission
September 3, 2025 (1:30 P.M.) – City Council, First Reading
TBD – City Council, Second Reading and Adoption

DULY ADVERTISED:
July 11, 2025 – Apopka Chief
July 29, 2025 – Posted placard notifications; mailed notification to adjacent property owners

LAND USE REPORT:

1. Relationship of adjacent properties

Direction	Future Land Use	Zoning	Present Use
North	Mixed-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Vacant
East	Residential Very Low Suburban	RSF-1B (Residential Single-Family — Large Lot)	Wolf Lake Ranch Phase II
South	Mixed-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Single-family residences
West	County Rural	County A-R (Agricultural-Residential)	Single-family residences

2. Land Use Analysis
Ondich North is located on the northwest corner of Ondich Road and SR 453/SR 429. Land use of the subject property is being recommended for Residential Estates, permitting one dwelling unit per acre to be consistent with the Comprehensive Plan policies and Land Development Code. The property is approximately 196.83

acres in size and is *not* subject to standards in the Wekiva Parkway Interchange Plan Area, Wekiva River Protection Area, or Area of Critical State Concern.

JPA:

The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The proposed Small-Scale Future Land Use Amendment request for a change from Mixed-Use to Residential Very Low Suburban is consistent with the terms of the JPA (Second Amendment).

City of Apopka Comprehensive Plan Policies: Future Land Use Element Policy 3.1.s

This land use designation is intended to apply within that area defined as the “Northern Area” in the Joint Planning Area Agreement between the City of Apopka and Orange County adopted on October 26, 2004, and other areas of the Wekiva Study Area as may be appropriate. The district is designed to facilitate development of single-family dwelling units and associated infrastructure which maximize the preservation of open space and promote the clustering of developments to both preserve and enhance the natural environment. This land use designation shall also include an agricultural component. Public facilities will be considered as Special Exceptions. Intensity of development within this land use category will vary depending upon the following framework:

a. Agricultural, not to exceed one residential unit per five acres (1 du/5 ac).
b. One residential unit per five acres (1 du/5 ac) with clustering required, with a minimum open space requirement of 25%.
c. Densities greater than one residential unit per five acres (1 du/5 ac) and less than one residential unit per one acre (1 du/1 ac) with clustering encouraged but not required, with a minimum open space requirement of 35%.
d. One residential unit per one acre (1 du/1 ac) in a development with an overall size of less than 25 acres, with clustering encouraged but not required, with a minimum open space requirement of 35%.
e. One residential unit per one acre (1 du/1 ac) in a development with an overall size of between 25 acres and
100 acres, provided the development is Planned Unit Development (PUD), with clustering required and a minimum open space requirement of 45%.
f. One residential unit per one acre (1 du/1 ac) in a development greater than 100 acres provided the development is greater than 100 acres and is a Planned Unit Development (PUD) with clustering required, with a minimum open space requirement of 50%.

All required open space within this land use category shall be permanently protected.

Special exception uses allowed:

1. Institutional uses of two acres or less.
2. Elementary schools; middle schools, high schools.
3. Supporting infrastructure and public facilities of two acres or more.
4. Horticultural nurseries as a primary use.

Transportation Element:

Policies 1.1 and 1.2 state that the City of Apopka is a Transportation Concurrency Exception Area.

Infrastructure Element:

Policies 1.1.1, 2.1.1 and 5.1.2 state the minimum levels of service for the City’s wastewater and water systems as well as the City’s solid waste collection service.

Conservation Element:

A habitat study will be required as the development is over ten (10) acres.

Land Use Calculations:

CURRENT: Future Land Use – County Rural (1 dwelling unit per 10 acres X 196.83 acres = 19 dwelling units
PROPOSED: Future Land Use – Residential Estates (1 dwelling unit per acre) 1 DU X 196.83 acres = 196 dwelling units

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

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:

Development Review Committee:

Recommends approval of the Future Land Use Map Amendment County Rural to Residential Estates for Ondich North.

Recommended Motion – Planning Commission:

Find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, as well as, recommend approval of the change in Future Land Use designation from County Rural to Residential Estates for Ondich North and transmittal to FloridaCommerce.

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

ATTACHMENTS:
1. Ordinance 3108
2. Map Series
3. Ondich North - OCPS Capacity Determination
4. July 11 Advertisement Affidavit

ORDINANCE NO. 3108

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 RURAL TO RESIDENTIAL ESTATES FOR CERTAIN REAL PROPERTY; OWNED BY PM S-1 REO, LLC; HMF, LLC; CHARLES P. STALLINGS; KIM L. STALLINGS; EUELL E. STALLINGS, JR.; AND CRYSTAL DENISE STALLINGS; LOCATED ON THE NORTHWEST CORNER OF ONDICH ROAD AND SR 453/SR 429; COMPRISING 196.83 ACRES, MORE OR LESS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, 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 applicant, Aaron Struckmeyer, on behalf of the fee simple owners of the Properties, submitted an application for a future land use amendment on the Properties identified and depicted in Exhibit "A," attached hereto, from County Rural to Residential Estates and

WHEREAS, the proposed Residential Estates future land use designation of the Property is consistent with the City's Comprehensive Plan and Land Development Code; and

WHEREAS, the City of Apopka Planning Commission, sitting as the Local Planning Agency, recommended approval of the change in the future land use designation of the Properties and found that the future land use amendment is consistent with the City's Comprehensive Plan; and

WHEREAS, the City of Apopka has followed all statutory and Code requirements for noticing and advertising this future land use amendment Ordinance and public hearings associated with the amendment; and

WHEREAS, the City Council has received public input on the future land use amendment and a recommendation from staff; and

WHEREAS, the City Council of the City of Apopka finds that the applicants have met the necessary criteria for rezoning under City's Land Development Code and that rezoning serves a legitimate public purpose and will not adversely affect the public interest.

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

Section I. Findings and Intent. The City of Apopka has complied with all requirements and procedures of Florida Law in processing this Ordinance. The recitals set forth above are hereby adopted.

Section II. Future Land Use Amendment. The Property described and shown in Exhibit "A", being situated in the City of Apopka, Florida, is hereby assigned the Residential Estates future land use designation, as defined in the Comprehensive Plan.

Section III. Future Land Use Map. The Official Future Land Use Map of the City of Apopka shall be amended to conform to the future land use designation assignment approved in Section 2 of this Ordinance. The Community Development Director, or the Director's designee, is hereby directed to amend, alter, and implement the official future land use maps of the City of Apopka, Florida, to include said designation.

Section IV. Severability. 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 V. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. Effective Date. Within ten (10) days after enactment, a certified copy of this Ordinance shall be filed in the Office of the Secretary of State by the City Clerk and transmitted to the state land planning agency and any other agency or local government that provided timely comments pursuant to the expedited state review process in Section 163.3184(3), Florida Statutes. This Ordinance shall take effect upon the latter of the following dates: (a) thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete and the issuance of a certificate of consistency or (b) issuance of a final order by the state land planning agency or the State of Florida Administration Commission determining the amendment adopted by this Ordinance to be in compliance.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this ____ day of _____2025.

READ FIRST TIME: _____

READ SECOND TIME AND
ADOPTED: _____

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

Approved as to form and legal sufficiency:

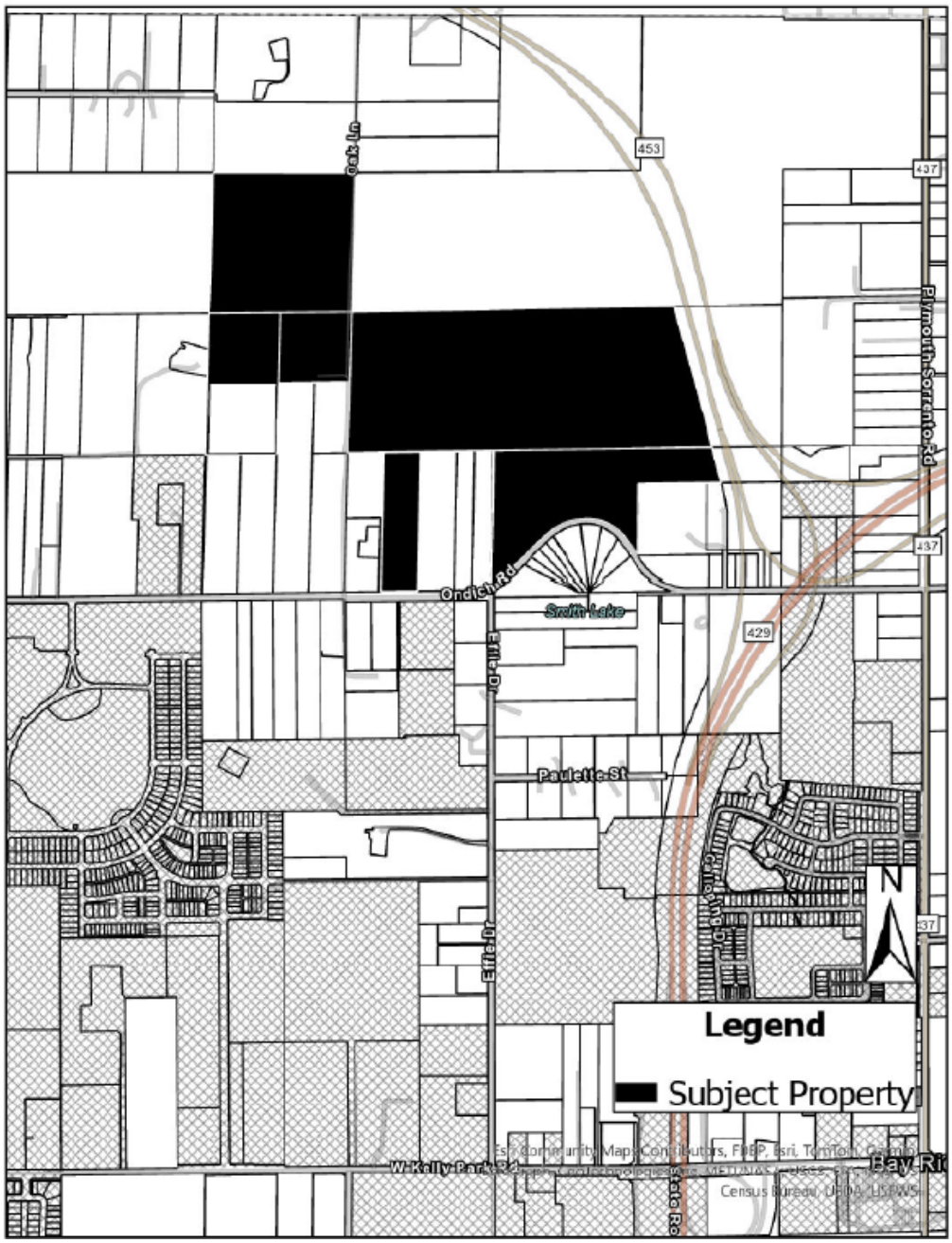
_____
Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 11, 2025 and August 8, 2025

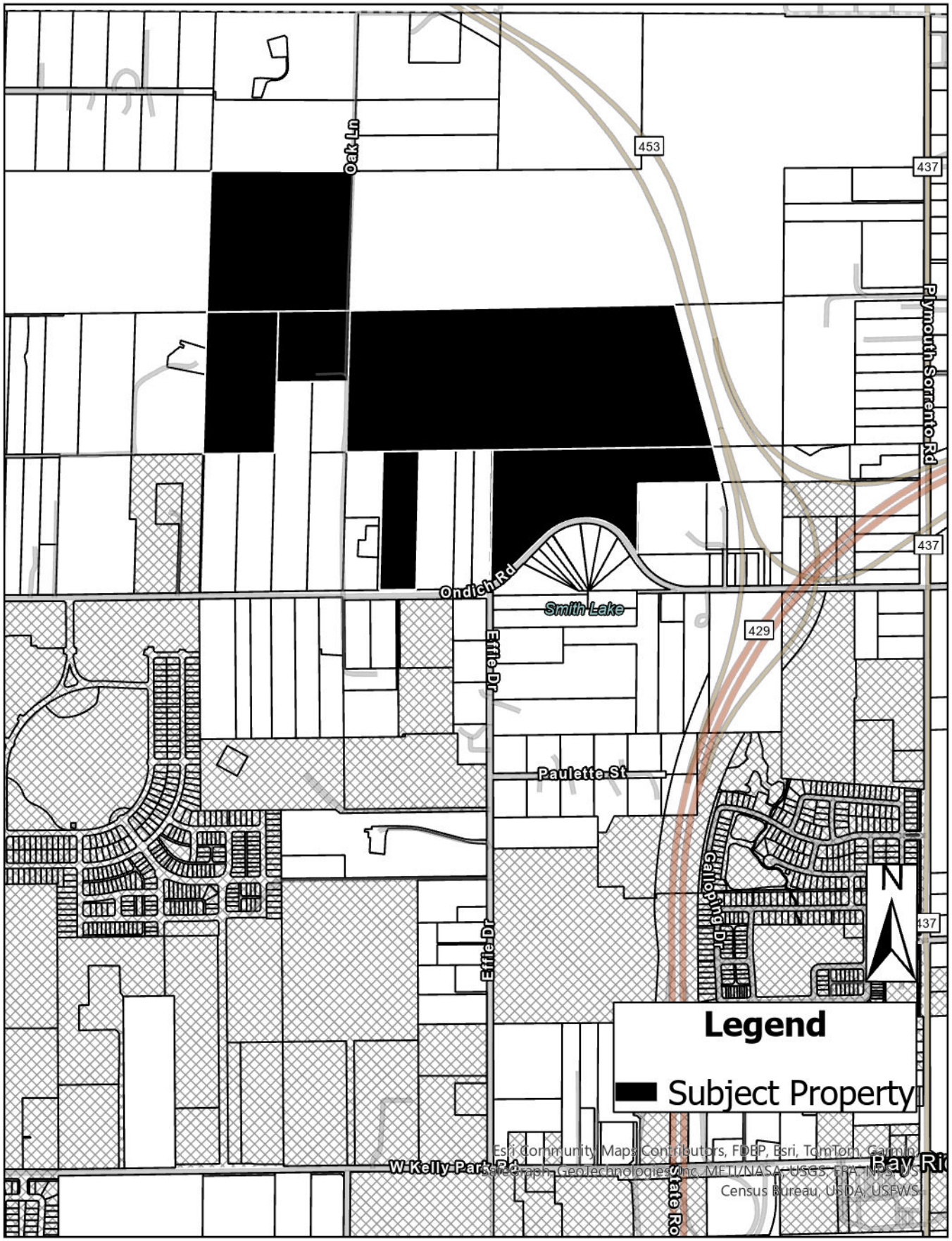
79

EXHIBIT A

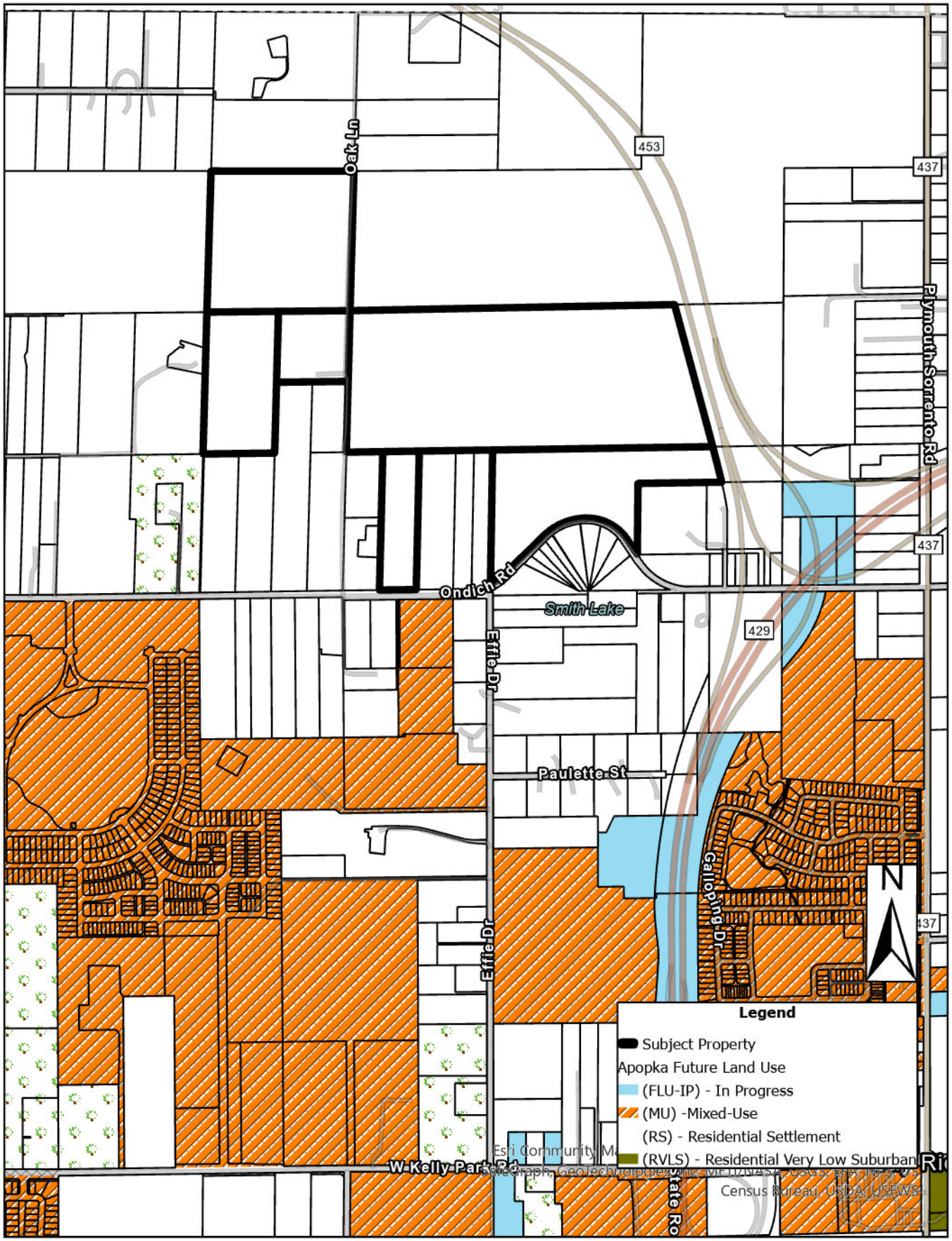
Parcel Identification Number(s): 01-20-27-0000-00-007, 01-20-27-0000-00-034, 01-20-27-0000-00-053, 02-20-27-0000-00-010, 02-20-27-0000-00-011, 02-20-27-0000-00-020 (portion of)



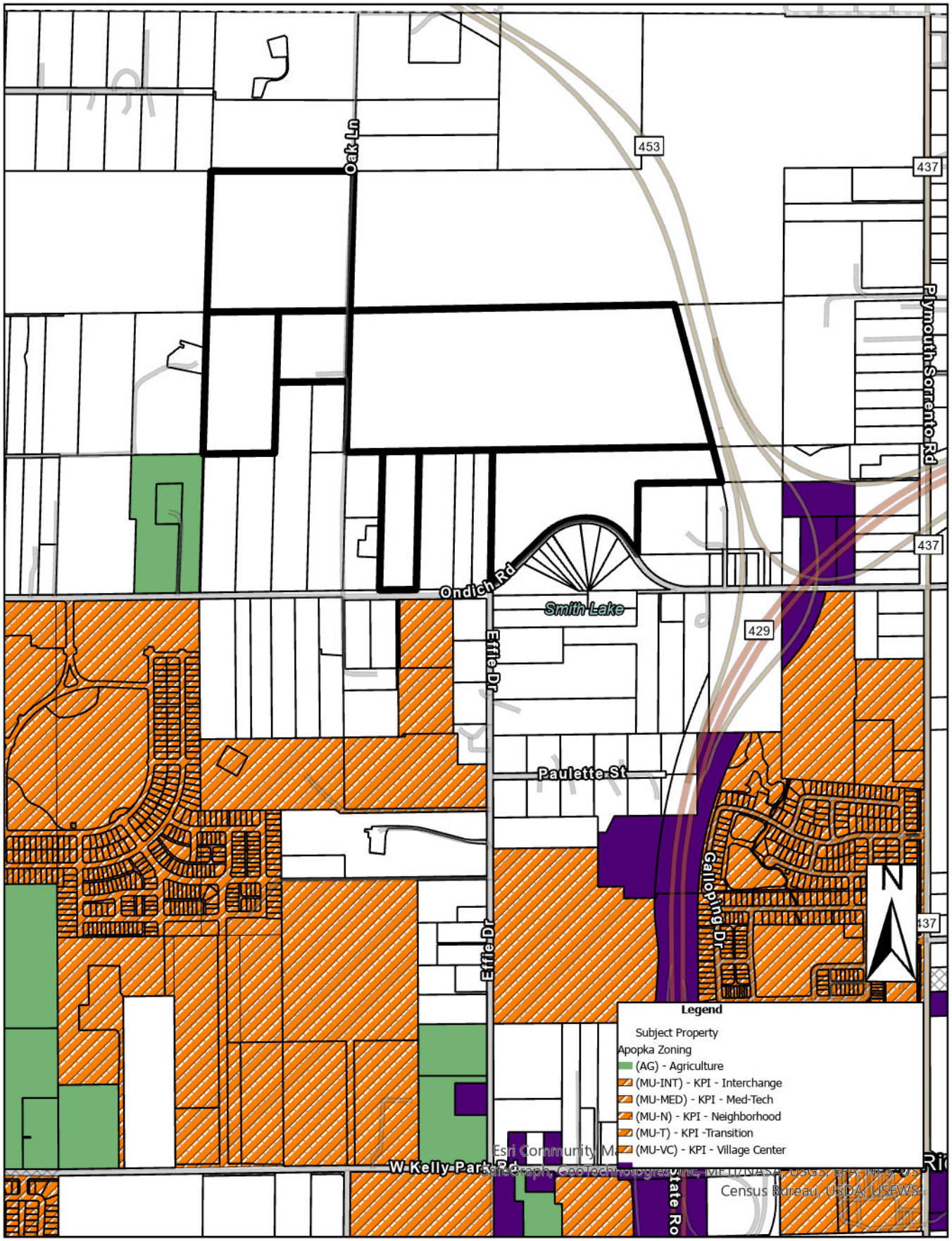
Vicinity


Oak Ln
453
437
Plymouth Sorrento Rd
Ondich Rd
Smith Lake
429
Effie Dr
Paulette St
Gallopping Dr
N
Legend
Subject Property
W Kelly Park Rd
State Ro
Esri Community Maps Contributors, FDEP, Esri, TomTom, Garmin, Esri Canada, Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, US Census Bureau, USDA, USFWS

Future Land Use



Zoning


Oak Ln
453
437
Plymouth Sorrento Rd
Ondich Rd
Smith Lake
429
Effie Dr
Paulette St
Galloping Dr
N
W Kelly Park Rd
State Ro
Legend
Subject Property
Apopka Zoning
(AG) - Agriculture
(MU-INT) - KPI - Interchange
(MU-MED) - KPI - Med-Tech
(MU-N) - KPI - Neighborhood
(MU-T) - KPI -Transition
(MU-VC) - KPI - Village Center
Esri Community Maps Contributors, MEDNAS, USGS, FAO, NPS, Census Bureau, USDA, USFWS

Aerial

Oak Ln
453
Ondich Rd
Smith Lake
429
Effie Dr
Paulette St
Galloping Dr
N
Legend
Subject Property
429
Esri Community Maps Contributors, FDEP, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar

Orange County Public Schools

6501 Magic Way · Building 200 · Orlando, Florida 32809 · (407) 317-3700 · www.ocps.net

FORMAL SCHOOL CAPACITY DETERMINATION
CAPACITY LETTER

February 12, 2025

E-MAIL: lclasson@appianfl.com
Luke M. Classon, P.E.
Appian Engineering, LLC
2221 Lee Road, Suite 17
Winter Park, FL 32789

Application APK-25-004 Ondich North

This letter serves as the official certification by Orange County Public Schools that school capacity for the following development is **NOT AVAILABLE**:

Type of Development Application	☒ FLUM ☒ Rezoning ☐ Amendment or Extension		
Development Application #:	TBD		
Project Name:	Ondich North		
OCPS Completed Application Date:	02/12/25		
Parcel #(s):	20-27-01-0000-00-007, 034, 053, 20-27-02-0000-00-010, 011, 020		
Requested New Units (#):	SF: 180	MF:	TH:
Vested Unit(s):	SF: 19	MF:	TH:
Total Project Units:	199		
School Board District:	#7		

In accordance with Section 8 of the Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency ("Interlocal Agreement"), a detailed Capacity Analysis is provided in **Attachment A.**

In accordance with Section 704(B) of the Orange County Charter and Section 30-742 of the Orange County Code, an analysis of significantly affected local governments impacted by the proposed development can be found below:

	Zellwood ES	Wolf Lake MS	Apopka HS
Jurisdictional Analysis	Apopka-15.88% Unincorporated-83.30%	Apopka-64.98% Unincorporated-34.43%	Apopka-61.11% Unincorporated-37.74%

"The Orange County School Board is an equal opportunity agency."

Given the above analysis, this project does not meet the minimum criteria established by the Orange County Charter and Code to proceed through the joint approval process with the identified significantly affected local government(s). Additional information on the joint approval process can be obtained from City of Apopka.

This determination expires on August 11, 2025 OCPS is not required to extend the expiration date of this determination letter. In the event this project does not possess Development Application approval from City of Apopka by the expiration date, but still intends to move forward in the development process, the applicant must resubmit the application and application fee to be reevaluated by OCPS. In addition, should the scope of the project change (e.g., modification of unit count and/or unit type), a new determination will be required.

Unless otherwise vested, the Development is still required to submit for concurrency review and, if necessary, enter into a Concurrency Mitigation Agreement.

This determination is governed by the Interlocal Agreement, the provisions of City of Apopka's adopted Comprehensive Plan, and the Orange County Charter and Code.

Please contact me at 407-317-3700 ext. 2022139 or Tamara.Pelc@ocps.net, if you have any questions or comments regarding this matter.

Sincerely,

Tamara L. Pelc
Administrator, Facilities Planning

SK/tp

Attachments – Attachment A: Detailed Capacity Analysis

CC: Jean Sanchez, City of Apopka (via e-mail)
Thomas Moore, OCPS (via e-mail)
Project File

Attachment A

Orange County Public Schools
Facilities Planning

School Capacity Determination

User ID SV February 12, 2025 12:31:36

Project ID: **CEA – APK – 25 – 004** Valid Until: August 11, 2025

Project Name:					
			ONDICH NORTH		
Unvested Units	Single Family Units:	180	Vested Units	Single Family Units:	19
	Multi Family Units:	0		Multi Family Units:	0
	Multi Family High Rise Units:	0		Multi Family High Rise Units:	0
	Town Homes Units:	0		Town Homes Units:	0
	Mobile Home Units:	0		Mobile Home Units:	0

Capacity Enhancement				
	School Level	Elementary	Middle	High
	CSA:	BB		
	School:	ZELLWOOD ES	WOLF LAKE MS	APOPKA HS
	Analysis of Existing Conditions			
	School Capacity (2023-2024)	633	1,112	3,390
	Enrollment (2023-2024)	546	1,151	3,449
	Utilization (2023-2024)	96.0%	122.0%	110.0%
	LOS Standard	110.0%	100.0%	100.0%
	Available Seats	150	0	0
	Analysis of Reserved Capacity			
	School Level	Elementary	Middle	
	Encumbered Capacity	164	182	232
	Reserved Capacity	0	18	0
	Adjusted Utilization	112.2%	121.5%	108.6%
	Adjusted Available Seats	0	0	0
	Analysis of Proposed Development			
	Students Generated	32.040	16.920	23.940
	Adjusted Utilization	117.2%	123.0%	109.3%
	AVAILABLE/NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE
	Number of Seats to Mitigate	32.040	16.920	23.940

ZELLWOOD ES	
WOLF LAKE MS	
APOPKA HS	

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

The Apopka Chief
400 N. Park Avenue, Apopka, FL 32712
(407) 886-2777

I, J.C. Derrick, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of The Apopka Chief, a publication that is a "legal newspaper" as that phrase is defined for the city of Apopka, for county of Orange, in the state of Florida, that this affidavit is 1 of 3 with the full text of the sworn-to notice set forth on the page(s) that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

Publication Dates:
- Jul 11, 2025

Notice ID: x4MtJKC3pQgQTvVlUqC7

Notice Name: City of Apopka ord. 3108

J. C. Derrick
Publisher

VERIFICATION

STATE OF FLORIDA
COUNTY OF ORANGE

Signed or attested before me on this

11 day of July, A.D. 2025.

Nancy C Thomas
Notary Public

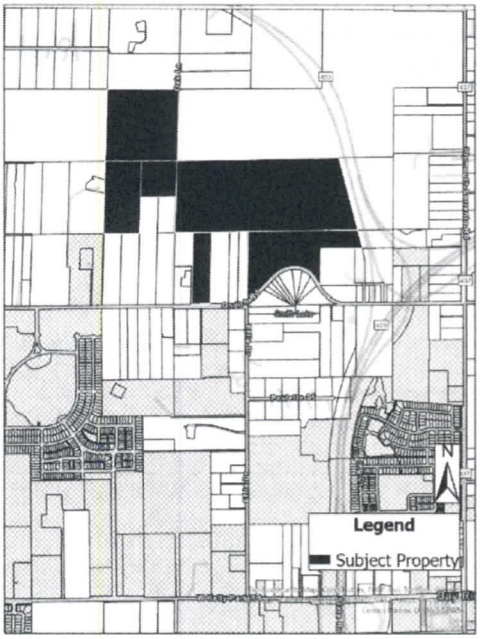
Notary Public State of Florida
Nancy C Thomas
My Commission HH 688639
Expires 7/4/2029

CITY OF APOPKA
PUBLIC HEARING NOTICE
LARGE-SCALE FUTURE LAND USE AMENDMENT

NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **PULTE HOMES COMPANY, LLC C/O AARON STRUCKMEYER, P.E.** has made application relating to the following described property:

ORDINANCE NO. 3108

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 RURAL TO RESIDENTIAL ESTATES FOR CERTAIN REAL PROPERTY; OWNED BY PM S-1 REO, LLC; HMF, LLC; CHARLES P. STALLINGS; KIM L. STALLINGS; EUELL E. STALLINGS, JR.; AND CRYSTAL DENISE STALLINGS; LOCATED ON THE NORTHWEST CORNER OF ONDICH ROAD AND SR 453/SR 429; COMPRISING 196.83 ACRES, MORE OR LESS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): 01-20-27-0000-00-007, 01-20-27-0000-00- 034, 01-20-27-0000-00-053, 02-20-27-0000-00-010, 02-20-27-0000-00-011, 02- 20-27-0000-00-020 (portion of)
Contains: 196.83 +/- acres

NOTICE is given that a public hearing for Ordinance Number 3108 will be held by the **City of Apopka Planning Commission** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:30 P.M.**, or as soon thereafter as possible.

FURTHER NOTICE is given that a public hearing for Ordinance Number 3108 will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, September 3, 2025 beginning at 1:30 P.M.** or as soon thereafter as possible.

Affected parties and the public may appear at the above listed hearings to speak. The proposed Annexation can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), persons with

Newspaper page size: Width: 11.25 in., Height: 20.125 in.

disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka FL 32703, Telephone: 407-703-1704, no less than 48 hours prior to the proceeding.

Apopka City Council
Apopka Planning Commission
Community Development Department

July 11, 2025

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 4.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Legislative – Ordinance No. 3110 – Future Land Use Amendment – The Summit at Wolf Lake Ranch (Wolf Lake Ranch Phase III)

ACTION ITEM INFORMATION:
Owner(s): Lutz David L Life Estate; Lutz Mary T Life Estate; Rem: David M Lutz; Rem: Michelle M Gregory
Applicant(s): William Maki
Parcel Identification Number(s): 19-20-28-0000-00-019
Location: North of Ponkan Road, west of Ponkan Pines Road and west of Jason Dwelley Parkway
Existing Future Land Use: Mixed-Use
Proposed Future Land Use: Residential Very Low Suburban (maximum 2 du/ac)
Existing Zoning: MU-ES-GT (Mixed-Use - East Shore - Gateway)
Existing Use(s): Single-family residence
Density: 2 dwelling units per acre
Tract Size: 21.43 +/- acre(s)

REQUEST:
Recommend approval of the Future Land Use Map Amendment from Mixed-Use to Residential Very Low Suburban for The Summit at Wolf Lake Ranch.

SUMMARY:
Owner(s): Lutz David L Life Estate; Lutz Mary T Life Estate; Rem: David M Lutz; Rem: Michelle M Gregory
Applicant(s): William Maki
Parcel Identification Number(s): 19-20-28-0000-00-019
Location: North of Ponkan Road, west of Ponkan Pines Road and west of Jason Dwelley Parkway
Existing Future Land Use: Mixed-Use
Proposed Future Land Use: Residential Very Low Suburban (maximum 2 du/ac)
Existing Zoning: MU-ES-GT (Mixed-Use - East Shore - Gateway)
Existing Use(s): Single-family residence
Density: 2 dwelling units per acre
Tract Size: 21.43 +/- acre(s)

Direction	Future Land Use	Zoning	Present Use
North	Mixed-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Vacant
East	Residential Very Low Suburban	RSF-1B (Residential Single-Family — Large Lot)	Wolf Lake Ranch Phase II

South	Mixed-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Wolf Lake Ranch Phase I Residential Subdivision
West	County Rural	County A-R (Agricultural-Residential)	Single-Family Residences

PROJECT SUMMARY:
The applicant seeks to amend the Future Land Use designation of ±21.47 acres from Mixed-Use (MU)—which permits up to 15 dwelling units per acre—to Residential Very Low Suburban (RVLS), which allows up to 2 dwelling units per acre. The proposed land use change is intended to facilitate a future rezoning and residential development consistent with adjacent phases of the Wolf Lake Ranch community.

The subject site is currently undeveloped and designated Mixed-Use on the adopted Future Land Use (FLU) Map. The property is located west of the existing Wolf Lake Ranch Phases 1 and 2 and is anticipated to be developed as Phase 3 of the community. The Mixed-Use designation was originally intended to accommodate a variety of urban and suburban land use types. However, due to the Comprehensive Plan, Future Land Use Element Policy 3.5 and surrounding land use compatibility, the applicant now seeks to limit the intensity and density of future development through this FLU amendment. The proposed FLU amendment is consistent with the City's Comprehensive Plan policies related to promoting compatible development, preserving suburban residential character, and supporting low-density growth in appropriate locations.

The surrounding area is characterized by detached single-family residential homes on large lots. The proposed RVLS designation would serve as a logical extension of the Wolf Lake Ranch Phases 1 and 2 developments and provide a compatible transition to surrounding properties.The site is located within the City's utility service area. Adequate capacity for water, sewer, and stormwater management, as well as. roadway improvements will be confirmed during the site plan and development review process.

The proposed Residential Very Low Suburban (RVLS) designation more appropriately reflects the context of surrounding low-density single-family neighborhoods and the vision for the western segment of Ponkan Pines Road.

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

- **Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans**;
    - The proposed Comprehensive Plan Amendment and associated residential uses are similar and compatible with the existing surrounding residential uses. While the uses are a step up in density from the current use, they are a substantial step down in density from the existing Future Land Use designation of Mixed Use. The proposed Future Land Use designation of RSLV is consistent with the City's 2030 Comprehensive Plan and supporting documents and provides a transitional density between the existing single-family residential to the south and east and the Mixed-Use Future Land Use to the north. The proposed density of 2 du/ac is consistent with the RVLS Future Land Use Designation and Wekiva Study Area. The analysis of adjacent uses, levels of service and Comprehensive Plan policies, which is provided within this report, demonstrates how the proposed development furthers the goals, objectives, and policies of the Comprehensive Plan. The proposed development will be designed and constructed in conformance with the City's adopted Land Development Code and the Wekiva Study Area.
    - *Staff response:* Staff has no objection/comments.
- **Is in conflict with any provisions of the LDC**;
    - *Applicant's response:* The applicant is requesting to amend the existing Future Land Use (FLU) map designation from Mixed-Use (MU) to Very Low Density Suburban Residential (RVLS) and to amend the existing Zoning from Mixed-Use East Shore Gateway (MU-ES-GT) to Large Lot Residential Single Family (RSF-1B). The proposed amendments will reduce the potential residential density from the current 15 du/ac to 2 du/ac and the commercial intensity from 2.0 FAR to 0.0 FAR. This request is consistent with the Wekiva Study Area policy that does not permit density for residential development north of Ponkan Rd to be greater than 2 du/ac. The request has followed procedural requirements for processing the Comprehensive Plan Amendment and

Rezoning and is consistent with the Land Development Code (LDC). There are no conflicts. A Master Development Plan and Construction Site Plan will be submitted to further demonstrate compliance with the Land Development Code (LDC).
    - *Staff response:* Staff has no objection/comments.
- **Addresses a demonstrated community need**;
    - *Applicant's response:* According to the cities published statistical information, since 2014 the City of Apopka has experienced a significant increase in the number of residents that have relocated to the city. The current growth rate in the city averages 2.3% annually; the population has been projected to be approximately 60,510 residents by the end of 2024. The increase in population increases the demand for more housing opportunities to support the projected growth. The proposed development will help serve the demand while providing compatible residential uses.
    - *Staff response:* Staff has no objection/comments.
- **Is required by changed conditions;**
    - *Applicant's response:* The subject site is located north of Ponkan Rd within the Wekiva Study Area. Residential development greater than 2 du/ac is not permitted on the subject site. The existing Future Land Use and Zoning require a higher residential density (15 du/ac) and commercial uses that would not be supported by the existing Wekiva Study Area policies. As such, the modification to the future land use and zoning is required. The applicant is proposing residential development that would be limited to a maximum of 2 du/ac consistent with the Wekiva Study Area. The siting of the Northwest Regional Park Complex and Wolf Lake Ranch Elementary and Middle School to the east validate the changing character of the area from rural to residential. The plan nursery on the subject property has closed down. The requested very low residential density development is consistent with the existing Wolf Lake Ranch subdivision to the south.
    - *Staff response:* Staff has no objection/comments.
- **Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land**;
    - *Applicant's response:* The applicant is requesting to amend the existing Future Land Use (FLU) map designation from Mixed-Use (MU) to Very Low Density Suburban Residential (RVLS) and to amend the existing Zoning from Mixed-Use East Shore Gateway (MU-ES-GT) to Large Lot Residential Single Family (RSF-1B). The proposed amendments will reduce the potential residential density from the current 15 du/ac to 2 du/ac and the commercial intensity from 2.0 FAR to 0.0 FAR. This request is consistent with the Wekiva Study Area policy that does not permit density for residential development north of Ponkan Rd to be greater than 2 du/ac. The request has followed procedural requirements for processing the Comprehensive Plan Amendment and Rezoning and is consistent with the Land Development Code (LDC). The proposed residential uses and proposed density are consistent with the existing surrounding single-family residential uses. The RVLS and RSF-1B provides a transitional density between the single-family residential uses to the south and the existing mixed use to the north. This is the same Future Land Use and Zoning as the property to the east. These findings combined make the RSF-1B the appropriate zoning district for the subject property.
    - *Staff response:* Staff has no objection/comments.
- **Would result in a logical and orderly development pattern**;
    - *Applicant's response:* The Summit at Wolf Lake Ranch, with the proposed RVLS Future Land Use and RSF-1B Zoning, is consistent with the existing adjacent development. The site will be developed with similar lot sites and homes with the recently approved adjacent residential subdivisions. Access to the site will be provided along Ponkan Pines Rd, which will be further improved.. Please see Table 1.5 (a) for Adjacent Uses, and Table 1.7 (a) for Concurrency. The development pattern of the proposed subdivision demonstrates a consistent transition from defunct nurseries to high-value large-lot subdivisions. The development pattern demonstrates a pattern of consistent lot sizes as the uses transition from old nurseries to residential uses along the Ponkan Pines Road Corridor. The extension of Ponkan Pines Road to the north leaves only one vacant property between this site and the City's desired future roadway connection to the north.
    - *Staff response:* Staff has no objection/comments.
- **Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**
    - *Applicant's response:* The preliminary site layout preserves the most significant historic trees as a central park and amenity for the residents. The subdivisions will be designed with that as a central

element and focal point. The stormwater is proposed to be located in the lowest portions of the property. An Environmental Assessment will be provided with subsequent permitting, and a Sand Skink Study will be conducted starting in March 2025. The development is consistent with the surrounding uses and is not expected to have adverse impacts to water, air, noise, stormwater, wildlife, vegetation, and the natural function of the environment. Through the Master Development Plan and Construction Site Plan processes and the associated Water Management District review, the project will demonstrate compliance with the City's Land Development Code.
    - *Staff response:* Staff has no objection/comments.
- **Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).**
    - *Applicant's response:* The project will be served by existing public facilities. The existing potable water, reclaim water, and sanitary sewer will be extended with the expansion of Ponkan Pines Rd to serve this community. Stormwater will be designed to meet the City of Apopka's and St John's River Water Management Districts requirements. An estimated level of service analysis has been provided. See Table 1.7 (a). Impact Fees will be paid at the time of home construction, consistent with the City of Apopka's Land Development Code.
    - *Staff response:* Staff has no objection/comments.

SCHOOL CAPACITY REPORT:

Orange County Public Schools (OCPS) has indicated all units are vested, qualifying the capacity requirement as "de minimis".

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on Apil 21, 2025.

PUBLIC HEARING SCHEDULE:
June 10, 2025 (5:30 P.M.) – Planning Commission (Tabled to August 12, 2025)
August 12, 2025 (5:30 P.M.) – Planning Commission
August 20, 2025 (7:00 P.M.) – City Council, First Reading
September 3, 2025 (1:30 P.M.) – City Council, Second Reading/Adoption

DULY ADVERTISED:
July 11, 2025 – Apopka Chief
July 29, 2025 – Posted placard notifications; mailed notification to adjacent property owners

LAND USE REPORT:

1. Relationship of adjacent properties

Direction	Future Land Use	Zoning	Present Use
North	Mixed-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Vacant
East	Residential Very Low Suburban	RSF-1B (Residential Single-Family — Large Lot)	Wolf Lake Ranch Phase II
South	Mixed-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Single-family residences

West	County Rural	County A-R (Agricultural-Residential)	Single-family residences

2. Land Use Analysis
The Summit at Wolf Lake Ranch is located north of Ponkan Road and east of Ponkan Pines Road, west of the City's Northwest Recreation Facility. Land use of the subject property is being recommended for Residential Very Low Suburban two dwelling units per acre to be consistent with the Comprehensive Plan policies and Land Development Code. The property is approximately 21.43 acres in size and subject to standards in the following areas:

Wekiva Parkway Interchange Plan Area: No
Wekiva River Protection Area: No
Area of Critical State Concern: No

JPA:

The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The proposed Small-Scale Future Land Use Amendment request for a change from Mixed-Use to Residential Very Low Suburban is consistent with the terms of the JPA (Second Amendment).

City of Apopka Comprehensive Plan Policies: Future Land Use Element:

- Policy 3.5. Residential development north of Ponkan Road and west of Rock Springs Road (Park Avenue) will be restricted to no more than two dwelling units per acre, unless otherwise authorized through the adopted Wekiva Parkway Interchange Plan.
- Policy 3.1.c. The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks. Special exception uses shall include:

A. Institutional uses of five acres or less
B. High schools
C. Supporting infrastructure and public facilities of two acres or more
D. Horticultural nurseries as a primary use; Planned Development uses may include:
    1. All primary uses
    2. All special exception uses
    3. Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
    4. Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods.

Transportation Element:

Policies 1.1 and 1.2 state that the City of Apopka is a Transportation Concurrency Exception Area.

Infrastructure Element:

Policies 1.1.1, 2.1.1 and 5.1.2 state the minimum levels of service for the City’s wastewater and water systems as well as the City’s solid waste collection service.

Conservation Element:

A habitat study will be required as the development is over ten (10) acres.

Land Use Calculations:

CURRENT: Future Land Use – Mixed-Use (2 dwelling units per acre per FLUE Policy 3.5) 2 DU/AC X 21.43 acres = 42 dwelling units
PROPOSED: Future Land Use – Residential Very Low Suburban (2 dwelling units per acre) 2 DU X 21.43 acres = 42 dwelling units

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

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:

Development Review Committee:

Recommends approval of the Future Land Use Map Amendment from Mixed-Use to Residential Very Low Suburban for The Summit at Wolf Lake Ranch.

Recommended Motion – Planning Commission:

Find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change in Future Land Use designation from Mixed-Use to Residential Very Low Suburban for The Summit at Wolf Lake Ranch.

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

ATTACHMENTS:
1. Ordinance No 3110
2. Map Series
3. The Summit - Comprehensive Plan Amendment Justification
4. The Summit - OCPS Capacity Determination
5. July 11 Advertisement Affidavit

ORDINANCE NO. 3110

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 MIXED-USE TO RESIDENTIAL VERY LOW SUBURBAN FOR CERTAIN REAL PROPERTY OWNED BY LUTZ DAVID L LIFE ESTATE; LUTZ MARY T LIFE ESTATE; REM: DAVID M LUTZ; REM: MICHELLE M GREGORY; PONKAN PINES NURSERY INC.; GENERALLY LOCATED NORTH OF PONKAN ROAD, WEST OF PONKAN PINES ROAD AND JASON DWELLEY PARKWAY; COMPRISING 21.43 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the City's Comprehensive Plan by Ordinance No. 653 on October 2, 1991, in accordance with the laws of the State of Florida; and

WHEREAS, the City of Apopka is committed to planning and managing the future growth and development of the City; and

WHEREAS, the City Council of the City of Apopka has the authority to amend its Comprehensive Plan pursuant to Chapter 163, *Florida Statutes*; and

WHEREAS, the City of Apopka Planning Commission held a public hearing on June 10, 2025, to consider this small-scale amendment to the Future Land Use Map of the Comprehensive Plan and determined that this amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, the City of Apopka has complied with all requirements and procedures of Florida law in processing this small-scale amendment to the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka hereby finds and determines that this amendment is internally consistent with the City's Comprehensive Plan.

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

Section I. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act. The City of Apopka has complied with all requirements of Florida Law in processing this ordinance. The recitals set forth above recitals are hereby adopted.

Section II. Future Land Use Map Amendment. Page 1-32 (Map 1-6) of the Future Land Use Element of the City of Apopka Comprehensive Plan, is hereby amended to change the land use

from Mixed-Use to Residential Very Low Suburban for certain real property generally located north of Ponkan Road, west of Ponkan Pines Road and Jason Dwelley Parkway, comprising 21.43 acres more or less; as shown and further described in Exhibit "A" attached hereto.

Section III. Applicability and Effect. The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Community Planning Act as set forth in Chapter 163, *Florida Statutes*.

Section IV. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed**.**

Section VI. Effective Date. This Ordinance shall become effective thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, the Ordinance shall become effective after the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with applicable law.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this ____ day of _____ 2025.

READ FIRST TIME: _____

READ SECOND TIME AND ADOPTED: _____

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

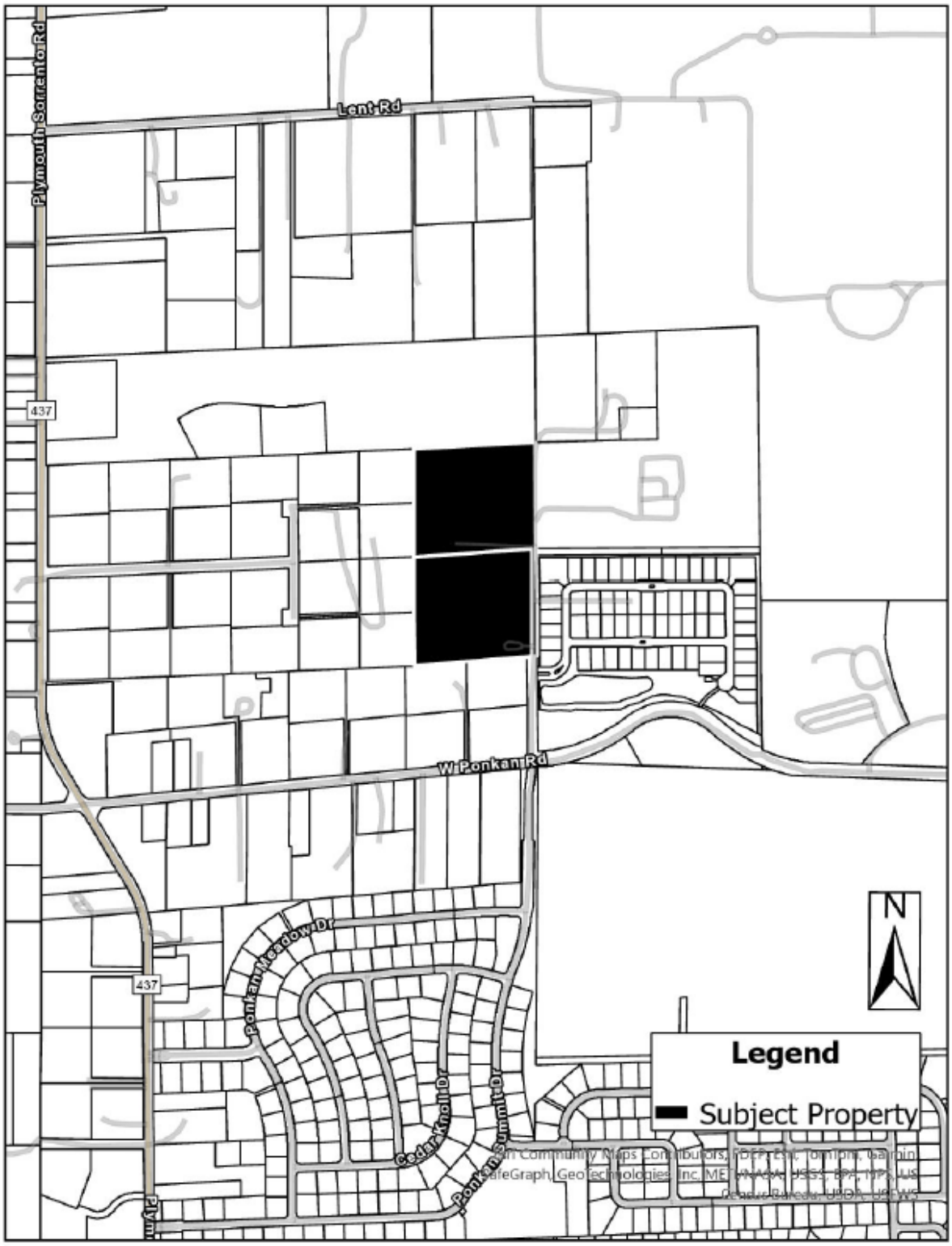
Approved as to form and legal sufficiency:

_____

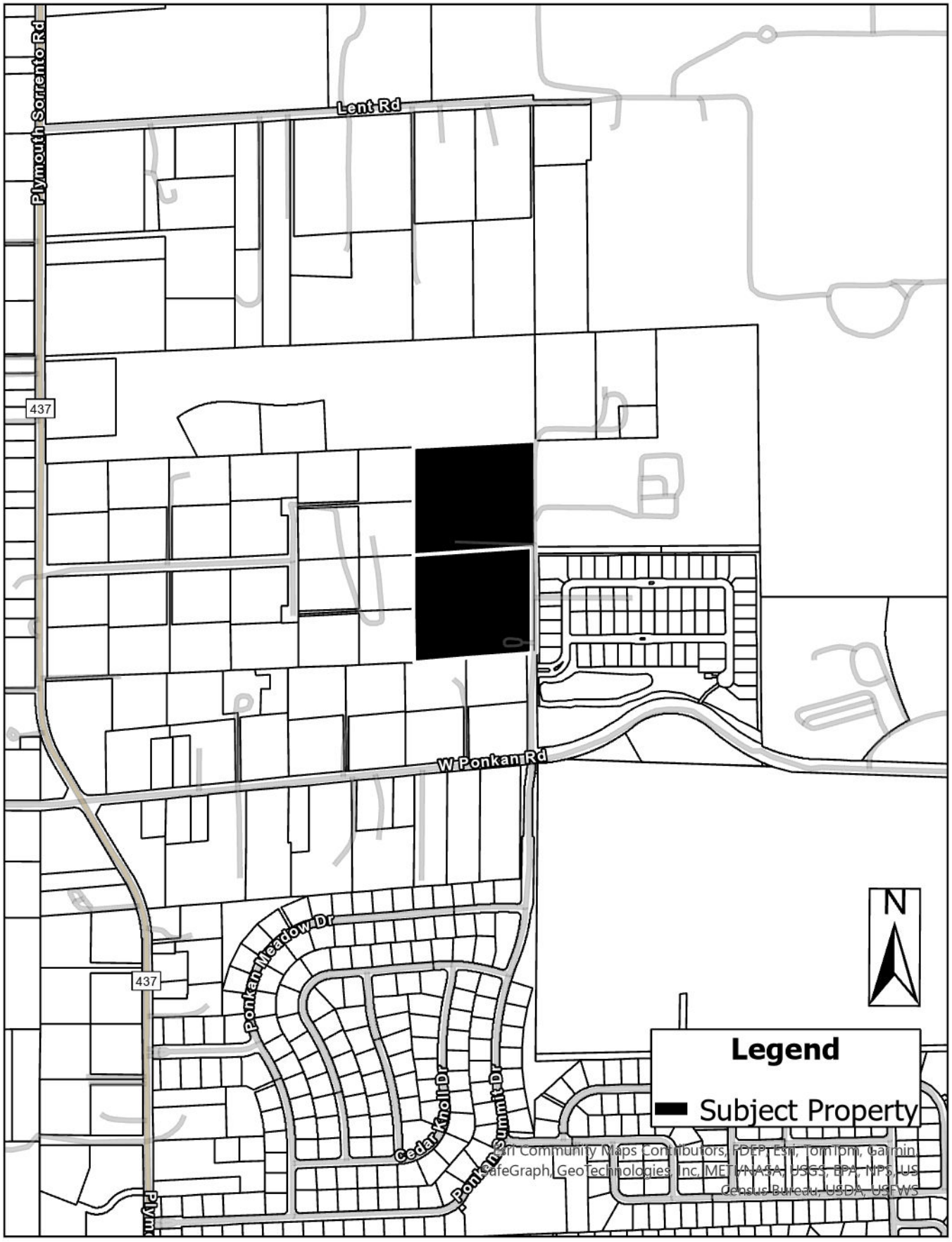
Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 11, 2025

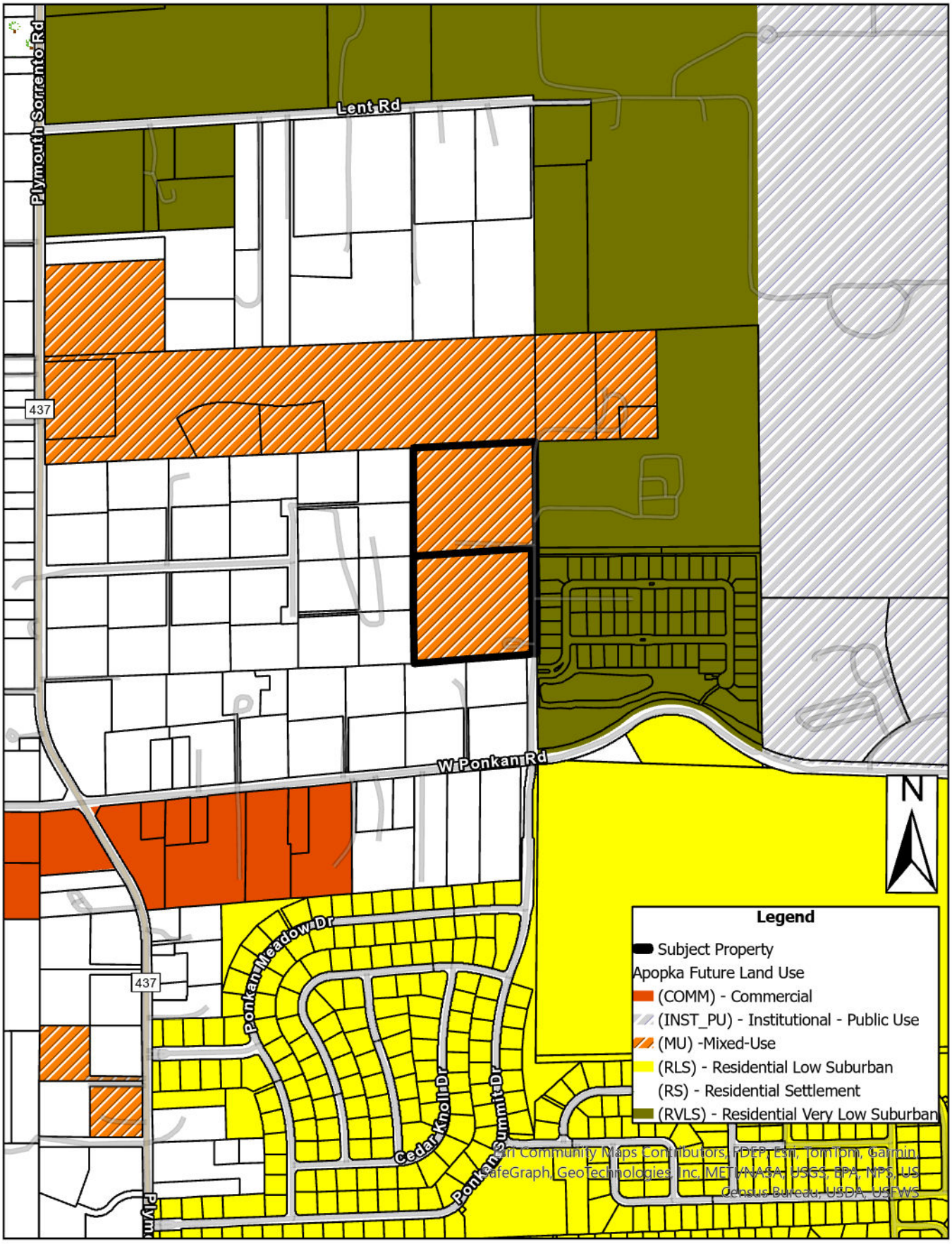
EXHIBIT "A"
Parcel Identification Number(s): 19-20-28-0000-00-019 and 19-20-28-0000-00-035
Acreage: 21.43 +/- Acres



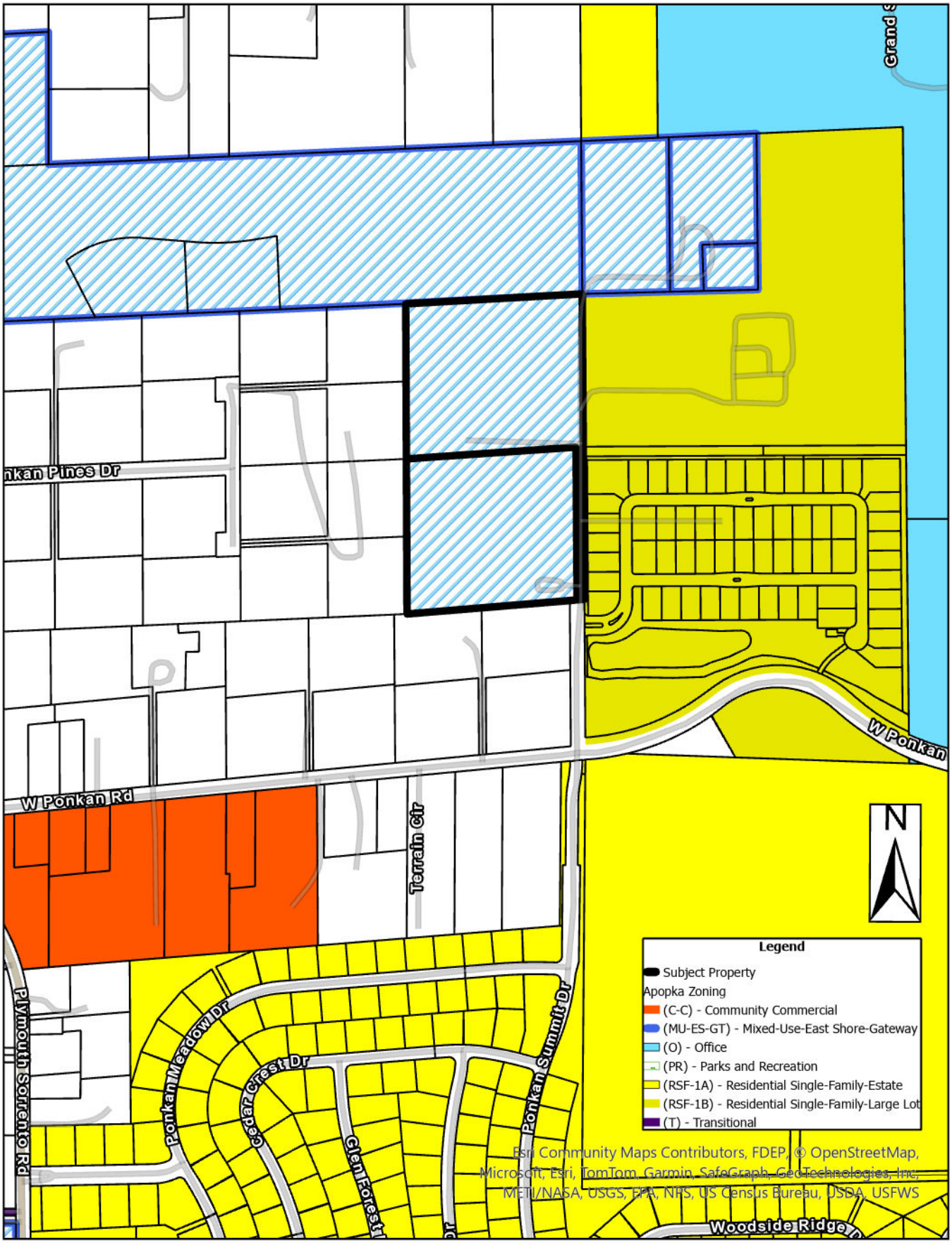
Vicinity


Plymouth Sorrento Rd
Lent Rd
437
W Ponkan Rd
Ponkan Meadow Dr
437
Cedar Knoll Dr
Ponkan Summit Dr
Plym
N
Legend
Subject Property
Esri Community Maps Contributors, HERE, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

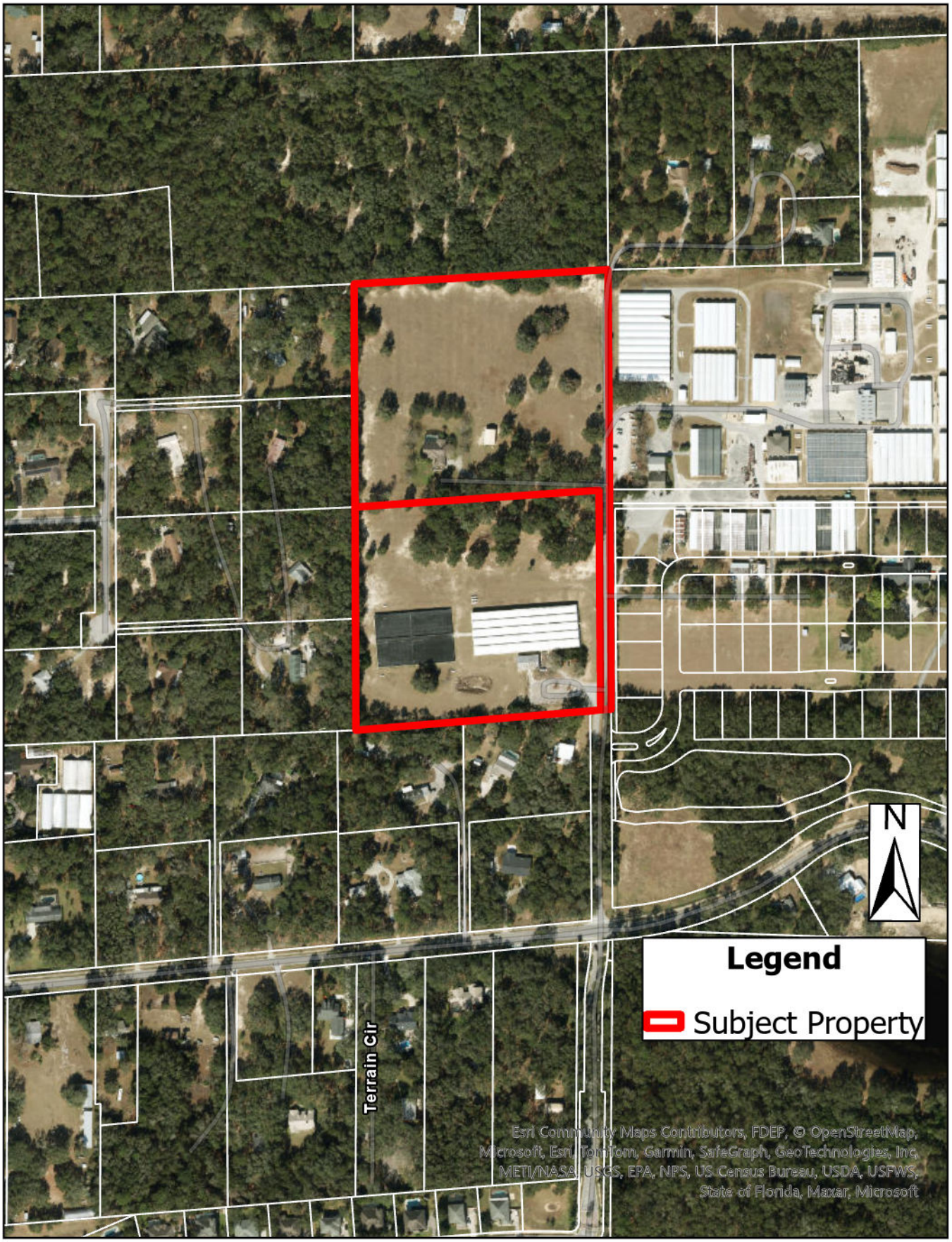
Future Land Use



Zoning


W Ponkan Rd
Terrain Cir
Plymouth Sorrento Rd
Ponkan Meadow Dr
Cedar Crest Dr
Ponkan Summit Dr
W Ponkan
N
Legend
Subject Property
Apopka Zoning
(C-C) - Community Commercial
(MU-ES-GT) - Mixed-Use-East Shore-Gateway
(O) - Office
(PR) - Parks and Recreation
(RSF-1A) - Residential Single-Family-Estate
(RSF-1B) - Residential Single-Family-Large Lot
(T) - Transitional
Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Aerial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Subject Property
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Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, State of Florida, Maxar, Microsoft

The Summit at Wolf Lake Ranch Comprehensive Plan Amendement

PREPARED

FEERUARY 2025

daly design group
Urban Planning · Landscape Architecture · Project Management
913 N Pennsylvania Ave, Winter Park, Florida 32789
Phone 407.740.7373 · www.dalydesign.com

Property Identification Numbers:

PID: 19-20-28-0000-00-035, 19-20-28-0000-00-019

Property Owners:

Ponkan Pines Nursery Inc
PO Box 2326
Apopka, FL 32704-2326

Lutz Mary T Life Estate & Lutz David L Life Estate
3250 N Ponkan Pines Rd
Apopka, FL 32712-5626

Consultant Team:

Applicant / Urban Planner:
Daly Design Group
913 N Pennsylvania Ave
Winter Park, FL 32789
Contact: Mr. William Maki
Email: bmaki@dalydesign.com

Environmental Consultant:
Bio-Tech Consulting Inc
3025 East South Street
Orlando, FL 32803
Contact: Mr. Steve Butler
Email: steve@bio-techconsulting.com

Traffic Engineer:
Traffic & Mobility Consultants
1507 S Hiawassee Rd, Suite 212
Orlando, FL 32835
Contact: Mr. Mohammed Abdallah
Email: mohammed@trafficmobility.com

Civil Engineer:
Kimley Horn
200 South Orange Ave, Suite 600
Orlando, FL 32801
Contact: Ms. Catherine Felter
Email: catherine.felter@kimley-horn.com

Geotechnical Engineer:
Yovaish Engineering
953 Sunshine Ln
Altamonte Springs, FL 32714
Contact: Mr. Doug Yovaish
Email: doug@yovaish.com

Surveyor:
Allen and Company
213 S Dillard St, Ste 210
Winter Garden, FL 34787
Contact: Mr. James Rickman
Email: jim@allen-company.com

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Table of Appendix:

A. Orange County Public Schools Capacity Determination
B. Environmental Assessment – Prepared by Bio-Tech

1.1 Project Location:

The subject site is located on the west side of Ponkan Pines Road and north of Ponkan Rd. The subject site is comprised of (2) individual tax parcels that are currently accessed via Ponkan Pines Road. The northern property (PID 19-20-28-0000-00-019) is currently utilized as a private residence. The southern property (PID 19-20-28-0000-00-035) is currently being utilized as an indoor wholesale nursery (Ponkan Pines Nursery) **(Exhibit 1)**.

1.2 Legal Description:

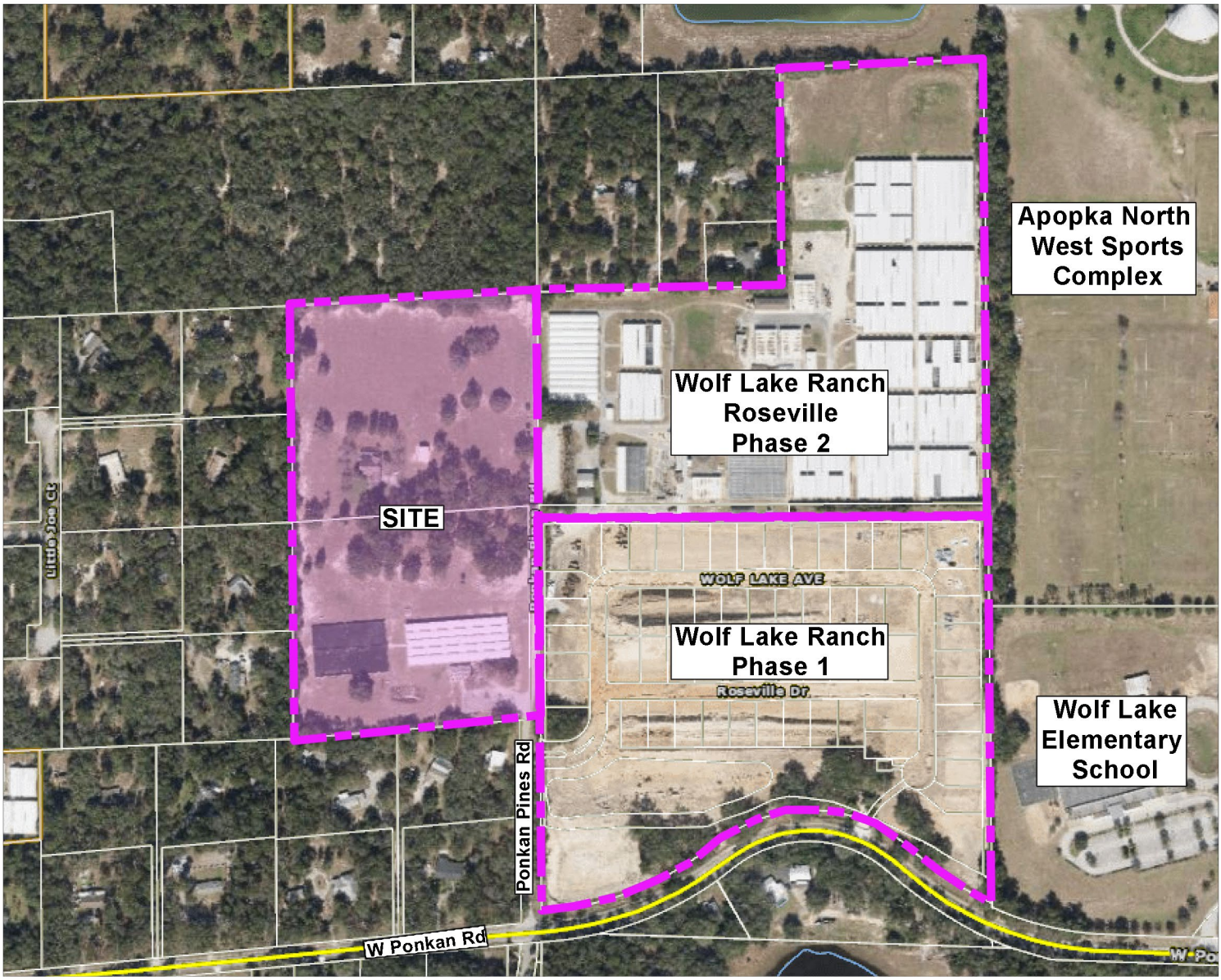
LEGAL DESCRIPTION:

THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ AND THE EAST 30 FEET OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA. SUBJECT TO AN NON-EXCLUSIVE ACCESS AND UTILITY EASEMENT OVER THE EAST 30 FEET THEREOF.

TOGETHER WITH:

THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 28 EAST, LESS THE EAST 30 FEET THEREOF, LYING AND BEING IN ORANGE COUNTY, FLORIDA.

CONTAINING 21.43 ACRES MORE OR LESS



The Summit at Wolf Lake Ranch

Apopka, Florida

Exhibit 1 Location Map

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Job No.: 21251-3 Scale: nts Date: 02.19.2025

1.3 Project Overview:

The subject site consists of (2) individual tax parcels comprising of approximately 21.43 acres located within the City of Apopka. Both parcels (PID 19-20-28-0000-00-019 & 19-20-28-0000-00-035) currently have an existing Future Land Use (FLU) designation of Mixed-Use (MU), which permits a residential density of 15 du/ac (321 Units), and a commercial intensity of 2.0 FAR (1,866,982 SF).

The applicant is requesting to amend the existing Future Land Use (FLU) from MU **(Exhibit 2)** to Very Low Density Suburban Residential (RVLS) to allow up to 2.0 du/ac (42 Units) **(Exhibit 3)**. Due to the property's location within the Wekiva River study area, the site is limited to a maximum residential density of 2.0 du/ac. The applicant seeks approvals to develop a maximum of 42 single family residential lots on the subject site. In conjunction with the application to amend the Future Land Use, the applicant has submitted an application to rezone the properties from Mixed-Use East Shore Gateway (MU-ES-GT) **(Exhibit 4)** to Large Lot Single Family Residential (RSF-1B) **(Exhibit 5)** concurrent with this application.

The proposed community will be developed consistent with the Apopka Land Development Code (LDC). Stormwater Retention will be provided on-site. The stormwater management system will be designed and constructed consistent with the City of Apopka and the St. John's River Water Management District standards. Recreation for this community will be provided in the form of community recreation areas that may include active / passive recreation opportunities. Open Space shall be provided consistent with Apopka's LDC and will be in the form of retention ponds, open space, and landscape buffers.

1.4 Existing Conditions:

Topography:

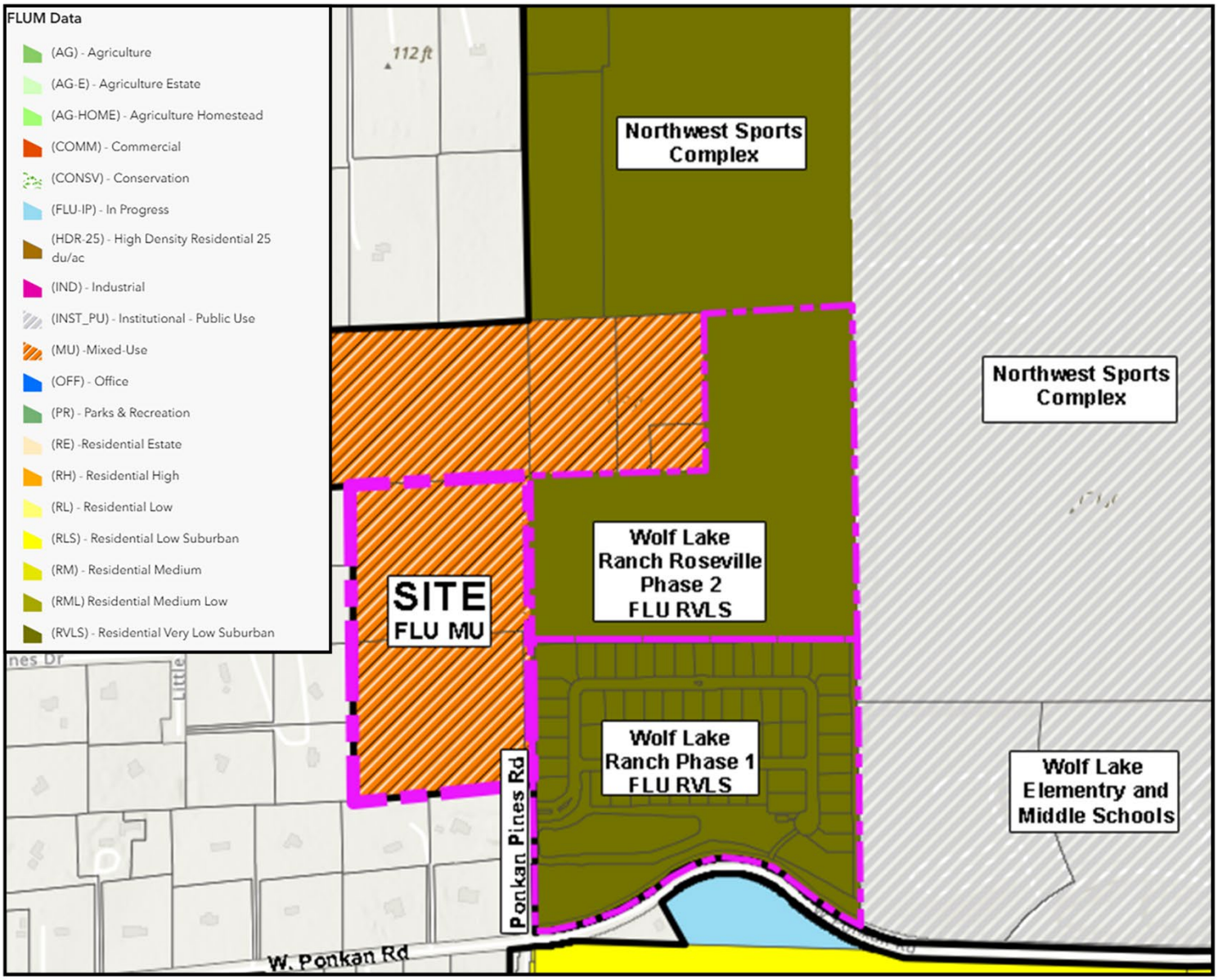
The subject site has approximately 29' of topographic relief across the site. The northern parcel has a ridge running from the east to west with the lowest point being along the southwestern boundary. The elevations on site range from elevation 114,' at the peak of the ridge along the eastern boundary on the northern parcel, to 85' along the southwestern boundary **(Exhibit 6)**.

Soils:

The site is comprised of Chandler Fine Sands 0-5% slopes, and Chandler Fine Sands 5-12% slopes **(Exhibit 7)**.

FEMA:

Per FEMA Map Panel 12095C0110H the site is not within a flood zone **(Exhibit 8)**.



The Summit at Wolf Lake Ranch

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Exhibit 2
Existing FLU

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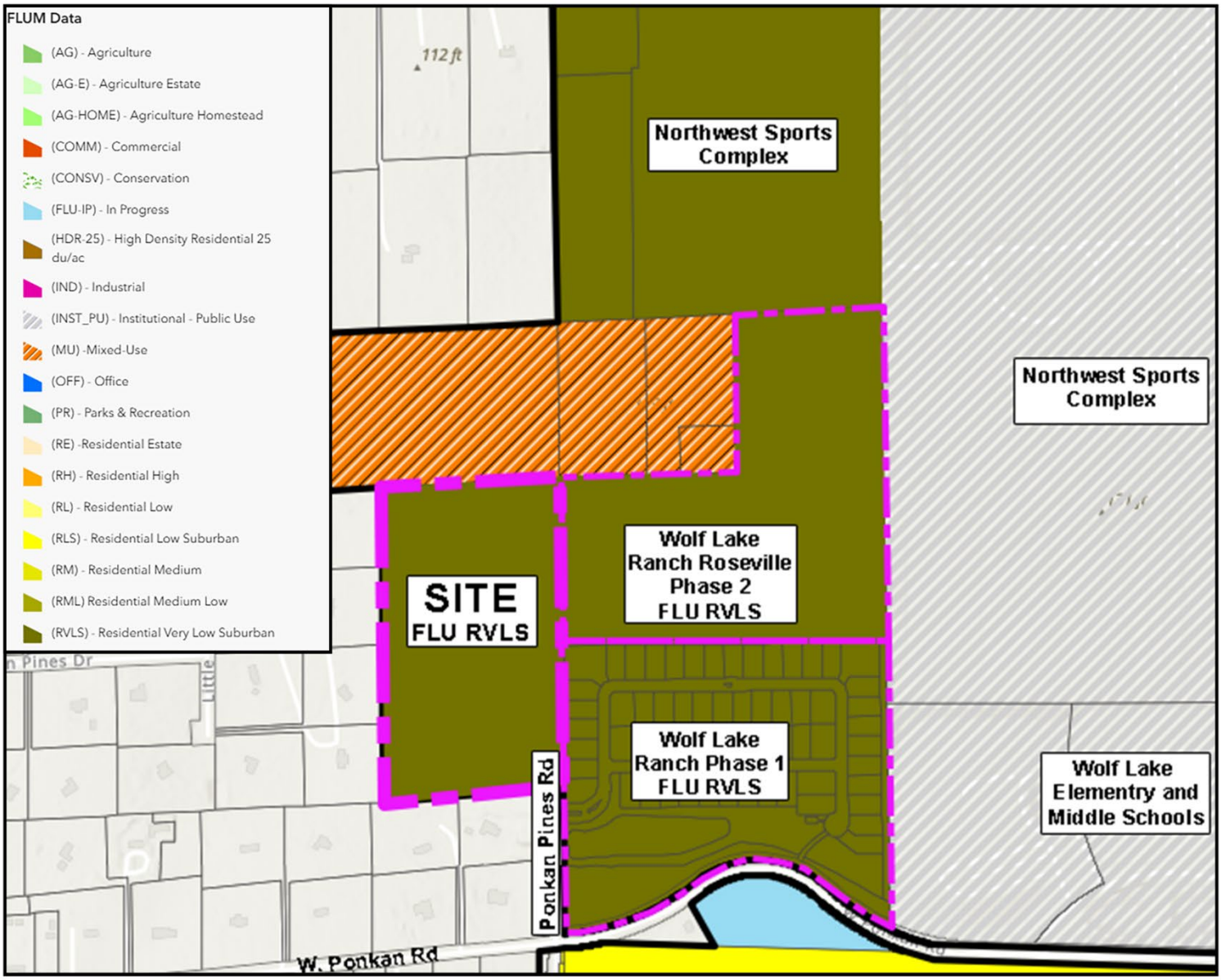

The Summit at Wolf Lake Ranch

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Exhibit 3
Proposed FLU

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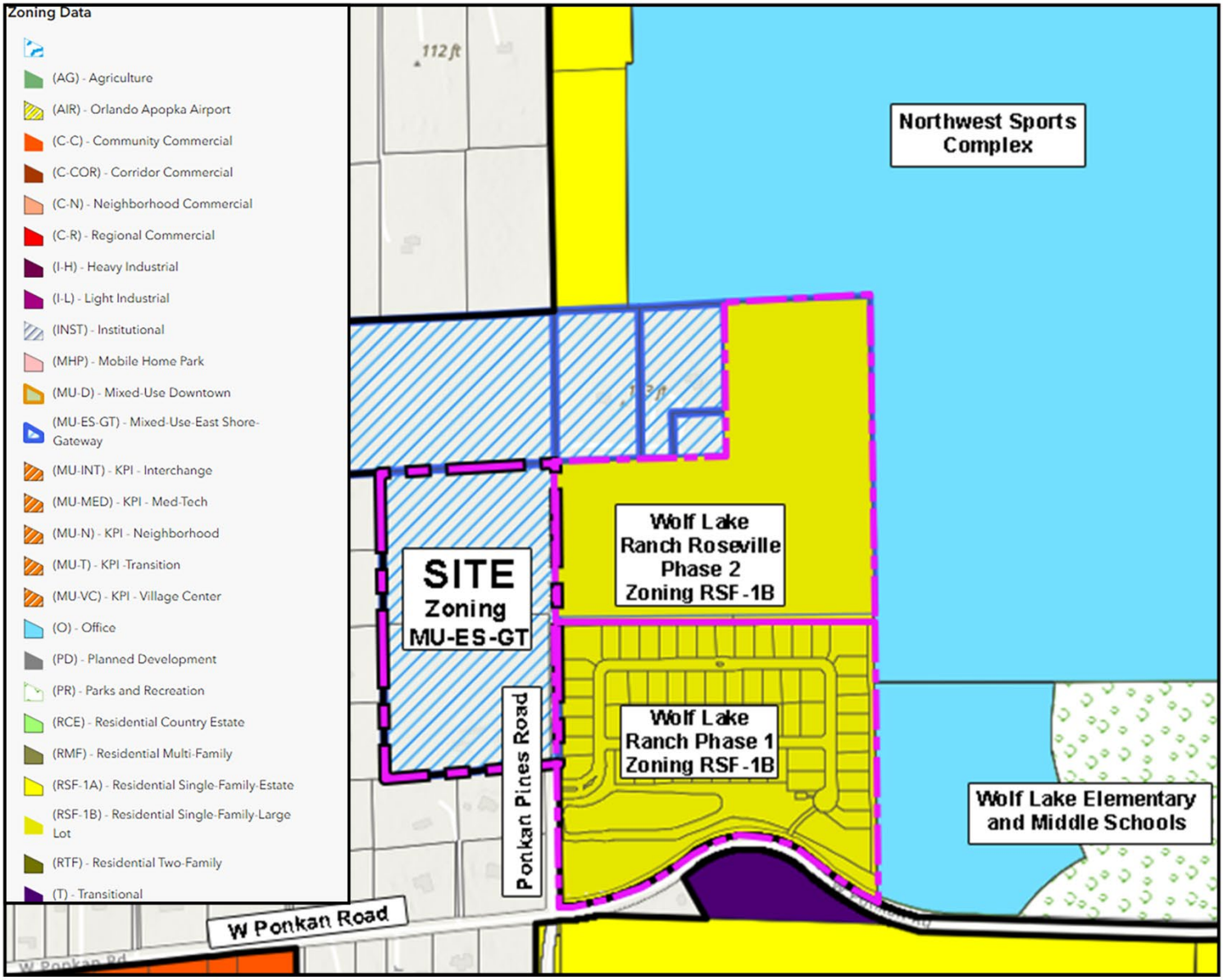

The Summit at Wolf Lake Ranch

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Exhibit 4
Existing Zoning

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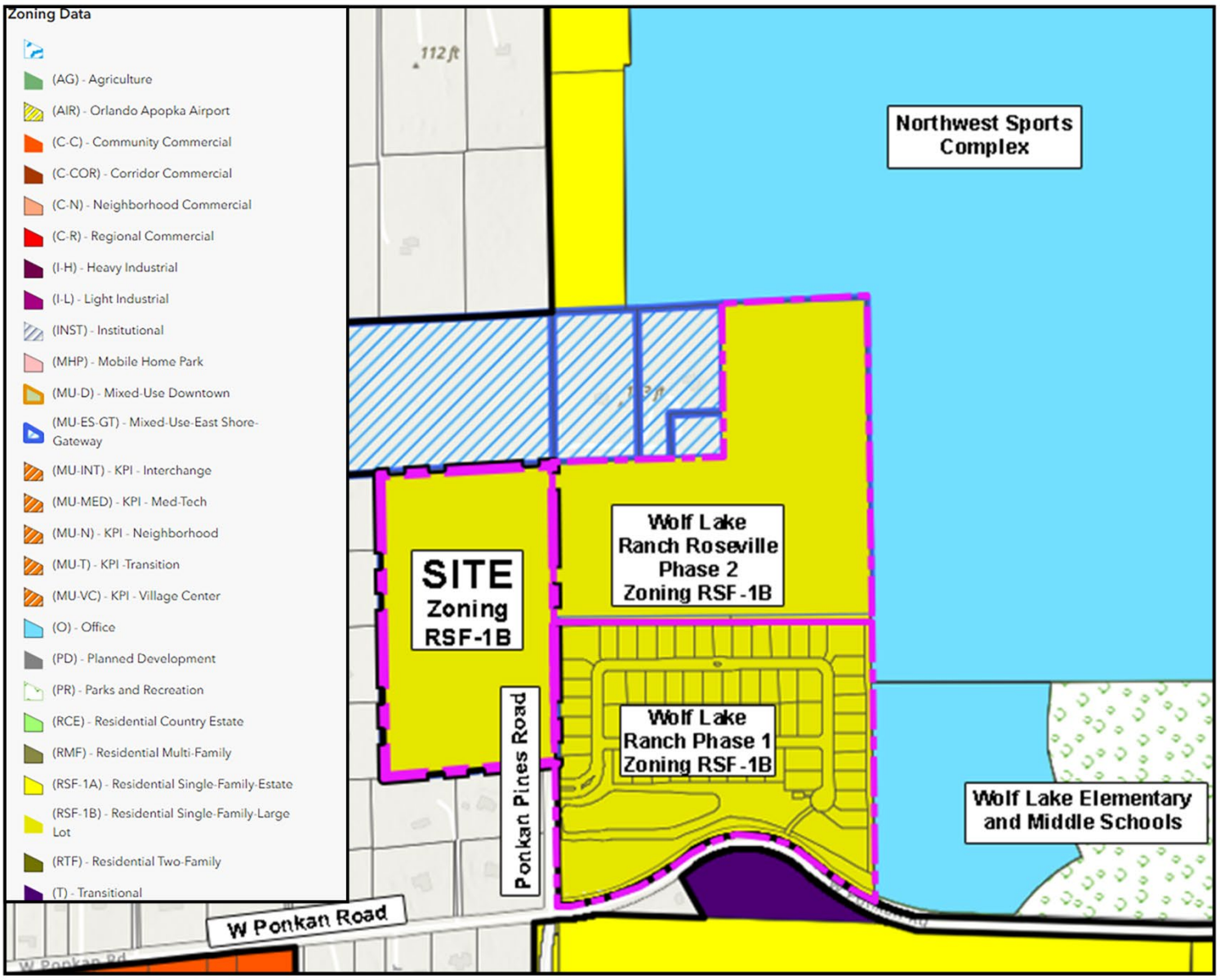

The Summit at Wolf Lake Ranch

Apopka, Florida

Exhibit 5
Proposed Zoning

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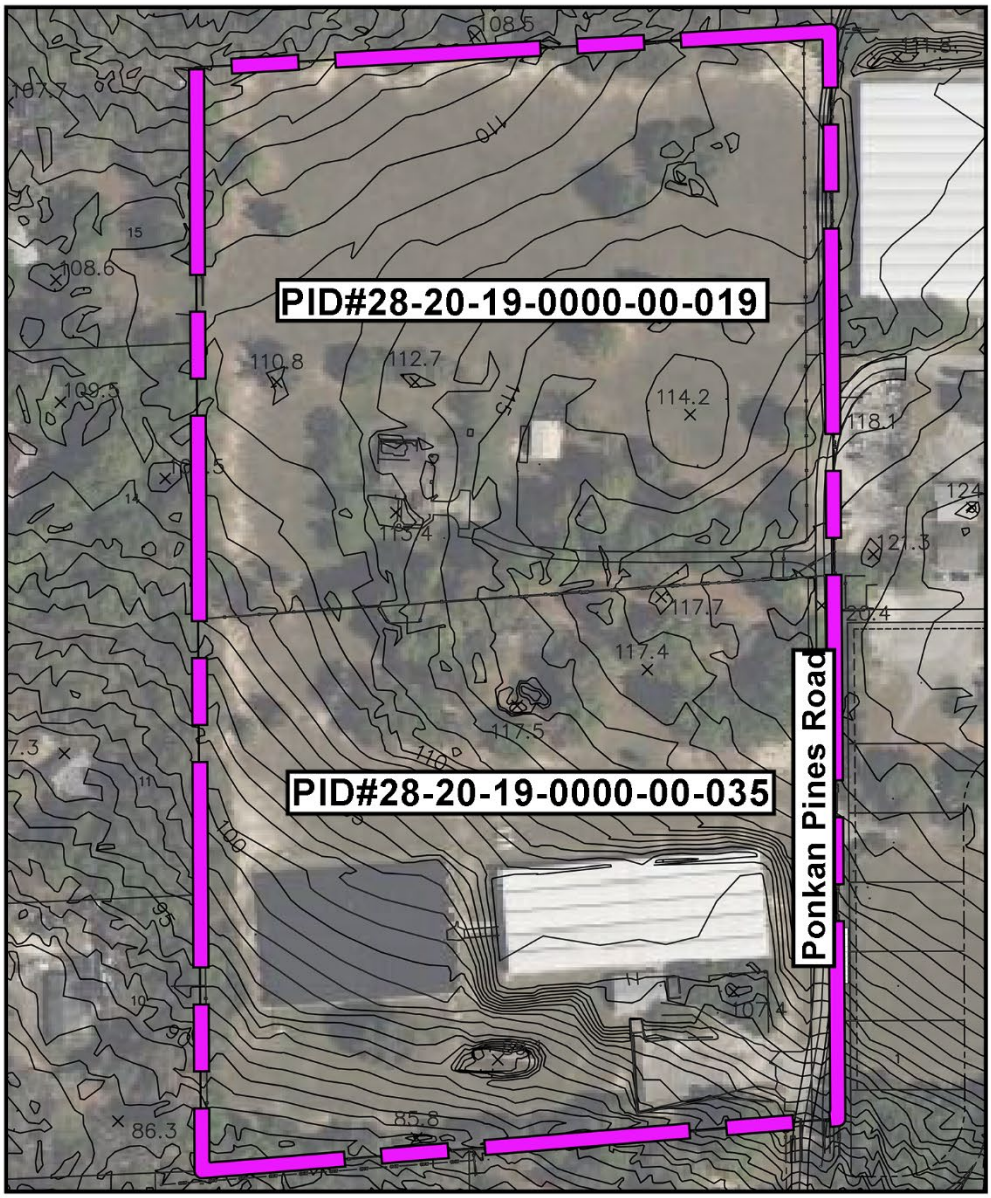
Job No.: 21251-3 Scale: nts Date: 02.19.2025



The Summit at Wolf Lake Ranch

Apopka, Florida

Exhibit 6
Topography Map

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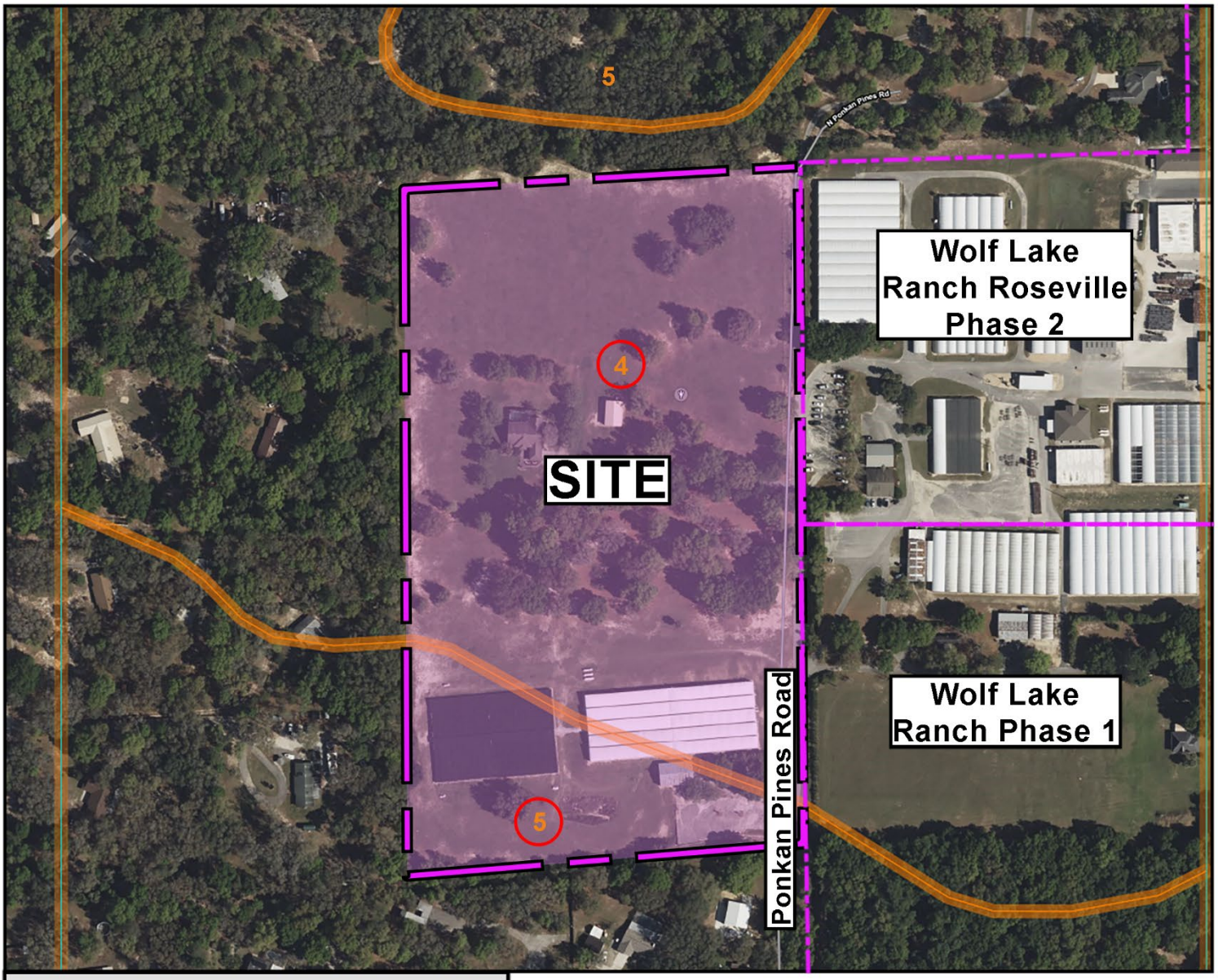

Map Unit Symbol	Map Unit Name
4	Candler fine sand, 0 to 5 percent slopes
5	Candler fine sand, 5 to 12 percent slopes
Totals for Area of Interest	

The Summit at Wolf Lake Ranch
Apopka, Florida

Exhibit 7
Soils Map

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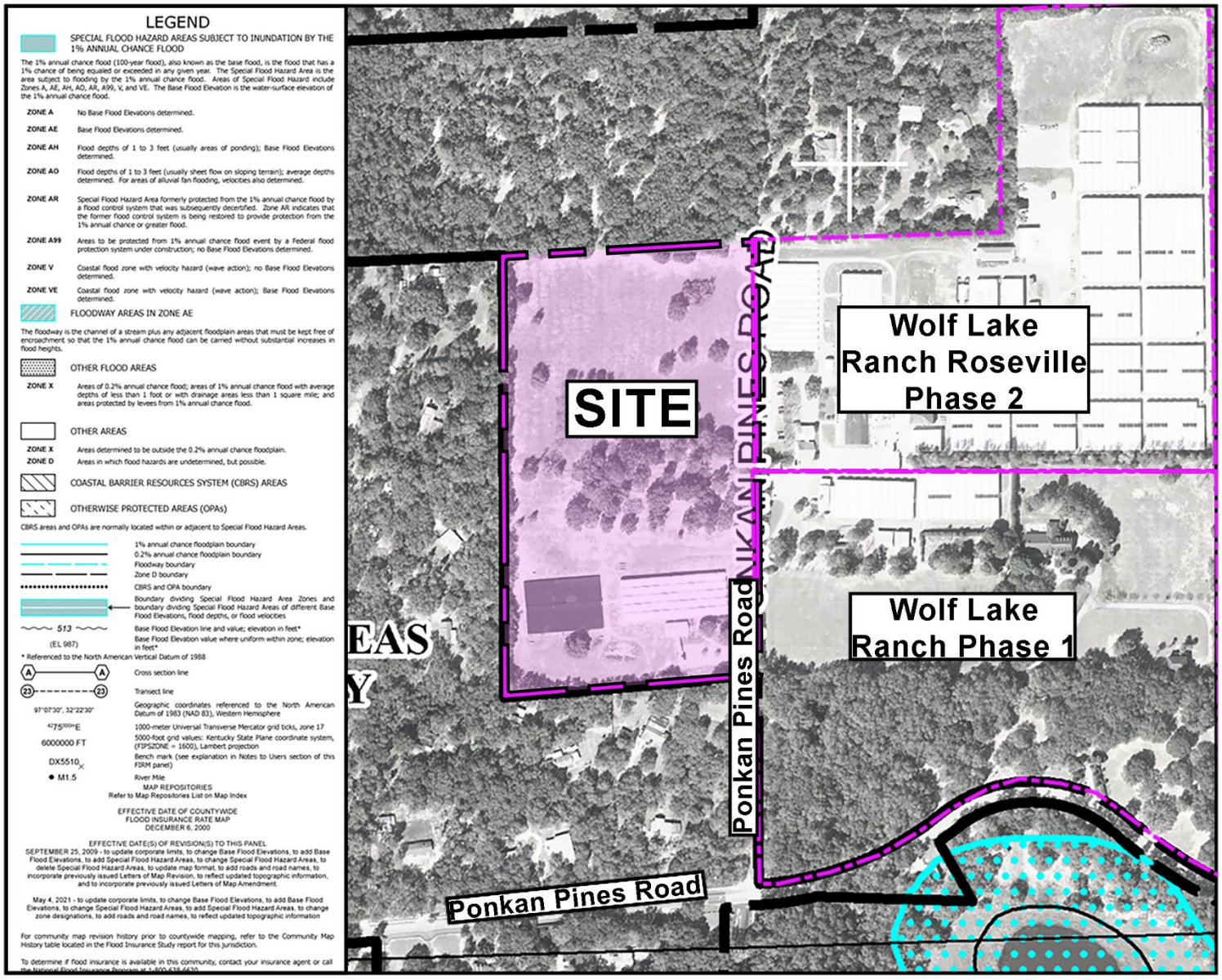
913 N Pennsylvania Ave, Winter Park, Florida 32789
Phone 407.740.7373 · www.dalydesign.com
Job No.: 21251-3 Scale: nts Date: 02.19.2025

NORTH



The Summit at Wolf Lake Ranch

Apopka, Florida

Exhibit 8
FEMA Map

daly design group
Urban Planning · Landscape Architecture · Project Management
913 N Pennsylvania Ave, Winter Park, Florida 32789
Phone 407.740.7373 · www.dalydesign.com
Job No.: 21251-3 Scale: nts Date: 02.19.2025

NORTH

1.5 Adjacent Uses:

The tax parcel adjacent to the north of the subject site is an unimproved property within the City of Apopka (PID 19-20-28-0000-00-013). The property has an existing Future Land Use of Mixed Use (MU) and an existing Zoning of Mixed-Use Eastern Gateway (MU-ES-GT).

East of the subject site is Phase 1 and 2 of the Wolf Lake Ranch Subdivision (120 lots). Phase 1 is currently under construction and has primary access provided via a gated entrance on Ponkan Pines Road. Phase 2 has recently been rezoned for Low Density Residential development. Access to Phase 2 is through the main entrance for Phase 1. The properties have an existing Future Land Use of RVLS and an existing Zoning of RSF-1B.

The property adjacent to the south and west of the subject site are existing platted single-family homes and are located within unincorporated Orange County. The properties have access via W Ponkan Road south of the subject site. The properties have an existing Orange County Future Land Use of Rural (R), and an existing Orange County Zoning of Agricultural-Residential (A-R).

See Table 1.5 (a) for existing Future Land Use and Zoning on the adjacent properties.

Table 1.5 (a): Adjacent FLU and Zoning Table

Location	City / County	FLU	Zoning	Existing Use
NORTH	CITY	MU	MU-ES-GT	VACANT
EAST	CITY	RVLS	RSF-1B	WOLF LAKE RANCH SUBDIVISION PHASES 1 & 2 (120 SINGLE-FAMILY LOTS)
SOUTH	COUNTY	R	A-R	SINGLE-FAMILY RESIDENTIAL
WEST	COUNTY	R	A-R	SINGLE-FAMILY RESIDENTIAL

1.6 Consistency with the 2030 Comprehensive Plan:

1.6.1 Future Land Use Element:

Policy 1.2

The public facilities that are needed to serve future development shall be provided by the applicant seeking a development permit and/or the City, in a timely manner that is concurrent with development.

Response:
Public utilities will be provided by the City of Apopka. Public utilities are available adjacent to the subject site as they were extended up Ponkan Pines Road to serve the Wolf Lake Ranch subdivision the east. There is an existing 8" watermain, 6" reclaim water main within Wolf Lake Ranch. There is an existing 8" sanitary sewer gravity line within Wolf Lake Ranch. These utilities will be extended to the subject property to serve the future residents of this community. See Table 1.7 (a) for estimated LOS for this project.

Policy 1.5

Public facilities and utilities shall be located to consider maximizing the efficiency of services provided, minimize their costs and minimize their impacts upon the natural environment.

Response:

Public utilities exist adjacent to the subject site. Utilities shall be extended into the site to serve the future residents. The developer shall incur the cost of extending services to the community.

Policy 1.15

An assessment shall be made at the time of any and all Comprehensive Plan Land Use Amendments of the soil conditions and topography of the subject property and the ability of the soil and topography to support the proposed density / intensity and land uses.

Response:

Based upon publicly available information, soils and topography are sufficient to support the proposed land use. A Geotechnical Report will be submitted with subsequent permitting to further demonstrate suitability of the site. The stormwater ponds and amenities have been designed based on the current topography and natural features of the site.

Very Low Density Suburban Residential

The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

Response:

Based on the existing acreage of the site at 21.43 acres at 2 dwelling units per acre, the applicant is proposing to develop a maximum of 42 single-family residential homes. The proposed Future Land Use and associated residential uses are consistent with the Comprehensive Plan and is compatible with the adjacent uses.

Policy 4.15

The City of Apopka recognizes the need to protect specific rare natural communities within the Wekiva Study Area. These include the Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Communities. The City shall require that a site assessment produced by an environmental professional verify the existence or lack thereof of these natural communities on all sites over 10 acres in size.

- *If portions of these communities (less than or equal to 50%) exist on potential development sites, they shall be protected. The development potential lost through this protection shall be allowed to be transferred to more appropriate areas of the site. If more than 50% of the site is encompassed by one of these communities, 50% of the natural community shall be protected with the density transferred from the protected portion of the site to the developed portion.*

Response:

The subject site is within the Wekiva Study Area. The site has been utilized as an indoor commercial plant nursery and a large lot single family homestead.

Based on preliminary review of the site, the majority of the existing tree canopy are Live Oaks and Cabbage Palms. Preliminary review of the existing vegetation is not consistent with a protected Xeric community.

A tree survey will be provided for review with a Master Development Plan. Tree preservation and mitigation shall be consistent with the rules and regulations of the City of Apopka's LDC. An Environmental Assessment is attached for review (Appendix B).

- *As part of this assessment, the developer shall identify any karst features that include but are not limited to sinkholes with a direct connection to the aquifer and other karst features located on the site. All development shall maintain buffers in accordance with Policy 15.2 of this element.*

Response:

Based upon publicly available information and site inspections, there are no karst features located within this property. A detailed Geotechnical Report will be submitted with subsequent permitting.

Objective 6

- *The City of Apopka shall provide water and sewer services within the corporate limits or to areas within its Utility Service Area as defined in the Amended and Restated Water, Wastewater and Reclaimed Water Territorial Agreement with Orange County. Amendment to the Agreement shall required amendment to the Comprehensive Plan.*

Response:

Existing utilities are available adjacent to the subject parcel. Utility services for potable water, reclaim water, and sanitary sewer service shall be provided by the City of Apopka.

Objective 10

- *All new development within the Wekiva River Protection Area shall be very low suburban residential density of two units per acre or less in nature unless a proposed development would have less impact on natural resources.*

Response:

The subject site is within the Wekiva River Study Area, which limits residential development to 2 du/ac. The applicant is seeking approvals to develop the 21.43-acre site with a maximum of 42 dwelling units, consistent with the policies established in the Wekiva Study Area.

Objective 15

Site plans, subdivisions, or their functional equivalent, such as Planned Unit Developments, within the Wekiva Study Area shall meet the design standards as set forth in the following policies.

Policy 15.1

Conservation subdivision designs shall include:

1) *Clustering of units on small lots;*
2) *Establishment of open space, which shall be connected whenever possible, in recordable easements, plat or other recordable instrument. Open spaces percentages shall be as provided for in Policies 3.1.s;*
3) *Central water and sewer treatment facilities connected to the regional system; and*
4) *Minimal site disturbance.*

Response:

The subject site is within the Wekiva Study Area. The applicant is proposing to develop 42 single family units on 21.43 acres of land. The minimum lot size shall be consistent with the City of Apopka zoning RSF-1B, which permits a maximum of 2 du/ac and minimum 75'-wide lots. A Master Development Plan will be submitted to demonstrate compliance with the RSF-1B standards.

Open space shall be provided in the form of landscape buffers, recreation area, community gathering spaces, tree preservation areas, and connected open space

tracts. These community amenities have been designed around and within the desired tree preservation areas so they will be a focal point within the community. The developer will extend the existing potable water, reclaim water, and sanitary sewer utilities to serve the subject site.

1.6.2 Transportation Element:

Objective 4

To discourage urban sprawl, the City of Apopka shall coordinate transportation system improvements through the adopted Future Land Use Map to support existing and projected population densities, housing and employment patterns; and ensure that land development is consistent with existing and proposed transportation facilities.

Response:

The subject site access shall be provided through the dedication of right of way to extend Ponkan Pines Rd to the northern boundary of the subject site. The existing Ponkan Pines Rd has been reconstructed, and the future road will be extended to provide access to the subject site. A comprehensive traffic study shall be provided with the review of the Master Development Plan. Improvements will be made, as required, to support the proposed development and ensure it is consistent with the existing and proposed transportation facilities.

1.7 Estimated Level of Services (LOS):

The City of Apopka has an adopted LOS for Potable Water at 153 gallons per day (GPD) per capita. The estimated population of this community is 113 persons. It is estimated that this community will require 17,289 gallons of potable water per day.

Potable Water LOS			
Units	**Population**	**LOS per Capita (GPD)**	**Estimated Demand (GPD)**
42	113	153	17,289

The City of Apopka has an adopted LOS for Sanitary Sewer at 90 gallons per day (GPD) per capita. The estimated population of this community is 113 persons. It is estimated that this community will require 10,170 gallons of sanitary sewer per day.

Sanitary Sewer LOS			
Units	**Population**	**LOS per Capita (GPD)**	**Estimated Demand (GPD)**
42	113	90	10,170

The City of Apopka has an estimated LOS for Reclaim Water at 177 gallons per day (GPD) per capita. The estimated population of this community is 113 persons. It is estimated that this community will require 20,001 gallons of reclaim water per day.

Reclaim Water LOS			
Units	**Population**	**LOS per Capita (GPD)**	**Estimated Demand (GPD)**
42	113	177	20,001

1.8 Project Compatibility Analysis

a. Is consistent with and furthers the goals, objectives, and policies of the comprehensive plan and other adopted City plans;

Response:

The proposed Comprehensive Plan Amendment and associated residential uses are similar and compatible with the existing surrounding residential uses. While the uses are a step up in density from the current use, they are a substantial step down in density from the existing Future Land Use designation of Mixed Use. The proposed Future Land Use designation of RSLV is consistent with the City's 2030 Comprehensive Plan and supporting documents and provides a transitional density between the existing single-family residential to the south and east and the Mixed-Use Future Land Use to the north. The proposed density of 2 du/ac is consistent with the RVLS Future Land Use Designation and Wekiva Study Area. The analysis of adjacent uses, levels of service and Comprehensive Plan policies, which is provided within this report, demonstrates how the proposed development furthers the goals, objectives, and policies of the Comprehensive Plan. The proposed development will be designed and constructed in conformance with the City's adopted Land Development Code and the Wekiva Study Area.

b. Is in conflict with any provisions of the LDC;

Response:

The applicant is requesting to amend the existing Future Land Use (FLU) map designation from Mixed-Use (MU) to Very Low Density Suburban Residential (RVLS) and to amend the existing Zoning from Mixed-Use East Shore Gateway (MU-ES-GT) to Large Lot Residential Single Family (RSF-1B). The proposed amendments will reduce the potential residential density from the current 15 du/ac to 2 du/ac and the commercial intensity from 2.0 FAR to 0.0 FAR. This request is consistent with the Wekiva Study Area policy that does not permit density for residential development north of Ponkan Rd to be greater than 2 du/ac. The request has followed procedural requirements for processing the Comprehensive Plan Amendment and Rezoning and is consistent with the Land Development Code (LDC). There are no conflicts. A Master Development Plan and Construction

Site Plan will be submitted to further demonstrate compliance with the Land Development Code (LDC).

c. Addresses a demonstrated community need;

Response:

According to the cities published statistical information, since 2014 the City of Apopka has experienced a significant increase in the number of residents that have relocated to the city. The current growth rate in the city averages 2.3% annually; the population has been projected to be approximately 60,510 residents by the end of 2024. The increase in population increases the demand for more housing opportunities to support the projected growth. The proposed development will help serve the demand while providing compatible residential uses.

d. Is required by changed conditions;

Response:

The subject site is located north of Ponkan Rd within the Wekiva Study Area. Residential development greater than 2 du/ac is not permitted on the subject site. The existing Future Land Use (FLU) and Zoning require a higher residential density (15 du/ac) and commercial intensity (2.0 FAR) that would not be permitted under the existing Wekiva Study Area policies. As such, modification to the Future Land Use and Zoning is required. The applicant is proposing residential development that would be limited to a maximum of 2 du/ac, consistent with the Wekiva Study Area. The location of the Northwest Regional Park Complex, Wolf Lake Ranch Elementary, and Wolf Lake Ranch Middle School to the east demonstrates how this area is changing from nurseries to residential subdivisions and validates the changing character of the area from rural to residential. The existing plant nursery on the subject site has closed down. The requested very low residential density development is consistent with the adjacent single family residential communities within the city. The Phase 1 and Phase 2 of the Wolf Lake Ranch Subdivision demonstrates the changing character of the Ponkan Pines Road Corridor as the nurseries are closing and new subdivisions are coming into and thriving in this area of Apopka.

e. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;

Response:

The applicant is requesting to amend the existing Future Land Use (FLU) map designation from Mixed-Use (MU) to Very Low Density Suburban Residential (RVLS) and to amend the existing Zoning from Mixed-Use East Shore Gateway (MU-ES-GT) to Large Lot Residential Single Family (RSF-1B). The proposed amendments will reduce the potential residential density from the current 15 du/ac to 2 du/ac and the commercial intensity from 2.0 FAR to 0.0 FAR. This request is consistent with the Wekiva Study Area policy that does not permit density for

residential development north of Ponkan Rd to be greater than 2 du/ac. The request has followed procedural requirements for processing the Comprehensive Plan Amendment and Rezoning and is consistent with the Land Development Code (LDC). The proposed residential uses and proposed density are consistent with the existing surrounding single-family residential uses. The RVLS and RSF-1B provides a transitional density between the single-family residential uses to the south and the existing mixed use to the north. This is the same Future Land Use and Zoning as the property to the east. These findings combined make the RSF-1B the appropriate zoning district for the subject property.

f. Would result in a logical and orderly development pattern;

Response:

The Summit at Wolf Lake Ranch, with the proposed RVLS Future Land Use and RSF-1B Zoning, is consistent with the existing adjacent development. The site will be developed with similar lot sites and homes with the recently approved adjacent residential subdivisions. Access to the site will be provided along Ponkan Pines Rd, which will be further improved.. Please see Table 1.5 (a) for Adjacent Uses, and Table 1.7 (a) for Concurrency. The development pattern of the proposed subdivision demonstrates a consistent transition from defunct nurseries to high-value large-lot subdivisions. The development pattern demonstrates a pattern of consistent lot sizes as the uses transition from old nurseries to residential uses along the Ponkan Pines Road Corridor. The extension of Ponkan Pines Road to the north leaves only one vacant property between this site and the City's desired future roadway connection to the north.

g. Would not result in significant adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and;

Response:

The preliminary site layout preserves the most significant historic trees as a central park and amenity for the residents. The subdivisions will be designed with that as a central element and focal point. The stormwater is proposed to be located in the lowest portions of the property. An Environmental Assessment will be provided with subsequent permitting, and a Sand Skink Study will be conducted starting in March 2025. The development is consistent with the surrounding uses and is not expected to have adverse impacts to water, air, noise, stormwater, wildlife, vegetation, and the natural function of the environment. Through the Master Development Plan and Construction Site Plan processes and the associated Water Management District review, the project will demonstrate compliance with the City's Land Development Code.

h. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities.

Response:

The project will be served by existing public facilities. The existing potable water, reclaim water, and sanitary sewer will be extended with the expansion of Ponkan Pines Rd to serve this community. Stormwater will be designed to meet the City of Apopka's and St John's River Water Management Districts requirements. An estimated level of service analysis has been provided. See Table 1.7 (a). Impact Fees will be paid at the time of home construction, consistent with the City of Apopka's Land Development Code.

1.9 Summary

The request for this Comprehensive Plan Amendment is consistent with the goals, objectives, and policies of the City's 2030 Comprehensive Plan. The request followed all code procedures, and the site will be designed in compliance with the City's Land Development Code. The project is consistent with the existing surrounding developments. The expansion of the development remains compatible with the existing surrounding residential uses and continues a consistent development pattern along the extension of the Ponkan Pines Road Corridor.

From: Vitale, Stefani
To: Jean Sanchez
Subject: FW: APK-25-005 Wolf Lake Ranch Lutz
Date: Wednesday, May 21, 2025 4:29:15 PM
Attachments: image002.png
image001.png

Hi Jean,

Responding to your previous email about APK-25-005 Wolf Lake Ranch Lutz, since all units were vested, we didn't have to run this analysis.

Thank you,

Stefani Vitale
Senior Specialist, Facilities Planning
Orange County Public Schools
Tel: 407-317-3700 ext. 2023974
planning.ocps.net

From: Vitale, Stefani
Sent: Friday, February 21, 2025 12:13 PM
To: Bill Maki <bmaki@dalydesign.com>
Cc: Mills, Christopher C. <Christopher.Mills@ocps.net>; Colon, Selimar <Selimar.Colon@ocps.net>; Pelc, Tamara L. <Tamara.Pelc@ocps.net>; Moore, Thomas H. <thomas.moore2@ocps.net>; Jean Sanchez (JeSanchez@apopka.net) <JeSanchez@apopka.net>; Tina Demostene <tdemostene@mihomes.com>; Tina Demostene <tdemostene@mihomes.com>; Catherine Felter <Catherine.Felter@kimley-horn.com>; Tom Daly <tdaly@dalydesign.com>
Subject: RE: APK-25-005 Wolf Lake Ranch Lutz

Good Afternoon Mr. Maki,

Thank you for bringing this to our attention. Actually, since all units are already vested, there was no need to apply for capacity determination with us.

This qualifies as "de minimis". We apologize for not catching that.

We will issue a refund for the application fee as soon as possible.

Thank you,

Stefani Vitale
Senior Specialist, Facilities Planning
Orange County Public Schools
Tel: 407-317-3700 ext. 2023974
planning.ocps.net

From: Bill Maki <bmaki@dalydesign.com>
Sent: Thursday, February 20, 2025 3:47 PM
To: Vitale, Stefani <Stefani.Vitale@ocps.net>
Cc: Mills, Christopher C. <Christopher.Mills@ocps.net>; Colon, Selimar <Selimar.Colon@ocps.net>; Pelc, Tamara L. <Tamara.Pelc@ocps.net>; Moore, Thomas H. <thomas.moore2@ocps.net>; Jean Sanchez (JeSanchez@apopka.net) <JeSanchez@apopka.net>; Tina Demostene <tdemostene@mihomes.com>; Tina Demostene <tdemostene@mihomes.com>; Catherine Felter <Catherine.Felter@kimley-horn.com>; Tom Daly <tdaly@dalydesign.com>
Subject: RE: APK-25-005 Wolf Lake Ranch Lutz

⚠ **CAUTION:** This email originated from outside of Orange County Public Schools. Do not click links or open attachments unless you know the content is safe.

Good afternoon Stefani,
I wanted to follow up with you on the capacity determination letter sent yesterday. We understand that we will need to enter into a CMA to provide the necessary school capacity. I wanted to ask if you can add the student generation numbers for the Capacity letter? We can see the percentages, but not the number of students. (see below)

Also, do you look at available capacity in the adjacent schools? If so, is there any availability in those schools?

Thank you for your help, and please let me know if you have any questions.

School Capacity Determination User ID SV February 19, 2025 10:21:17

Project ID: **CEA – APK – 25 – 005** Valid Until: August 18, 2025

Project Name:		**WOLF LAKE RANCH LUTZ**		
Unvested Units	Single Family Units:	0	Vested Units	Single Family Units: 42
	Multi Family Units:	0		Multi Family Units: 0
	Multi Family High Rise Units:	0		Multi Family High Rise Units: 0
	Town Homes Units:	0		Town Homes Units: 0
	Mobile Home Units:	0		Mobile Home Units: 0

Capacity Enhancement				
	School Level	Elementary	Middle	High
	CSA:	DD		
	School:	WOLF LAKE ES	WOLF LAKE MS	APOPKA HS
	Analysis of Existing Conditions			
	School Capacity (2023-2024)	828	1,112	3,390
	Enrollment (2023-2024)	710	1,151	3,449
	Utilization (2023-2024)	118.0%	122.0%	110.0%
	LOS Standard	110.0%	100.0%	100.0%
	Available Seats	201	0	0
	Analysis of Reserved Capacity			
	School Level	Elementary	Middle	
	Encumbered Capacity	274	188	232
	Reserved Capacity	38	18	0
	Adjusted Utilization	123.4%	122.0%	108.6%
	Adjusted Available Seats	0	0	0
	Analysis of Proposed Development			
	Students Generated	0.000	0.000	0.000
	Adjusted Utilization	123.4%	122.0%	108.6%
	AVAILABLE/NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE
	Number of Seats to Mitigate	0.000	0.000	0.000

Best regards,
Bill Maki, RLA
Landscape Architect
Daly Design Group
913 N. Pennsylvania Ave.
Winter Park, FL. 32789

Office: (407) 740-7373
Cell: (407) 697-1986
www.dalydesign.com
Florida Water Star Accredited Professional

From: Vitale, Stefani <Stefani.Vitale@ocps.net>
Sent: Wednesday, February 19, 2025 2:32 PM
To: Bill Maki <bmaki@dalydesign.com>
Cc: Mills, Christopher C. <Christopher.Mills@ocps.net>; Colon, Selimar <Selimar.Colon@ocps.net>; Pelc, Tamara L. <Tamara.Pelc@ocps.net>; Moore, Thomas H. <thomas.moore2@ocps.net>; Jean Sanchez (JeSanchez@apopka.net) <JeSanchez@apopka.net>
Subject: APK-25-005 Wolf Lake Ranch Lutz

Good Afternoon,

Please find the attached capacity determination letter for APK-25-005 Wolf Lake Ranch Lutz.

Thank you,

Stefani Vitale
Senior Specialist, Facilities Planning
Orange County Public Schools
Tel: 407-317-3700 ext. 2023974
planning.ocps.net

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See Proof on Next Page

AFFIDAVIT OF PUBLICATION

The Apopka Chief
400 N. Park Avenue, Apopka, FL 32712
(407) 886-2777

I, J.C. Derrick, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of The Apopka Chief, a publication that is a "legal newspaper" as that phrase is defined for the city of Apopka, for county of Orange, in the state of Florida, that this affidavit is 1 of 3 with the full text of the sworn-to notice set forth on the page(s) that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

Publication Dates:
- Jul 11, 2025

Notice ID: nIU9dyvZ9oEbAv0DZTrf

Notice Name: City of Apopka ords. 3110 and 3111

J. C. Derrick
Publisher

VERIFICATION

STATE OF FLORIDA
COUNTY OF ORANGE

Signed or attested before me on this

11 day of July, A.D. 2025.

Nancy C Thomas
Notary Public

Notary Public State of Florida
Nancy C Thomas
My Commission HH 688639
Expires 7/4/2029

CITY OF APOPKA
PUBLIC HEARING NOTICE
SMALL-SCALE FUTURE LAND USE AMENDMENT AND CHANGE OF ZONING

NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Bill Maki** has made application relating to the following described property.

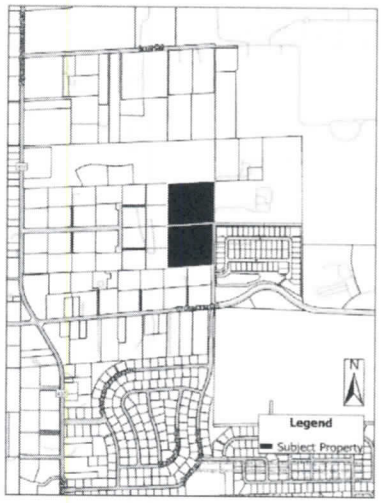
ORDINANCE NO. 3110

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 MIXED-USE TO RESIDENTIAL VERY LOW SUBURBAN FOR CERTAIN REAL PROPERTY OWNED BY LUTZ DAVID L LIFE ESTATE; LUTZ MARY T LIFE ESTATE; REM: DAVID M LUTZ; REM: MICHELLE M GREGORY; PONKAN PINES NURSERY INC.; GENERALLY LOCATED NORTH OF PONKAN ROAD, WEST OF PONKAN PINES ROAD AND JASON DWELLEY PARKWAY; COMPRISING 21.43 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

and

ORDINANCE NO. 3111

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM MU-ES-GT (MIXED-USE — GATEWAY — EAST SHORE) TO RSF-1B (RESIDENTIAL SINGLE-FAMILY — LARGE LOT) FOR CERTAIN REAL PROPERTY OWNED BY LUTZ DAVID L LIFE ESTATE; LUTZ MARY T LIFE ESTATE; REM: DAVID M LUTZ; REM: MICHELLE M GREGORY; PONKAN PINES NURSERY INC.; GENERALLY LOCATED NORTH OF PONKAN ROAD, WEST OF PONKAN PINES ROAD AND JASON DWELLEY PARKWAY; COMPRISING 21.43 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): 19-20-28-0000-00-019 and 19-20-28-0000-00-035
Contains: 21.43 +/- Acres

NOTICE is given that a public hearing for Ordinance Numbers 3083 and 3084 will be held by the **City of Apopka Planning Commission** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:30 P.M.**

FURTHER NOTICE is given that a public hearing for Ordinance Numbers 3083 and 3084 will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, August 20, 2025 at 7:00 P.M. and Wednesday, September 2, 2025 at 1:30 P.M.**

Affected parties and the public may appear at the above listed hearings to speak. The proposed Future Land Use and Rezoning Applications can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 A.M. and 4:30 P.M. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with

Newspaper page size: Width: 11.25 in., Height: 20.125 in.

the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka FL 32703, Telephone: 407-703-1704, no less than 48 hours prior to the proceeding.

Apopka City Council
Apopka Planning Commission
Community Development Department

July 11, 2025

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 5.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Quasi-Judicial – Ordinance No. 3111 – Change of Zoning – The Summit at Wolf Lake Ranch (Wolf Lake Ranch Phase III)

ACTION ITEM INFORMATION:
Owner(s): Lutz David L Life Estate; Lutz Mary T Life Estate; Rem: David M Lutz; Rem: Michelle M Gregory
Applicant(s): William Maki
Parcel Identification Number(s): 19-20-28-0000-00-019
Location: North of Ponkan Road, west of Ponkan Pines Road and west of Jason Dwelley Parkway
Existing Future Land Use: Mixed-Use
Proposed Future Land Use: Residential Very Low Suburban
Existing Zoning: MU-ES-GT (Mixed-Use - East Shore - Gateway)
Proposed Zoning: RSF-1B (Residential Single-Family — Large Lot)
Existing Use(s): Single-family residence
Density: 2 dwelling units per acre
Tract Size: 21.43 +/- acre(s)
Project Manager: Jean Sanchez

REQUEST:
Recommend approval of the Change of Zoning from MU-ES-GT (Mixed-Use - East Shore - Gateway) to RSF-1B (Residential Single-Family — Large Lot) for The Summit at Wolf Lake Ranch.

SUMMARY:
Owner(s): Lutz David L Life Estate; Lutz Mary T Life Estate; Rem: David M Lutz; Rem: Michelle M Gregory
Applicant(s): William Maki
Parcel Identification Number(s): 19-20-28-0000-00-019
Location: North of Ponkan Road, west of Ponkan Pines Road and west of Jason Dwelley Parkway
Existing Future Land Use: Mixed-Use
Proposed Future Land Use: Residential Very Low Suburban
Existing Zoning: MU-ES-GT (Mixed-Use - East Shore - Gateway)
Proposed Zoning: RSF-1B (Residential Single-Family — Large Lot)
Existing Use(s): Single-family residence
Density: 2 dwelling units per acre
Tract Size: 21.43 +/- acre(s)

Direction	Future Land Use	Zoning	Present Use
North	Mixed-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Vacant

East	Residential Very Low Suburban	RSF-1B (Residential Single-Family — Large Lot)	Wolf Lake Ranch Phase II
South	Mixed-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Wolf Lake Ranch Phase I Residential Subdivision
West	County Rural	County A-R (Agricultural-Residential)	Single-Family Residences

PROJECT SUMMARY:

The applicant requests a rezoning of approximately 21.47 acres from MU-ES-GT (Mixed-Use – East Shore – Gateway) to RSF-1B (Residential Single-Family – Large Lot) to facilitate the development of a low-density, detached single-family residential subdivision. The proposed development will consist of 42 single-family homes, consistent with the character and density of the adjacent Wolf Lake Ranch Phases 1 and 2. The subject site lies west of the existing Wolf Lake Ranch community and is currently undeveloped. The property is designated Mixed-Use on the Future Land Use Map (FLUM), allowing up to 15 dwelling units per acre. A companion Future Land Use Amendment (FLU) Amendment has been submitted to reclassify the land use to Residential Very Low Suburban (RVLS), permitting up to 2 dwelling units per acre. Necessary public infrastructure, including potable water, wastewater, and stormwater facilities, will be extended or upgraded to serve the development. A traffic study will be submitted with the Major Development Plan (MDP). The rezoning request is consistent with the goals and policies of the Apopka Comprehensive Plan, contingent upon the approval of the accompanying FLU amendment.

The requested zoning district, RSF-1B, is compatible with the proposed FLU designation and the surrounding land use pattern. The site is envisioned as Phase 3 of the Wolf Lake Ranch community, providing a seamless continuation of development in this area.

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

- **Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans**;
    - The proposed Comprehensive Plan Amendment and associated residential uses are similar and compatible with the existing surrounding residential uses. While the uses are a step up in density from the current use, they are a substantial step down in density from the existing Future Land Use designation of Mixed Use. The proposed Future Land Use designation of RSLV is consistent with the City's 2030 Comprehensive Plan and supporting documents and provides a transitional density between the existing single-family residential to the south and east and the Mixed-Use Future Land Use to the north. The proposed density of 2 du/ac is consistent with the RVLS Future Land Use Designation and Wekiva Study Area. The analysis of adjacent uses, levels of service and Comprehensive Plan policies, which is provided within this report, demonstrates how the proposed development furthers the goals, objectives, and policies of the Comprehensive Plan. The proposed development will be designed and constructed in conformance with the City's adopted Land Development Code and the Wekiva Study Area.
    - *Staff response:* Staff has no objection/comments.
- **Is in conflict with any provisions of the LDC**;
    - *Applicant's response:* The applicant is requesting to amend the existing Future Land Use (FLU) map designation from Mixed-Use (MU) to Very Low Density Suburban Residential (RVLS) and to amend the existing Zoning from Mixed-Use East Shore Gateway (MU-ES-GT) to Large Lot Residential Single Family (RSF-1B). The proposed amendments will reduce the potential residential density from the current 15 du/ac to 2 du/ac and the commercial intensity from 2.0 FAR to 0.0 FAR. This request is consistent with the Wekiva Study Area policy that does not permit density for residential development north of Ponkan Rd to be greater than 2 du/ac. The request has followed procedural requirements for processing the Comprehensive Plan Amendment and Rezoning and is consistent with the Land Development Code (LDC). There are no conflicts. A Master Development Plan and Construction Site Plan will be submitted to further demonstrate compliance with the Land Development Code (LDC).
    - *Staff response:* Staff has no objection/comments.

- **Addresses a demonstrated community need**;
    - *Applicant's response:* According to the cities published statistical information, since 2014 the City of Apopka has experienced a significant increase in the number of residents that have relocated to the city. The current growth rate in the city averages 2.3% annually; the population has been projected to be approximately 60,510 residents by the end of 2024. The increase in population increases the demand for more housing opportunities to support the projected growth. The proposed development will help serve the demand while providing compatible residential uses.
    - *Staff response:* Staff has no objection/comments.
- **Is required by changed conditions;**
    - *Applicant's response:* The subject site is located north of Ponkan Rd within the Wekiva Study Area. Residential development greater than 2 du/ac is not permitted on the subject site. The existing Future Land Use and Zoning require a higher residential density (15 du/ac) and commercial uses that would not be supported by the existing Wekiva Study Area policies. As such, the modification to the future land use and zoning is required. The applicant is proposing residential development that would be limited to a maximum of 2 du/ac consistent with the Wekiva Study Area. The siting of the Northwest Regional Park Complex and Wolf Lake Ranch Elementary and Middle School to the east validate the changing character of the area from rural to residential. The plan nursery on the subject property has closed down. The requested very low residential density development is consistent with the existing Wolf Lake Ranch subdivision to the south.
    - *Staff response:* Staff has no objection/comments.
- **Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land**;
    - *Applicant's response:* The applicant is requesting to amend the existing Future Land Use (FLU) map designation from Mixed-Use (MU) to Very Low Density Suburban Residential (RVLS) and to amend the existing Zoning from Mixed-Use East Shore Gateway (MU-ES-GT) to Large Lot Residential Single Family (RSF-1B). The proposed amendments will reduce the potential residential density from the current 15 du/ac to 2 du/ac and the commercial intensity from 2.0 FAR to 0.0 FAR. This request is consistent with the Wekiva Study Area policy that does not permit density for residential development north of Ponkan Rd to be greater than 2 du/ac. The request has followed procedural requirements for processing the Comprehensive Plan Amendment and Rezoning and is consistent with the Land Development Code (LDC). The proposed residential uses and proposed density are consistent with the existing surrounding single-family residential uses. The RVLS and RSF-1B provides a transitional density between the single-family residential uses to the south and the existing mixed use to the north. This is the same Future Land Use and Zoning as the property to the east. These findings combined make the RSF-1B the appropriate zoning district for the subject property.
    - *Staff response:* Staff has no objection/comments.
- **Would result in a logical and orderly development pattern**;
    - *Applicant's response:* The Summit at Wolf Lake Ranch, with the proposed RVLS Future Land Use and RSF-1B Zoning, is consistent with the existing adjacent development. The site will be developed with similar lot sites and homes with the recently approved adjacent residential subdivisions. Access to the site will be provided along Ponkan Pines Rd, which will be further improved.. Please see Table 1.5 (a) for Adjacent Uses, and Table 1.7 (a) for Concurrency. The development pattern of the proposed subdivision demonstrates a consistent transition from defunct nurseries to high-value large-lot subdivisions. The development pattern demonstrates a pattern of consistent lot sizes as the uses transition from old nurseries to residential uses along the Ponkan Pines Road Corridor. The extension of Ponkan Pines Road to the north leaves only one vacant property between this site and the City's desired future roadway connection to the north.
    - *Staff response:* Staff has no objection/comments.
- **Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**
    - *Applicant's response:* The preliminary site layout preserves the most significant historic trees as a central park and amenity for the residents. The subdivisions will be designed with that as a central element and focal point. The stormwater is proposed to be located in the lowest portions of the property. An Environmental Assessment will be provided with subsequent permitting, and a Sand Skink Study will be conducted starting in March 2025. The development is consistent with the surrounding uses and is not expected to have adverse impacts to water, air, noise, stormwater,

wildlife, vegetation, and the natural function of the environment. Through the Master Development Plan and Construction Site Plan processes and the associated Water Management District review, the project will demonstrate compliance with the City's Land Development Code.
    - *Staff response:* Staff has no objection/comments.
- **Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).**
    - *Applicant's response:* The project will be served by existing public facilities. The existing potable water, reclaim water, and sanitary sewer will be extended with the expansion of Ponkan Pines Rd to serve this community. Stormwater will be designed to meet the City of Apopka's and St John's River Water Management Districts requirements. An estimated level of service analysis has been provided. See Table 1.7 (a). Impact Fees will be paid at the time of home construction, consistent with the City of Apopka's Land Development Code.
    - *Staff response:* Staff has no objection/comments.

SCHOOL CAPACITY REPORT:

Orange County Public Schools (OCPS) has indicated all units are vested, qualifying the capacity requirement as "de minimis".

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on April 21, 2025.

PUBLIC HEARING SCHEDULE:
June 10, 2025 (5:30 P.M.) – Planning Commission (Tabled to August 12, 2025)
August 12, 2025 (5:30 P.M.) – Planning Commission
August 20, 2025 (7:00 P.M.) – City Council, First Reading
September 3, 2025 (1:30 P.M.) – City Council, Second Reading/Adoption

DULY ADVERTISED:
May 30, 2025 – Apopka Chief
May 27, 2025 – Posted placard notifications; mailed notification to adjacent property owners
June 6, 2025 – Apopka Chief
July 11, 2025 – Apopka Chief
July 29, 2025 – Posted placard notifications; mailed notification to adjacent property owners

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:

Development Review Committee:

Recommends approval of the Change of Zoning from MU-ES-GT (Mixed-Use - East Shore - Gateway) to RSF-1B (Residential Single-Family — Large Lot) for The Summit at Wolf Lake Ranch.

Recommended Motion – Planning Commission:

Find the proposed Change of Zoning consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the Change of Zoning from MU-ES-GT (Mixed-Use - East Shore - Gateway) to RSF-1B (Residential Single-Family — Large Lot) for The Summit at Wolf Lake Ranch.

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.

ATTACHMENTS:

1. Ordinance No 3111
2. Map Series
3. The Summit - OCPS Capacity Determination
4. Advertisement July 11 - Affidavit

ORDINANCE NO. 3111

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM MU-ES-GT (MIXED-USE — GATEWAY — EAST SHORE) TO RSF-1B (RESIDENTIAL SINGLE-FAMILY — LARGE LOT) FOR CERTAIN REAL PROPERTY OWNED BY LUTZ DAVID L LIFE ESTATE; LUTZ MARY T LIFE ESTATE; REM: DAVID M LUTZ; REM: MICHELLE M GREGORY; PONKAN PINES NURSERY INC.; GENERALLY LOCATED NORTH OF PONKAN ROAD, WEST OF PONKAN PINES ROAD AND JASON DWELLEY PARKWAY; COMPRISING 21.43 ACRES, MORE OR LESS; PROVIDING FOR 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 applicant, William Maki, on behalf of the fee simple owners of the Properties, submitted an application for a future land use amendment on the Properties identified and depicted in Exhibit "A," attached hereto, from MU-ES_GT (Mixed-Use – East Shore – Gateway) to RSF-1B (Residential Single-Family – Large Lot) and

WHEREAS, the proposed RSF-1B (Residential Single-Family – Large Lot) of the Properties are consistent with the City's Comprehensive Plan and Land Development Code; and

WHEREAS, the City of Apopka Planning Commission, sitting as the Local Planning Agency, recommended approval of the change in the zoning of the Property and found that the rezoning is consistent with the City's Comprehensive Plan; and

WHEREAS, the City of Apopka has followed all statutory and Code requirements for noticing and advertising this rezoning Ordinance and public hearings associated with the rezoning; and

WHEREAS, the City Council has received public input on the rezoning and a recommendation from staff; and

WHEREAS, the City Council of the City of Apopka finds that the applicants have met the necessary criteria for rezoning under City's Land Development Code and that rezoning serves a legitimate public purpose and will not adversely affect the public interest.

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

Section I. Findings and Intent. The City of Apopka has complied with all requirements and procedures of Florida Law in processing this Ordinance. The recitals set forth above are hereby adopted.

Section II. Rezoning. The Property described and shown in Exhibit "A", being situated in the City of Apopka, Florida, is hereby rezoned and assigned the RSF-1B (Residential Single-Family – Large Lot) Zoning District, as defined in the Apopka Land Development Code.

Section III. Zoning Map. The Official Zoning Map of the City of Apopka shall be amended to conform to the zoning assignment approved in Section 2 of this Ordinance. The Community Development Director, or the Director's designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

Section IV. Severability. 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 V. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. Effective Date. This Ordinance shall become effective immediately following such time that its companion future land use map amendment ordinance (Ordinance 3110) takes effect.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this ____ day of _____ 2025.

READ FIRST TIME: _____

READ SECOND TIME AND ADOPTED: _____

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

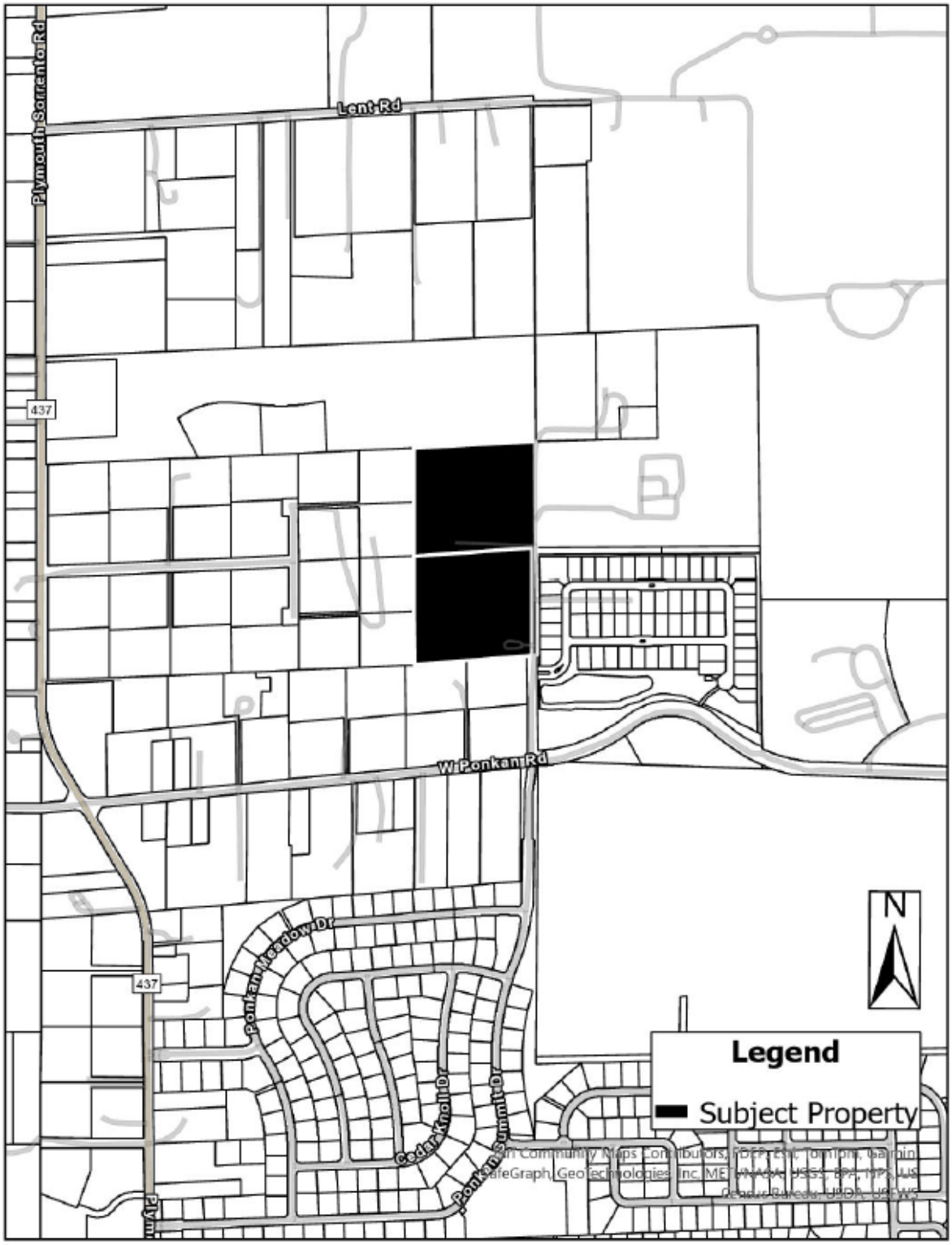
Approved as to form and legal sufficiency:

_____

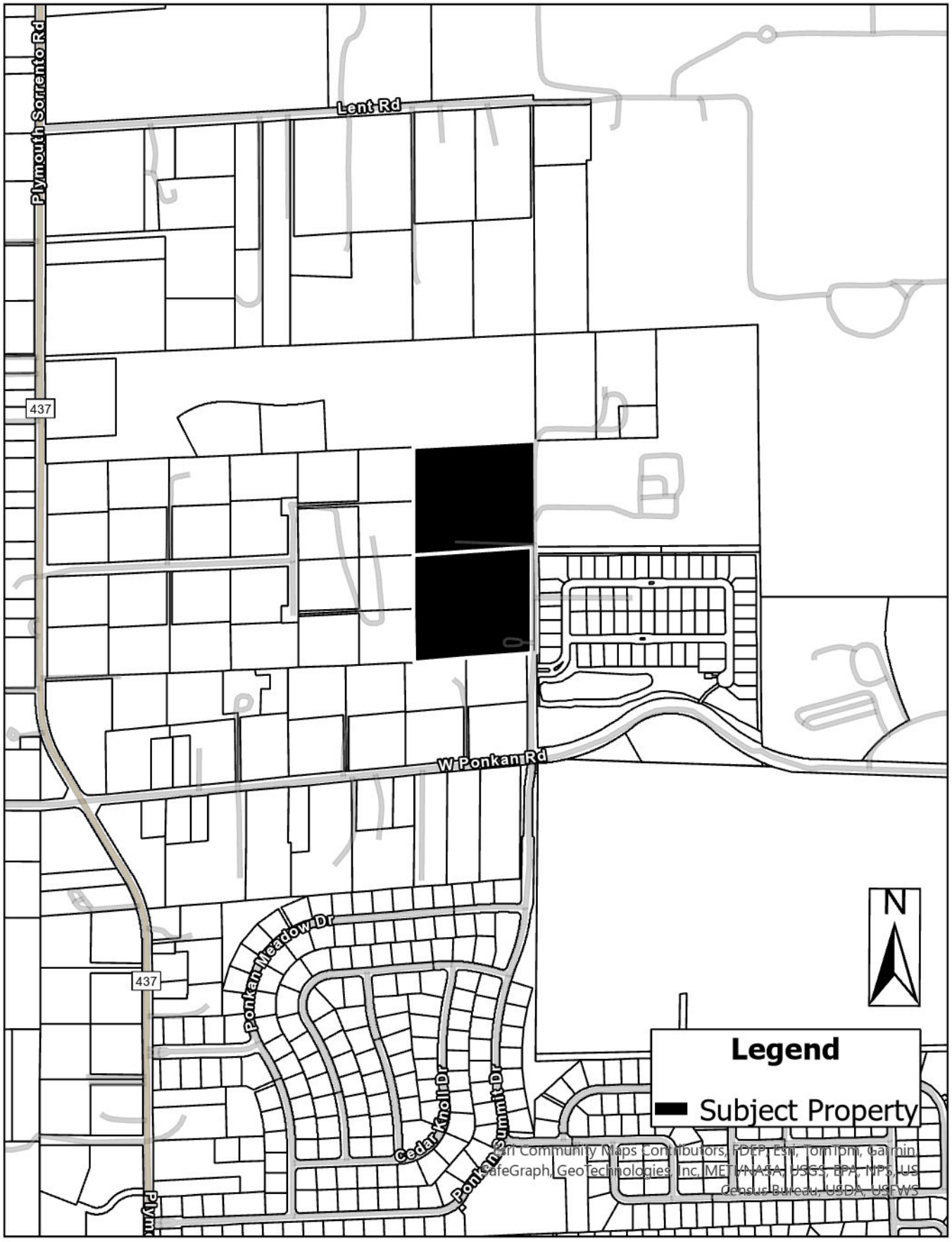
Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 11, 2025

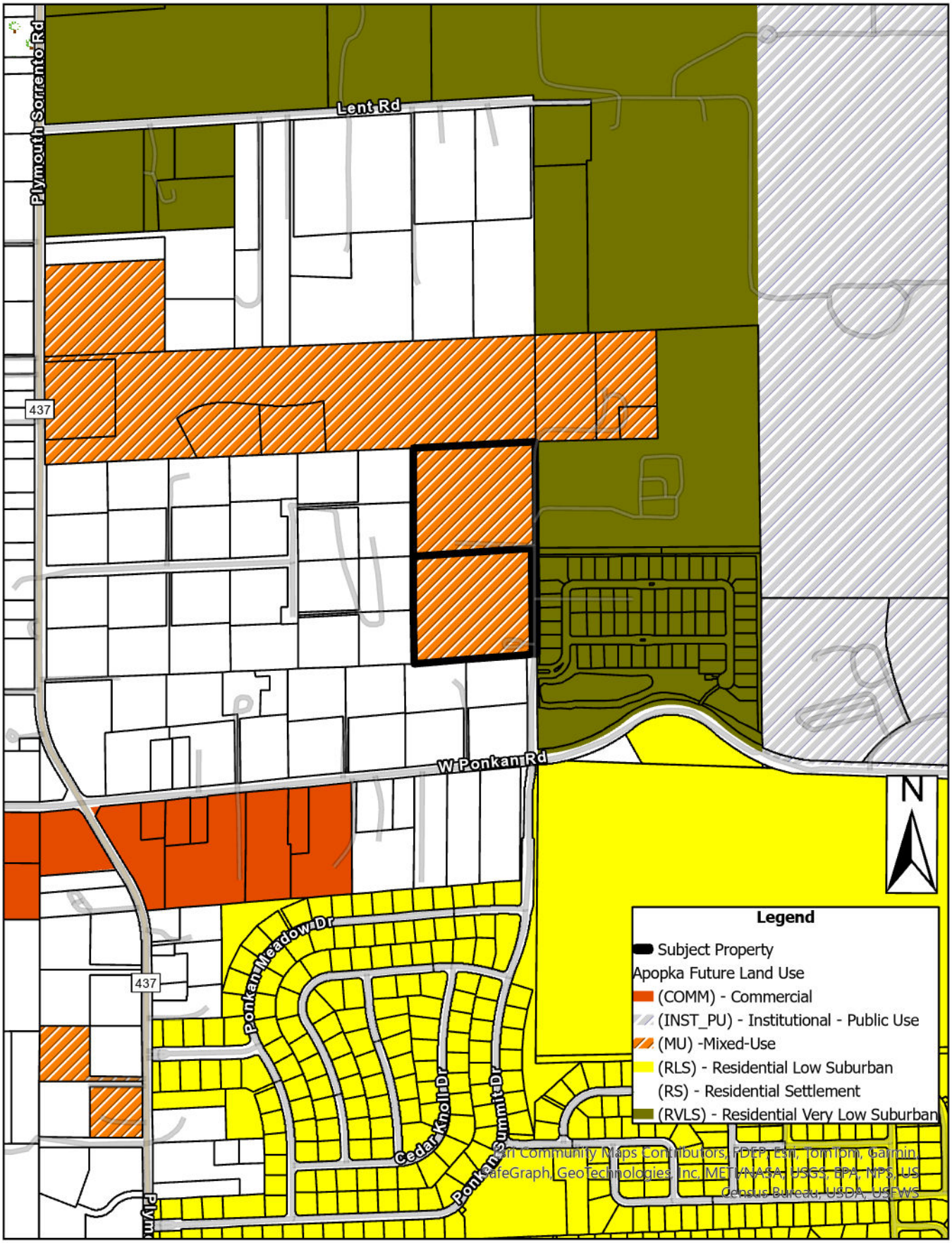
EXHIBIT "A"
Parcel Identification Number(s): 19-20-28-0000-00-019 and 19-20-28-0000-00-035
Acreage: 21.43 +/- Acres



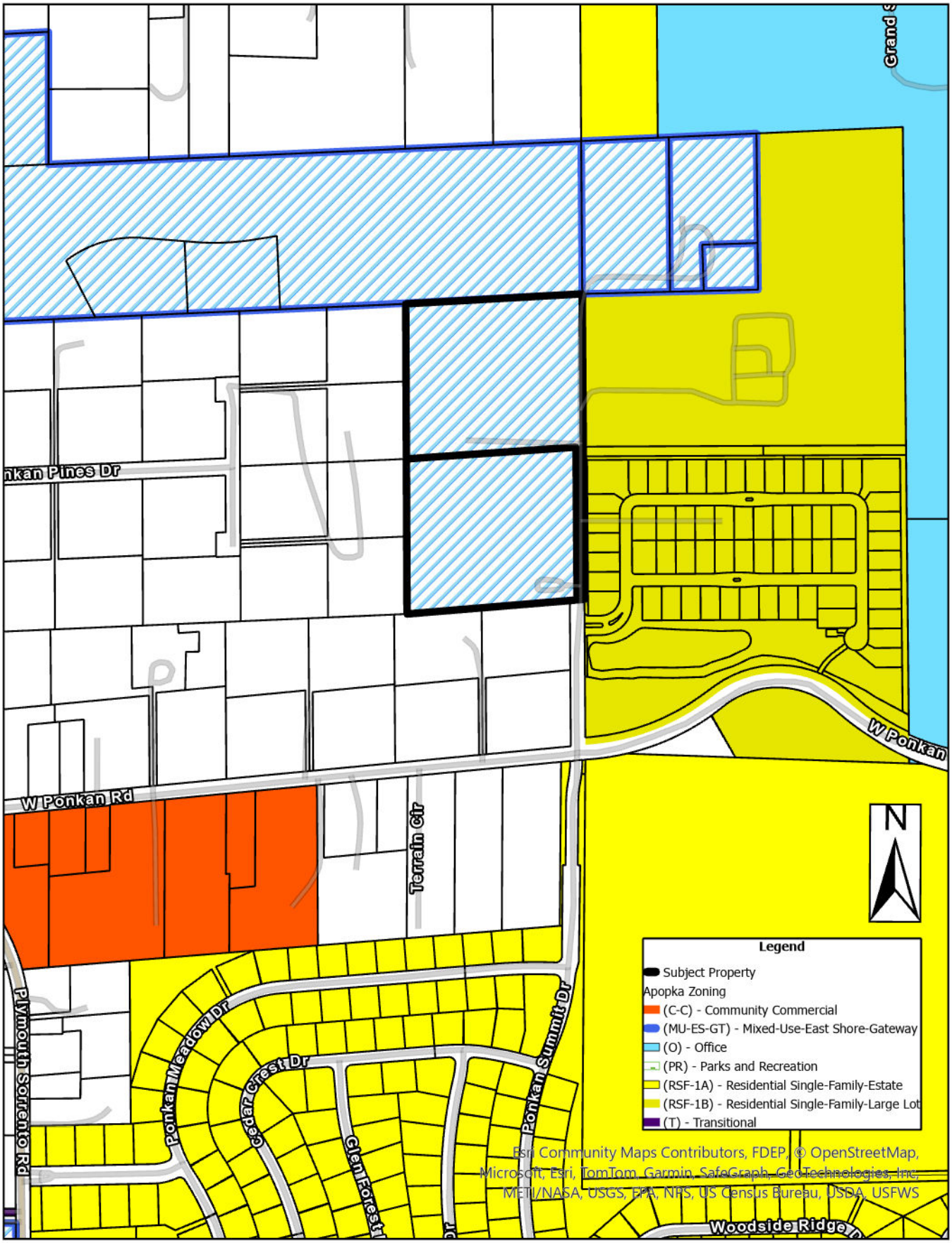
Vicinity


Plymouth Sorrento Rd
Lent Rd
437
W Ponkan Rd
Ponkan Meadow Dr
437
Cedar Knoll Dr
Ponkan Summit Dr
Plym
N
Legend
Subject Property
Esri Community Maps Contributors, HDEPTest, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

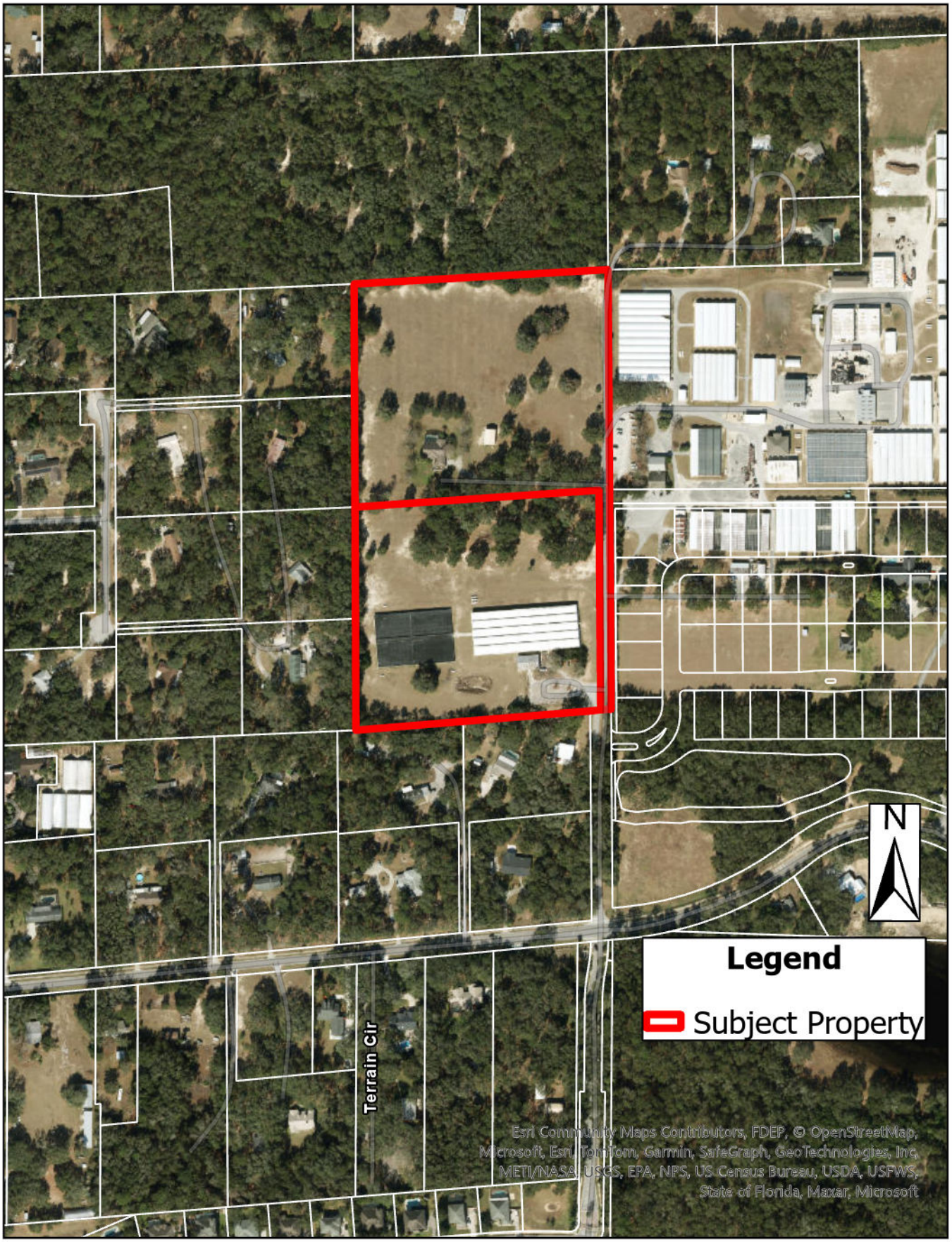
Future Land Use



Zoning


W Ponkan Rd
Terrain Cir
Plymouth Sorrento Rd
Ponkan Meadow Dr
Cedar Crest Dr
Ponkan Summit Dr
W Ponkan
N
Legend
Subject Property
Apopka Zoning
(C-C) - Community Commercial
(MU-ES-GT) - Mixed-Use-East Shore-Gateway
(O) - Office
(PR) - Parks and Recreation
(RSF-1A) - Residential Single-Family-Estate
(RSF-1B) - Residential Single-Family-Large Lot
(T) - Transitional
Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Aerial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Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, State of Florida, Maxar, Microsoft

From: Vitale, Stefani
To: Jean Sanchez
Subject: FW: APK-25-005 Wolf Lake Ranch Lutz
Date: Wednesday, May 21, 2025 4:29:15 PM
Attachments: image002.png
image001.png

Hi Jean,

Responding to your previous email about APK-25-005 Wolf Lake Ranch Lutz, since all units were vested, we didn't have to run this analysis.

Thank you,

Stefani Vitale
Senior Specialist, Facilities Planning
Orange County Public Schools
Tel: 407-317-3700 ext. 2023974
planning.ocps.net

From: Vitale, Stefani
Sent: Friday, February 21, 2025 12:13 PM
To: Bill Maki <bmaki@dalydesign.com>
Cc: Mills, Christopher C. <Christopher.Mills@ocps.net>; Colon, Selimar <Selimar.Colon@ocps.net>; Pelc, Tamara L. <Tamara.Pelc@ocps.net>; Moore, Thomas H. <thomas.moore2@ocps.net>; Jean Sanchez (JeSanchez@apopka.net) <JeSanchez@apopka.net>; Tina Demostene <tdemostene@mihomes.com>; Tina Demostene <tdemostene@mihomes.com>; Catherine Felter <Catherine.Felter@kimley-horn.com>; Tom Daly <tdaly@dalydesign.com>
Subject: RE: APK-25-005 Wolf Lake Ranch Lutz

Good Afternoon Mr. Maki,

Thank you for bringing this to our attention. Actually, since all units are already vested, there was no need to apply for capacity determination with us.

This qualifies as "de minimis". We apologize for not catching that.

We will issue a refund for the application fee as soon as possible.

Thank you,

Stefani Vitale
Senior Specialist, Facilities Planning
Orange County Public Schools
Tel: 407-317-3700 ext. 2023974
planning.ocps.net

From: Bill Maki <bmaki@dalydesign.com>
Sent: Thursday, February 20, 2025 3:47 PM
To: Vitale, Stefani <Stefani.Vitale@ocps.net>
Cc: Mills, Christopher C. <Christopher.Mills@ocps.net>; Colon, Selimar <Selimar.Colon@ocps.net>; Pelc, Tamara L. <Tamara.Pelc@ocps.net>; Moore, Thomas H. <thomas.moore2@ocps.net>; Jean Sanchez (JeSanchez@apopka.net) <JeSanchez@apopka.net>; Tina Demostene <tdemostene@mihomes.com>; Tina Demostene <tdemostene@mihomes.com>; Catherine Felter <Catherine.Felter@kimley-horn.com>; Tom Daly <tdaly@dalydesign.com>
Subject: RE: APK-25-005 Wolf Lake Ranch Lutz

⚠ **CAUTION:** This email originated from outside of Orange County Public Schools. Do not click links or open attachments unless you know the content is safe.

Good afternoon Stefani,
I wanted to follow up with you on the capacity determination letter sent yesterday. We understand that we will need to enter into a CMA to provide the necessary school capacity. I wanted to ask if you can add the student generation numbers for the Capacity letter? We can see the percentages, but not the number of students. (see below)

Also, do you look at available capacity in the adjacent schools? If so, is there any availability in those schools?

Thank you for your help, and please let me know if you have any questions.

School Capacity Determination User ID SV February 19, 2025 10:21:17

Project ID: **CEA – APK – 25 – 005** Valid Until: August 18, 2025

Project Name:		**WOLF LAKE RANCH LUTZ**		
Unvested Units	Single Family Units:	0	Vested Units	Single Family Units: 42
	Multi Family Units:	0		Multi Family Units: 0
	Multi Family High Rise Units:	0		Multi Family High Rise Units: 0
	Town Homes Units:	0		Town Homes Units: 0
	Mobile Home Units:	0		Mobile Home Units: 0

Capacity Enhancement				
	School Level	Elementary	Middle	High
	CSA:	DD		
	School:	WOLF LAKE ES	WOLF LAKE MS	APOPKA HS
	Analysis of Existing Conditions			
	School Capacity (2023-2024)	828	1,112	3,390
	Enrollment (2023-2024)	710	1,151	3,449
	Utilization (2023-2024)	118.0%	122.0%	110.0%
	LOS Standard	110.0%	100.0%	100.0%
	Available Seats	201	0	0
	Analysis of Reserved Capacity			
	School Level	Elementary	Middle	
	Encumbered Capacity	274	188	232
	Reserved Capacity	38	18	0
	Adjusted Utilization	123.4%	122.0%	108.6%
	Adjusted Available Seats	0	0	0
	Analysis of Proposed Development			
	Students Generated	0.000	0.000	0.000
	Adjusted Utilization	123.4%	122.0%	108.6%
	AVAILABLE/NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE
	Number of Seats to Mitigate	0.000	0.000	0.000

Best regards,
Bill Maki, RLA
Landscape Architect
Daly Design Group
913 N. Pennsylvania Ave.
Winter Park, FL. 32789

Office: (407) 740-7373
Cell: (407) 697-1986
www.dalydesign.com
Florida Water Star Accredited Professional

From: Vitale, Stefani <Stefani.Vitale@ocps.net>
Sent: Wednesday, February 19, 2025 2:32 PM
To: Bill Maki <bmaki@dalydesign.com>
Cc: Mills, Christopher C. <Christopher.Mills@ocps.net>; Colon, Selimar <Selimar.Colon@ocps.net>; Pelc, Tamara L. <Tamara.Pelc@ocps.net>; Moore, Thomas H. <thomas.moore2@ocps.net>; Jean Sanchez (JeSanchez@apopka.net) <JeSanchez@apopka.net>
Subject: APK-25-005 Wolf Lake Ranch Lutz

Good Afternoon,

Please find the attached capacity determination letter for APK-25-005 Wolf Lake Ranch Lutz.

Thank you,

Stefani Vitale
Senior Specialist, Facilities Planning
Orange County Public Schools
Tel: 407-317-3700 ext. 2023974
planning.ocps.net

The information contained in this e-mail message is intended solely for the recipient(s) and may contain privileged information. Tampering with or altering the contents of this message is prohibited. This information is the same as any written document and may be subject to all rules governing public information according to Florida Statutes. Any message that falls under Chapter 119 shall not be altered in a manner that misrepresents the activities of Orange County Public Schools. [References: Florida State Constitution I.24, Florida State Statutes Chapter 119, and OCPS Management Directive A-9.] If you have received this message in error, or are not the named recipient notify the sender and delete this message from your computer.

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

The Apopka Chief
400 N. Park Avenue, Apopka, FL 32712
(407) 886-2777

I, J.C. Derrick, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of The Apopka Chief, a publication that is a "legal newspaper" as that phrase is defined for the city of Apopka, for county of Orange, in the state of Florida, that this affidavit is 1 of 3 with the full text of the sworn-to notice set forth on the page(s) that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

Publication Dates:
- Jul 11, 2025

Notice ID: nIU9dyvZ9oEbAv0DZTrf

Notice Name: City of Apopka ords. 3110 and 3111

J. C. Derrick
Publisher

VERIFICATION

STATE OF FLORIDA
COUNTY OF ORANGE

Signed or attested before me on this

11 day of July, A.D. 2025.

Nancy C Thomas
Notary Public

Notary Public State of Florida
Nancy C Thomas
My Commission HH 688639
Expires 7/4/2029

CITY OF APOPKA
PUBLIC HEARING NOTICE
SMALL-SCALE FUTURE LAND USE AMENDMENT AND CHANGE OF ZONING

NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Bill Maki** has made application relating to the following described property.

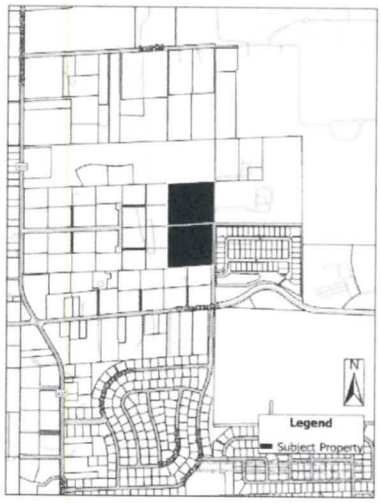
ORDINANCE NO. 3110

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 MIXED-USE TO RESIDENTIAL VERY LOW SUBURBAN FOR CERTAIN REAL PROPERTY OWNED BY LUTZ DAVID L LIFE ESTATE; LUTZ MARY T LIFE ESTATE; REM: DAVID M LUTZ; REM: MICHELLE M GREGORY; PONKAN PINES NURSERY INC.; GENERALLY LOCATED NORTH OF PONKAN ROAD, WEST OF PONKAN PINES ROAD AND JASON DWELLEY PARKWAY; COMPRISING 21.43 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

and

ORDINANCE NO. 3111

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM MU-ES-GT (MIXED-USE — GATEWAY — EAST SHORE) TO RSF-1B (RESIDENTIAL SINGLE-FAMILY — LARGE LOT) FOR CERTAIN REAL PROPERTY OWNED BY LUTZ DAVID L LIFE ESTATE; LUTZ MARY T LIFE ESTATE; REM: DAVID M LUTZ; REM: MICHELLE M GREGORY; PONKAN PINES NURSERY INC.; GENERALLY LOCATED NORTH OF PONKAN ROAD, WEST OF PONKAN PINES ROAD AND JASON DWELLEY PARKWAY; COMPRISING 21.43 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): 19-20-28-0000-00-019 and 19-20-28-0000-00-035
Contains: 21.43 +/- Acres

NOTICE is given that a public hearing for Ordinance Numbers 3083 and 3084 will be held by the **City of Apopka Planning Commission** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:30 P.M.**

FURTHER NOTICE is given that a public hearing for Ordinance Numbers 3083 and 3084 will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, August 20, 2025 at 7:00 P.M. and Wednesday, September 2, 2025 at 1:30 P.M.**

Affected parties and the public may appear at the above listed hearings to speak. The proposed Future Land Use and Rezoning Applications can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 A.M. and 4:30 P.M. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with

Newspaper page size: Width: 11.25 in., Height: 20.125 in.

the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka FL 32703, Telephone: 407-703-1704, no less than 48 hours prior to the proceeding.

Apopka City Council
Apopka Planning Commission
Community Development Department

July 11, 2025

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 6.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Legislative - Ordinance No. 3119 - Future Land Use Amendment - Cold Link Logistics

ACTION ITEM INFORMATION:
Owner(s): MG88 Central Florida Cold Storage II LLC
Applicant(s): Joshua Enot
Location: 2424 & 2428 W Orange Blossom Trail
Project: 0.38 Acres +/-
Density: 0.6 MAX FAR
Project Manager: Amer Hamza

REQUEST:
Recommend approval of the Future Land Use Map Amendment from County Industrial to City Industrial for 2424 & 2428 W Orange Blossom Trail.

SUMMARY:
Owner(s): MG88 Central Florida Cold Storage II LLC
Applicant: Joshua Enot
Parcel Identification Number(s): 21-28-7180-09-050, 06-21-28-7180-09-070
Location: 2424 & 2428 W Orange Blossom Trail
Existing Future Land Use: County Industrial
Proposed Future Land Use: City Industrial
Existing Use(s): Single Family Home and Commercial Business
Existing Zoning: T (Transitional) Zoning District
Tract Size: 0.38 +/- Acres

Zoning Report
This chart includes the relationships to adjacent properties.

Direction	Future Land Use	Zoning	Present Use
North	Commercial, County Commercial	I-L (Light Industrial District), County C-3 (Wholesale Commercial District)	Car Dealership, Vacant Land
East	Industrial	I-L (Light Industrial District)	Warehouse
South	Industrial	I-L (Light Industrial District)	Warehouse
West	Industrial	I-L (Light Industrial District)	Warehouse

PROJECT SUMMARY:
The applicant has submitted a Small-Scale Future Land Use Amendment from County Industrial to City Industrial for two parcels which have a total area of 0.38 acres. The two properties are located at 2424 & 2428 W. Orange Blossom Trail. A single-family home exists on one of the properties and a commercial business exists on the other property. The applicant is requesting the Small-Scale Future Land Use Amendment to allow for the expansion of the existing Cold Link Logistics building surrounding the two properties and to be compatible with the proposed zoning of the property which is I-L (Light Industrial) zoning per Land Development Code Table 1.8.2. The proposed

Industrial future land use designation is compatible with the surrounding area as the property that surrounds the two properties have a future land use designation of Industrial. Other properties in the surrounding area also have a future land use designation of Industrial as well.

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

a. Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans;
- Applicant's response: Yes, this is consistent with the goals, objectives and policies of the comprehensive plan and other adopted City plans. The land around the subject parcels is listed for industrial use.
- Staff response: Staff has no objection.

b. Is in conflict with any provisions of the LDC;
- Applicant's response: No, this is not in conflict with any portion of the LDC.
- Staff response: Staff has no objection.

c. Addresses a demonstrated community need;
- Applicant's response: Yes, it will benefit the community with a cold storage facility expansion and add additional jobs to the community.
- Staff response: Staff has no objection.

d. Is required by changed conditions;
- Applicant's response: Yes, the site has been annexed into the city and needs to be assigned a future land use and a zoning.
- Staff response: Staff has no objection.

e. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;
- Applicant's response: Yes, the surrounding use of all parcels is industrial.
- Staff response: Staff has no objection.

f. Would result in a logical and orderly development pattern;
- Applicant's response: Yes, as the site is currently zoned it is not logical or orderly. Adjusting the future land use and zoning will result in a logical and orderly development.
- Staff response: Staff has no objection.

g. Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
- Applicant's response: It would not result in a significant adverse impact on the natural environment.
- Staff response: Staff has no objection.

h. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).
- Applicant's response: Yes, the public facilities in the area are adequate for the proposed land use and zoning.
- Staff response: Staff has no objection.

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on June 30, 2025.

PUBLIC HEARING SCHEDULE:
August 12, 2025 – Planning Commission (5:30 P.M.)
September 3, 2025 – City Council (1:30 P.M.), First Reading
September 17, 2025 – City Council (7:00 P.M.), Second Reading and Adoption

DULY ADVERTISED:

July 18, 2025 – Apopka Chief
July 16, 2025 – Mailed notices to adjacent property owners
July 16, 2025 – Posters placed on property

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES

Direction	Future Land Use	Zoning	Present Use
North	Commercial, County Commercial	I-L (Light Industrial District), County C-3 (Wholesale Commercial District)	Car Dealership, Vacant Land
East	Industrial	I-L (Light Industrial District)	Warehouse
South	Industrial	I-L (Light Industrial District)	Warehouse
West	Industrial	I-L (Light Industrial District)	Warehouse

II. LAND USE ANALYSIS

The subject properties are located on the W. Orange Blossom Trail corridor that is comprised of Industrial businesses/warehouses and commercial businesses just northwest of the Mixed-Use Downtown Zoning District. Other parcels with Industrial Future Land Use exist in this area of the City. The subject properties currently have an existing single-family home and commercial business and have a total combined area of approximately 0.38 acres in size. This future land use amendment is being requested to be compatible with the proposed zoning of the property which is I-L (Light Industrial) and to allow for the expansion of the existing Cold Link Logistics building surrounding the two properties. The parcel is not located in the following areas:

Wekiva Parkway Interchange Vision Plan Area: No
Wekiva River Protection Area: No
Area of Critical State Concern: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The proposed Small-Scale Future Land Use Amendment request for a change from Commercial to Mixed Use is consistent with the terms of the JPA (Second Amendment).

City of Apopka Comprehensive Plan Policies:

Future Land Use Element:
Policy 3.1.l
Industrial

The primary use shall be industrial, intensive commercial, agricultural and business/research parks. Also allowed are public facilities and supporting infrastructure. The use of the Planned Unit Development process shall be encouraged. The maximum floor area ratio shall be .60.

Planned Unit Development uses may include:
(1) All primary uses
(2) Other uses deemed compatible with and complimentary to the other proposed master planned uses and the surrounding neighborhoods.

Transportation Element:
Policies 1.1 and 1.2 state that the City of Apopka is a Transportation Concurrency Exception Area. The subject properties have existing access from W Orange Blossom Trail.

Infrastructure Element:
Policies 1.1.1, 2.1.1 and 5.1.2 state the minimum levels of service for the City's wastewater and water systems as well as the City's solid waste collection service.

Conservation Element:
A habitat study will not be required as the development is less than ten (10) acres.

Land Use Calculations:

CURRENT: Future Land Use – County Industrial
0.75 maximum FAR X 0.38 ac = 12,414.6 square feet

PROPOSED: Future Land Use – City Industrial
0.6 maximum FAR X 0.38 ac = 9,931.68 square feet

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

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:
Development Review Committee:
Recommends approval of the change in Future Land Use from County Industrial to City Industrial and finds the proposed amendment consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, recommending approval of the future land use amendment, based on the findings and facts presented in the staff report and exhibits.

Recommended Motion – Planning Commission:
Find the proposed Change of in Future Land Use from County Industrial to City Industrial, consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Future Land Use, based on the findings and facts presented in the staff report and exhibits.

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

ATTACHMENTS:
1. Ordinance Number 3119
2. Maps
3. Advertisement

ORDINANCE NO. 3119

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 INDUSTRIAL TO CITY INDUSTRIAL FOR PROPERTY OWNED BY MG88 CENTRAL FLORIDA COLD STORAGE II LLC; LOCATED AT 2424 & 2428 W ORANGE BLOSSOM TRAIL; COMPRISING 0.38 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the City's Comprehensive Plan by Ordinance No. 653 on October 2, 1991, in accordance with the laws of the State of Florida; and

WHEREAS, the City of Apopka is committed to planning and managing the future growth and development of the City; and

WHEREAS, the City Council of the City of Apopka has the authority to amend its Comprehensive Plan pursuant to Chapter 163, *Florida Statutes*; and

WHEREAS, the City of Apopka Planning Commission held a public hearing on August 12, 2025, to consider this small-scale amendment to the Future Land Use Map of the Comprehensive Plan and determined that this amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, the City of Apopka has complied with all requirements and procedures of Florida law in processing this small-scale amendment to the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka hereby finds and determines that this amendment is internally consistent with the City's Comprehensive Plan.

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

Section I. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act. The City of Apopka has complied with all requirements of Florida Law in processing this ordinance. The recitals set forth above recitals are hereby adopted.

Section II. Future Land Use Map Amendment. Page 1-32 (Map 1-6) of the Future Land Use Element of the City of Apopka Comprehensive Plan, is hereby amended to change the land use from County Industrial to City Industrial for MG88 Central Florida Cold Storage II LLC at 2424 & 2428 W Orange Blossom Trail, comprising 0.38 acres more or less; as shown and further described in Exhibit "A" attached hereto.

Section III. Applicability and Effect. The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Community Planning Act as set forth in Chapter 163, *Florida Statutes*.

Section IV. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed**.**

Section VI. Effective Date. This Ordinance shall become effective thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, the Ordinance shall become effective after the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with applicable law.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this _____ day of _____, 2025.

READ FIRST TIME: September 3, 2025

READ SECOND TIME AND ADOPTED:

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

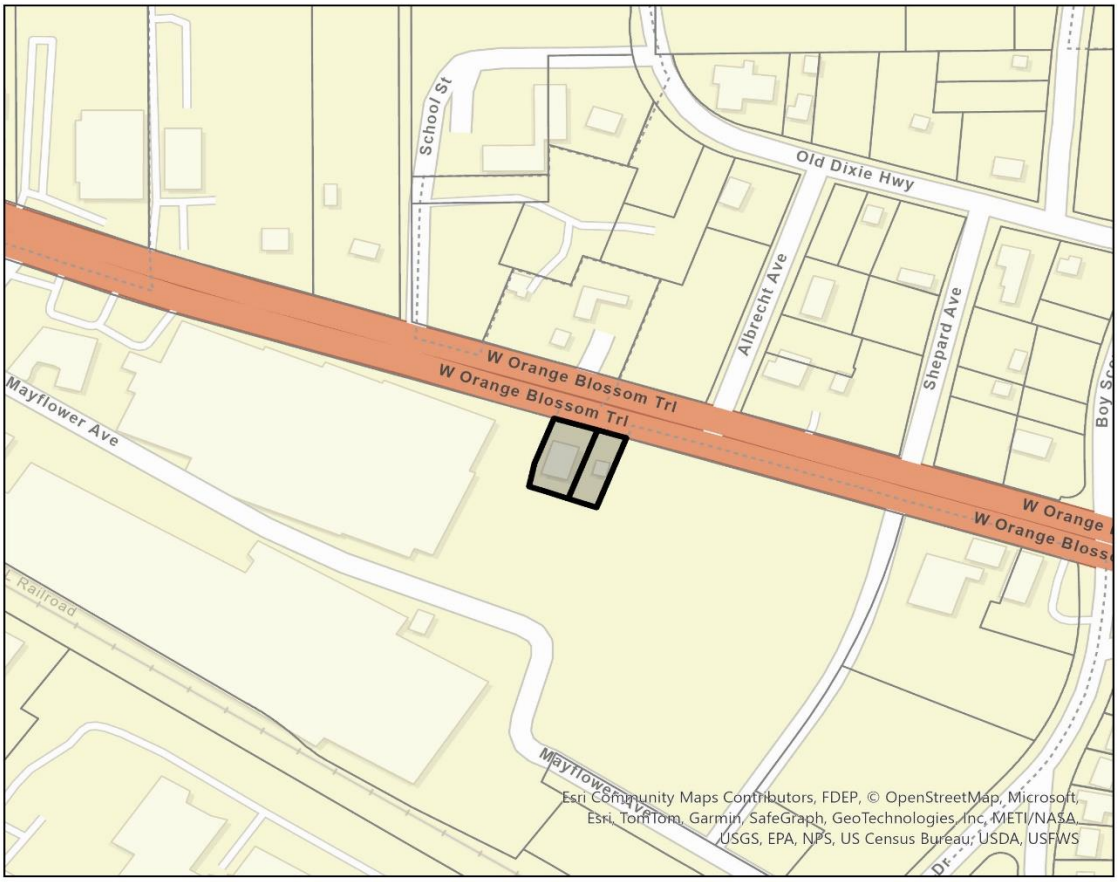
Approved as to form and legal sufficiency:

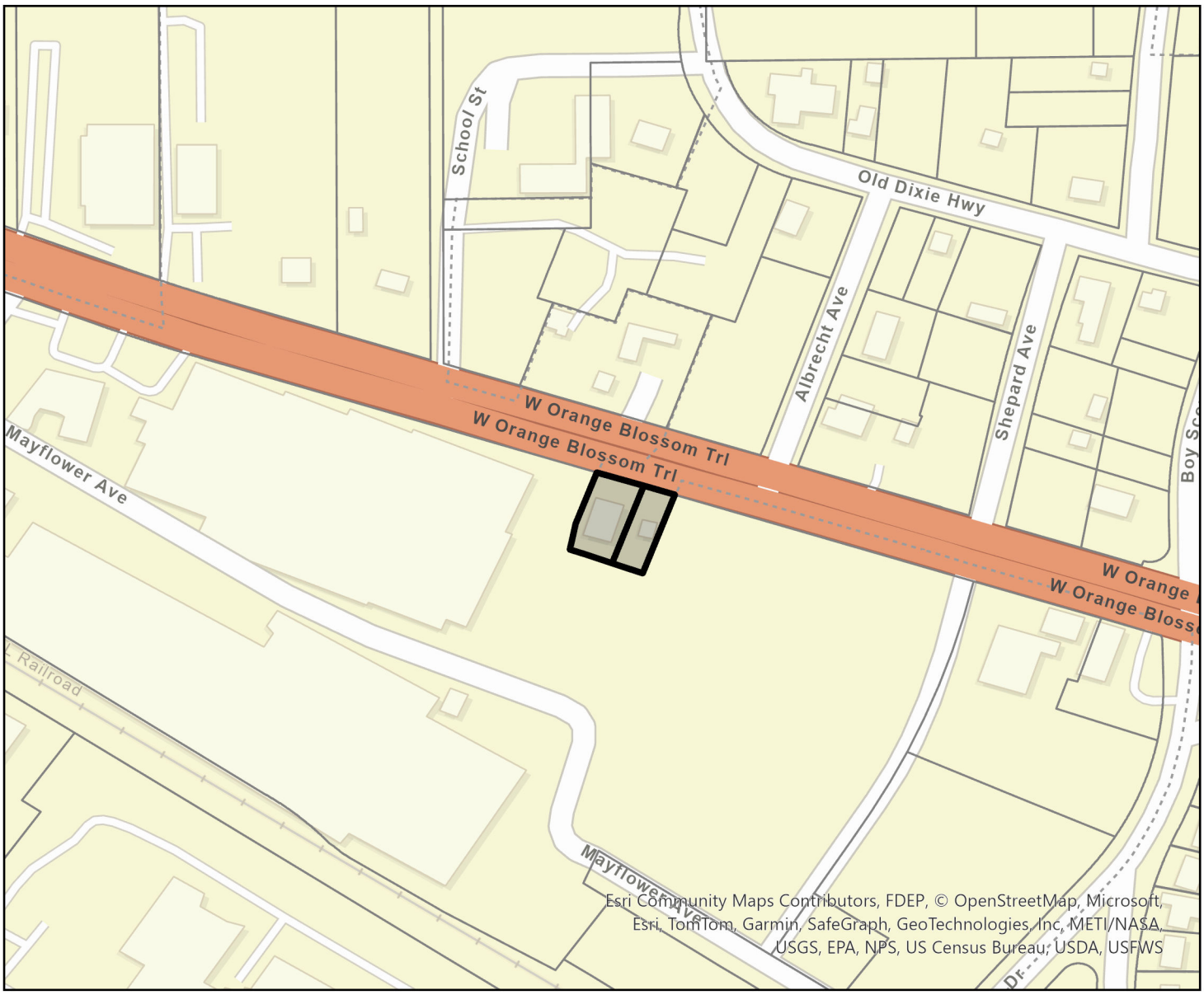
_____

Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 18, 2025

EXHIBIT "A"
Parcel Identification Number(s): 21-28-7180-09-050, 06-21-28-7180-09-070
Acreage: 0.38 +/- Acres





Parcel

2428 & 2424 W Orange Blossom Trail (Cold Link Logistics)

0 0.04 0.08 0.16 Miles

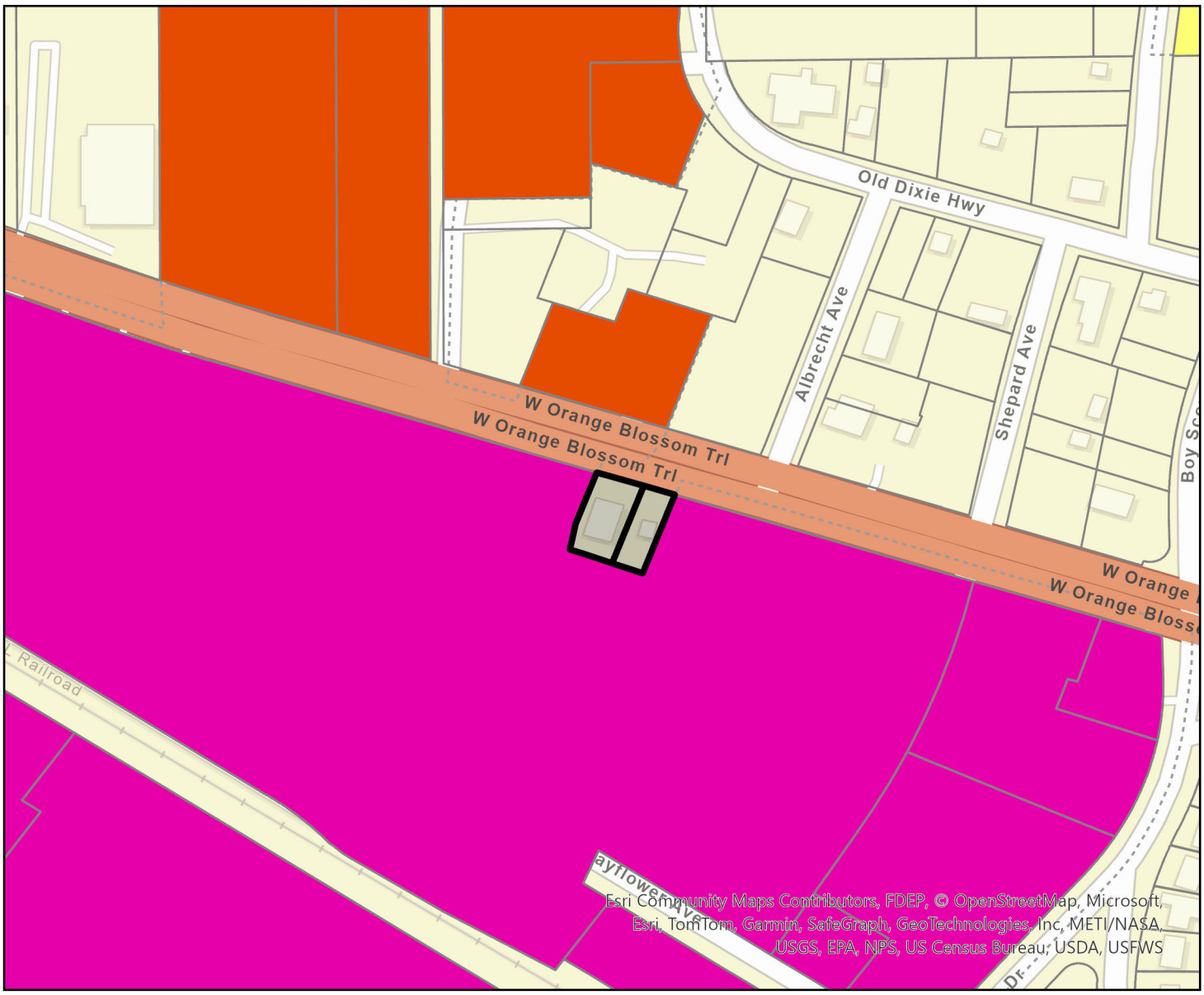
N

Parcel

2428 & 2424 W Orange Blossom Trail

0 0.04 0.08 0.16 Miles

N



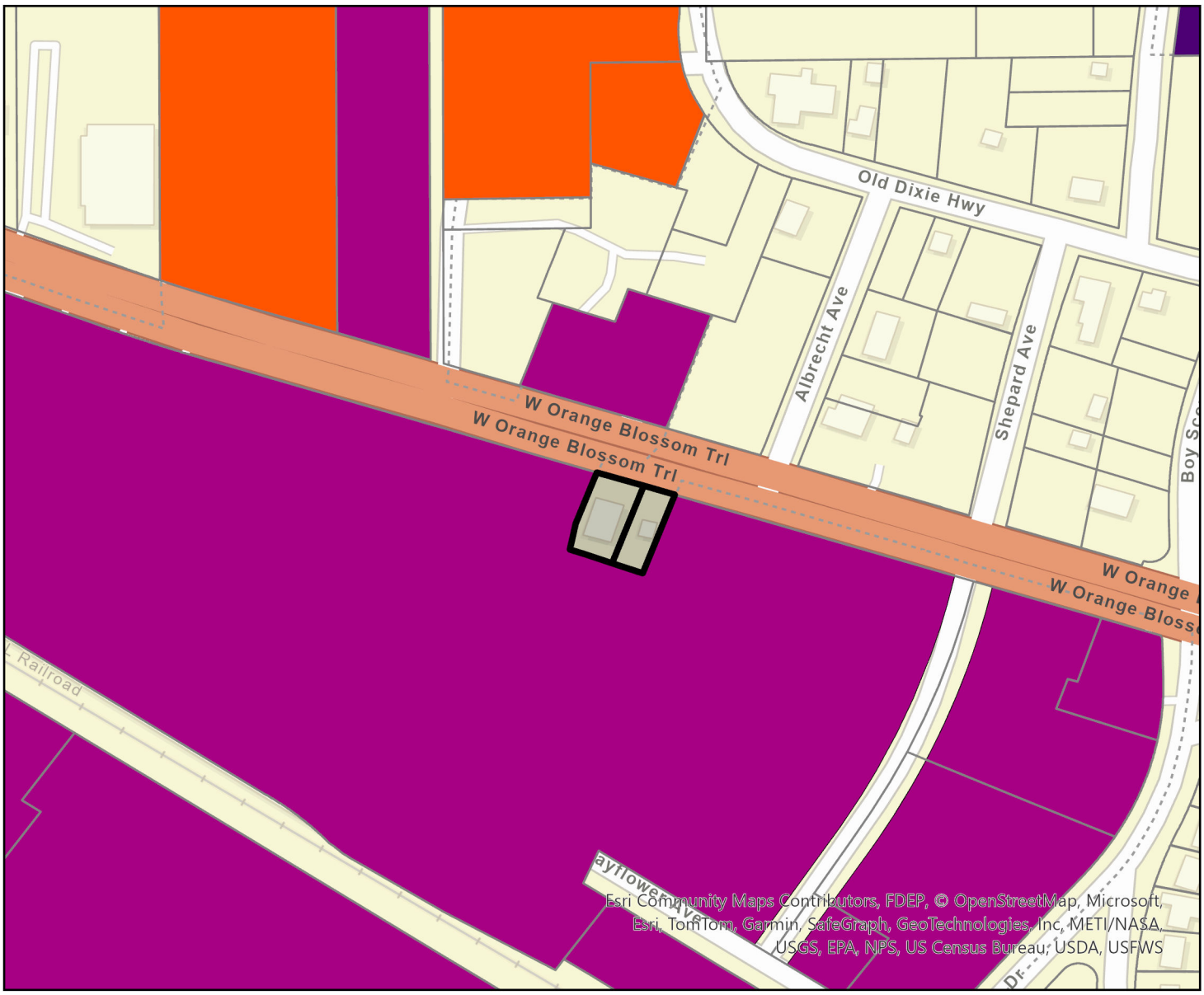
Parcel

Apopka Future Land Use

- AG
- AG-E
- AG-HOME
- COMM
- CONSV
- FLU-IP
- HDR-25
- IND
- INST_PU
- MU
- OFF
- PR
- RE
- RH
- RL
- RLS
- RM
- RML
- RS
- RVLS
- 2428 & 2424 W Orange Blossom Trail

0 0.04 0.08 0.16 Miles

N



Parcel

Apopka Zoning

- AG
- AIR
- C-C
- C-COR
- C-N
- C-R
- I-H
- I-L
- INST
- MHP
- MU-D
- MU-ES-GT
- MU-INT
- MU-MED
- MU-N
- MU-T
- MU-VC
- O
- PD
- PR
- RCE
- RMF
- RSF-1A
- RSF-1B
- RTF
- T
- 2428 & 2424 W Orange Blossom

0 0.04 0.08 0.16 Miles

N

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

The Apopka Chief
400 N. Park Avenue, Apopka, FL 32712
(407) 886-2777

I, J.C. Derrick, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of The Apopka Chief, a publication that is a "legal newspaper" as that phrase is defined for the city of Apopka, for county of Orange, in the state of Florida, that this affidavit is 1 of 3 with the full text of the sworn-to notice set forth on the page(s) that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

Publication Dates:
- Jul 18, 2025

Notice ID: hmbR0nrSqV7NNySgMYPp

Notice Name: City of Apopka ords. 3119 and 3120

J. C. Derrick

Publisher

VERIFICATION

STATE OF FLORIDA
COUNTY OF ORANGE

Signed or attested before me on this

18 day of July, A.D. 2025.

Nancy C Thomas

Notary Public

Notary Public State of Florida
Nancy C Thomas
My Commission HH 688639
Expires 7/4/2029

CITY OF APOPKA
PUBLIC HEARING NOTICE
CHANGE OF FUTURE LAND USE AND CHANGE OF ZONING

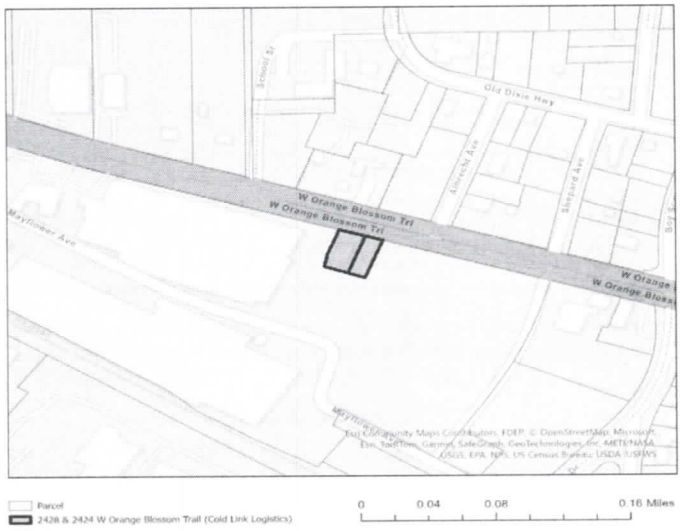
NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Joshua Enot** have made application relating to the following described property.

ORDINANCE NO. 3119

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE FUTURE LAND USE FROM COUNTY INDUSTRIAL TO CITY INDUSTRIAL, FOR PROPERTY LOCATED AT 2424 & 2428 W ORANGE BLOSSOM TRAIL; OWNED BY MG88 CENTRAL FLORIDA COLD STORAGE II LLC, COMPRISING 0.38 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

ORDINANCE NO. 3120

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM T (TRANSITIONAL) TO I-L (LIGHT INDUSTRIAL), FOR PROPERTY LOCATED AT 2424 & 2428 W ORANGE BLOSSOM TRAIL; OWNED BY MG88 CENTRAL FLORIDA COLD STORAGE II LLC, COMPRISING 0.38 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): 21-28-7180-09-050, 06-21-28-7180-09-070
Contains: 0.38 +/- Acres

Notice is given that the **City of Apopka Planning Commission** will hold a public hearing at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:30 P.M.**, or as soon thereafter as possible.

FURTHER NOTICE is given that a public hearing for Ordinance Numbers 3119 & 3120 will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, September 3, 2025 beginning at 1:30 P.M.**

Affected parties and the public may appear at the above listed hearings to speak. The proposed Small-Scale Future Land Use and Rezoning Applications can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with

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

Apopka City Council
Apopka Planning Commission
Community Development Department

July 18, 2025

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 7.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Quasi-Judicial - Ordinance No. 3120 - Change of Zoning - Cold Link Logistics

ACTION ITEM INFORMATION:
Owner(s): MG88 Central Florida Cold Storage II LLC
Applicant(s): Joshua Enot
Location: 2424 & 2428 W Orange Blossom Trail
Project: 0.38 Acres +/-
Density: N/A
Project Manager: Amer Hamza

REQUEST:
Recommend approval of the Change of Zoning from T (Transitional) to I-L (Light Industrial) to allow for the expansion of the existing Cold Link Logistics building surrounding the two properties.

SUMMARY:
Owner(s): MG88 Central Florida Cold Storage II LLC
Applicant: Joshua Enot
Parcel Identification Number(s): 21-28-7180-09-050, 06-21-28-7180-09-070
Location: 2424 & 2428 W Orange Blossom Trail
Existing Future Land Use: County Industrial
Proposed Future Land Use: City Industrial
Existing Use(s): Single Family Home and Commercial Business
Existing Zoning: T (Transitional) Zoning District
Tract Size: 0.38 +/- Acres

Direction	Future Land Use	Zoning	Present Use
North	Commercial, County Commercial	I-L (Light Industrial District), County C-3 (Wholesale Commercial District)	Car Dealership, Vacant Land
East	Industrial	I-L (Light Industrial District)	Warehouse
South	Industrial	I-L (Light Industrial District)	Warehouse
West	Industrial	I-L (Light Industrial District)	Warehouse

PROJECT SUMMARY:
The subject properties, which combined, are approximately 0.38 acres total in size. The properties are located at 2424 & 2428 W Orange Blossom Trail and currently have a single-family home and a commercial business. The applicant is requesting the rezoning of the property to allow for space towards the expansion of the existing Cold Link Logistics building surrounding the two properties. The proposed I-L (Light Industrial) zoning district is compatible with the surrounding area as the property adjacent to the rear and side property lines has a zoning designation of I-L (Light Industrial). Other properties located in the surrounding area have a zoning designation of I-L (Light Industrial) as well.

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

a. Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans;
- Applicant's response: Yes, this is consistent with the goals, objectives and policies of the comprehensive plan and other adopted City plans. The land around the subject parcels is listed for industrial use.
- Staff response: Staff has no objection.

b. Is in conflict with any provisions of the LDC;
- Applicant's response: No, this is not in conflict with any portion of the LDC.
- Staff response: Staff has no objection.

c. Addresses a demonstrated community need;
- Applicant's response: Yes, it will benefit the community with a cold storage facility expansion and add additional jobs to the community.
- Staff response: Staff has no objection.

d. Is required by changed conditions;
- Applicant's response: Yes, the site has been annexed into the city and needs to be assigned a future land use and a zoning.
- Staff response: Staff has no objection.

e. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;
- Applicant's response: Yes, the surrounding use of all parcels is industrial.
- Staff response: Staff has no objection.

f. Would result in a logical and orderly development pattern;
- Applicant's response: Yes, as the site is currently zoned it is not logical or orderly. Adjusting the future land use and zoning will result in a logical and orderly development.
- Staff response: Staff has no objection.

g. Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
- Applicant's response: It would not result in a significant adverse impact on the natural environment.
- Staff response: Staff has no objection.

h. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).
- Applicant's response: Yes, the public facilities in the area are adequate for the proposed land use and zoning.
- Staff response: Staff has no objection.

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on June 30, 2025.

PUBLIC HEARING SCHEDULE:
August 12, 2025 – Planning Commission (5:30 P.M.)
September 3, 2025 – City Council (1:30 P.M.), First Reading
September 17, 2025 – City Council (7:00 P.M.), Second Reading and Adoption

DULY ADVERTISED:
July 18, 2025 – Apopka Chief
July 16, 2025 – Mailed notices to adjacent property owners
July 16, 2025 – Posters placed on property

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:
Development Review Committee (DRC):
Recommends approval of the Change of Zoning from T (Transitional) to I-L (Light Industrial), finding the proposed change consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, based on the findings and facts presented in the staff report and exhibits.

Recommended Motion – Planning Commission:
Find the proposed Change of Zoning from T (Transitional) to I-L (Light Industrial), consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, recommend approval of the proposed Change of Zoning, based on the findings and facts presented in the staff report and exhibits.

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.

ATTACHMENTS:
1. Advertisement
2. Ordinance Number 3120
3. Maps

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

The Apopka Chief
400 N. Park Avenue, Apopka, FL 32712
(407) 886-2777

I, J.C. Derrick, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of The Apopka Chief, a publication that is a "legal newspaper" as that phrase is defined for the city of Apopka, for county of Orange, in the state of Florida, that this affidavit is 1 of 3 with the full text of the sworn-to notice set forth on the page(s) that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

Publication Dates:
- Jul 18, 2025

Notice ID: hmbR0nrSqV7NNySgMYPp

Notice Name: City of Apopka ords. 3119 and 3120

J. C. Derrick

Publisher

VERIFICATION

STATE OF FLORIDA
COUNTY OF ORANGE

Signed or attested before me on this

18 day of July, A.D. 2025.

Nancy C Thomas

Notary Public

Notary Public State of Florida
Nancy C Thomas
My Commission HH 688639
Expires 7/4/2029

CITY OF APOPKA
PUBLIC HEARING NOTICE
CHANGE OF FUTURE LAND USE AND CHANGE OF ZONING

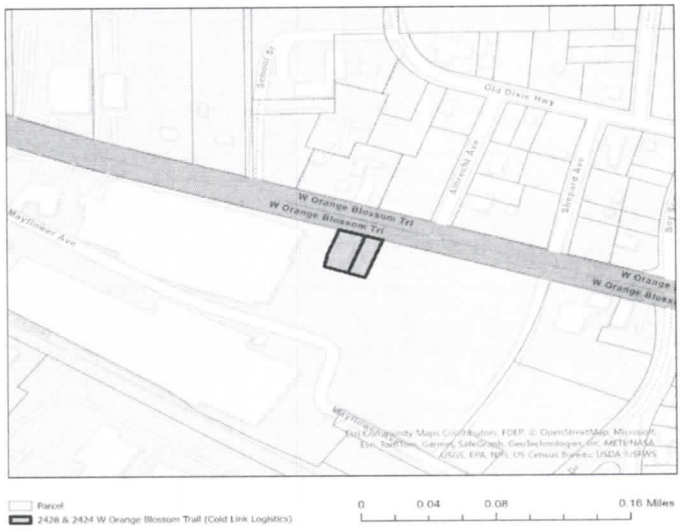
NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Joshua Enot** have made application relating to the following described property.

ORDINANCE NO. 3119

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE FUTURE LAND USE FROM COUNTY INDUSTRIAL TO CITY INDUSTRIAL, FOR PROPERTY LOCATED AT 2424 & 2428 W ORANGE BLOSSOM TRAIL; OWNED BY MG88 CENTRAL FLORIDA COLD STORAGE II LLC, COMPRISING 0.38 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

ORDINANCE NO. 3120

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM T (TRANSITIONAL) TO I-L (LIGHT INDUSTRIAL), FOR PROPERTY LOCATED AT 2424 & 2428 W ORANGE BLOSSOM TRAIL; OWNED BY MG88 CENTRAL FLORIDA COLD STORAGE II LLC, COMPRISING 0.38 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): 21-28-7180-09-050, 06-21-28-7180-09-070
Contains: 0.38 +/- Acres

Notice is given that the **City of Apopka Planning Commission** will hold a public hearing at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:30 P.M.**, or as soon thereafter as possible.

FURTHER NOTICE is given that a public hearing for Ordinance Numbers 3119 & 3120 will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, September 3, 2025 beginning at 1:30 P.M.**

Affected parties and the public may appear at the above listed hearings to speak. The proposed Small-Scale Future Land Use and Rezoning Applications can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with

Newspaper page size: Width: 11.25 in., Height: 20.125 in.

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

Apopka City Council
Apopka Planning Commission
Community Development Department

July 18, 2025

ORDINANCE NO. 3120

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM T (TRANSITIONAL) TO I-L (LIGHT INDUSTRIAL), FOR PROPERTY LOCATED AT 2424 & 2428 W ORANGE BLOSSOM TRAIL; OWNED BY MG88 CENTRAL FLORIDA COLD STORAGE II LLC; COMPRISING 0.38 ACRES, MORE OR LESS; PROVIDING FOR 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 applicant, MG88 Central Florida Cold Storage II LLC, on behalf of the fee simple owners of the Property, submitted an application for a change in zoning on the Property identified and depicted in Exhibit "A," attached hereto, from T (Transitional) to I-L (Light Industrial); and

WHEREAS, the proposed I-L (Light Industrial) District rezoning of the Property is consistent with the City's Comprehensive Plan and Land Development Code; and

WHEREAS, the City of Apopka Planning Commission, sitting as the Local Planning Agency, recommended approval of the change in the zoning of the Property and found that the rezoning is consistent with the City's Comprehensive Plan; and

WHEREAS, the City of Apopka has followed all statutory and Code requirements for noticing and advertising this rezoning Ordinance and public hearings associated with the rezoning; and

WHEREAS, the City Council has received public input on the rezoning and a recommendation from staff; and

WHEREAS, the City Council of the City of Apopka finds that the applicants have met the necessary criteria for rezoning under City's Land Development Code and that rezoning serves a legitimate public purpose and will not adversely affect the public interest.

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

Section I. Findings and Intent. The City of Apopka has complied with all requirements and procedures of Florida Law in processing this Ordinance. The recitals set forth above are hereby adopted.

Section II. Rezoning. The Property described and shown in Exhibit "A", being situated in the City of Apopka, Florida, is hereby rezoned and assigned the I-L (Light Industrial) Zoning District, as defined in the Apopka Land Development Code.

Section III. Zoning Map. The Official Zoning Map of the City of Apopka shall be amended to conform to the zoning assignment approved in Section 2 of this Ordinance. The Community Development Director, or the Director's designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

Section IV. Severability. 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 V. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. Effective Date. This Ordinance shall become effective immediately following such time that its companion future land use map amendment ordinance (Ordinance 3119) takes effect.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this ____ day of _____, 2025.

READ FIRST TIME: September 3, 2025

READ SECOND TIME AND
ADOPTED:

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

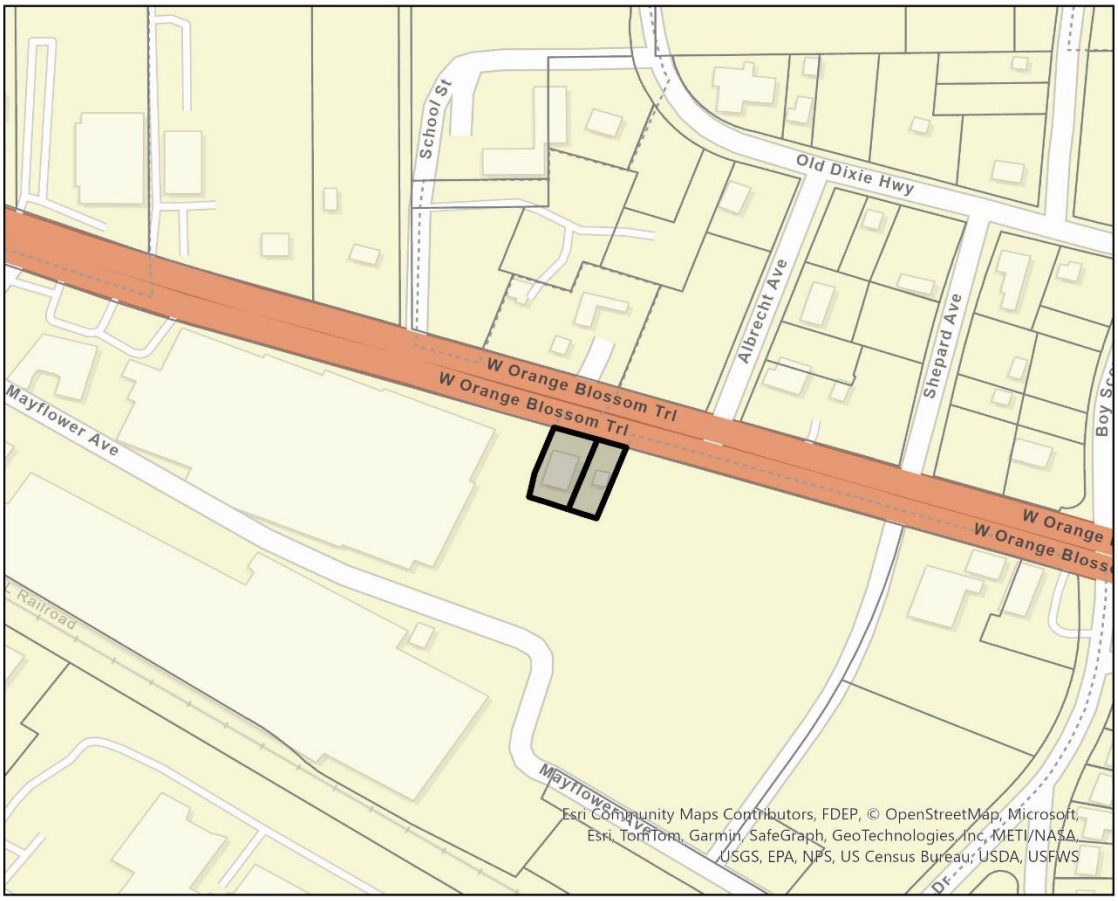
Approved as to form and legal sufficiency:

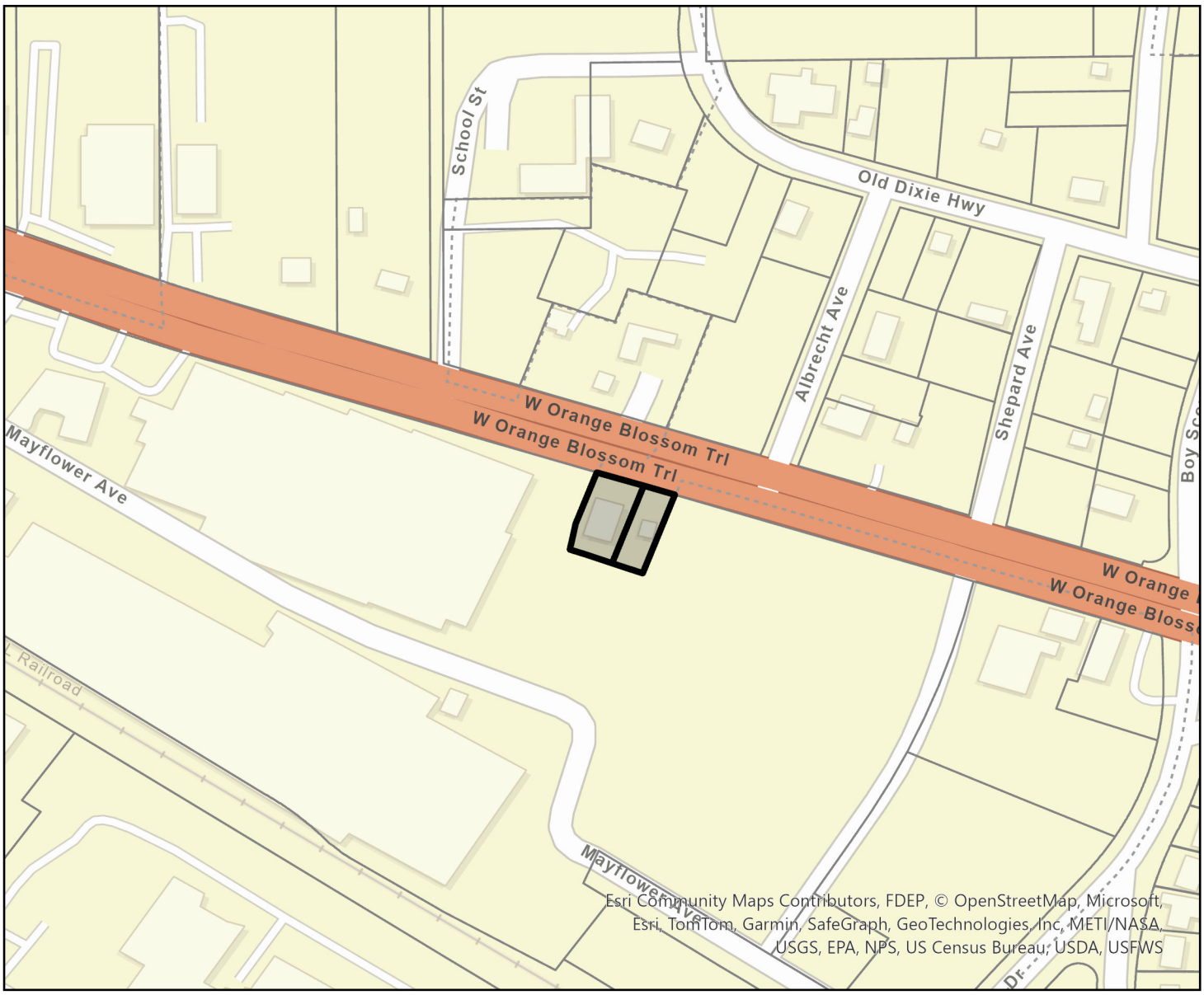
_____

Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 18, 2025

EXHIBIT A
Parcel Identification Number(s): 21-28-7180-09-050, 06-21-28-7180-09-070
Acreage: 0.38 +/- Acres





Parcel

2428 & 2424 W Orange Blossom Trail (Cold Link Logistics)

0 0.04 0.08 0.16 Miles

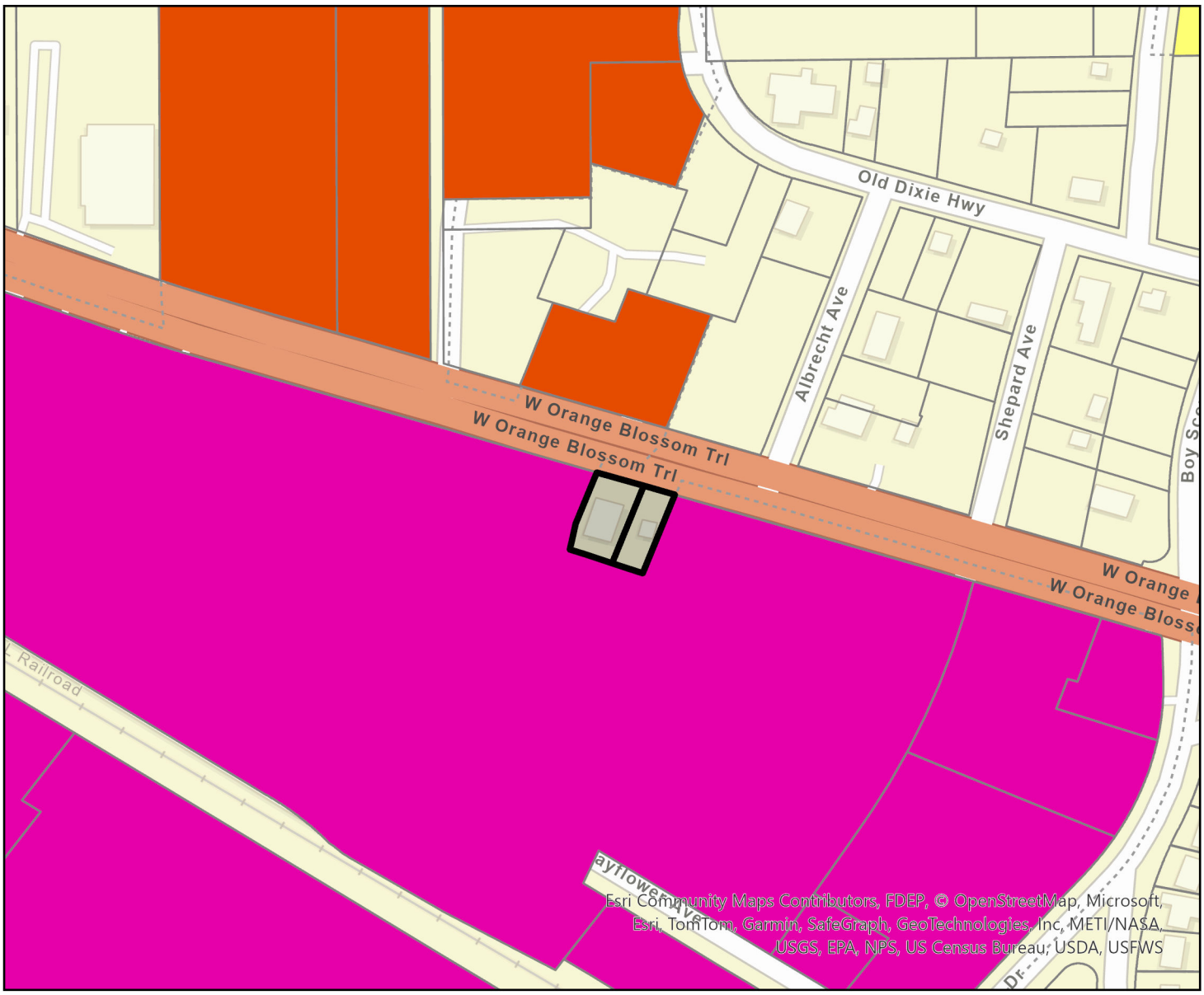
N

Parcel

2428 & 2424 W Orange Blossom Trail

0 0.04 0.08 0.16 Miles

N



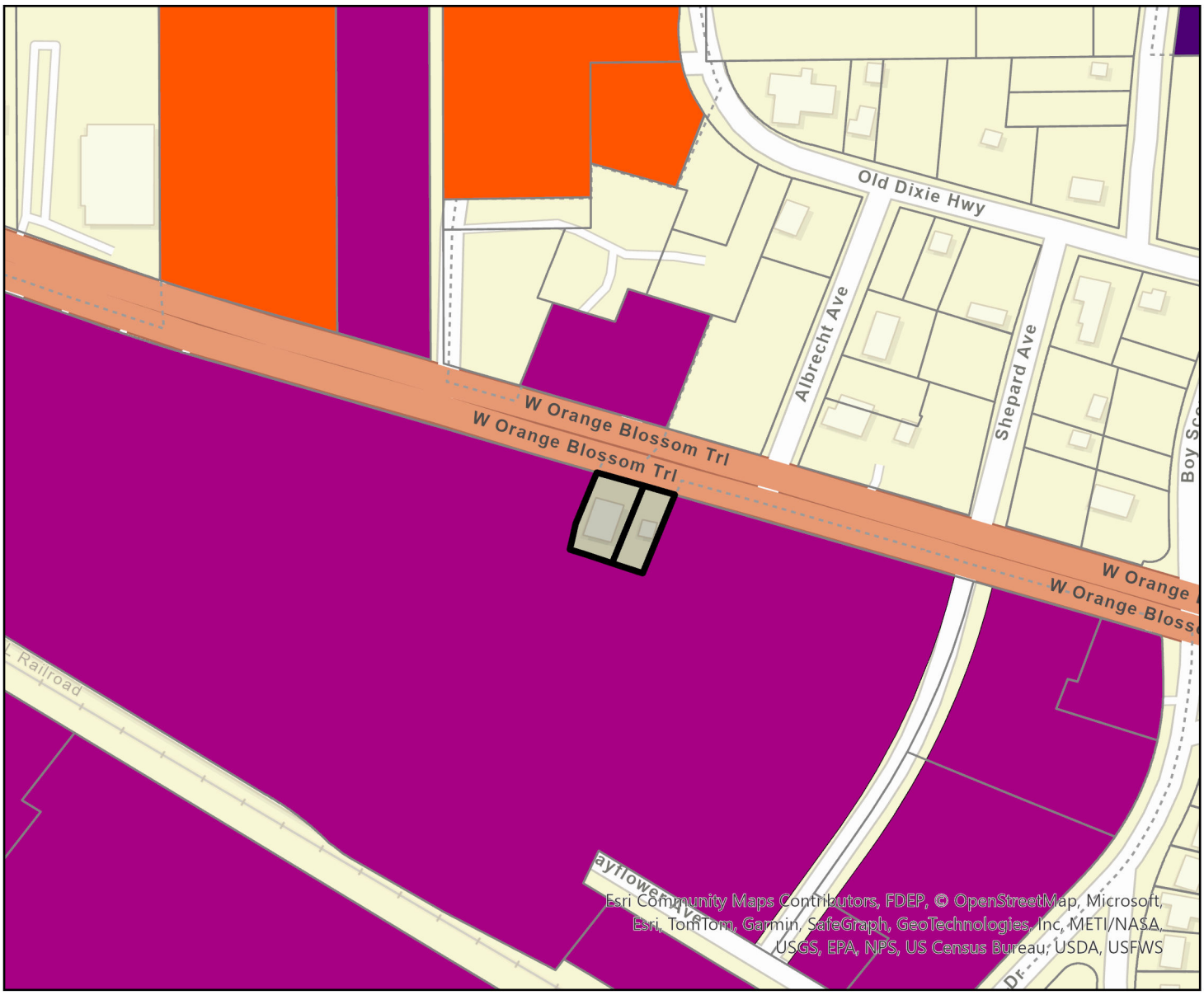
Parcel

Apopka Future Land Use

- AG
- AG-E
- AG-HOME
- COMM
- CONSV
- FLU-IP
- HDR-25
- IND
- INST_PU
- MU
- OFF
- PR
- RE
- RH
- RL
- RLS
- RM
- RML
- RS
- RVLS
- 2428 & 2424 W Orange Blossom Trail

0 0.04 0.08 0.16 Miles

N



Parcel

Apopka Zoning

- AG
- AIR
- C-C
- C-COR
- C-N
- C-R
- I-H
- I-L
- INST
- MHP
- MU-D
- MU-ES-GT
- MU-INT
- MU-MED
- MU-N
- MU-T
- MU-VC
- O
- PD
- PR
- RCE
- RMF
- RSF-1A
- RSF-1B
- RTF
- T
- 2428 & 2424 W Orange Blossom

0 0.04 0.08 0.16 Miles

N

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 8.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Legislative - Ordinance No. 3122 – Small-Scale Future Land Use Amendment – 1920 Sheeler Avenue

ACTION ITEM INFORMATION:
Owner(s): Marvin Wayne Reid and Susan Thomas Reid
Applicant(s): Jonathan Huels
Location: 1920 Sheeler Avenue (PID 22-21-28-0000-00-073, 22-21-28-0000-00-227)
Project: Small-Scale Future Land Use Amendment
Density: 3.5 DU/A
Project Manager: Jun Sohn, Ph.D.

REQUEST:
Recommend approval of the Future Land Use Map Amendment from County Rural and County Rural Settlement Low Density to City RLS (Residential Low Suburban) for 1920 Sheeler Avenue.

SUMMARY:
Owner(s): Marvin Wayne Reid and Susan Thomas Reid
Applicant: Jonathan Huels
Parcel Identification Number(s): 22-21-28-0000-00-073, 22-21-28-0000-00-227
Location: 1920 Sheeler Avenue
Existing Future Land Use: County Rural, County Rural Settlement Low Density
Proposed Future Land Use: RLS (Residential Low Suburban)
Existing Use(s): Residential, Vacant
Existing Zoning: County A-1
Tract Size: 40.16 +/- Acres
Proposed Number of Units: 115 single-family residential

Direction	Future Land Use	Zoning	Present Use
North	Residential Low	RSF-1B	Residential
East	County Rural, Rural Settlement Low Density	County A-1, R-1A, Agriculture	Residential
South	Residential High	RMF	Residential
West	County Rural, Rural Settlement Low Density	County Agriculture	Agricultural

PROJECT SUMMARY:
The subject property, which is approximately 40.16 acres in size, is located at 1920 Sheeler Avenue and is currently residential and vacant. The applicant is requesting the amendment of the future land use of the property

to be consistent and comparable with its surrounding properties. The property was annexed to the City of Apopka in 2025 by Ordinance Number 3112. The consistent and comparable future land use of this property is RLS (Residential Low Suburban).

The Future Land Use of RLS allows 3.5 dwelling units per acre according to the Comprehensive Plan. The applicant has proposed a new development of Single-Family residential subdivision. The maximum number of allowed dwelling units under the proposed future land use designation is 140 and the proposed number of units is 115 per the applicant.

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and to what extent the proposed amendment:

1. Is consistent with and furthers the goals, objectives, and policies of the comprehensive plan and other adopted City plans;

- Applicant's response: The proposed development for a 115 single-family lot subdivision with open space, a park, a lift station, and a stormwater management area is consistent with the Apopka Comprehensive Plan, FLUE Policy 3.1.d for the Low Density Suburban Residential future land use designation and allows up to 3.5 dwelling units per acre.
- Staff response: Staff has no objection.

2. Is in conflict with any provisions of the LDC;

- Applicant's response: The proposed development will not conflict with any portion of the Land Development Code policy and is consistent with LDC Section 3.3.6 by creating a residential character as intended by the zoning district.
- Staff response: Staff has no objection.

3. Addresses a demonstrated community need;

- Applicant's response: The City's approval of the Comprehensive Plan Amendment will allow the property to be developed under the RTF (residential two-family) zoning district to provide compact residential development with open space, infrastructure and amenities
- Staff response: Staff has no objection.

4. Is required by changed conditions;

- Applicant's response: As part of the annexation process, the establishment of the Future Land Use and Zoning District is required.
- Staff response: Staff has no objection.

5. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;

- Applicant's response: The 37 +/- acre parcel is no longer used as a grazing pasture. Rezoning the property to RTF would allow for compatible, low-density suburban development at 3.5 du/acre, which is consistent with the adjacent developed properties that also have a City zoning of RTF, as well as those parcels that remain in the County with zoning of Agriculture.
- Staff response: Staff has no objection.

6. Would result in a logical and orderly development pattern;

- Applicant's response: The proposed development would allow a logical and orderly residential development pattern consistent with existing adjacent properties to the north, south, and east.

- Staff response: Staff has no objection.

7. Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and

- Applicant's response: The proposed development will not result in impacts on the natural environment and is consistent with residential zoning district standards and state permitting requirements.
- Staff response: Staff has no objection.

8. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).

- Applicant's response: Proposed development would be served by the currently existing Apopka utilities and services in the area. The proposed development is designed with its own stormwater management area, a wetland buffer, and a lift station as recommended by City staff.
- Staff response: Staff has no objection.

SCHOOL CAPACITY REPORT:
An inquiry was sent to Orange County Public Schools (OCPS) regarding the school capacity requirement for this application. OCPS determined that school capacity for the subject development is available.
A result of the School Capacity Determination is as follows:

- Wekiva High School: Available
- Piedmont Lakes Middle School: Available
- Lakeville Elementary School: Available

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on May 9, 2025.

PUBLIC HEARING SCHEDULE:
August 12, 2025 – Planning Commission (5:00 P.M.)
September 3, 2025 – City Council (1:30 P.M.), First Reading
September 17, 2025 – City Council (7:00 P.M.), Second Reading and Adoption

DULY ADVERTISED:
July 18, 2025 – Apopka Chief
July 18, 2025 – Mailed notices to adjacent property owners
July 14, 2025 – Posters placed on property

LAND USE REPORT:

1. **Relationship of adjacent properties**

Direction	Future Land Use	Zoning	Present Use
North	Residential Low	RSF-1B	Residential
East	County Rural, Rural Settlement Low Density	County A-1, R-1A, Agriculture	Residential
South	Residential High	RMF	Residential

West	County Rural, Rural Settlement Low Density	County Agriculture	Agricultural

2. Land Use Analysis

The subject property is located in the Joint Planning Area. The property is surrounded by County Agricultural or Residential and City Residential uses. The properties on the North are RL (Residential Low allowing 5 DU/A, and on the South are RH (Residential High), allowing 15 DU/A.

Land use of the subject properties is recommended for RLS (Residential Low Suburban) for 3.5 dwelling units per acre to be comparable with its adjacent properties, as well as the Comprehensive Plan policies, Development Design Guidelines, and the Land Development Code.

The property is approximately 40.16 acres in size and is located in one of the following areas:

- Wekiva Parkway Interchange Plan Area: No
- Wekiva River Protection Area: No
- Area of Critical State Concern: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The proposed Small-Scale Future Land Use Amendment request for a change from County Rural and Rural Settlement Low Density to City RLS (Residential Low Suburban) is consistent with the terms of the JPA (Second Amendment).

City of Apopka Comprehensive Plan Policies:
Future Land Use Element:
Policy 3.1.d . Low Density Suburban Residential
The primary use shall be residential dwelling units up to 3.5 dwelling units per acre, elementary schools, middle schools, high schools, supporting infrastructure of less than two acres, and neighborhood parks.
Special exception uses shall include:
1) Institutional uses of five acres or less
2) Supporting infrastructure and public facilities of two acres or more
3) Horticultural nurseries as a primary use.

Transportation Element: Policies 1.1 and 1.2 state that the City of Apopka is a Transportation Concurrency Exception Area.

Infrastructure Element: Policies 1.1.1, 2.1.1, and 5.1.2 state the minimum levels of service for the City's wastewater and water systems as well as the City's solid waste collection service.

Conservation Element: A habitat study will not be required as the development is less than ten (10) acres.

Land Use Calculations:

- CURRENT: Future Land Use: County Rural Settlement Low Density = 19.5 AC * 4 DU/AC = 78 SF units + County Rural = 20.5 AC * 1/10 DU/AC = 2 SF units; Total of 80 SF units.
- PROPOSED: Future Land Use – Residential Very Low Suburban 3.5 DU/AC * 40.16 AC = 140.56 SF units

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

FUNDING SOURCE:
Not applicable.

RECOMMENDED MOTION:

Development Review Committee (DRC):

Recommends approval of the change in Future Land Use designation from County Rural and Rural Settlement Low Density to City RLS (Residential Low Suburban), finding the proposed amendment consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, based on the findings and facts presented in the staff report and exhibits.

Recommended Motion – Planning Commission:

Find the proposed Change in Future Land Use designation from County Rural and Rural Settlement Low Density to City RLS (Residential Low Suburban), consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, recommend approval of the proposed Change of Future Land Use, based on the findings and facts presented in the staff report and exhibits.

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

ATTACHMENTS:

1. Ordinance Number 3122
2. Map Series
3. Advertisement
4. APK-25-010 Capacity Determination Letter

ORDINANCE NO. 3122

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 RURAL AND RURAL SETTLEMENT LOW DENSITY TO CITY RESIDENTIAL LOW SUBURBAN FOR PROPERTY LOCATED AT 1920 SHEELER AVENUE; OWNED BY MARVIN WAYNE REID AND SUSAN THOMAS REID, COMPRISING 40.16 ACRES MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the City's Comprehensive Plan by Ordinance No. 653 on October 2, 1991, in accordance with the laws of the State of Florida; and

WHEREAS, the City of Apopka is committed to planning and managing the future growth and development of the City; and

WHEREAS, the City Council of the City of Apopka has the authority to amend its Comprehensive Plan pursuant to Chapter 163, *Florida Statutes*; and

WHEREAS, the City of Apopka Planning Commission held a public hearing on August 12, 2025, to consider this small-scale amendment to the Future Land Use Map of the Comprehensive Plan and determined that this amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, the City of Apopka has complied with all requirements and procedures of Florida law in processing this small-scale amendment to the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka hereby finds and determines that this amendment is internally consistent with the City's Comprehensive Plan.

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

Section I. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act. The City of Apopka has complied with all requirements of Florida Law in processing this ordinance. The recitals set

forth above recitals are hereby adopted.

Section II. Future Land Use Map Amendment. Page 1-32 (Map 1-6) of the Future Land Use Element of the City of Apopka Comprehensive Plan, is hereby amended to change the land use from County Rural and Rural Settlement Low Density to City Residential Low Suburban for certain real property generally located West of Sheeler Avenue and North of Keene Road, comprising 40.16 acres more or less; as shown and further described in Exhibit "A" attached hereto.

Section III. Applicability and Effect. The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Community Planning Act as set forth in Chapter 163, *Florida Statutes*.

Section IV. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed**.**

Section VI. Effective Date. This Ordinance shall become effective thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, the Ordinance shall become effective after the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with applicable law.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this _____ day of _____, 2025.

READ FIRST TIME: September 3, 2025

READ SECOND TIME AND ADOPTED: _____

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

Approved as to form and legal sufficiency:

_____

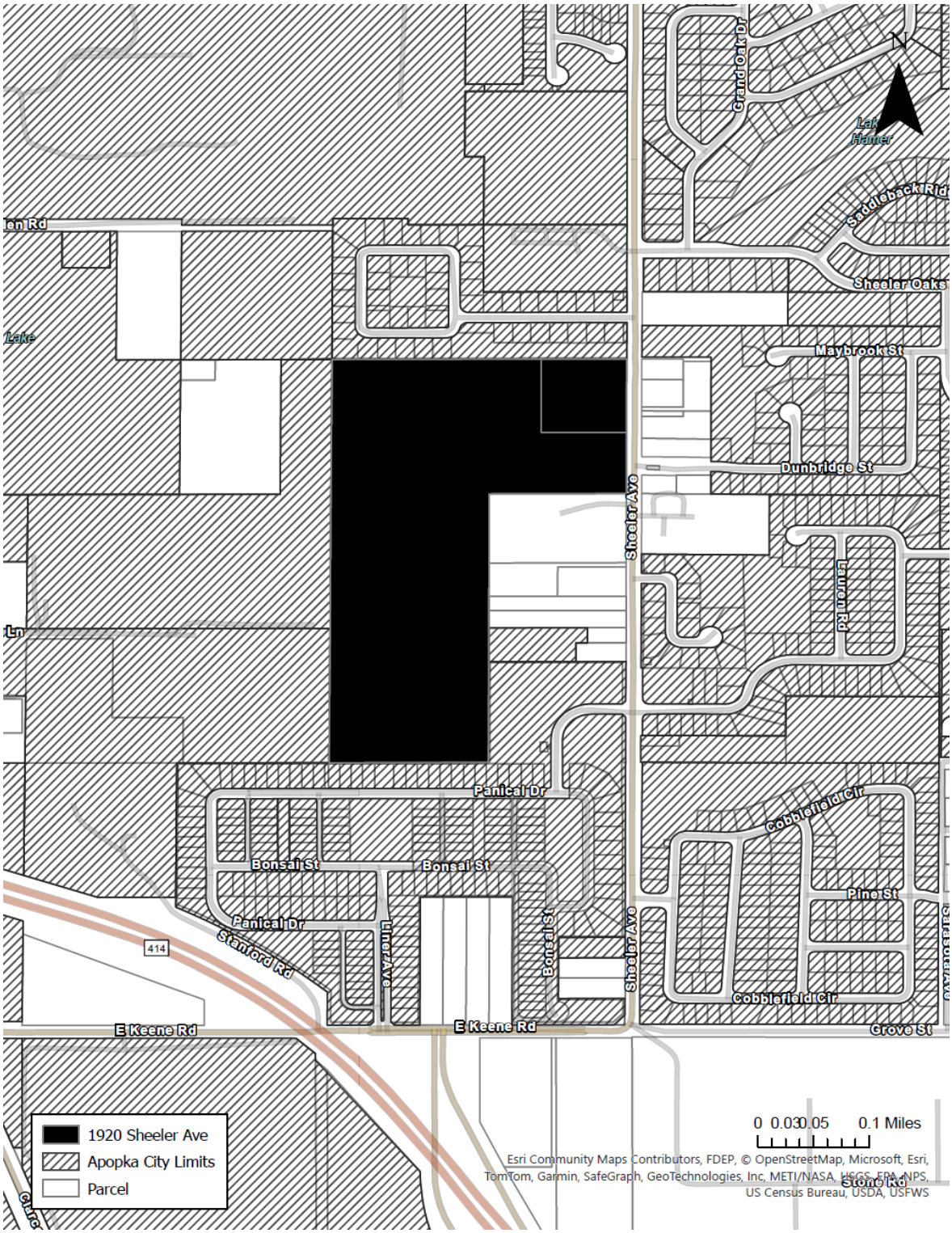
Clifford B. Shepard, City Attorney

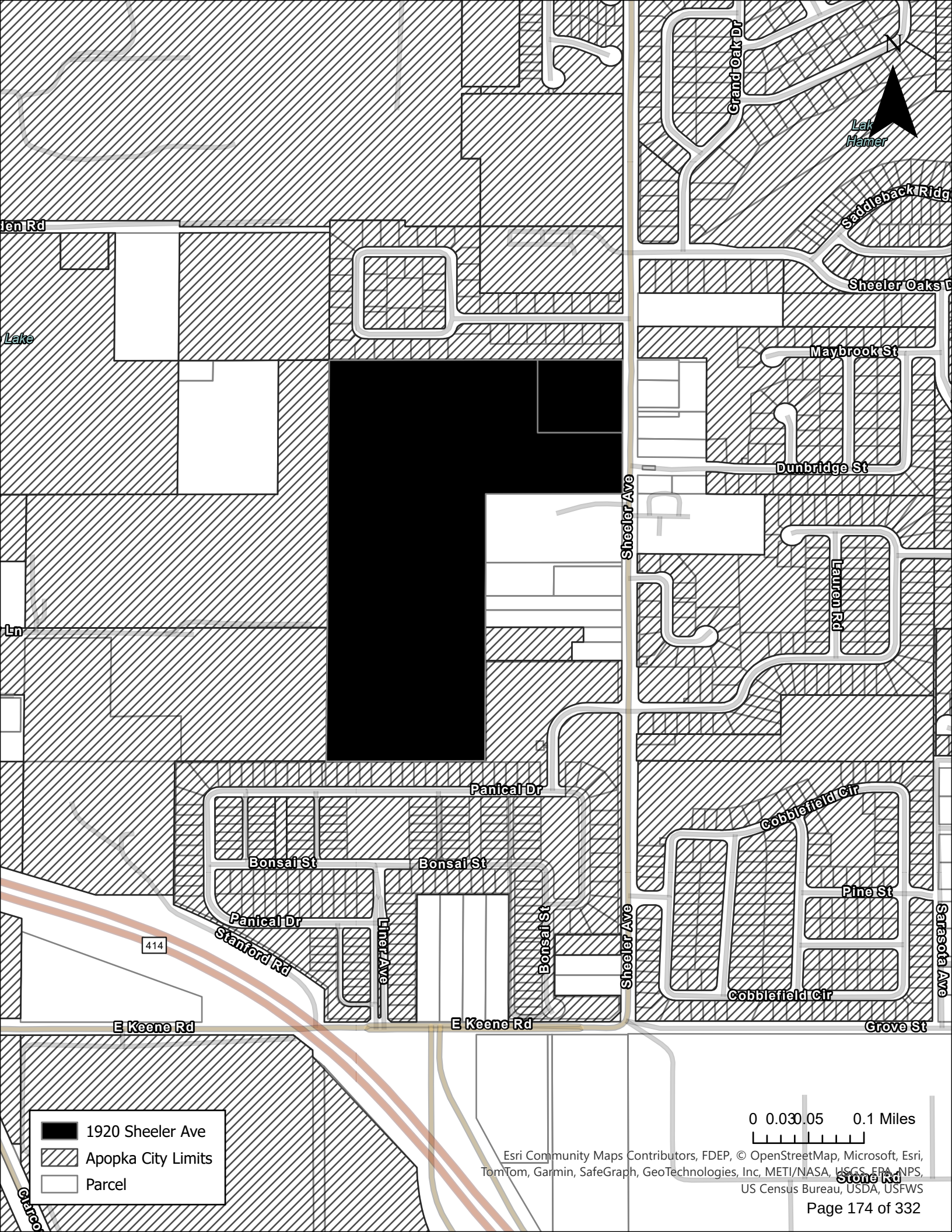
DULY ADVERTISED FOR PUBLIC HEARING: July 18, 2025

1

EXHIBIT "A"
Parcel Identification Number(s): 22-21-28-0000-00-073, 22-21-28-0000-00-227

Location Map





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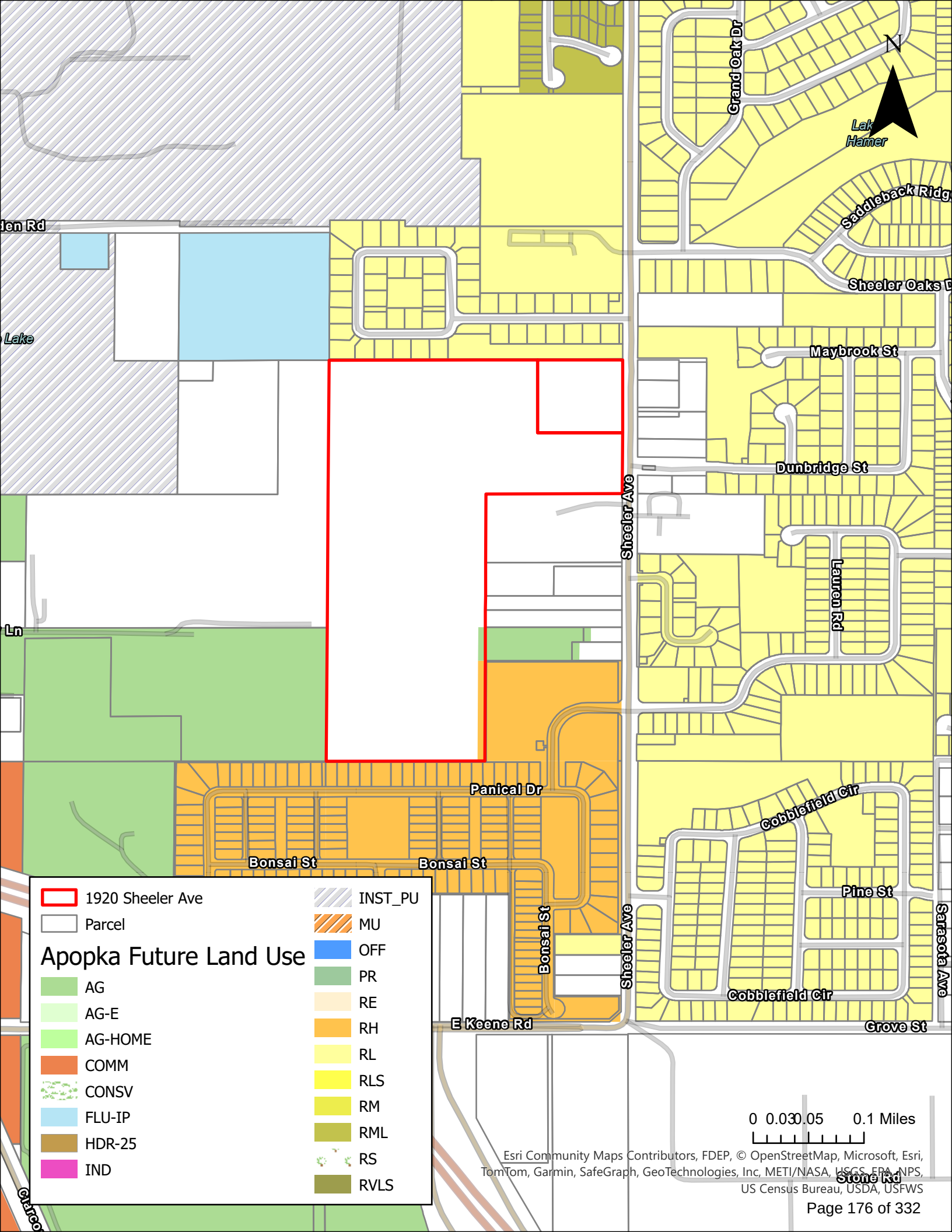
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Saddleback Ridg
Sheeler Oaks D
Maybrook St
Dunbridge St
Sheeler Ave
Lauren Rd
Panical Dr
Bonsai St
Bonsai St
Bonsai St
Cobblefield Cir
Cobblefield Cir
Pine St
Sarasota Ave
E Keene Rd
Grove St
Stone Rd
1920 Sheeler Ave
Parcel
Apopka Future Land Use
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AG-E
AG-HOME
COMM
CONSV
FLU-IP
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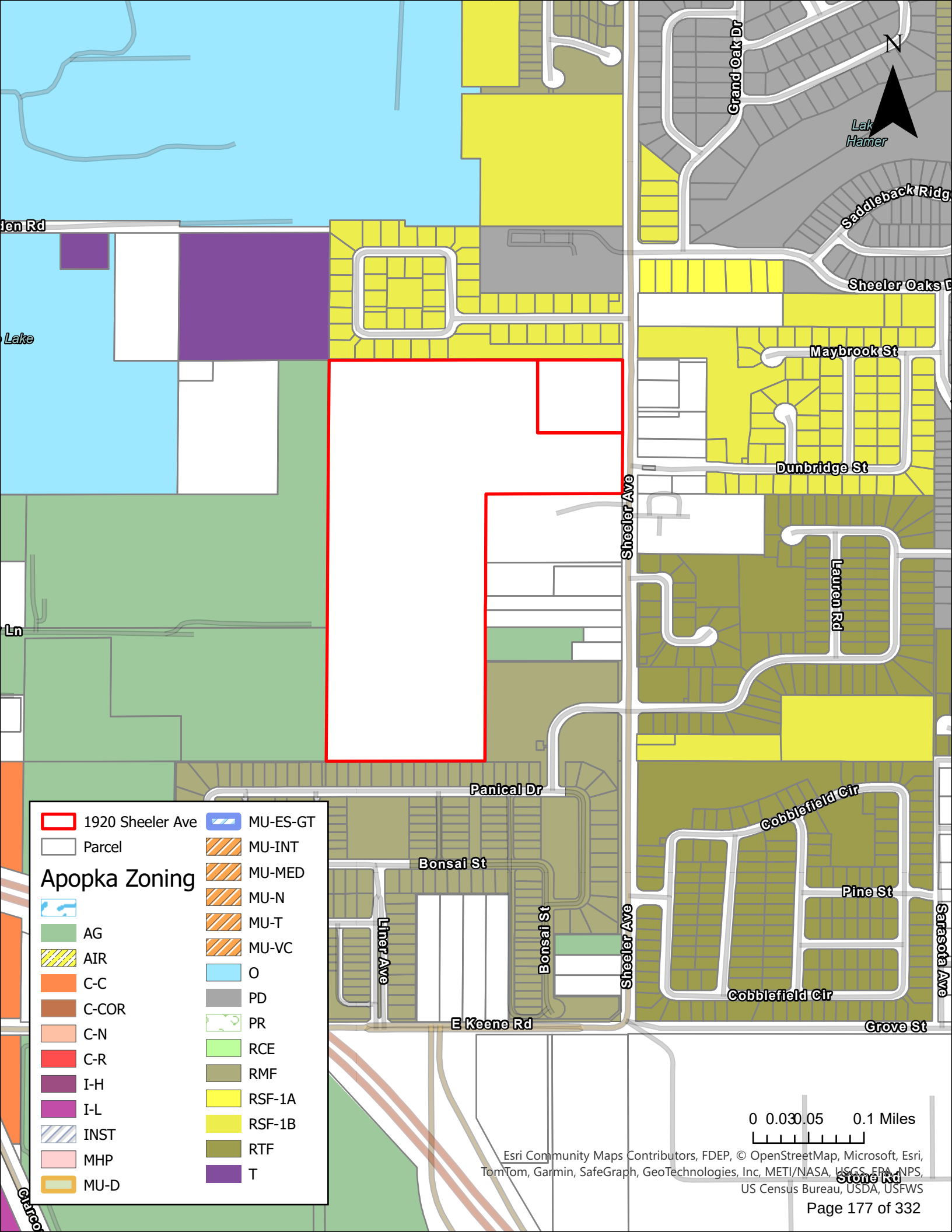
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Grand Oak Dr
Lake Hamer
Saddleback Ridge
Sheeler Oaks
Maybrook St
Dunbridge St
Sheeler Ave
Lauren Rd
Panical Dr
Cobblefield Cir
Bonsai St
Pine St
Liner Ave
Bonsai St
Sheeler Ave
Sarasota Ave
Cobblefield Cir
E Keene Rd
Grove St
Stone Rd
1920 Sheeler Ave
Parcel
Apopka Zoning
AG
AIR
C-C
C-COR
C-N
C-R
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CITY OF APOPKA
PUBLIC HEARING NOTICE
FUTURE LAND USE AMENDMENT
AND CHANGE OF ZONING

NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Jonathan Huels** has made application relating to the following described property.

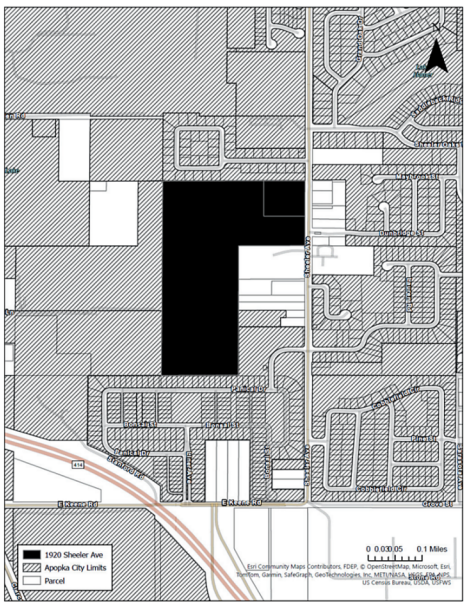
ORDINANCE NO. 3122

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE FUTURE LAND USE FROM "COUNTY" RURAL TO RLS (RESIDENTIAL LOW SUBURBAN), FOR CERTAIN REAL PROPERTY LOCATED 1920 SHELLER AVENUE; OWNED BY MARVIN WAYNE AND SUSAN THOMAS REID, COMPRISING 40.16 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

and

ORDINANCE NO. 3123

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM T (TRANSITION) TO RTF (Residential Two-Family DISTRICT), FOR CERTAIN REAL PROPERTY LOCATED 1920 SHELLER AVENUE; OWNED BY MARVIN WAYNE AND SUSAN THOMAS REID, COMPRISING 40.16 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): 22-21-28-0000-00-073 and 22-21-28-0000- 00-227
Contains: 40.16 +/- Acres

Notice is given that the **City of Apopka Planning Commission** will hold a public hearing at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:00 P.M.**, or as soon thereafter as possible.

FURTHER NOTICE is given that a public hearing for **Ordinance Number 3122 and 3123** will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, September 3, 2025 beginning at 1:30 P.M.**

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Apopka City Council
Apopka Planning Commission
Community Development Department

July 18, 2025

Orange County Public Schools

6501 Magic Way · Building 200 · Orlando, Florida 32809 · (407) 317-3700 · www.ocps.net

FORMAL SCHOOL CAPACITY DETERMINATION
CAPACITY LETTER

June 5, 2025

E-MAIL:JONATHAN.HUELS@LOWNDES-LAW.COM
Jonathan P. Huels
Lowndes Law Firm
215 N. Eola Dr.
Orlando, FL 32801

Application APK-25-010 1920 Sheeler Ave. FLUM

This letter serves as the official determination by Orange County Public Schools that school capacity for the following development is **AVAILABLE**:

Type of Development Application	☒ FLUM ☒ Rezoning ☐ Amendment or Extension CEA		
Development Application #:	TBD		
Project Name:	1920 Sheeler Ave. FLUM		
OCPS Completed Application Date:	06/04/2025		
Parcel #(s):	22-21-28-0000-00-073 and 22-21-28-0000-00-227		
Requested New Units (#):	SF: 111	MF:	TH:
Vested Unit(s):	SF: 4	MF:	TH:
Total Project Units:	115		
School Board District:	#7		

In accordance with Section 8 of the Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency ("Interlocal Agreement"), a detailed Capacity Analysis is provided in **Attachment A**.

This determination expires on **December 01, 2025.** OCPS is not required to extend the expiration date of this determination letter. In the event this project does not possess Development Application approval from Apopka by the expiration date, but still intends to move forward in the development process, the applicant must resubmit the application and application fee to be reevaluated by OCPS. In addition, should the scope of the project change (e.g., modification of unit count and/or unit type), a new determination will be required.

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Please contact me at (407) 317-3700 ext. 2022139 or e-mail me at tamara.pelc@ocps.net with any questions.

Sincerely,

Tamara L. Pelc
Administrator, Facilities Planning

SV/tp

Attachments – Attachment A: Detailed Capacity Analysis

CC: Bobby Howell, City of Apopka (via e-mail)
Thomas Moore, OCPS (via e-mail)
Project File

Attachment A

Orange County Public Schools
Facilities Planning

School Capacity Determination

User ID SV June 4, 2025 15:08:48

Project ID: CEA – APK – 25 – 010 Valid Until: December 1, 2025

Project Name: 1920 SHEELER AVE FLUM/RZ (SHEELER PARK)

Unvested Units			Vested Units		
	Single Family Units:	111		Single Family Units:	4
	Multi Family Units:	0		Multi Family Units:	0
	Multi Family High Rise Units:	0		Multi Family High Rise Units:	0
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Capacity Enhancement	School Level	Elementary	Middle	High
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LAKEVILLE ES	
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WEKIVA HS	

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 9.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Quasi-Judicial – Ordinance No. 3123 – Change of Zoning – 1920 Sheeler Avenue

ACTION ITEM INFORMATION:
Owner(s): Marvin Wayne Reid and Susan Thomas Reid
Applicant(s): Jonathan Huels
Location: 1920 Sheeler Avenue
Project: Change of Zoning
Density: 3.5 DU/A
Project Manager: Jun Sohn, Ph.D.

REQUEST:
Recommend approval of the Change of Zoning from T (Transitional) to RTF (Residential Two-Family District) for the Residential Development at 1920 Sheeler Avenue.

SUMMARY:
Owner(s): Marvin Wayne Reid and Susan Thomas Reid
Applicant: Jonathan Huels
Parcel Identification Number(s): 22-21-28-0000-00-073, 22-21-28-0000-00-227
Location: 1920 Sheeler Avenue
Existing Zoning: T (Transitional)
Proposed Zoning: RTF (Residential Two-Family)
Existing Use(s): Residential, Vacant
Existing Future Land Use: County Rural and Rural Settlement Low Density
Tract Size: 40.16 +/- Acres
Proposed Number of Units: 115 single-family residential

Direction	Future Land Use	Zoning	Present Use
North	Residential Low	RSF-1B	Residential
East	County Rural, Rural Settlement Low Density	County A-1, R-1A, Agriculture	Residential
South	Residential High	RMF	Residential
West	County Rural, Rural Settlement Low Density	County Agriculture	Agricultural

PROJECT SUMMARY:
The subject properties, which are approximately 40.16 acres in size, are located at 1920 Sheeler Avenue and are currently residential and vacant. The applicant is requesting rezoning of the property to be consistent and comparable with its surrounding properties, for a new single-family residential subdivision on the properties. The

property was annexed to the City of Apopka in 2025 by Ordinance Number 3112.

The proposed use of the properties, which is single-family detached residential subdivision, is a permitted use in the RTF zoning district per Land Development Code Table 4.2.2.C. Land Development Code Section 10.3.1.D.1 defines ‘dwelling, single-family detached’ as follows: “a dwelling designed for or occupied exclusively by one family on a lot. There shall only be one single-family detached dwelling on one individual lot.”

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and to what extent the proposed amendment:

1.Is consistent with and furthers the goals, objectives, and policies of the comprehensive plan and other adopted City plans;

- Applicant’s response: The proposed development for a 115 single family lot subdivision with open space, a park, lift station and stormwater management area is consistent with the Apopka Comprehensive Plan FLUE Policy 3.1.d for the Low Density Suburban Residential future land use designation and allows up to 3.5 dwelling units per acre.
- Staff response: Staff has no objection.

2. Is in conflict with any provisions of the LDC;

- Applicant’s response: The proposed development will not conflict with any portion of the Land Development Code policy and is consistent with LDC Section 3.3.6 by creating a residential character as intended by the zoning district.
- Staff response: Staff has no objection.

3. Addresses a demonstrated community need;

- Applicant’s response: The City’s approval of the Comprehensive Plan Amendment will allow the property to be developed under the RTF (residential two-family) zoning district to provide compact residential development with open space, infrastructure and amenities
- Staff response: Staff has no objection.

4. Is required by changed conditions;

- Applicant’s response: As part of the annexation process, establishment of the Future Land Use and Zoning District is required.
- Staff response: Staff has no objection.

5. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;

- Applicant’s response: The 37 +/- acre parcel is no longer used as a grazing pasture. Rezoning the property to RTF would allow for compatible, low density suburban development at 3.5 du/acre which is consistent with the adjacent developed properties that also have a City zoning of RTF as well as those parcels that remain in the County with zoning of Agriculture.
- Staff response: Staff has no objection.

6. Would result in a logical and orderly development pattern;

- Applicant’s response: The proposed development would allow logical and orderly residential development pattern consistent with existing adjacent properties to the north, south and east.
- Staff response: Staff has no objection.

7. Would not result in significant adverse impacts on the natural environment, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and

- Applicant's response: The proposed development will not result in impacts on the natural environment and is consistent with residential zoning district standards and state permitting requirements.
- Staff response: Staff has no objection.

8. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).

- Applicant's response: Proposed development would be served by the currently existing Apopka utilities and services in the area. Proposed development is designed with its own stormwater management area, a wetland buffer, and lift station as recommended by City staff.
- Staff response: Staff has no objection.

SCHOOL CAPACITY REPORT:
An inquiry was sent to Orange County Public Schools (OCPS) regarding the school capacity requirement for this application. OCPS determined that school capacity for the subject development is available.
The result of the School Capacity Determination is as follows:

- Wekiva High School: Available
- Piedmont Lake Middle School: Available
- Lakeville Elementary School: Available

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on May 9, 2025.

PUBLIC HEARING SCHEDULE:
August 12, 2025 – Planning Commission (5:00 P.M.)
September 3, 2025 – City Council (1:30 P.M.), First Reading
September 17, 2025 – City Council (7:00 P.M.), Second Reading and Adoption

DULY ADVERTISED:
July 18, 2025 – Apopka Chief
July 18, 2025 – Mailed notices to adjacent property owners
July 14, 2025 – Posters placed on property

FUNDING SOURCE:
Not applicable.

RECOMMENDED MOTION:
Development Review Committee (DRC):
Recommends approval of the Change of Zoning from T (Transitional) to RTF (Residential Two-Family District), finding the proposed change consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, based on the findings and facts presented in the staff report and exhibits.

Recommended Motion – Planning Commission:
Find the proposed Change of Zoning from T (Transitional) to RTF (Residential Two-Family District), consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, recommend approval of the proposed Change of Zoning, based on the findings and facts presented in the

staff report and exhibits.

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.

ATTACHMENTS:

1. Ordinance Number 3123
2. Map Series
3. Advertisement
4. APK-25-010 Capacity Determination Letter

ORDINANCE NO. 3123

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM T (TRANSITIONAL) TO RTF (RESIDENTIAL TWO-FAMILY DISTRICT), FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED AT 1920 SHEELER AVENUE; OWNED BY MARVIN WAYNE REID AND SUSAN THOMAS REID, COMPRISING 40.16 ACRES, MORE OR LESS; PROVIDING FOR 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, Jonathan Huels has requested a change in zoning on said properties as identified in Section I of this ordinance; and

WHEREAS, the proposed RTF (Residential Two-Family District) 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 property described in Exhibit A, being situated in the City of Apopka, Florida, is hereby RTF District, as defined in the Apopka Land Development Code, and with the following provision:

Section II. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida. The applicant shall obtain all approvals as required, if any, per the Orange County Charter and the Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

Section III. 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 IV. 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 V. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this ____ day of_____, 2025.

READ FIRST TIME: September 3, 2025

READ SECOND TIME AND ADOPTED: _____

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

Approved as to form and legal sufficiency:

_____

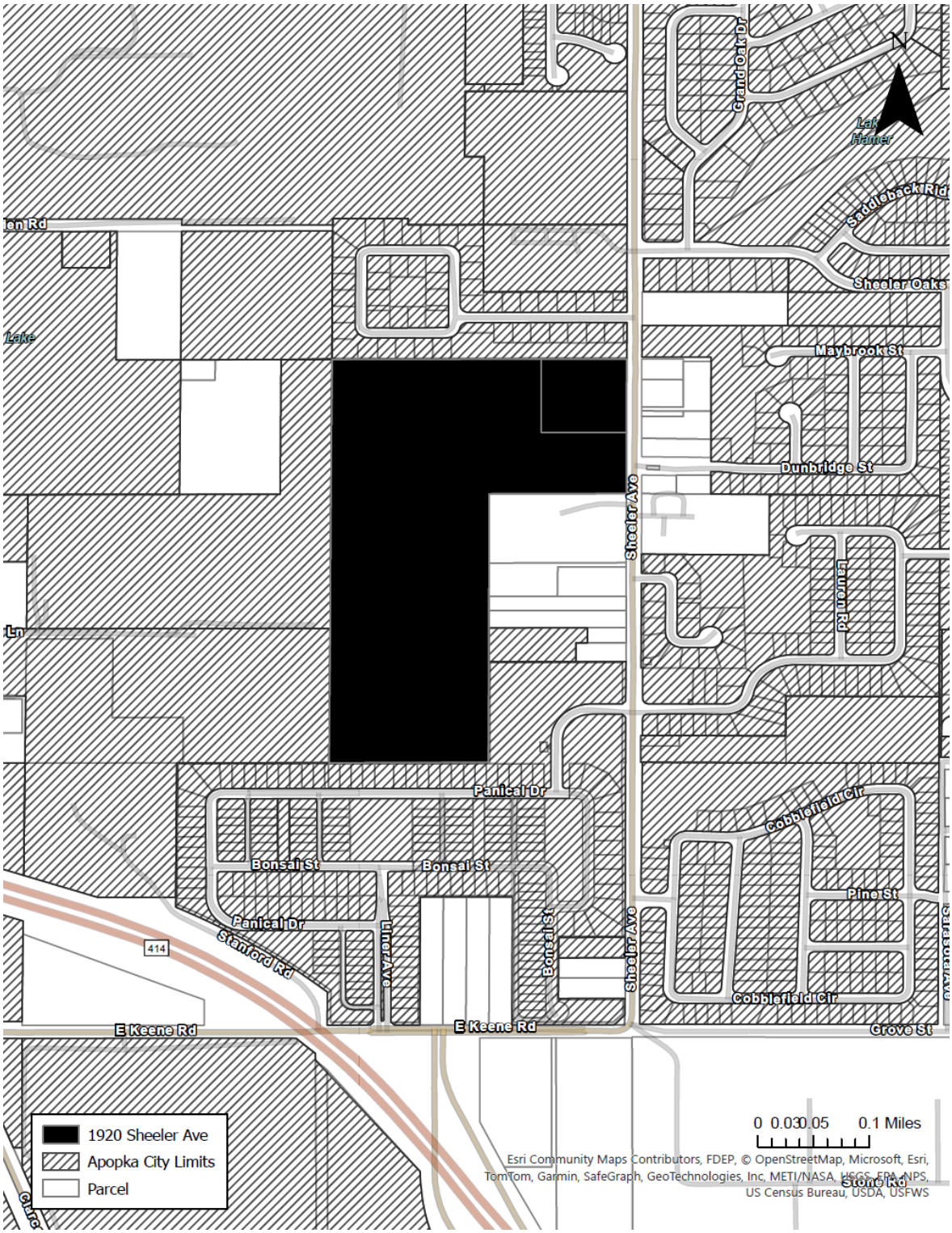
Cliff Shepard, City Attorney

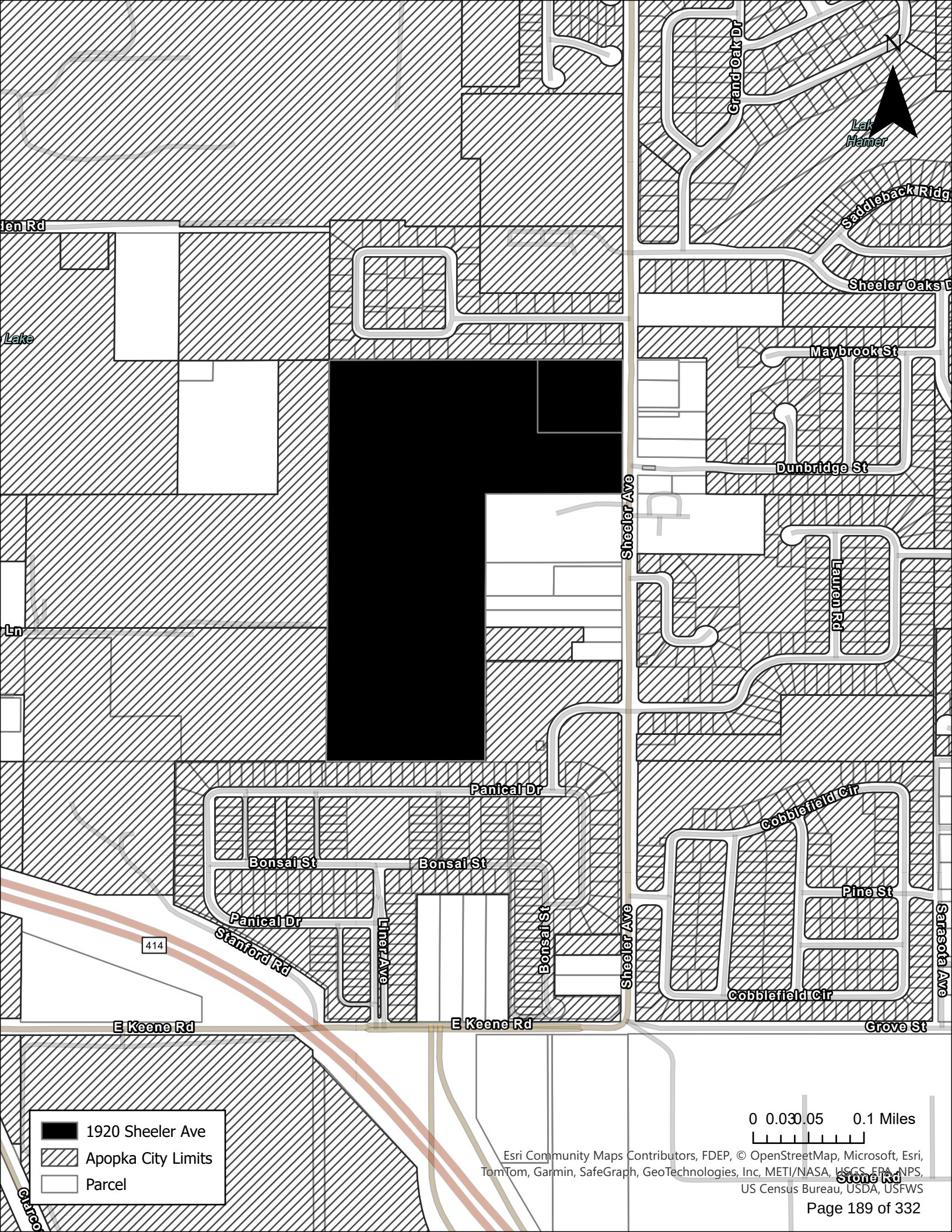
DULY ADVERTISED FOR PUBLIC HEARING: July 18, 2025

55

EXHIBIT "A"
Parcel Identification Number(s): 22-21-28-0000-00-073, 22-21-28-0000-00-227

Location Map

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Apopka City Limits
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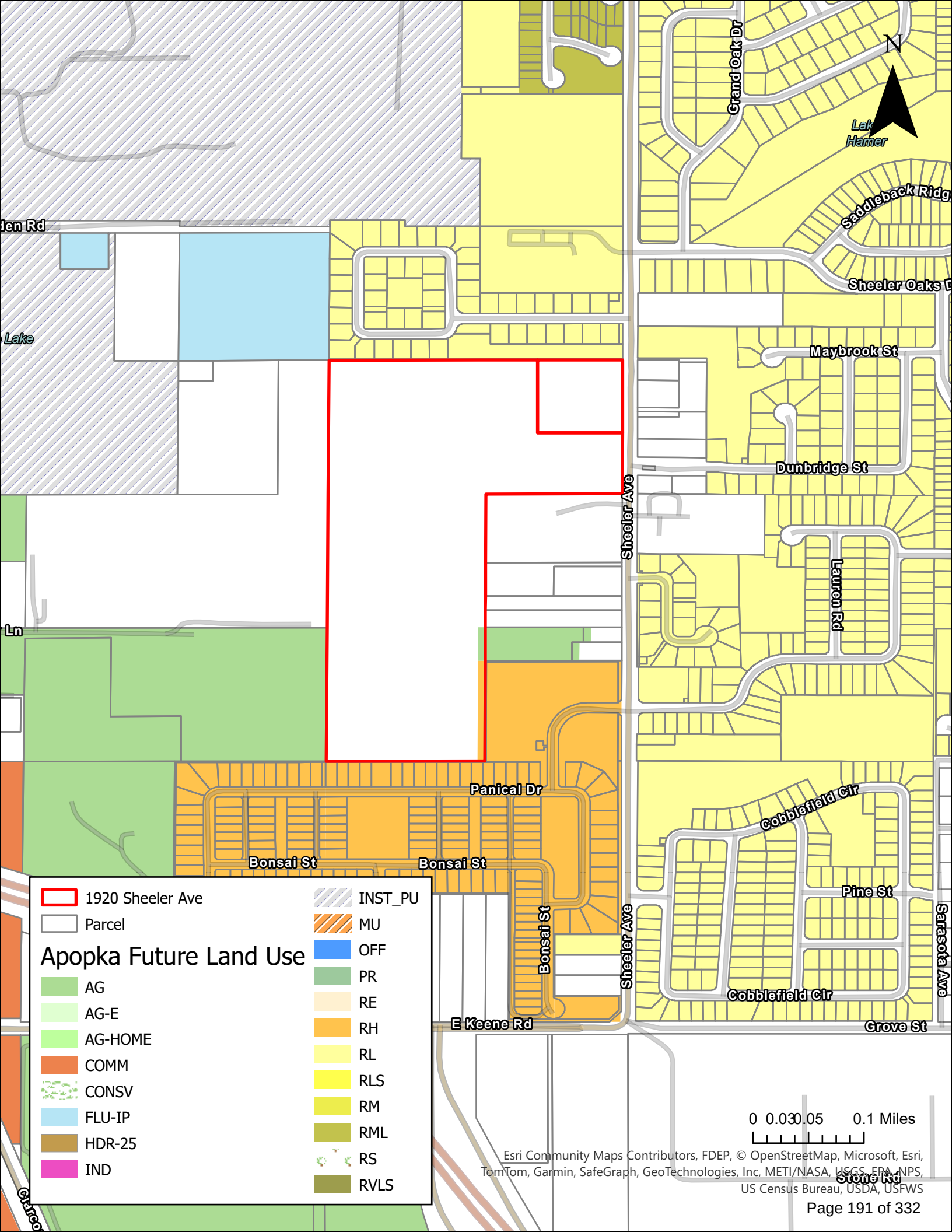
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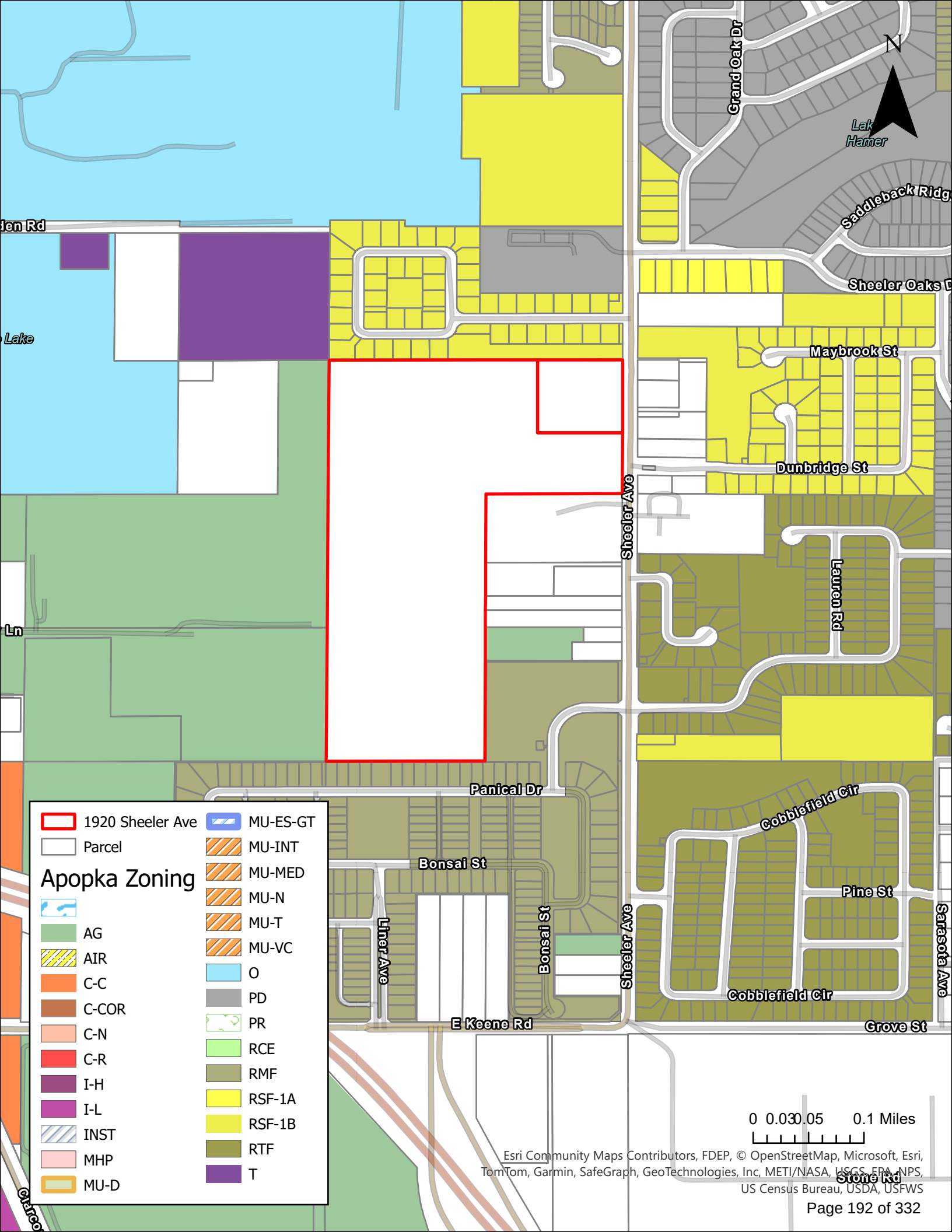
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CITY OF APOPKA
PUBLIC HEARING NOTICE
FUTURE LAND USE AMENDMENT
AND CHANGE OF ZONING

NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Jonathan Huels** has made application relating to the following described property.

ORDINANCE NO. 3122

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE FUTURE LAND USE FROM "COUNTY" RURAL TO RLS (RESIDENTIAL LOW SUBURBAN), FOR CERTAIN REAL PROPERTY LOCATED 1920 SHELLER AVENUE; OWNED BY MARVIN WAYNE AND SUSAN THOMAS REID, COMPRISING 40.16 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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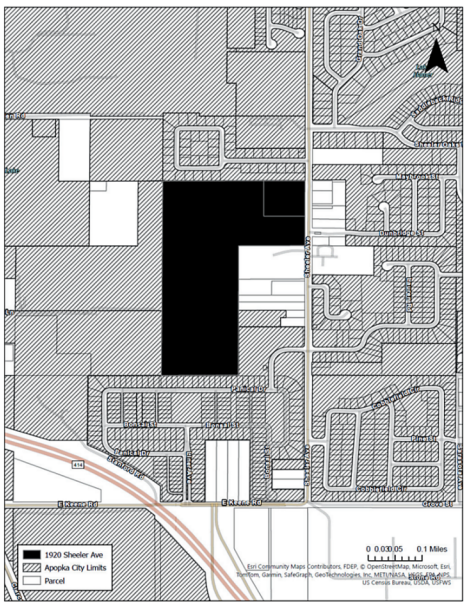

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CAPACITY LETTER

June 5, 2025

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Facilities Planning

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City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 10.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Quasi-Judicial – Ordinance No. 3124 – Change of Zoning/PD (Planned Development) Amendment – Shoppes at East Shore

ACTION ITEM INFORMATION:
Owner(s): Shoppes at East Shore, LLC
Applicant(s): Lowndes c/o Jonathan Huels, Esq.
Parcel Identification Number(s): 20-21-28-0000-00-021, 20-21-28-0000-00-024, 20-21-28-0000-00-025 and 20-21-28-0000-00-028
Location: Northeast corner of Ocoee Apopka Road and West Keene Road
Current Future Land Use: Mixed Use
Current Zoning: Planned Development (PD)
Existing Use(s): Approved for a mixed use development including grocery, multi-family and other commercial and medical uses
Project: 27.99 +/- acre(s)
Density/Intensity: 8.2 dwelling units per acre/0.07 floor area ratio
Project Manager: Jean Sanchez

REQUEST:
Recommend approval of the proposed amendment to the Shoppes at East Shore PD (Planned Development).

SUMMARY:
Owner(s): Shoppes at East Shore, LLC
Applicant(s): Lowndes c/o Jonathan Huels, Esq.
Parcel Identification Number(s): 20-21-28-0000-00-021, 20-21-28-0000-00-024, 20-21-28-0000-00-025 and 20-21-28-0000-00-028
Location: Northeast corner of Ocoee Apopka Road and West Keene Road
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Direction	Future Land Use	Zoning	Present Use
North	Mixed-Use	T (Transitional)	Single-family residences
East	County Rural	County R-CE-2 (Rural Residential)	Single-family residences

South	Commercial	O (Office)	Lake Carter Exchange Multi-Tenant Center
West	High Density Residential	PD (Planned Development)	J Ardin Apartments

PROJECT SUMMARY:
The original PD (Planned Development) Agreement for The Shoppes at East Shore was approved and recorded on November 21, 2023. The property is planned for mixed-use development including commercial and senior housing components. During site development and subsequent engineering, it was determined that the stormwater needs of the project could be met without use of Lot 6, previously reserved for a stormwater pond. The developer now proposes to amend the PD to allow commercial development on that lot. Therefore, the applicant is requesting to convert Lot 6 from a stormwater tract to a commercial outparcel with 5,000 square feet of new commercial entitlements; add "Tire Sales and Service" as an allowed use within the PD and incorporate updated PD Master Plan and updated Exhibit A (legal description) and Exhibit B (Permitted Uses).

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

- **Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans**;
    - The Property has a future land use designation of Mixed Use (MU). This land category proposes to allow a mixture of uses to serve residential and non-residential needs. In that regard, the Proposed Amendment is consistent with Comprehensive Plan FLUE Policy 3.1r Mixed-Use category. The Proposed Amendment proposes to expand upon the expressed automobile service uses that are already permitted per Exhibit "B" of the PD Agreement.
    - *Staff response:* Staff has no objection/comments.
- **Is in conflict with any provisions of the LDC**;
    - *Applicant's response:* The Proposed Amendment to the PD Agreement is not in conflict with provisions of the LDC. The modification is consistent with LDC Section 3.7.2 E.1.b, and consistent with the existing PD permitted uses and continues to support high-quality mixed-use development of the district.
    - *Staff response:* Staff has no objection/comments.
- **Addresses a demonstrated community need**;
    - *Applicant's response:* The City's approval of the PD Amendment will allow expansion of the already permitted automobile services use to include tire servicing and repair thereby offering additional opportunities for retail uses that will serve the surrounding community.
    - *Staff response:* Staff has no objection/comments.
- **Is required by changed conditions;**
    - *Applicant's response:* Lot 6 was designated for use as a stormwater pond in the original PD Master Plan but has now been determined to not be needed during the subsequent engineering design of the project. Consequently, this area is now being proposed to be developed as a commercial outparcel that will offer additional opportunities for retail uses that will serve the surrounding community.
    - *Staff response:* Staff has no objection/comments.
- **Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land**;
    - *Applicant's response:* The proposed permitted use is compatible and consistent with the adjacent and surrounding development. There are several commercial uses in the surrounding area, as well as residential uses that will be served by the additional commercial uses included in the Proposed Amendment. Permitted uses listed in the PD Agreement for The Shoppes at East Shore are permitted under the MU-ES-GT zoning district in Table 4.2.2.C. of the LDC.
    - *Staff response:* Staff has no objection/comments.
- **Would result in a logical and orderly development pattern**;
    - *Applicant's response:* The Proposed Amendment would allow logical and orderly commercial development consistent with the Shoppes at East Shore PD Agreement and surrounding adjacent properties along the commercial corridor of Ocoee Apopka Road.
    - *Staff response:* Staff has no objection/comments.

- **Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**
    - *Applicant's response:* The Proposed Amendment will not result in adverse impacts on the natural environment and is consistent with the Shoppes at East Shore PD Agreement that currently includes Automobile Service Station as a permitted use.
    - *Staff response:* Staff has no objection/comments.
- **Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).**
    - *Applicant's response:* The Shoppes at East Shore development is currently adequately served by existing public facilities. Subsequent engineering design of the project has determined that Lot 6 stormwater tract is not needed. The Proposed Amendment requests the conversion of the proposed use of Lot 6 from stormwater tract to a commercial outparcel and amending commercial entitlements provided in Exhibit "B" of the PD Agreement to include tire sales and service as a permitted use.
    - *Staff response:* Staff has no objection/comments.

SCHOOL CAPACITY REPORT:

Residential developments that are age-restricted for residents 55 years of age or older are generally not subject to school concurrency, as they are presumed not to generate additional students. §163.3180(6)(h), F.S.

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on June 6, 2025.

PUBLIC HEARING SCHEDULE:
August 12, 2025 (5:30 P.M.) – Planning Commission
August 20, 2025 (7:00 P.M.) – City Council, First Reading
September 3, 2025 (1:30 P.M.) – City Council, Second Reading and Adoption

DULY ADVERTISED:
July 25, 2025 – Apopka Chief
July 24, 2025 – Posted placard notifications; mailed notification to adjacent property owners

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:

Development Review Committee:

Recommends approval of the proposed amendment to the Shoppes at East Shore PD (Planned Development).

Recommended Motion – Planning Commission:

Find the proposed amendment to the PD (Planned Development), consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the Shoppes at East Shore PD (Planned Development) amendment.

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.

ATTACHMENTS:

1. Ordinance No 3124
2. Maps
3. Shoppes at East Shore - First Amendment to PD Agreement
4. Shoppes at East Shore PD - Amended Master Plan
5. Shoppes at East Shore - Recorded PD Agreement
6. Shoppes at East Shore PD - Amendment Justification

ORDINANCE NO. 3124

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE SHOPPES AT EAST SHORE PD (PLANNED DEVELOPMENT) ZONING DISTRICT, FOR CERTAIN REAL PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF OCOEE APOPKA ROAD AND KEENE ROAD, COMPRISING 27.99 ACRES MORE OR LESS, AND OWNED BY SHOPPES AT EAST SHORE, 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 applicant, Jonathan Huels, Esq., on behalf of the fee simple owners of the Property, submitted an application for a PD (Planned Development) amendment on the Property identified and depicted in Exhibit "A," attached hereto; and

WHEREAS, the proposed PD (Planned Development) amendment of the Property is consistent with the City's Comprehensive Plan and Land Development Code; and

WHEREAS, the City of Apopka Planning Commission, sitting as the Local Planning Agency, recommended approval of the change in the zoning of the Property and found that the rezoning is consistent with the City's Comprehensive Plan; and

WHEREAS, the City of Apopka has followed all statutory and Code requirements for noticing and advertising this rezoning Ordinance and public hearings associated with the rezoning; and

WHEREAS, the City Council has received public input on the rezoning and a recommendation from staff; and

WHEREAS, the City Council of the City of Dunnellon finds that the applicants have met the necessary criteria for rezoning under City's Land Development Code and that rezoning serves a legitimate public purpose and will not adversely affect the public interest.

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

Section I. Findings and Intent. The City of Apopka has complied with all requirements and procedures of Florida Law in processing this Ordinance. The recitals set forth above are hereby adopted.

Section II. Rezoning. The Property described and shown in Exhibit "A", being situated in the City of Apopka, Florida, is hereby rezoned and assigned the PD (Planned Development) Zoning District, as defined in the Apopka Land Development Code.

Section III. Zoning Map. The Official Zoning Map of the City of Apopka shall be amended to conform to the zoning assignment approved in Section 2 of this Ordinance. The Community Development Director, or the Director's designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

Section IV. Severability. 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 V. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VI. Effective Date. This Ordinance shall become effective immediately following such time that its companion future land use map amendment ordinance (Ordinance 3058) takes effect.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this ____ day of _____, 2025.

READ FIRST TIME: _____

READ SECOND TIME AND ADOPTED: _____

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

Approved as to form and legal sufficiency:

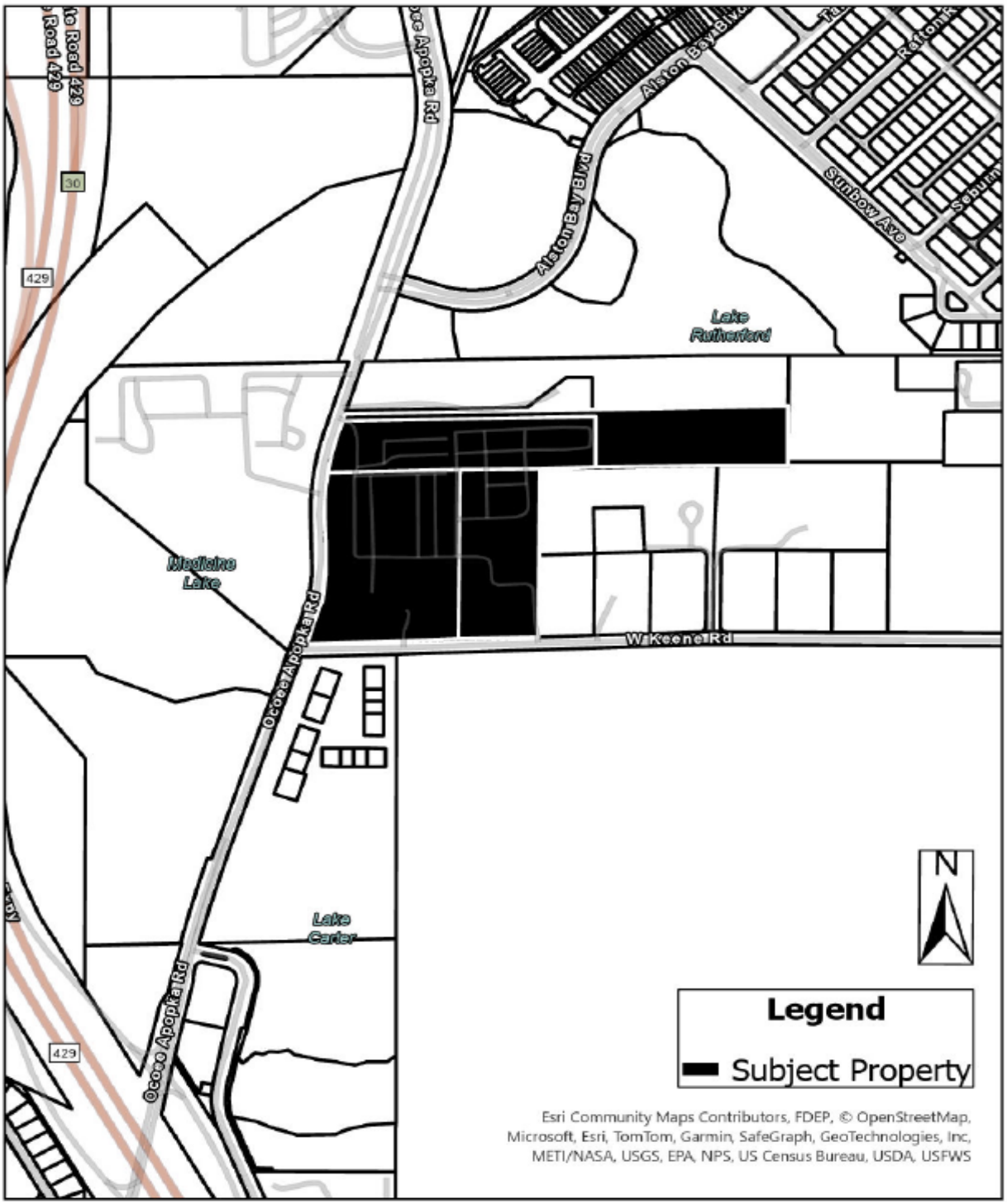
_____

Clifford B. Shepard, City Attorney

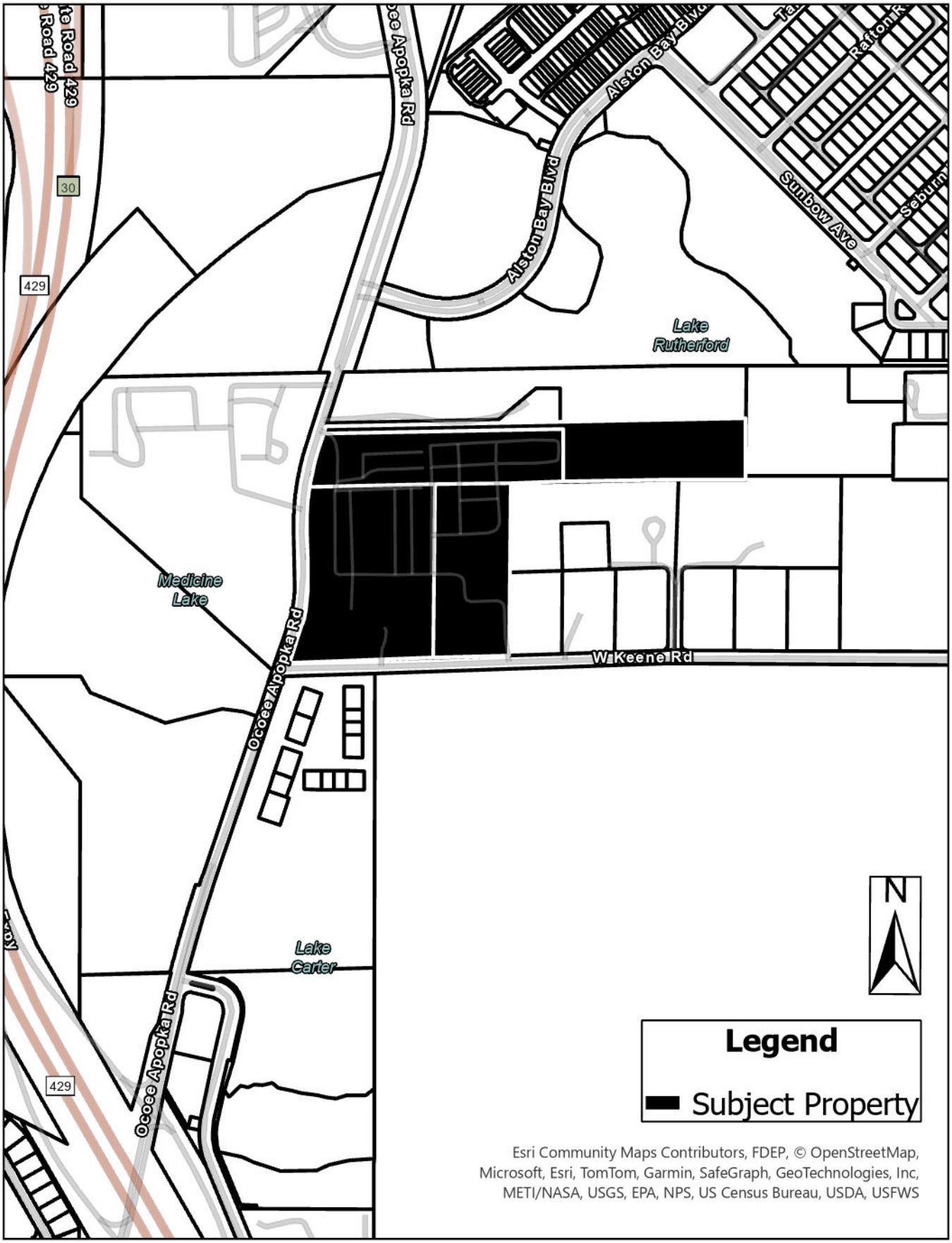
DULY ADVERTISED FOR PUBLIC HEARING: July 25, 2025

EXHIBIT A

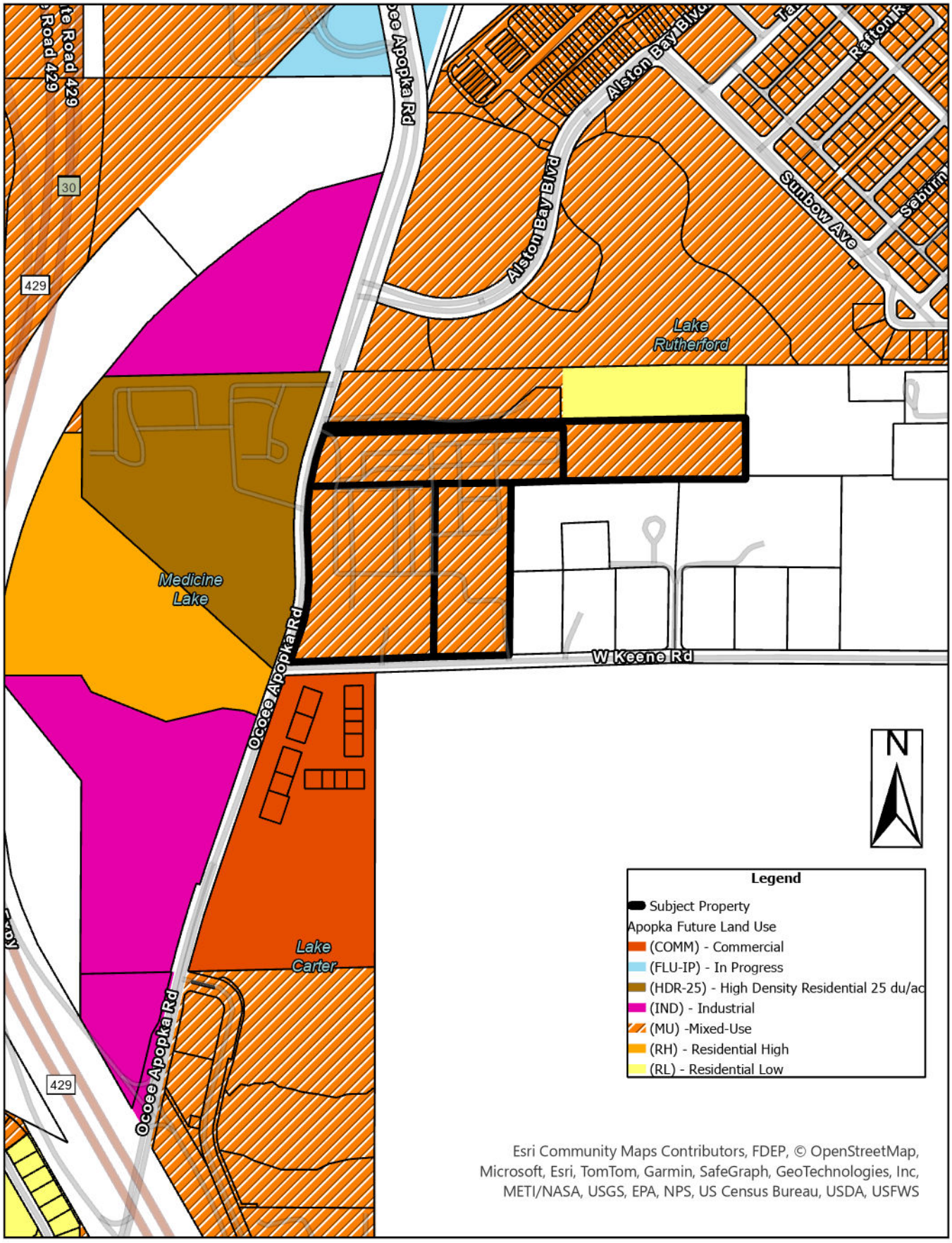
Parcel Identification Number(s): 20-21-28-0000-00-02820-21-28-0000-00-021, 20-21-28-0000-00-021, 20-21-28-0000-00-025 and 20-21-28-0000-00-024



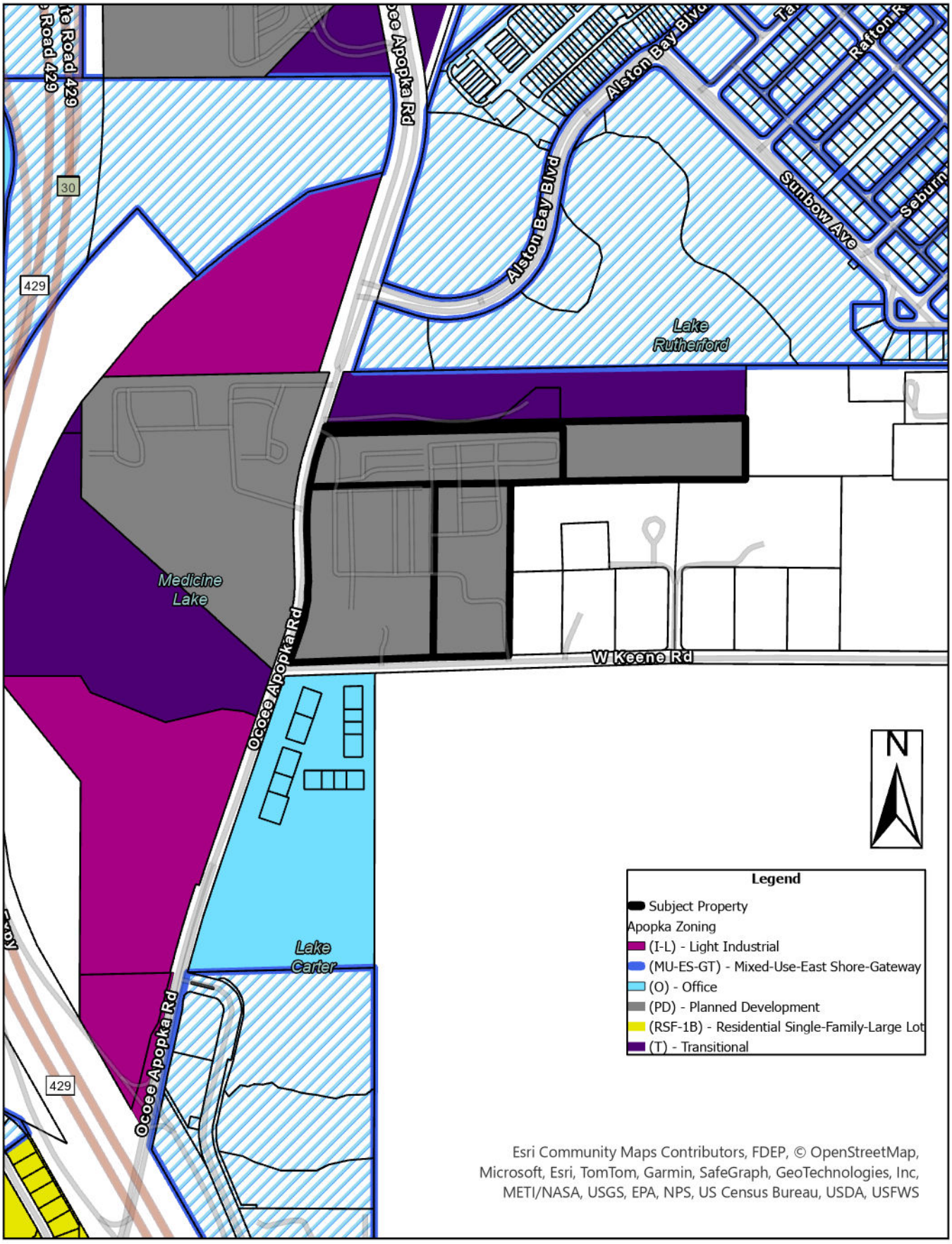
Vicinity


Alston Bay Blvd
Sunbow Ave
Lake Rutherford
Medicine Lake
W Keene Rd
Ocoee Apopka Rd
Lake Carter
429
30
N
Legend
Subject Property
Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

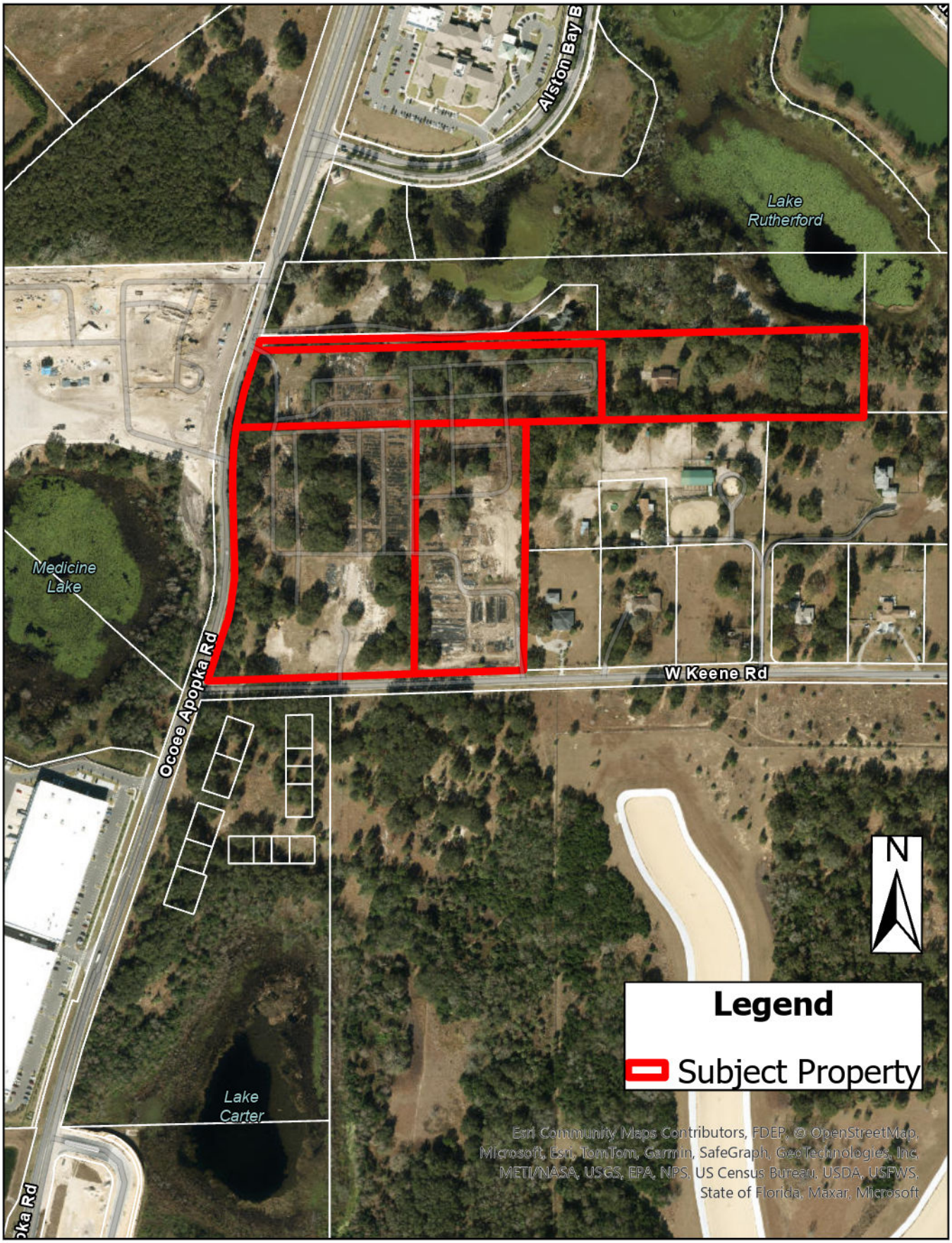
Future Land Use



Zoning


Alston Bay Blvd
Sunbow Ave
Lake Rutherford
Medicine Lake
W Keene Rd
Ocoee Apopka Rd
Lake Carter
429
30
N
Legend
Subject Property
Apopka Zoning
(I-L) - Light Industrial
(MU-ES-GT) - Mixed-Use-East Shore-Gateway
(O) - Office
(PD) - Planned Development
(RSF-1B) - Residential Single-Family-Large Lot
(T) - Transitional
Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Aerial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Prepared by and Return to:
Jonathan P. Huels, Esq.
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
215 N. Eola Drive
Orlando, FL 32801

FIRST AMENDMENT TO PLANNED DEVELOPMENT AGREEMENT (THE SHOPPES AT EAST SHORE)

This **First Amendment to Planned Development Agreement** (the "**First Amendment**") is made and entered into this ____ day of _____, 2025 (the "**Effective Date**") by and among, City of Apopka, a Florida municipal corporation, whose mailing is 120 East Main Street, Apopka, Florida 32703 (hereinafter referred to as "**City**"), and Shoppes at East Shore, LLC, a Florida limited liability company, whose mailing address is 270 West Plant Street, Suite 210, Winter Garden, Florida 34787 (hereinafter referred to as "**Developer**").

RECITALS

A. The City and Developer entered into that certain PD Agreement (The Shoppes at East Shore) recorded as Document Number #20240362206 in the Public Records of Orange County, Florida on June 21, 2024 (the "PD Agreement") for the development of The Shoppes at East Shore multi-phase mixed-use project (the "Project") on certain real property more particularly described in Exhibit "A" attached thereto (the "Property");

B. The City and the Developer desire to enter into this First Amendment to the PD Agreement to update the legal description of the Property, to add a retail outparcel to the PD Master Plan and to revise the Permitted Uses allowed in the PD as well as incorporate certain design standards for the Project according to the terms, covenants and conditions as more particularly set forth herein;

C. The City and the Developer are sometimes collectively referred to herein as the "**Parties**"; and

NOW THEREFORE, for and in consideration of, the mutual obligations contained herein and the sum of ten dollars ($10.00) and other good and valuable consideration the sufficiency of which is hereby conclusively acknowledged the parties agree as follows:

AGREEMENT

1. **Recitals**. The Recitals contained above are true and correct and are incorporated in this First Amendment as full as if set forth herein verbatim.

2. **Definitions**. Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the PD Agreement.

3. **Amendments to PD Agreement**. The PD Agreement shall be amended as follows:

a. **Legal Description of the Property**. Exhibit "A" of the PD Agreement (the legal description of the Property) is hereby superseded and replaced with the legal description set forth on **Exhibit "A"** attached hereto and incorporated herein by this reference.

b. **Exhibit "B" Permitted Uses**. Exhibit "B" of the PD Agreement is hereby superseded and replaced with the Permitted Uses set forth on **Exhibit "B"** attached hereto and incorporated herein by reference.

c. **PD Master Plan**. The PD Master Plan referenced in the PD Agreement is hereby superseded and replaced with the new PD Master Plan set forth on **Exhibit "C"** attached hereto and incorporated herein by reference. A full-sized version of the PD Master Plan is on file with the City. In the event of conflict between the version of the PD Master Plan attached to this First Amendment and the full-sized version, the full-sized version shall control.

4. **Ratification**. The PD Agreement remains in full force and effect except as expressly modified by this First Amendment and is ratified and confirmed. If there is a conflict between the terms of the PD Agreement and this First Amendment, the terms of this Frist Amendment shall control.

5. **Multiple Counterparts; Electronic Signatures**. This Second Amendment may be executed in multiple counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same agreement. The counterparts of this Second Amendment may be executed by electronic signatures and may be delivered electronically by any party to any other party and the receiving party may rely on the receipt of such document so executed and delivered by electronic means as if the original had been received.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

Witnesses:

SHOPPES AT EAST SHORE, LLC, a Florida limited liability company

_____
Printed Name: _____

By: _____
Name: _____
Title: _____

_____
Printed Name: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2025, by _____, as _____ of Shoppes at East Shore, LLC, a Florida limited liability company, on behalf of the company. He (She) ☐ is personally known to me or ☐ has produced _____ as identification.

(NOTARY SEAL)

_____
Notary Public Signature

_____
(Name typed, printed or stamped)

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

CITY OF APOPKA

By: _____

_____

ATTEST:

_____

_____, City Clerk

Approved as to Form:

_____

_____, City Attorney

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by _____, who is known to me __ or produced ___ as identification as _____ of the City of Apopka, Florida, a municipal corporation of the State of Florida, on behalf of the City of Apopka, Florida.

_____

Notary Public
State of Florida at Large

My Commission Expires

Exhibit "A"

Legal Description

A PORTION OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 20; THENCE RUN NORTH 00°31'31" EAST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 20, A DISTANCE OF 30.03 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST KEENE ROAD (A 60.00 FOOT WIDE PUBLIC RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 536, PAGES 680 AND 681, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA); THENCE DEPARTING SAID EAST LINE, RUN ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 88°07'21" WEST, A DISTANCE OF 713.24 FEET TO THE POINT OF BEGINNING; 2) THENCE CONTINUE SOUTH 88°07'21" WEST, A DISTANCE OF 980.83 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF OCOEE-APOPKA ROAD (COUNTY ROAD 437A, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY); THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, RUN ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1) THENCE RUN NORTH 18°51'04" EAST, A DISTANCE OF 160.47 FEET TO A POINT OF CURVATURE OF A 602.96 FOOT RADIUS CURVE, CONCAVE TO THE WEST, BEING SUBTENDED BY A CHORD BEARING OF NORTH 08°44'34" EAST AND A CHORD LENGTH OF 211.65 FEET; 2) THENCE RUN NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°13'00", AN ARC DISTANCE OF 212.75 FEET TO A POINT OF TANGENCY; 3) THENCE RUN NORTH 01°21'56" WEST, A DISTANCE OF 224.57 FEET TO A POINT OF CURVATURE OF A 1115.92 FOOT RADIUS CURVE, CONCAVE TO THE EAST, BEING SUBTENDED BY A CHORD BEARING OF NORTH 08°12'56" EAST AND A CHORD LENGTH OF 371.48 FEET; 4) THENCE RUN NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°09'45", AN ARC DISTANCE OF 373.22 FEET TO A POINT OF TANGENCY; 5) THENCE RUN NORTH 17°47'49" EAST, A DISTANCE OF 103.95 FEET TO A POINT ON THE SOUTH LINE OF THE LANDS DESCRIBED IN INSTRUMENT #20140486742, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN NORTH 88°54'46" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1872.34 FEET TO A POINT ON THE EAST LINE OF THE LANDS DESCRIBED IN INSTRUMENT #20220679927, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH LINE, RUN SOUTH 00°34'25" WEST, ALONG SAID EAST LINE, A DISTANCE OF 272.54 FEET TO A POINT ON THE NORTH LINE OF HILLTOP STABLE SUBDIVISION, AS RECORDED IN PLAT BOOK 17, PAGE 129, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID EAST LINE, RUN ALONG THE NORTH AND WEST LINE OF SAID LANDS THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 89°58'58" WEST, A DISTANCE OF 332.67 FEET; 2) THENCE RUN SOUTH 88°52'51" WEST, A DISTANCE OF 713.20 FEET; 3) THENCE RUN SOUTH 00°30'13" WEST, A DISTANCE OF 769.07 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 27.991 ACRES, MORE OR LESS.

Exhibit "B"

Permitted Uses

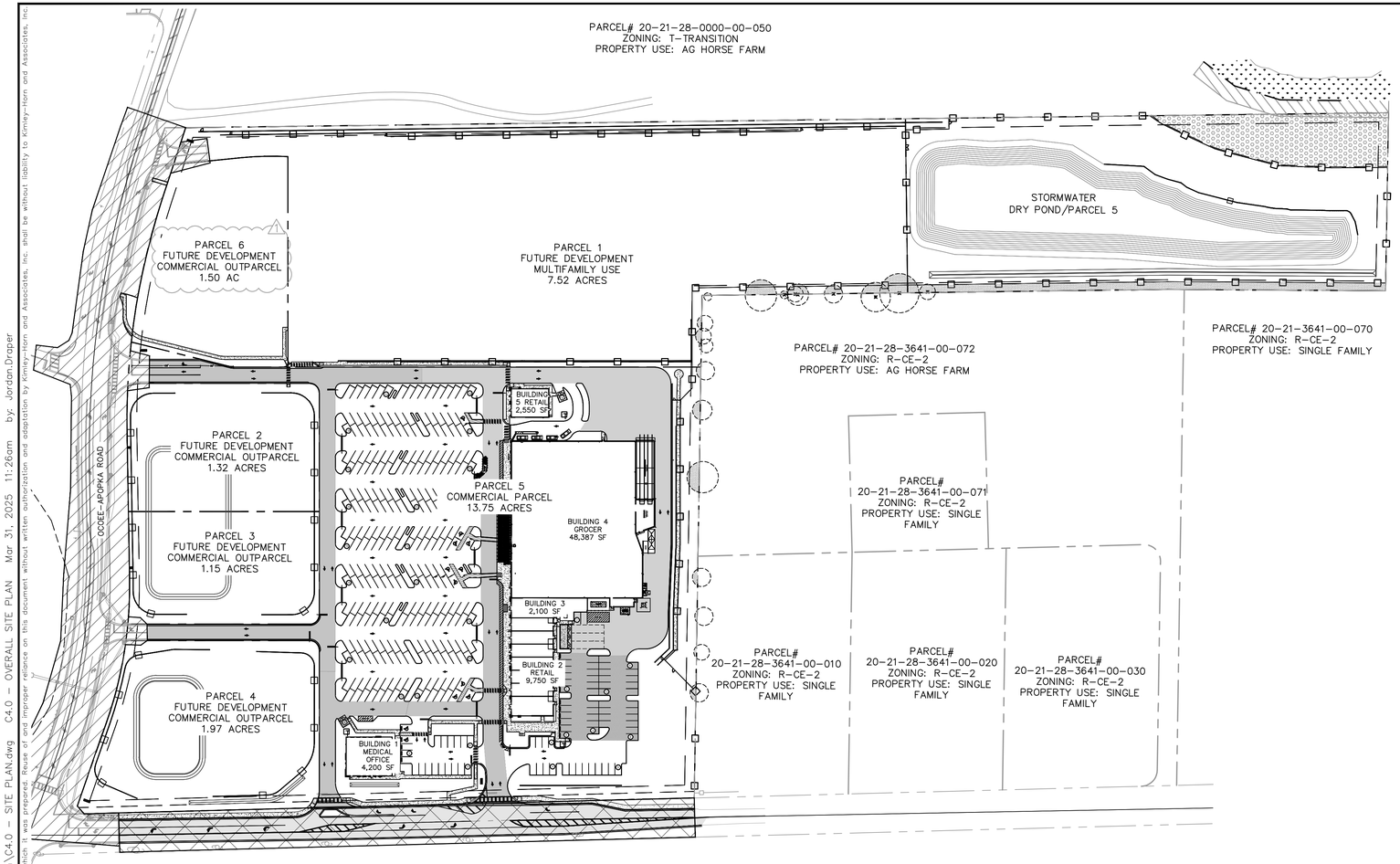
Permitted uses shall be those listed as Permitted under the MU-ES-GT zoning districts in Table 4.2.2.C: Principal Use Table in the City of Apopka's Land Development Code. The additional following uses are permitted,

- Car wash – must be enclosed
- Cigar shop
- Restaurant, fast-food –menu order board, drive-through and pick-up windows must not face any right-of-way; stacking must comply with requirements of Table 5.1.10.A.1.
- Park and ride facility – vehicle charging stations must be included
- Automobile service station, subject to design standards:
    - Frontage-oriented building: position the main building at the front of the site along the sidewalk to define the street edge and engage pedestrians.
    - Minimal setback: keep the building close to the sidewalk to create a walkable block and hide parking and service areas behind.
    - Rear or side service bays: orient service bays away from the street and public sidewalks at the rear of the building.
    - Screening: use decorative walls, green hedges, or trellises with vines to screen views of service areas from pedestrians.
    - Rear or side parking: locate parking and vehicle staging areas behind or beside the building, not in front.
    - Active frontage: add storefront-style windows, a customer lobby with glass transparency, or retail elements (e.g., cafe/outdoor seating area).
- Tire Sales and Service, subject to the following design standards:
    - Building orientation and placement of rear or side service bays: service bays must be oriented away from primary streets and pedestrian pathways. they must be located at the rear or side of the building, with appropriate screening to obscure views from the public realm.
    - Parking placement: parking areas must be situated behind or beside the building, rather than in front, to maintain a continuous street frontage.
    - Screening structures: incorporate architectural elements such as parapet walls or extended facades to shield services bay openings.
    - Landscaping and buffering perimeter landscaping: implement landscaping buffers with a combination of trees shrubs, and hedges along property boundaries, especially adjacent to public rights-of-way.
    - Fencing and walls: use decorative fencing or walls in conjunction with landscaping to further obscure service areas.

- Architectural design consistent aesthetics: ensure that the building's design, materials, and colors are consistent with the surrounding architectural context, promoting a cohesive appearance.
- Facade articulation: incorporate design elements such as varied rooflines, window treatments, and material changes to enhance visual interest and reduce the industrial appearance of service areas.
- Lighting design: use lighting to accentuate the building's facade and customer entrance, while minimizing illumination of services areas.

Exhibit "C"

PD Master Plan



THE SHOPPES AT EAST SHORE PD DATA:

ZONING		PD
PROPOSED UNITS:		
PARCEL 1 (future)	RESIDENTIAL	224 DU
PARCEL 2 (future)	COMMERCIAL	3,000 SF
PARCEL 3 (future)	COMMERCIAL	3,000 SF
PARCEL 4 (future)	COMMERCIAL	5,000 SF
PARCEL 5 (phase 1)	COMMERCIAL	62,782 SF
	MEDICAL OFFICE	4,200 SF
PARCEL 6 (future)	COMMERCIAL	5,000 SF
TOTAL		82,982 SF 224 DU
TOTAL MDP GROSS ACRES		27.99 Ac.
TOTAL MDP WETLAND ACRES		0.00 Ac.
TOTAL MDP FLOODPLAIN/TREE PRESERVATION		0.54 Ac.
TOTAL ROW DONATION		0.78 Ac.
TOTAL MDP DEVELOPABLE ACRES		27.21 Ac.

DEVELOPMENT PLAN CHART		
PARCEL ID NUMBERS	20-21-28-0000-00-021, 20-21-28-0000-00-024, 20-21-28-0000-00-025, 20-21-28-0000-00-028,	
FUTURE LAND USE	MIXED USE	
ZONING	PD	
ADJACENT FUTURE LAND USE	NORTH (CITY): MIXED USE	
	EAST (COUNTY): RURAL	
	SOUTH (CITY & COUNTY): OFFICE/INSTITUTIONAL	
	WEST (CITY): MIXED USE	
ADJACENT ZONING	NORTH (CITY): MU-ES-GT (MIXED USE EAST SHORE GATEWAY)	
	EAST (COUNTY): R-CE-2 (RURAL RESIDENTIAL)	
	SOUTH (CITY & COUNTY): O (OFFICE) AND A-1 (AGRICULTURAL)	
	WEST (CITY): T (TRANSITION)	
ACREAGE/SQUARE FOOTAGE	27.99	
BUILDING HEIGHT (commercial)	PROPOSED: 35 FEET	MAX: 45'
BUILDING HEIGHT (multi-family)	PROPOSED: 55 FEET	MAX: 4 STORIES/55'
BUILDING SETBACKS (commercial)	PROPOSED: FRONT: 15' SIDE: 20' (SOUTH), 15' (NORTH) REAR: 15'	
	REQUIRED: FRONT: 15' SIDE: 10'(1) REAR: 10'	
BUILDING SETBACKS (multi-family)	PROPOSED: FRONT: 15' SIDE: 10' REAR: 25'	
	REQUIRED: FRONT: 15' SIDE: 10' REAR: 25'	
PARKING SPACES (parcel 5)	PROVIDED: 344	
	REQUIRED: 333	
NUMBER OF EMPLOYEES	N/A	
WAIVER REQUEST	YES: NO: X	
VARIANCE REQUEST	YES: NO: X	
MIN. LOT WIDTH (commercial)	75'	
MIN. LOT WIDTH (multi-family)	100'	

NOTES:
(1) MINIMUM OF 15 FT BETWEEN STRUCTURES, ONLY APPLIES TO EXTERIOR UNITS.

PHASING:

THIS PROJECT WILL BE DEVELOPED IN PHASES. FOLLOWING CONSTRUCTION OF PHASE 1, EACH PHASE WILL HAVE SUFFICIENT INFRASTRUCTURE TO STAND ALONE.

MISCELLANEOUS:

POTABLE WATER SERVICE:	CITY OF APOPKA
WASTEWATER, RECLAIMED SERVICE:	CITY OF APOPKA
ELECTRIC SERVICE:	DUKE ENERGY
FIRE PROTECTION:	CITY OF APOPKA
AVERAGE DAILY TRAFFIC PER ITE (11TH EDITION):	7,417

PUBLIC OPEN SPACE CALCULATIONS (OVERALL PD):

PARCEL	LAND USE	GROSS AREA (AC)	WETLAND/ WATER (AC)	DEVELOPABLE AREA (AC)	OPEN SPACE REQ'D		OPEN SPACE PROVIDED		
					%	AC	PARK/REC/ OPEN/LA	AMENITIZED STORM	TOTAL
1	RESIDENTIAL	7.52	0.00	7.52	30%	2.26	TBD	0.00	
2	COMMERCIAL	1.15	0.00	1.15	20%	0.23	TBD	0.00	
3	COMMERCIAL	1.32	0.00	1.32	20%	0.26	TBD	0.00	
4	COMMERCIAL	1.97	0.00	1.97	20%	0.39	TBD	0.00	
5	COMMERCIAL	13.75	0.00	13.75	20%	2.75	3.69	0.00	3.69
6	COMMERCIAL	1.50	0.00	1.50	20%	0.30	TBD	0.00	
TOTAL		**27.21**	**0.00**	**27.21**		**5.89**	**3.69**	**0.00**	**3.69**

NOTES:
(1) TBD - TO BE DETERMINED WITH FUTURE MDP'S
(3) OPEN SPACE REQUIRED IS CALCULATED PARCEL BY PARCEL AND OPEN SPACE PROVIDED IS APPLIED OVER THE OVERALL PD.

DEVELOPMENT NOTES

1. ALL CONSTRUCTION DETAILS ARE CONCEPTUAL AND SUBJECT TO REVIEW AND MODIFICATION DURING THE APPROVAL OF FINAL DEVELOPMENT PLAN (FDP).
2. OFF STREET PARKING SHALL BE PROVIDED IN ACCORDANCE WITH TABLE 5.1.6A: MINIMUM NUMBER OF OFF-STREET VEHICULAR PARKING SPACES OF THE CITY OF APOPKA LDC.
3. LANDSCAPING AND BUFFER STANDARDS SHALL BE IN ACCORDANCE WITH TABLE 5.2.5.B.3.D-1: BUFFERYARD APPLICATION OF THE CITY OF APOPKA LDC.
4. GREEN BUILDING STANDARDS SHALLBE PROVIDED PER SECTION 5.11.4 OF THE CITY OF APOPKA LDC. DEVELOPER SHALL BE PERMITTED TO USE ALTERNATIVE GREEN BUILDING STANDARDS AND/OR ADDITIONAL GREEN BUILDING STANDARDS TO COMPLY WITH SECTION 5.11.4, TO BE FINALIZED DURING THE CONSTRUCTION PLAN APPROVAL PROCESS. GREEN BUILDING STANDARDS WILL BE PROVIDED FOR FUTURE PARCELS AT TIME OF MDP.
5. TREE CANOPY RETENTION STANDARDS SHALL BE CALCULATED ON THE OVERALL PD AREA AND NOT ON AN INDIVIDUAL PARCEL BASES. TREE CANOPY RETENTION SHALL BE MAINTAINED THROUGH EACH PHASE OF DEVELOPMENT IN
6. FENCES SHALL BE PERMITTED AND ADHERE TO THE STANDARDS LISTED IN SECTION 5.5 OF THE CITY OF APOPKA LDC.
7. NEIGHBORHOOD COMPATIBILITY STANDARDS SHALL ADHERE TO THOSE LISTED IN SECTION 5.8.3 OF THE CITY OF APOPKA LDC.
8. THE ACCESS, MOBILITY AND CIRCULATION STANDARDS PROPOSED SHALL ADHERE TO THOSE LISTED IN SECTION 5.13.1.C OF THE CITY OF APOPKA LDC.
9. STREET DESIGN AND CONSTRUCTION STANDARDS SHALL ADHERE TO THOSE LISTED IN SECTION 5.13.2 OF THE CITY OF APOPKA LDC.
10. DURING CONSTRUCTION, WHEN COMBUSTIBLES ARE BROUGHT ON TO THE SITE, ACCESS ROADS AND SUITABLE TEMPORARY OR PERMANENT SUPPLY OF WATER ACCEPTABLE TO THE FIRE DEPARTMENT SHALL BE PROVIDED AND MAINTAINED PER CHAPTER 16, NFPA 1 2012 EDITION (FFPC 5TH EDITION).
11. THE DEVELOPER SHALL OBTAIN WATER, RECLAIMED WATER, AND WASTEWATER SERVICE FROM CITY OF APOPKA. FIRE FLOWS AND HYDRANT INFORMATION SHOWN ON THE PLANS SHALL BE COORDINATED WITH CITY OF APOPKA FIRE RESCUE. THE SIZE, LOCATION AND POINTS OF CONNECTION FOR WATER AND WASTEWATER MAINS SHALL BE FINALIZED AT TIME OF FINAL DEVELOPMENT PLAN (FDP).
12. ANY MISCELLANEOUS GARBAGE, WASTE AND CONSTRUCTION DEBRIS OR DEMOLITION DEBRIS, OR WASTE MATIERIAL FOUND ON SITE DURING CLERING AND GRADING SHALL BE PROPERLY DISPOSED OF OFF-SITE AS REQUIRED BY SECTION 58-25(D) OF THE CITY OF APOPKA LDC.
13. DEVELOPMENT OF THE SUBJECT PROPERTY SHALL COMPLY WITH ALL STATE AND FEDERAL REGULATIONS REGARDING WILDLIFE AND PLANTS LISTED AS IMPERILED SPECIES (ENDANGERED, THREATENED, OR SPECIES OF SPECIAL CONCERN), THE APPLICANT IS RESPONSIBLE FOR DETERMINING THE PRESENCE OF THESE CONCERN AND TO VERIFY AND OBTAIN, IF NECESSARY, ANY REQUIRED HABITAT PERMITTING OF THE US FISH AND WILDLIFE SERVICE (USFWS) AND THE FLORIDA FISH & WILDLIFE CONSERVATION COMMISSION (FWC).
14. THE DESIGN OF ANY ROOF OR AWNING OVER THE DRIVE-THROUGH FACILITY AND LANES, INCLUDING ANY SUPPORTING COLUMNS AND BRACKETS, SHALL MATCH THE DESIGN AND EXTERIOR BUILDING MATERIALS OF THE PRINCIPAL BUILDING.
15. DRIVE-THROUGH FACILITIES SHALL PROVIDE THE MINIMUM NUMBER OF STACKING SPACES ESTABLISHED IN TABLE 5.1.10.A.1: MINIMUM STACKING SPACES FOR DRIVE-THROUGH AND SIMILAR FACILITIES.
16. CROSSWALKS WILL BE PROVIDED BETWEEN THE PARKING LOT AND OUTPARCELS AS EACH PARCEL IS DEVELOPED.

Green Building Standards		
Minimum Points Required	4	4.0 points required for Non-Residential Developments more than 25,000 .
Item	Points	Notes
Development in the MU-ES: Mixed-Use East Shore District	1	
Elevate new and/or existing structures more than 3 feet above base flood elevation (BFE)	3	0.50 per foot above BFE 36.9 FEET ABOVE BFE
Total Recommended Potential Points	4	

PLANNED DEVELOPMENT DISTRICT STANDARDS:

The purpose of this PD is to provide flexibility in the development of a mixed-use project with residential, commercial and medical office uses. The project is efficiently designed providing easycirculation for all users. Pedestrian connections are provided both internally and externally to on-site amenities and surrounding future development areas. The proposed development is compatible with the character of the established surrounding neighborhoods.

Development within this PD shall be subject to the development standards outlined herein; however, if not addressed in this PD document, subject to the provisions of Section 3.7. - Planned Development of the City of Apopka Land Development Code.

SIGNAGE:

COMMERCIAL SIGNAGE STANDARDS SHALL COMPLY WITH THE MASTER SIGN PLAN INCLUDED WITH THE PD/MDP. SIGNAGE SHALL MEET LDC SECTION 5.10, AS AMENDED AND APPROVED VARIANCES.

LIGHTING:

EXTERIOR LIGHTING SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 5.6 OF THE CITY OF APOPKA LAND DEVELOPMENT CODE.

FIRE:

1. FIRE HYDRANTS SHALL BE INSTALLED SO THAT THE DESIGN AND CALCULATIONS MEET THE REQUIREMENTS IN THE CITY OF APOPKA CODE OF ORDINANCES AND THE FFPC 6th EDITION (NFPA 1 AND 101 2015 EDITION).
2. ANY COMMERCIAL STRUCTURE OR RESIDENTIAL BUILDING OF THREE OR MORE STORIES MAY BE REQUIRED TO HAVE AN AUTOMATIC FIRE SPRINKLER PROTECTION DEPENDING UPON THE BUILDING CONSTRUCTION TYPE, OCCUPANCY CLASSIFICATION, AND ADDITIONAL BUILDING OR FIRE CODE REQUIREMENTS.

ARCHITECTURAL:

ARCHITECTURAL DESIGN SHALL MEET THE INTENT OF THE CITY OF APOPKA'S DEVELOPMENT DESIGN GUIDELINES.

LANDSCAPE:

LANDSCAPING AND BUFFER STANDARDS SHALL BE IN ACCORDANCE WITH SECTION 5.2.5: LANDSCAPING AND BUFFER STANDARDS OF THE CITY OF APOPKA LDC. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.

OWNERSHIP/MAINTENANCE:

STORMWATER TRACTS	PRIVATE	TO BE OWNED AND MAINTAINED BY THE DEVELOPER
DRAINAGE EASEMENTS	PUBLIC	TO BE DEDICATED TO THE CITY OF APOPKA
UTILITY EASEMENTS	PUBLIC	TO BE DEDICATED TO THE CITY OF APOPKA
SANITARY SEWER, RECLAIMED WATER & POTABLE WATER SYSTEM	PUBLIC:	TO BE OWNED AND MAINTAINED BY CITY OF APOPKA
STORM SEWER SYSTEM	PRIVATE	TO BE OWNED AND MAINTAINED BY THE DEVLEOPER
OPEN SPACE/LANDSCAPE TRACTS	PRIVATE:	TO BE OWNED AND MAINTAINED BY THE DEVELOPER.

LEGEND

- PROPERTY LINE
- CONCRETE SIDEWALK
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT
- PROPOSED HEAVY DUTY ASPHALT PAVEMENT
- PROPOSED LIGHT DUTY ASPHALT PAVEMENT
- PROPOSED PERVIOUS ASPHALT PAVEMENT
- OFF-SITE IMPROVEMENTS
- TREE PRESERVATION AREA
- CRITICAL ROOT ZONE, ALL PROPOSED WORK WITHIN THIS AREA TO BE COORDINATED WITH OWNERSHIP AND ARBORIST
- WETLANDS
- PROPOSED INDUSTRIAL ALUMINUM FENCE
- EXISTING WETLAND BOUNDARY
- EXISTING FEMA FLOOD PLAIN

No.	REVISIONS	DATE	
1	ADD PARCEL 6, MASTER POND MOD.	3/31/25	KH

Kimley»Horn
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
200 S. ORANGE AVENUE, SUITE 600, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LORIDA PROFESSIONAL ENGINEER LICENSE No. 71822
JORDAN D. RAPER, PE
STATE OF FLORIDA, LICENSED PROFESSIONAL ENGINEER
PROFESSIONAL ENGINEER
DATE: 3/31/2025

KHA PROJECT 049335015
DATE 3/31/2025
SCALE AS SHOWN
DESIGNED BY MWW
DRAWN BY MWW
CHECKED BY LJD

OVERALL SITE PLAN

THE SHOPPES AT EAST SHORE PD

FLORIDA

CITY OF APOPKA

SHEET NUMBER

Drawing name: K:\ORL_Civil\049335015-Keene Rd\CADD\CONST\Revised Const. Plans\Plansheets\2025-03-05_PD Revision\C4.0 - SITE PLAN.dwg C4.0 - OVERALL SITE PLAN Mar 31, 2025 11:26am by: Jordan.Draper
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Prepared by and Return to:
Jonathan P. Huels, Esq.
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
215 N. Eola Drive
Orlando, FL 32801

DOC# 20230674093
11/21/2023 01:33:22 PM Page 1 of 12
Rec Fee: $103.50
Deed Doc Tax: $0.00
DOR Admin Fee: $0.00
Intangible Tax: $0.00
Mortgage Stamp: $0.00
Phil Diamond, Comptroller
Orange County, FL
MB - Ret To: CITY OF APOPKA CITY CLERK

PD AGREEMENT
(THE SHOPPES AT EAST SHORE)

This **PD Agreement** (the "**PD Agreement**") is made and entered into this 1ST day of March, 2023 (the "**Effective Date**") by and among, City of Apopka, a Florida municipal corporation, whose mailing is 120 East Main Street, Apopka, Florida 32703 (hereinafter referred to as "**City**"), and Shoppes at East Shore, LLC, a Florida limited liability company, whose mailing address is 1200 Network Centre Dr Effingham, IL 62401-4602 (hereinafter referred to as "**Developer**").

RECITALS

A. Developer is currently the owner and developer of that certain real property located in the City of Apopka, Orange County, Florida legally described in **Exhibit "A"** attached hereto and made a part hereof (the "**The Property**");

B. The Property is subject to that certain Planned Development zoning ordinance duly enacted by the City, as may be amended from time to time (the "**PD**"), consisting of a multi-phase retail commercial, office and residential use project (collectively, the "**Project**");

C. The City and the Developer are sometimes collectively referred to herein as the "**Parties**"; and

NOW THEREFORE, for and in consideration of, the mutual obligations contained herein and the sum of ten dollars ($10.00) and other good and valuable consideration the sufficiency of which is hereby conclusively acknowledged the parties agree as follows:

AGREEMENT

1. **Recitals**. The Recitals contained above are true and correct and are incorporated in this PD Agreement as full as if set forth herein verbatim.

2. **Project Phasing, Parking and On Site Infrastructure.** Developer may construct the Project in phases consistent with the Master Plan attached to the PD (the "**PD Master Plan**"). Although the Project may be constructed in phases consistent with the PD Master Plan and this PD Agreement, each individual phase of the Project shall be required to provide sufficient on-site infrastructure to satisfy the applicable City Code requirements. Further, each individual phase shall be required to provide the number of parking spaces set forth within the PD and PD Master Plan.

3. **Permitted Uses**. Consistent with the PD, the permitted uses for the Project are attached hereto as **Exhibit "B"** and incorporated herein by this reference (the "**Permitted Uses**").

4. **Age Restricted Senior Housing**. The residential component of the Project is characterized as luxury age-restricted senior housing rental apartments and shall contain the following amenity features: (1) balconies/porches; (2) resort-style swimming pool; (3) recreational clubhouse and (4) washer and dryer in each apartment.

5. **Landscaping/Buffers**. Developer has reviewed City's Land Development Code relating to landscaping and agrees to comply with such regulations.

6. **Utility Service; Connection Points and Oversizing**. The City shall provide water, sewer and reclaimed water service for all phases of the Project through buildout. In connection with the PD, the City has reviewed the master utility plan provided by the Developer and Developer agrees to connect to the existing City system at the connection points set forth on the PD. The route(s) of any off-site lines shall be consistent with engineering plans produced by Developer and approved the City. The Developer shall construct the facilities, lines and appurtenances necessary to serve the Project and provide such documentation necessary for the City to determine that the lines shall meet the minimum line size requirements as specified in the City's Land Development Code. Developer shall provide the City such easements or right of way in form reasonably acceptable to the City Attorney, as the City deems necessary for the installation and maintenance of utility services located on the Property, including but not limited to sewer, water, and reclaimed water services. No building permits shall be issued for the Project by the City until water, sewer and reclaimed water are provided to an individual phase of the Project requiring such service, or until a bond or letter of credit is in place to guarantee the completion of off-site improvements. Developer shall be responsible for all costs of onsite and offsite improvements, including but not limited to the design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the City to serve the Project.

7. **Stormwater Management**. Developer agrees to provide at its expense a comprehensive stormwater management system consistent with all regulatory requirements of the City and the St. John's River Water Management District. Impacts to flood plains are allowed in accordance with the Water Management District procedures for compensating storage and will be based on the 100-year floodplain established by Orange County.

8. **Environmental Considerations**. Developer agrees to comply with all federal, state, county, and City laws, rules and regulations regarding any environmental matters affecting the Project following the City's Land Development Code section 3.7.2.E.1.a, Article 6.

9. **Covenants Running with the Land/Assignment**. The terms, provisions, covenants, conditions and restrictions set forth in this PD Agreement and the rights, privileges and benefits and duties, obligations and burdens assigned, granted, imposed and created pursuant to this PD Agreement shall and are hereby declared to be covenants running with the title to the Property. This PD Agreement shall legally benefit and bind the Developer and its respective successors and assigns.

10. **Legal Proceedings, Attorneys' Fees**. In the event that either of party shall institute litigation or other legal proceedings against the other to interpret or enforce any term, provision, warranty, covenant or condition set forth in this PD Agreement, the prevailing party in such litigation or other legal proceedings following all appeals therefrom, if any, shall be entitled to recover from the non-prevailing party in such litigation or other legal proceedings reasonable attorneys', paralegals', and experts' fees and expenses and court costs incidental thereto, including those incurred on any bankruptcy proceeding and/or appeal of a lower court decision.

11. **Notices**.

a. All notices provided for in this PD Agreement shall be in writing and delivered personally (including delivery by courier) or by registered or certified mail, return receipt requested, postage prepaid, or via facsimile to the parties, at the addresses and facsimile numbers set forth below, with a copy forwarded to their respective attorneys, at the addresses and facsimile numbers set forth below, or at such other addresses as the parties shall designate to each other in writing:

City:	Edward Bass, City Administrator 120 East Main Street Apopka, Florida 32703 Telephone: (407) 703-1712
With a copy to:	Michael Rodriguez, City Attorney 120 East Main Street Apopka, Florida 32703 Telephone: (407) 703-1658
Developer:	Shoppes at East Shore, LLC Attention: Craig Kopko 1200 Network Centre Dr Effingham, Illinois 62401-4602 Telephone: (407) 614-7414
With a copy to:	WMG Development, LLC Attention: Craig Kopko 270 W. Plant Street Winter Garden, Florida 34787 Telephone: (407) 614-7414
With a copy to:	Jonathan P. Huels, Esq. Lowndes, Drosdick, Doster, Kantor & Reed, P.A. 215 N. Eola Drive Orlando, Florida 32801 Telephone (407) 418-6483

b. Any notice, request, demand, instruction or other communication to be given to either party hereunder, shall be in writing and shall be hand-delivered, sent by Federal Express or a comparable overnight mail or delivery service, mailed by U.S. registered or certified mail, return receipt requested, postage prepaid, or transmitted by facsimile or telecopier to the parties and their listed co-recipients, at their respective addresses and/or facsimile numbers set forth herein. Any notice delivered as aforesaid shall be deemed delivered immediately upon mailing, delivery to an appropriate carrier, or receipt or refusal of delivery of said notice, whichever is earliest. The inability to deliver because of change in address of which no notice is given shall be deemed to be a receipt of the notice, demand and request. The party claiming delivery of notice via telecopier or facsimile shall have the burden of proving notice was in fact sent, which burden can be carried without further evidence if confirmed by the transmitting telecopier or facsimile machine. Any communication sent by facsimile or telecopier shall promptly be followed by a copy delivered by one of the other approved methods. Receipt shall be deemed to have occurred if delivered to an authorized agent or any employee of the addressee or of the addressee's company. A time period in which a response to any notice, demand or request must be given pursuant to the terms of the PD Agreement, shall commence to run from the date of receipt. Any party may change the address for receiving notices, request, demands, or other communication by not less than three (3) days prior notice in accordance with this Paragraph. Telephone numbers are provided for convenience only.

c. City and Developer may from time to time notify the other of changes regarding where and to whom notices should be sent by sending notification of such changes pursuant to this Paragraph.

12. **Miscellaneous Provisions**.

a. **Entire Agreement**. This PD Agreement constitutes the complete and entire understanding and agreement between City and Developer concerning or with respect to the topics addressed in this PD Agreement and supersede any and all prior or contemporaneous covenants, agreements, undertakings, statements, representations or warranties, whether written or oral, of any party hereto concerning or with respect thereto.

b. **Relationship of the Parties**. This PD Agreement does not evidence the creation of, nor shall it be construed as creating a partnership or joint venture between the City and Developer. Developer cannot create an obligation or responsibility on behalf of City or bind City in any manner. Each Party is acting for its own account, and it has made its own independent decisions to enter into this PD Agreement and as to whether the same is appropriate or proper for it based upon its own judgment and upon advice from such advisers as it has deemed necessary. Each Party acknowledges that none of the other Parties hereto is acting as a fiduciary

for or as an adviser to it in respect of this PD Agreement or any responsibility or obligation contemplated herein.

c. **Agency**. Developer and City, and their agents, contractors and subcontractors, shall perform all activities described in this PD Agreement as independent entities and not as agents of one another.

d. **Sovereign Immunity**. Nothing contained in this PD Agreement shall be construed as a waiver of City's right to sovereign immunity for tort claims under and subject to § 768.28, Florida Statutes.

e. **Captions and Paragraph Headings**. Captions and paragraph headings contained in this PD Agreement are for convenience of reference only and are in no way intended, and shall in no way be deemed, to define, describe, extend or limit the scope, content or intent of this PD Agreement or of any particular term, provision or paragraph hereof.

f. **Modification, Amendment or Termination**. This PD Agreement may not be changed, modified, amended or terminated except as expressly set forth in a separate writing signed by both of the parties to this PD Agreement or their respective successors in interest or title.

g. **Recording in Public Records**. Developer shall that this PD Agreement and the Transportation Agreement are recorded among the public records of Orange County, Florida promptly after the execution of the PD Agreement and Transportation Agreement by all parties.

h. **Indemnification**. Developer hereby indemnifies and holds City and its elected and appointed officials, employees and agents harmless from and against any and all claims (at law or in equity), disputes, lawsuits, injuries, damages, attorneys' fees and all adverse matters in any way arising out of or relating to the risks assumed by Developer under this PD Agreement.

i. **Default**. Failure by a Party to perform any of its obligations hereunder shall constitute default hereunder. Prior to termination of this PD Agreement, the non-defaulting Party exercising such right shall first provide the defaulting Party with written notice specifying such default and the actions needed to cure same, in reasonable detail. Upon receipt of said notice, the defaulting Party shall be provided thirty (30) day opportunity within which to cure such default.

j. **Bankruptcy**. In the event (a) an order or decree is entered appointing a receiver for Developer or its assets or (b) a petition is filed by Developer for relief under federal bankruptcy laws or any other similar law or statute of the United States, which action is not dismissed, vacated or discharged within sixty (60) days after the filing thereof, then City shall have the right to terminate immediately this PD Agreement.

k. **No Liability or Monetary Remedy**. Notwithstanding anything herein to the contrary, Developer and City, on behalf of themselves, and their respective successors and assigns, hereby agree that neither Party shall be liable to the other for any direct, indirect, special, punitive or consequential damages, including but not limited to, damages based on loss of service, revenues, profits or business opportunities, and hereby waive any and all claims and causes of action for the recovery of such direct, indirect, special, punitive or consequential damages.

l. **Governing Law; Binding Effect**. This PD Agreement and the construction, interpretation and enforcement thereof shall be construed in accordance with and governed by the laws of the State of Florida and shall be binding upon, inure to the benefit of and be enforceable by the parties hereto and their respective successors in interest or title.

m. **Venue**. The location for settlement of any and all claims, controversies, or disputes, arising out of or relating to any part of this PD Agreement, or any breach hereof, shall be Orange County, Florida.

n. **Construction of Agreement**. The fact that any one of the parties to this PD Agreement shall have drafted or structured or shall be deemed to have drafted or structured this PD Agreement or any particular term or provision of this PD Agreement shall not be considered by any court or other tribunal in the construction or interpretation of this PD Agreement or any particular term or provision of this PD Agreement, either in favor or to the disadvantage of such party.

o. **Severability**. If any of the terms, provisions, covenants or conditions set forth in this PD Agreement or the application thereof to any particular circumstance shall be held by any Court having jurisdiction to be illegal, invalid or unenforceable under applicable law, the remainder of this PD Agreement shall not be affected thereby and each provision of this PD Agreement shall be valid and enforceable to the fullest extent otherwise permitted by law.

p. **Counterparts**. This PD Agreement may be executed in two or more counterparts, each of which shall be and be taken to be an original and collectively but one instrument.

q. **Time of the Essence**. Time, and timely performance, is of the essence of this PD Agreement and of the covenants and provisions hereunder. When a date upon which a specified event shall occur or be performed falls upon a weekend or legal holiday, the time allowed for the event or performance to occur shall be extended to 5:00 p.m. on the next succeeding business day. For purposes of this PD Agreement, a "business day" shall mean any weekday that the banks in the county in which the Property is located are

open for business (thereby excluding Saturdays, Sundays and legal holidays).

r. **Statutory Development Agreement**. This PD Agreement is not a statutory development agreement pursuant to Chapter 163, Florida Statutes (Florida Local Government Development Agreement Act) and is being entered into by the City pursuant to the City's home rule authority.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

Witnesses:

Printed Name: DIMITRA BENNETT

Printed Name: Gayle L. Kuhl

SHOPPES AT EAST SHORE, LLC, a Florida limited liability company

By: _____

Name: CRAIG KOPKO

Title: Executive Vice President of Development

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 15th day of November, 2023, by Craig Kopko, as EVP of Development of Shoppes at East Shore, LLC, a Florida limited liability company, on behalf of the company. He (She) ☒ is personally known to me or ☐ has produced _____ as identification.

(NOTARY SEAL)

GAYLE L. KUHL
MY COMMISSION # HH 153475
EXPIRES: October 2, 2025
Bonded Thru Notary Public Underwriters

Notary Public Signature

Gayle L. Kuhl

(Name typed, printed or stamped)

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

CITY OF APOPKA

By: Bryan Nelson
Bryan Nelson, Mayor

ATTEST:

Susan M. Boire
Susan M. Boire, City Clerk

Approved as to Form:

Clifford B. Shepard
11/20/23, City Attorney

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 20 day of November, 2023, by Bryan Nelson, who is known to me X or produced ___ as identification as _____ of the City of Apopka, Florida, a municipal corporation of the State of Florida, on behalf of the City of Apopka, Florida.

VICTORIA D. PARKS
Commission # HH 212444
Expires January 3, 2026

Victoria D. Parks
Notary Public
State of Florida at Large

My Commission Expires Jan. 3, 2026

Exhibit "A"

PARCEL 1 (Tax Parcel ID. No: 20-21-28-0000-00-025)

A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE RUN NORTH 00"31'40" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 30.03 FEET TO THE NORTH RIGHT OF WAY LINE OF WEST KEENE ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 536, PAGES 680 THROUGH 681 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 88'07'11" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 1052.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88'07'11" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 641.66 FEET TO THE EAST RIGHT OF WAY LINE OF OCOEE-APOPKA ROAD; THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING COURSES: NORTH 18'51'04" EAST FOR A DISTANCE OF 160.50 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 602.96 FEET, A CENTRAL ANGLE OF 20'13'00", THE CHORD OF WHICH BEARS NORTH 08'44'34" EAST FOR A DISTANCE OF 211.65 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 212.75 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 01'21'56" WEST FOR A DISTANCE OF 224.58 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY WITH A RADIUS OF 1115.92 FEET, A CENTRAL ANGLE OF 10'12'21", THE CHORD OF WHICH BEARS NORTH 03"44'15" EAST FOR A DISTANCE OF 198.51 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 198.78 FEET TO A NON-TANGENT POINT AND A POINT BEING 508.3 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE RUN NORTH 88'52'45" EAST ALONG A LINE BEING 508.3 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20 FOR A DISTANCE OF 556.41 FEET; THENCE DEPARTING SAID LINE RUN SOUTH 00'29'22" WEST FOR A DISTANCE OF 773.55 FEET TO THE POINT OF BEGINNING.

PARCEL 2 (Tax Parcel ID. No: 20-21-28-0000-00-021)

A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE RUN NORTH 00'31'40" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 789.64 FEET; THENCE DEPARTING SAID EAST LINE RUN SOUTH 88'52'45" WEST FOR A DISTANCE OF 479.17 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 88"52'45" WEST FOR A DISTANCE OF 1129.70 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF OCOEE-APOPKA ROAD,

BEING A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHEASTERLY WITH A RADIUS OF 1115.92 FEET, A CENTRAL ANGLE OF 08'57'24", THE CHORD OF WHICH BEARS NORTH 13'19'07" EAST FOR A DISTANCE OF 174.26 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 174.44 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 17'47'49" EAST FOR A DISTANCE OF 72.30 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE RUN NORTH 88'52'45" EAST FOR A DISTANCE OF 1068.94 FEET; THENCE RUN SOUTH 00"21'34" WEST FOR A DISTANCE OF 237.23 FEET TO THE POINT OF BEGINNING.

PARCEL 3 (Tax Parcel ID. No: 20-21-28-0000-00-024)

A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE RUN NORTH 00"31'40" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 30.03 FEET TO THE NORTH RIGHT OF WAY LINE OF WEST KEENE ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 536, PAGES 680 THROUGH 681 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 88"07'11" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 713.24 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88'07'11" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 339.20 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE RUN NORTH 00'29'22" EAST FOR A DISTANCE OF 773.55 FEET; THENCE RUN NORTH 88'52'45" EAST FOR A DISTANCE OF 339.20 FEET; THENCE RUN SOUTH 00'30'03" WEST FOR A DISTANCE OF 769.06 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH PARCEL 4 (Tax Parcel ID No. 20-21-28-0000-00-028):

FROM THE SOUTH 1/4 COMER OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST, RUN NORTH 00°00'00" EAST 786.70 FEET ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 20 FOR THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE RUN NORTH 89°26'00" EAST 331.67 FEET, THENCE NORTH 00°03'00" EAST 272.54 FEET, THENCE SOUTH 88°31 '11" WEST 1849.36 FEET TO AN IRON PIN IN THE PRESENT EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD S-437 A, THENCE RUN SOUTH 17°26'07" WEST 31. 70 FEET ALONG THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE, THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE RUN NORTH 88°31 '11" EAST 1046.71 FEET, THENCE SOUTH 00°00'00" WEST 23 7 .23 FEET THENCE NORTH 88°31' 11" EAST 4 79 .15 FEET TO THE POINT OF BEGINNING. ORANGE COUNTY, FLORIDA.

Exhibit "B"

Permitted Uses

Permitted uses shall be those listed as Permitted under the MU-ES-GT zoning districts in Table 4.2.2.C: Principal Use Table in the City of Apopka's Land Development Code. The addjtional following uses are permitted,

- Automobile service station
- Car wash – must be enclosed
- Cigar shop
- Restaurant, fast-food –menu order board, drive-through and pick-up windows must not face any right-of-way; stacking must comply with requirements of Table 5.1.10.A.1.
- Park and ride facility – vehicle charging stations must be included

CITY OF APOPKA

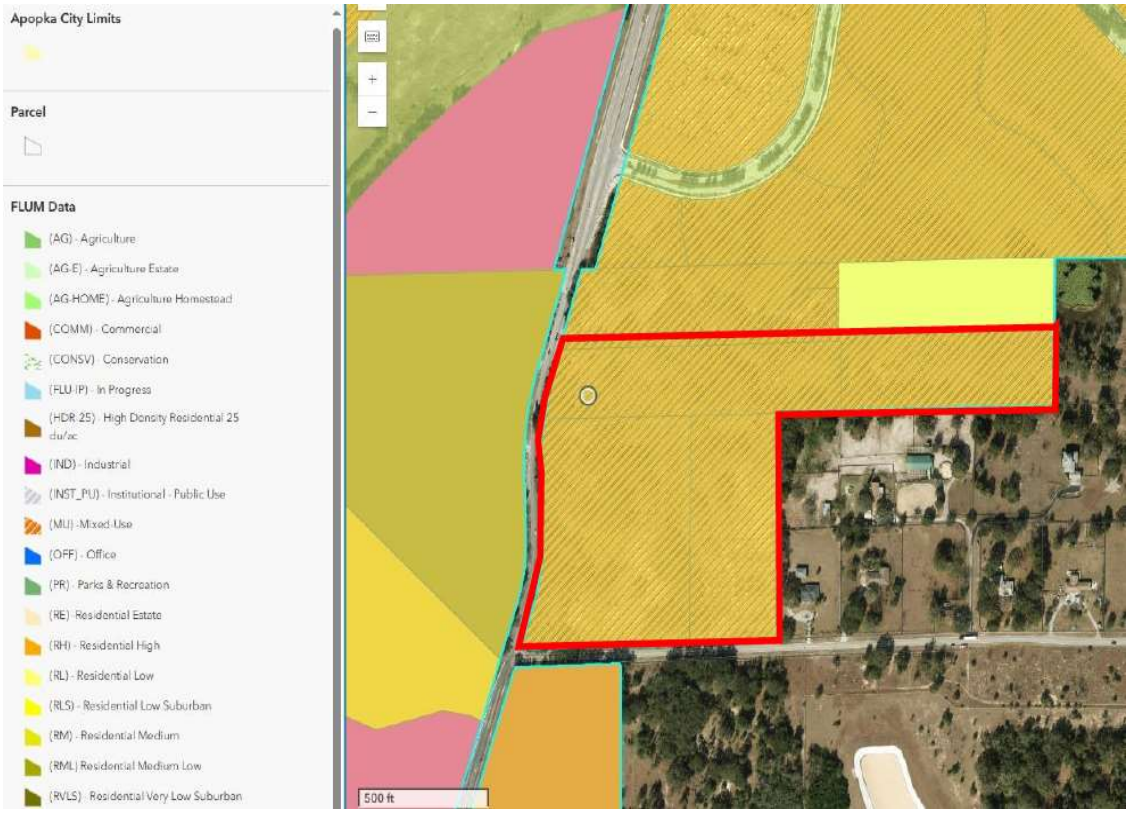
Shoppes at East Shore PD Amendment

Justification Statement

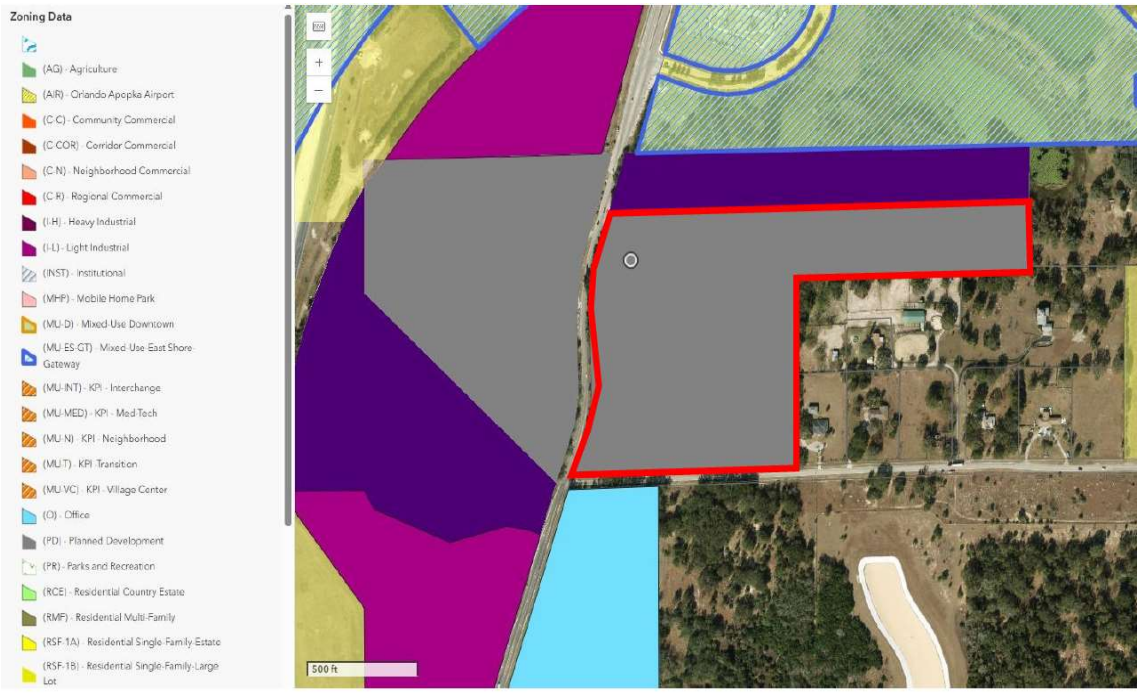
I. Background

The subject property, Shoppes at East Shore, is located on Ocoee Apopka Road and West Keene Road and identified as Parcel ID 20-21-28-0000-00-021, 20-21-28-0000-00-024, 20-21-28-0000-00-025 and 20-21-28-0000-00-028 in the City of Apopka (the "City"). Property has a future land use designation of Mixed Use (MU) and is zoned Planned Development (PD) under the PD Agreement "The Shoppes at East Shore" recorded on November 21, 2023 as Document #20230674093 in the Public Records of Orange County, Florida (the "PD Agreement").

APOPKA FUTURE LAND USE MAP



APOPKA ZONING MAP



II. Proposed Change

The Proposed Amendment to the Shoppes at East Shore PUD requests the conversion of the proposed use of Lot 6 from stormwater tract to commercial outparcel with up to an additional 5,000 square feet of commercial entitlements and amend Exhibit "B" of the existing PUD Agreement to include tire sales and service as a permitted use ("Proposed Amendment").

Lot 6 was designated for use as a stormwater pond in the original PD Master Plan that was approved as part of the rezoning of the Property. However, this pond was determined to not be needed during the subsequent engineering design of the project. Consequently, this area is now being proposed to be developed as a commercial outparcel that will offer additional opportunities for retail uses that will serve the surrounding community.

The PD Agreement provides that permitted uses in the PD shall be those listed as permitted under the MU-ES-GT zoning district in Table 4.2.2.C. of the City of Apopka's Land Development Code ("LDC"). Automobile Service Station is a permitted use under the MU-ES-GT zoning district in Table 4.2.2.C and under the PD Agreement. Further, pursuant to LDC Section 10.3.1.F.10, tire servicing and repair, but not

recapping or regrooving, is allowed as an accessory use to Automobile Service Stations.

III. Consistency with City of Apopka Code Section 2.5.1.D.3 "Comprehensive Plan Text, Map or Zoning Map Amendment Review Standards".

1. **Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans.**

   The Property has a future land use designation of Mixed Use (MU). This land category proposes to allow a mixture of uses to serve residential and non-residential needs. In that regard the Proposed Amendment is consistent with Comprehensive Plan FLUE Policy 3.1r Mixed-Use category. The Proposed Amendment proposes to expand upon the expressed automobile service uses that are already permitted per Exhibit "B" of the PD Agreement.

2. **Is in conflict with any provisions of the LDC.**

   The Proposed Amendment to the PD Agreement is not in conflict with provisions of the LDC. The modification is consistent with LDC Section 3.7.2 E.1.b, and consistent with the existing PD permitted uses and continues to support high-quality mixed-use development of the district.

3. **Addresses a demonstrated community need.**

   The City's approval of the PD Amendment will allow expansion of the already permitted automobile services use to include tire servicing and repair thereby offering additional opportunities for retail uses that will serve the surrounding community.

4. **Is required by changed conditions.**

   Lot 6 was designated for use as a stormwater pond in the original PD Master Plan but has now been determined to not be needed during the subsequent engineering design of the project. Consequently, this area is now being proposed to be developed as a commercial outparcel that will offer additional opportunities for retail uses that will serve the surrounding community.

5. **Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land.**

The proposed permitted use is compatible and consistent with the adjacent and surrounding development. There are several commercial uses in the surrounding area, as well as residential uses that will be served by the additional commercial uses included in the Proposed Amendment. Permitted uses listed in the PD Agreement for The Shoppes at East Shore are permitted under the MU-ES-GT zoning district in Table 4.2.2.C. of the LDC.

6. **Would result in a logical and orderly development pattern.**

   The Proposed Amendment would allow logical and orderly commercial development consistent with the Shoppes at East Shore PD Agreement and surrounding adjacent properties along the commercial corridor of Ocoee Apopka Road.

7. **Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.**

   The Proposed Amendment will not result in adverse impacts on the natural environment and is consistent with the Shoppes at East Shore PD Agreement that currently includes Automobile Service Station as a permitted use.

8. **Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).**

   The Shoppes at East Shore development is currently adequately served by existing public facilities. Subsequent engineering design of the project has determined that Lot 6 stormwater tract is not needed. The Proposed Amendment requests the conversion of the proposed use of Lot 6 from stormwater tract to a commercial outparcel and amending commercial entitlements provided in Exhibit "B" of the PD Agreement to include tire sales and service as a permitted use.

IV. Conclusion

In conclusion this modification to the PD Agreement is consistent with LDC Section 3.7.2 E.1.b, the development standards provided in the PD Agreement, expands the purpose of the district by providing additional automobile services already permitted

under Exhibit “B” Permitted Uses, and continues to support high-quality development of the district.

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 11.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Legislative – Ordinance No. 3125 – Future Land Use Amendment – Paulucci Acres residential

ACTION ITEM INFORMATION:
Owner(s): Paulucci Acres, LLC
Applicant(s): Daniel O'Keefe
Location: East side of Vick Road, approximately 1/4 mile north of the intersection of Vick Road and W. Lester Road
Project: 39.85 +/- acre(s)
Density: 3.5 dwelling units per acre
Project Manager: Bobby Howell, AICP

REQUEST:
Recommend approval of the Future Land Use Map Amendment from County Low Density to City Residential Low Suburban for Paulucci Acres.

SUMMARY:
Owner(s): Paulucci Acres, LLC
Applicant(s): Daniel O'Keefe
Parcel Identification Number(s): 28-20-28-0000-00-089, 28-20-28-0000-00-090
Location: East side of Vick Road, approximately 1/4 mile north of the intersection of Vick Road and W. Lester Road
Existing Future Land Use: County Low Density
Proposed Future Land Use: City Residential Low Suburban (maximum 3.5 du/ac)
Existing Zoning: County A-1
Existing Use(s): Vacant
Density: 3.5 dwelling units per acre
Tract Size: 39.85 +/- acre(s)

Direction	Future Land Use	Zoning	Present Use
North	Residential Low	RSF-1A (Residential Single-Family Estate)	Vacant
East	County LD	County R-1AA	Residential
South	County LD, City Agriculture	City AG (Agriculture), City RSF-1B (Residential Single-Family, Large Lot), County A-1	Residential, Agriculture

West	Institutional - Public Use, Low Density Residential	RCE (Residential Country Estate), O (Office)	Vacant, retention pond

PROJECT SUMMARY:

The subject property is approximately 39.85 acres in size and is vacant. The applicant is requesting the amendment of the future land use of the property to City Residential Low Suburban in order to develop a portion of a Planned Development (PD) consisting of single-family detached and townhome units on the subject property. The City Council unanimously voted to annex the subject properties into the City via Ordinance 3113. The surrounding properties consist of agricultural and residential uses. The request to change the future land use designation to Residential Low Suburban allows a maximum of 3.5 dwelling units per acre. The existing Orange County future land use designation permits a maximum of 4 dwelling units per acre.

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

- **Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans**;
    - *Applicant's response: The requested action to amend the City of Apopka Comprehensive Plan Future Land Use Map to add a FLU designation of RLS to the Residential Parcels, which are proposed to be annexed into the City pursuant to the Annexation Application submitted in connection with this Application, is consistent with and furthers the goals, objectives, and policies of the City's Comprehensive Plan. The annexation of the Residential Parcels into the City is consistent with the City's strategic vision for growth as set forth in the City's Comprehensive Plan. The City's Comprehensive Plans states that "[t]he City expects an increase in residential acreage in the future" and that one of the methods to address the future demand for residential land use is expected future annexations. Specifically, the requested Comprehensive Plan Future Land Use Map Amendment is consistent with Future Land Use Goal 1, which provides that the character and location of new development maximizes the economic benefit to the land and meets the housing needs of the current and projected population. Further, the Residential Parcels are located within the Joint Planning Agreement between Orange County and the City of Apopka (the "JPA").*
    - *Staff response:* Staff has no objection/comments.
- **Is in conflict with any provisions of the LDC**;
    - *Applicant's response: No, the requested action is consistent with the City's Land Development Code. An Annexation Application for the Residential Parcels has been submitted in connection with this Application.*
    - *Staff response:* Staff has no objection/comments.
- **Addresses a demonstrated community need**;
    - *Applicant's response: The proposed FLU Amendment for the Residential Parcels addresses a demonstrated community need, as the City has experienced considerable economic growth consistent with anticipated changes in the JPA. The proposed FLU Amendment for the Residential Parcels will provide more residential housing—meeting the demonstrated need outlined in the Future Land Use Housing Element Goals, Objectives and Policies Objective 1.*
    - *Staff response:* Staff has no objection/comments.
- **Is required by changed conditions;**
    - *Applicant's response: Yes, there are changed conditions that necessitate the Future Land Use Amendment. The subject property is vacant and surrounded primarily by residential neighborhoods rather than expansive agricultural lands. The annexation of the Residential Parcels and the corresponding FLU Amendment to RLS is consistent with the JPA and the City's vision for growth in this area as evidenced by the City's existing FLU designations for this area and will further the City's goal of meeting housing demands.*
    - *Staff response:* Staff has no objection/comments.
- **Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land**;
    - *Applicant's response: Yes, the requested FLU Amendment for the Residential Parcels is compatible with the existing and proposed uses surrounding the Residential Parcels. The "Proposed FLU Map Exhibit" attached hereto as Exhibit "A" reflects the compatibility of the proposed FLU Amendment with the surrounding uses. Specifically, the proposed Residential*

Parcels are adjacent to existing single-family residential developments with a FLU of RLS. These surrounding uses make the proposed RLS designation and proposed PD zoning appropriate and suitable for the Residential Parcels. Further, the current future land use designation of LD (County) permits density of up to four units per acre whereas the proposed RLS designation permits density of up to 3.5 units per acre.
    - *Staff response:* Staff has no objection/comments.
- **Would result in a logical and orderly development pattern**;
    - *Applicant's response: Yes, the proposed FLU Amendment to RLS for the Residential Parcels seeks to continue the existing pattern of development with the existing surrounding residential subdivisions as contemplated in the JPA.*
    - *Staff response:* Staff has no objection/comments.
- **Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**
    - *Applicant's response: The proposed FLU Amendment minimizes the environmental impacts on the natural environment. The proposed FLU Amendment results in a decrease in permitted density on the Residential Parcels. The Applicant intends to maintain a significant portion of the Proposed Development in its natural environment by providing for open spaces, recharge areas and avoiding environmental degradation consistent with Future Land Use Goal 1, Objective 4. The preservation of natural lands and the surrounding habitats will serve to maintain the natural vegetation, wetlands, and natural functioning environment.*
    - *Staff response:* Staff has no objection/comments.
- **Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).**
    - *Applicant's response: Yes, the Residential Parcels, which is located within the JPA, will be adequately served by public facilities. Adequate transportation, utilities, drainage and other public facilities either exist or will be provided for or mitigated as required in accordance with City's Comprehensive Plan, the City's Land Development Code and Florida Statutes. The Applicant will comply with all capacity and concurrency requirements for public facilities under the City's Comprehensive Plan and LDC and Florida Statutes. The Residential Parcels, as part of the Proposed Development, will undergo a school capacity determination in coordination with Orange County Public Schools and will comply with all school concurrency requirements, which will include financial contributions to mitigate any impacts on school capacity.*
    - *Staff response:* Staff has no objection/comments.

SCHOOL CAPACITY REPORT:

Orange County Public Schools (OCPS) has indicated all units are vested, qualifying the capacity requirement as "de minimis".

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on July 10, 2025.

PUBLIC HEARING SCHEDULE:
August 12, 2025 (5:30 P.M.) – Planning Commission
September 3, 2025 (1:30 P.M.) – City Council, First Reading
September 17, 2025 (7:00 P.M.) – City Council, Second Reading and Adoption

DULY ADVERTISED:
July 25, 2025 – Apopka Chief

LAND USE REPORT:

1. Relationship of adjacent properties

Direction	Future Land Use	Zoning	Present Use
North	Residential Low	RSF-1A (Residential Single-Family Estate)	Vacant
East	County LD	County R-1AA	Residential
South	County LD, City Agriculture	City AG (Agriculture), City RSF-1B (Residential Single-Family, Large Lot), County A-1	Residential, Agriculture
West	Institutional - Public Use, Low Density Residential	RCE (Residential Country Estate), O (Office)	Vacant, retention pond

2. Land Use Analysis
The subject parcels are located on the east side of Vick Road, approximately 1/4 mile north of the intersection of Vick Road and W. Lester Road. The applicant is requesting a future land use designation of Residential Low Suburban which permits a maximum of 3.5 dwelling units per acre. The existing Orange County future land use designation is Low Density which permits a maximum of 4 dwelling units per acre. The property is approximately 39.85 acres in size and subject to standards in the following areas:

Wekiva Parkway Interchange Plan Area: No
Wekiva River Protection Area: No
Area of Critical State Concern: No

JPA:

The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The proposed Small-Scale Future Land Use Amendment request for a change from County Low Density to City Residential Low Suburban is consistent with the terms of the JPA (Second Amendment).

City of Apopka Comprehensive Plan Policies: Future Land Use Element:

- Policy 3.1.d. The primary use shall be residential dwelling units up to 3.5 dwelling units per acre, elementary schools; middle schools; high schools; supporting infrastructure of less than two acres, neighborhood parks. Special exception uses shall include:

A. Institutional uses of five acres or less
B. Supporting infrastructure and public facilities of two acres or more
C. Horticultural nurseries as a primary use; Planned Development uses may include:
    1. All primary uses
    2. All special exception uses
    3. Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
    4. Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods.

Transportation Element:

Policies 1.1 and 1.2 state that the City of Apopka is a Transportation Concurrency Exception Area.

Infrastructure Element:

Policies 1.1.1, 2.1.1 and 5.1.2 state the minimum levels of service for the City's wastewater and water systems as well as the City's solid waste collection service.

Conservation Element:

A habitat study will be required as the development is over ten (10) acres.

Land Use Calculations:

CURRENT: Future Land Use – County Low Density (4 dwelling units per acre) 4 DU/AC X 39.85 acres = 159 dwelling units
PROPOSED: Future Land Use – Residential Very Low Suburban (3.5 dwelling units per acre) 3.5 DU X 39.85 acres = 139 dwelling units

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

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:

Development Review Committee:

Recommends approval of the Future Land Use Map Amendment from County Low Density to City Residential Low Suburban for Paulucci Acres.

Recommended Motion – Planning Commission:

Find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change in Future Land Use designation from County Low Density to City Residential Low Suburban for Paulucci Acres.

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

ATTACHMENTS:
1. Ordinance No 3125
2. Map series
3. OCPS RE_ Application for capacity - Paulucci Acres future land use
4. FLU Amendment Justification (Annexation) - Paulucci
5. Advertisement July 25

ORDINANCE NO. 3125

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 TO CITY RESIDENTIAL LOW SUBURBAN FOR CERTAIN REAL PROPERTY OWNED BY PAULUCCI ACRES, LLC; LOCATED ON THE EAST SIDE OF VICK ROAD, APPROXIMATELY ¼ MILE NORTH OF THE INTERSECITON OF VICK ROAD AND W. LESTER ROAD; COMPRISING 39.85 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the City's Comprehensive Plan by Ordinance No. 653 on October 2, 1991, in accordance with the laws of the State of Florida; and

WHEREAS, the City of Apopka is committed to planning and managing the future growth and development of the City; and

WHEREAS, the City Council of the City of Apopka has the authority to amend its Comprehensive Plan pursuant to Chapter 163, *Florida Statutes*; and

WHEREAS, the City of Apopka Planning Commission held a public hearing on August 12, 2025, to consider this small-scale amendment to the Future Land Use Map of the Comprehensive Plan and determined that this amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, the City of Apopka has complied with all requirements and procedures of Florida law in processing this small-scale amendment to the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka hereby finds and determines that this amendment is internally consistent with the City's Comprehensive Plan.

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

Section I. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act. The City of Apopka has complied with all requirements of Florida Law in processing this ordinance. The recitals set

forth above recitals are hereby adopted.

Section II. Future Land Use Map Amendment. Page 1-32 (Map 1-6) of the Future Land Use Element of the City of Apopka Comprehensive Plan, is hereby amended to change the land use from County Low Density to City Residential Low Suburban for certain real property generally located on the east side of Vick Road, approximately ¼ mile north of the intersection of Vick Road and W. Lester Road, comprising 39.85 acres more or less; as shown and further described in Exhibit "A" attached hereto.

Section III. Applicability and Effect. The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Community Planning Act as set forth in Chapter 163, *Florida Statutes*.

Section IV. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed**.**

Section VI. Effective Date. This Ordinance shall become effective thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, the Ordinance shall become effective after the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with applicable law.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this ____ day of _____, 2025

READ FIRST TIME: _____

READ SECOND TIME AND ADOPTED: _____

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

Approved as to form and legal sufficiency:

_____

Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 25, 2025

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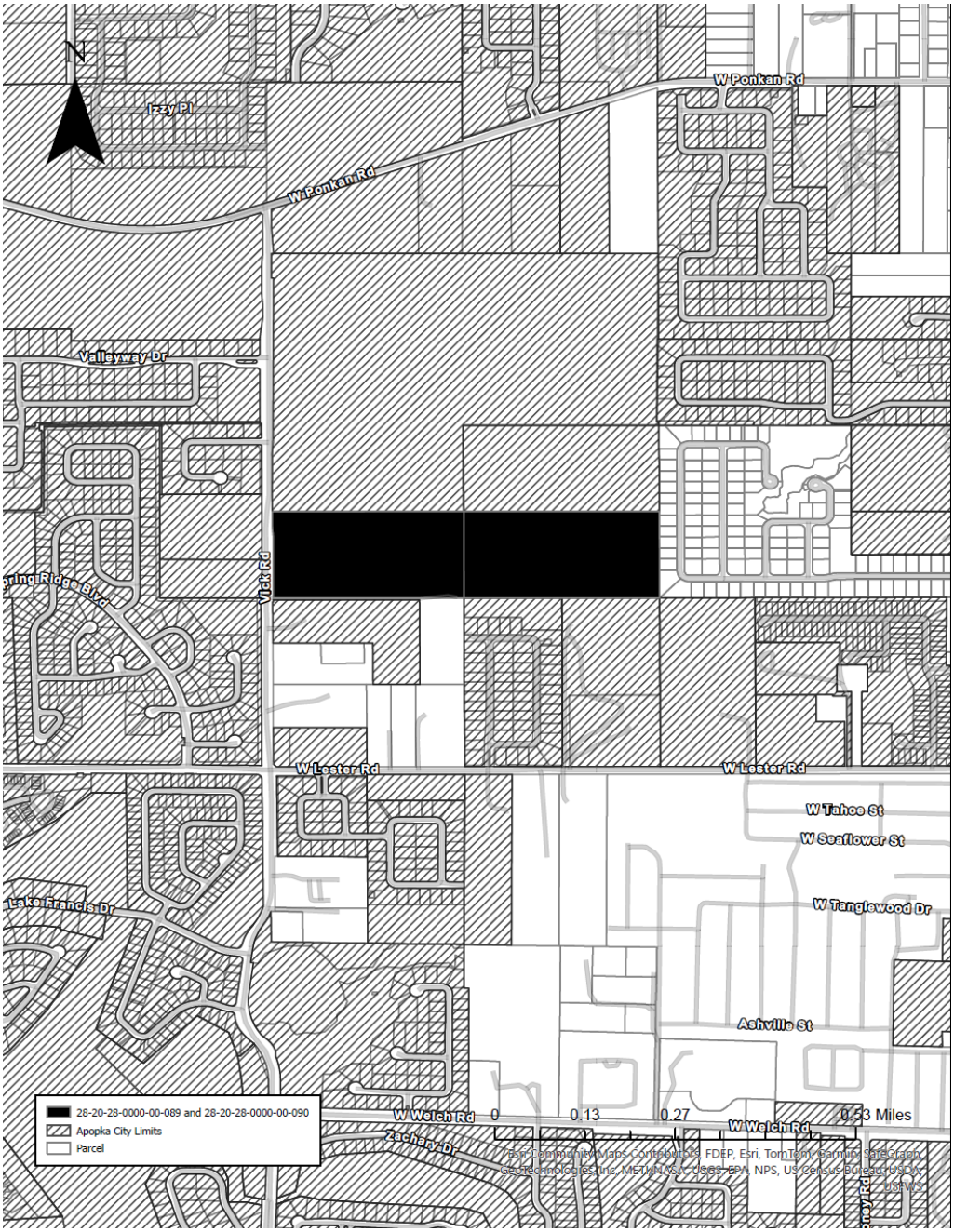
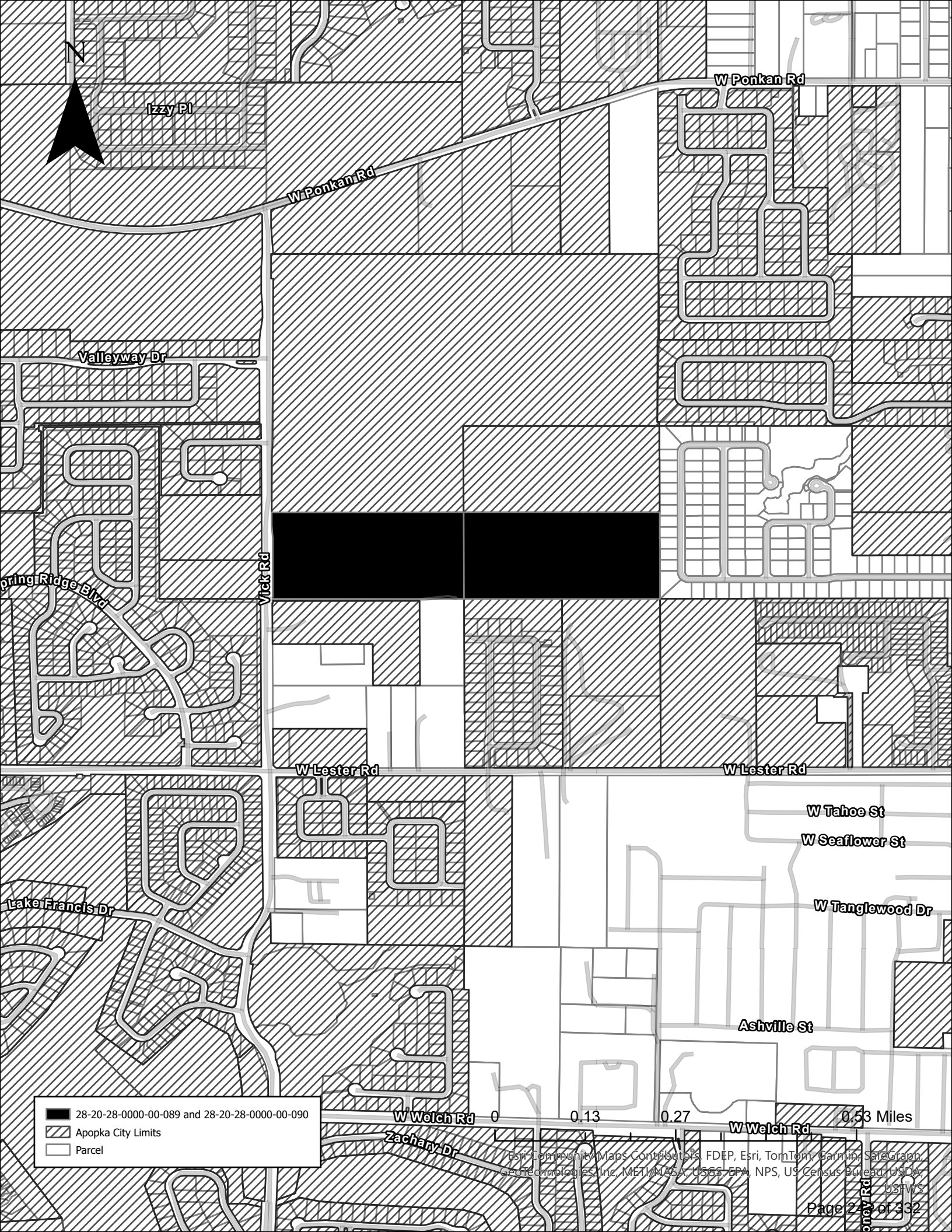
EXHIBIT "A"

Parcel Identification Number(s): 28-20-28-0000-00-089 and 28-20-28-0000-00-090
Acreage: 39.85 +/- Acres

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W Tanglewood Dr
Lake Francis Dr
Ashville St
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Zachary Dr
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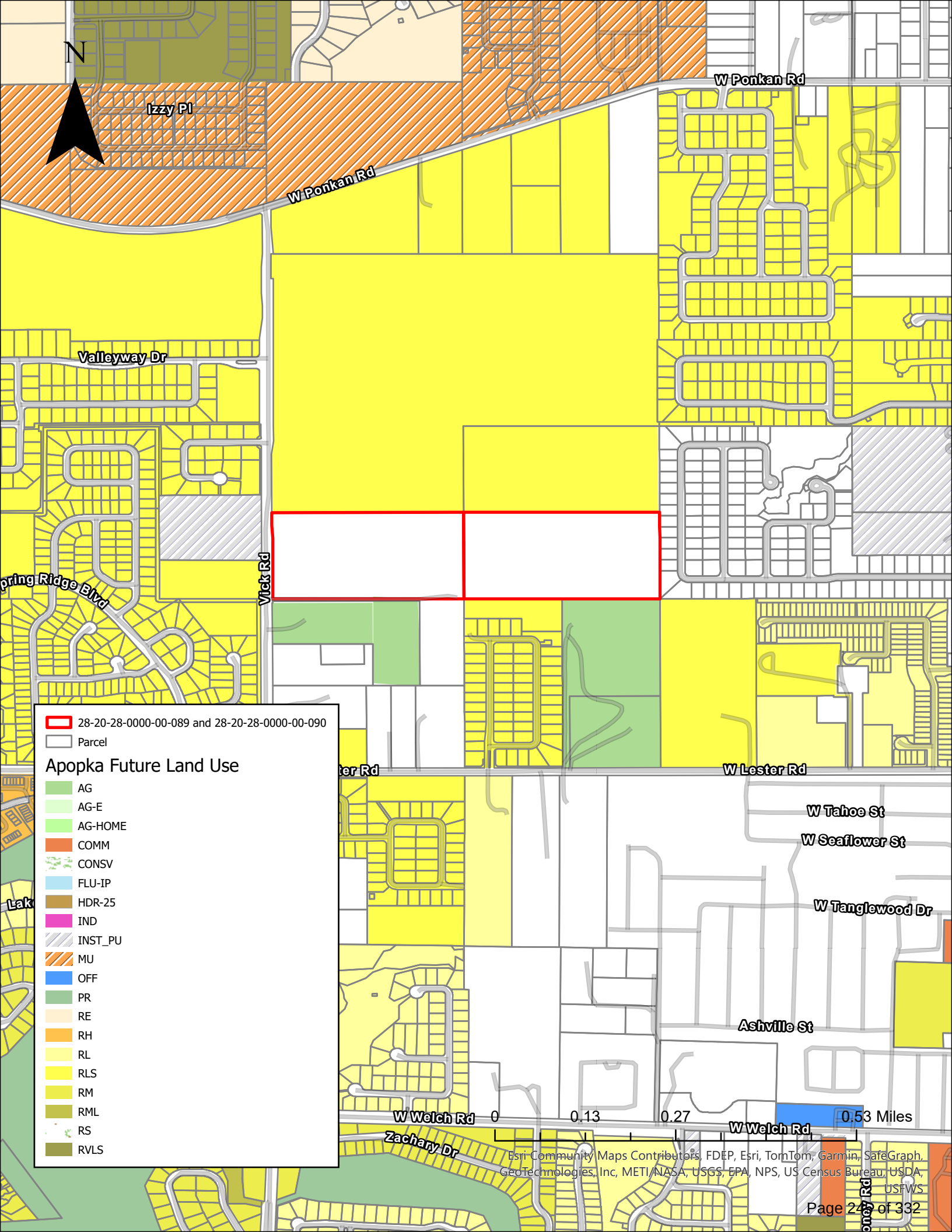
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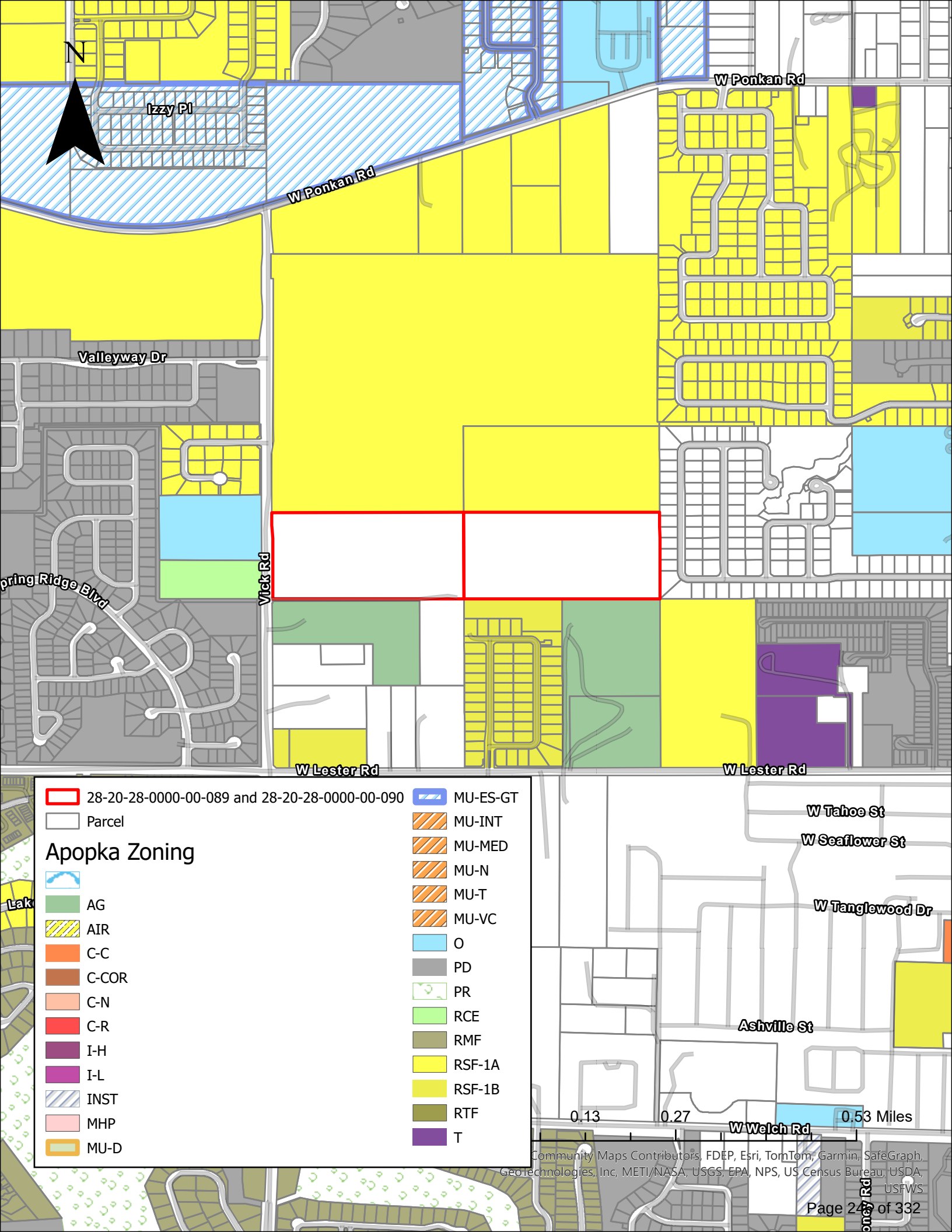
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Community Maps Contributors, FDEP, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

From:	Vitale, Stefani
To:	Bobby Howell
Cc:	Colon, Selimar; Mills, Christopher C.; Pelc, Tamara L.
Subject:	RE: Application for capacity - Paulucci Acres future land use
Date:	Monday, July 14, 2025 5:16:20 PM
Attachments:	image001.png

Sorry, I meant “de-minimis”

From: Vitale, Stefani
Sent: Monday, July 14, 2025 5:14 PM
To: Bobby Howell <BHowell@Apopka.net>
Cc: Colon, Selimar <Selimar.Colon@ocps.net>; Mills, Christopher C. <Christopher.Mills@ocps.net>; Pelc, Tamara L. <Tamara.Pelc@ocps.net>
Subject: RE: Application for capacity - Paulucci Acres future land use

Good Afternoon Bobby,

Thank you. It appears this is a de-minimums development and we don’t need an analysis.

Thank you,

Stefani Vitale
Senior Specialist, Real Estate Management and Land Planning
Orange County Public Schools
Tel: 407-317-3700 ext. 2023974
planning.ocps.net

*__District Office Summer Hours__ from June 5 – July 30 will be Monday – Thursday 7:00 AM – 5:30 PM **CLOSED on Fridays**

From: Pelc, Tamara L. <Tamara.Pelc@ocps.net>
Sent: Monday, July 14, 2025 4:01 PM
To: Colon, Selimar <Selimar.Colon@ocps.net>; Vitale, Stefani <Stefani.Vitale@ocps.net>
Subject: Fw: Application for capacity - Paulucci Acres future land use

Get Outlook for iOS

From: Bobby Howell <BHowell@Apopka.net>
Sent: Monday, July 14, 2025 3:36:48 PM
To: Pelc, Tamara L. <Tamara.Pelc@ocps.net>

Cc: Jean Sanchez <JeSanchez@apopka.net>; Elesa R. Sowell <ESowell@shutts.com>; Kyla E. Szubinski <KSzubinski@shutts.com>; Mills, Christopher C. <Christopher.Mills@ocps.net>
Subject: Application for capacity - Paulucci Acres future land use

⚠ **CAUTION:** This email originated from outside of Orange County Public Schools. Do not click links or open attachments unless you know the content is safe.

Good afternoon,

Please find the attached application for capacity for Paulucci Acres future land use. If you have any questions, please let me know.

Bobby Howell, AICP
Planning Manager
City of Apopka
120 E. Main Street, 2nd floor
Apopka, FL 32703
407-703-1764

The information contained in this e-mail message is intended solely for the recipient(s) and may contain privileged information. Tampering with or altering the contents of this message is prohibited. This information is the same as any written document and may be subject to all rules governing public information according to Florida Statutes. Any message that falls under Chapter 119 shall not be altered in a manner that misrepresents the activities of Orange County Public Schools. [References: Florida State Constitution I.24, Florida State Statutes Chapter 119, and OCPS Management Directive A-9.] If you have received this message in error, or are not the named recipient notify the sender and delete this message from your computer.

2025

Paulucci Acres Future Land Use Amendment Justification (Residential Parcels)

PREPARED FOR THE CITY OF APOPKA, FLORIDA

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APPLICATION REQUEST 2
REVIEW CRITERIA 2
A. LAND DEVELOPMENT CODE SECTION 2.5.1.D.3 REQUIRES THE COUNCIL TO WEIGH THE RELEVANCE OF AND CONSIDER WHETHER AND THE EXTENT TO WHICH THE PROPOSED AMENDMENT: 2
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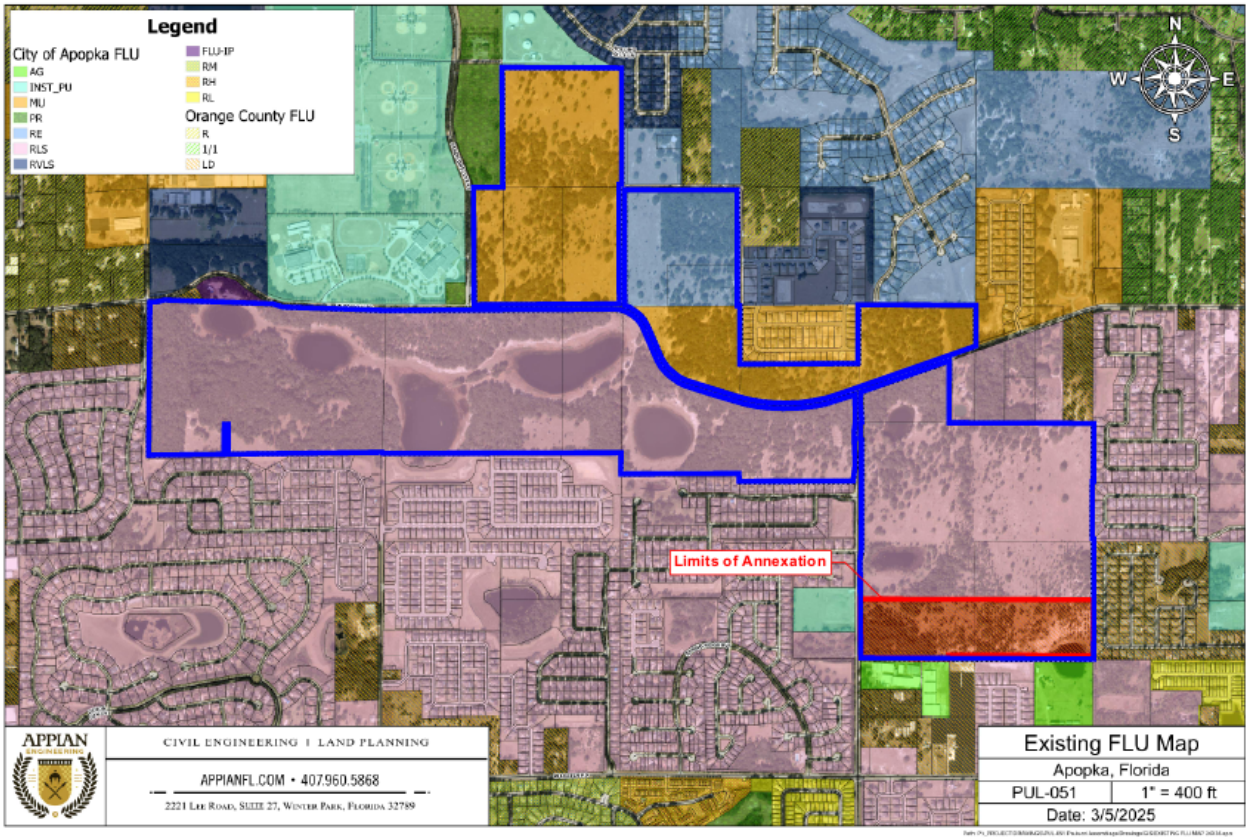
Summary and Location

The proposed development, currently referred to as “Paulucci Acres” (the “Proposed Development”), is a 618.36± acre site situated north and south of W. Ponkan Road. Approximately 580 acres of the Proposed Development is located in the City Apopka, Florida (the “City”), while approximately 39.85 +/- acres, or only 6.4% of the overall project, are located in unincorporated Orange County (the “Residential Parcels”), which are proposed to be annexed into the City. Paulucci Acres will consist of a master planned residential community of up to 1,052 single-family residential units and two commercial parcels, which will be comprised of approximately 10 acres total, for future development.

The Residential Parcels are comprised of Orange County Property Appraiser Parcel Identification Numbers 28-20-28-0000-00-089 and 28-20-28-0000-00-090.

The location of the Residential Parcels is outlined in red in the Existing FLU Map Exhibit below.



Application Request

The Residential Parcels have a future land use designation of Low Density Residential ("LD") (County) and is zoned A-1 (County).

In conjunction with this Application, Applicant submitted an Annexation Application (AN-25-3) for the Residential Parcels and a Master Plan and Planned Development Application to request to rezone the proposed development, including the Residential Parcels, to Planned Development ("PD") zoning district.

This Small-Scale Comprehensive Plan Future Land Use Map Amendment Application (FLU-25-5) (this "Application") requests a future land use designation of Residential Low Suburban ("RLS") for the Residential Parcels upon annexation of the Residential Parcels into the City. The requested action is consistent with and furthers the goals, objectives, and policies of the City's Comprehensive Plan.

Review Criteria

A. Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

a. Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans.

RESPONSE: The requested action to amend the City of Apopka Comprehensive Plan Future Land Use Map to add a FLU designation of RLS to the Residential Parcels, which are proposed to be annexed into the City pursuant to the Annexation Application submitted in connection with this Application, is consistent with and furthers the goals, objectives, and policies of the City's Comprehensive Plan. The annexation of the Residential Parcels into the City is consistent with the City's strategic vision for growth as set forth in the City's Comprehensive Plan. The City's Comprehensive Plans states that "[t]he City expects an increase in residential acreage in the future" and that one of the methods to address the future demand for residential land use is expected future annexations. Specifically, the requested Comprehensive Plan Future Land Use Map Amendment is consistent with Future Land Use Goal 1, which provides that the character and location of new development maximizes the economic benefit to the land and meets the housing needs of the current and projected population. Further, the Residential Parcels are located within the Joint Planning Agreement between Orange County and the City of Apopka (the "JPA").

b. Is in conflict with any provisions of the LDC.

RESPONSE: No, the requested action is consistent with the City's Land Development Code. An Annexation Application for the Residential Parcels has been submitted in connection with this Application.

c. Addresses a demonstrated community need.

RESPONSE: The proposed FLU Amendment for the Residential Parcels addresses a demonstrated community need, as the City has experienced considerable economic growth consistent with anticipated changes in the JPA. The proposed FLU Amendment for the Residential Parcels will provide more residential housing—meeting the demonstrated need outlined in the Future Land Use Housing Element Goals, Objectives and Policies Objective 1.

d. Is required by changed conditions.

RESPONSE: Yes, there are changed conditions that necessitate the Future Land Use Amendment. The subject property is vacant and surrounded primarily by residential neighborhoods rather than expansive agricultural lands. The annexation of the Residential Parcels and the corresponding FLU Amendment to RLS is consistent with the JPA and the City's vision for growth in this area as evidenced by the City's existing FLU designations for this area and will further the City's goal of meeting housing demands.

e. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land.

RESPONSE: Yes, the requested FLU Amendment for the Residential Parcels is compatible with the existing and proposed uses surrounding the Residential Parcels. The "Proposed FLU Map Exhibit" attached hereto as Exhibit "A" reflects the compatibility of the proposed FLU Amendment with the surrounding uses. Specifically, the proposed Residential Parcels are adjacent to existing single-family residential developments with a FLU of RLS. These surrounding uses make the proposed RLS designation and proposed PD zoning appropriate and suitable for the Residential Parcels. Further, the current future land use designation of LD (County) permits density of up to four units per acre whereas the proposed RLS designation permits density of up to 3.5 units per acre.

f. Would result in a logical and orderly development pattern.

RESPONSE: Yes, the proposed FLU Amendment to RLS for the Residential Parcels seeks to continue the existing pattern of development with the existing surrounding residential subdivisions as contemplated in the JPA.

g. Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

RESPONSE: The proposed FLU Amendment minimizes the environmental impacts on the natural environment. The proposed FLU Amendment results in a decrease in permitted density on the Residential Parcels. The Applicant intends to maintain a significant portion of the Proposed Development in its natural environment by providing for open spaces, recharge areas and avoiding environmental degradation consistent with Future Land Use Goal 1, Objective 4. The preservation of natural lands and the surrounding habitats will serve to maintain the natural vegetation, wetlands, and natural functioning environment.

h. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).

RESPONSE: Yes, the Residential Parcels, which is located within the JPA, will be adequately served by public facilities. Adequate transportation, utilities, drainage and other public facilities either exist or will be provided for or mitigated as required in accordance with City's Comprehensive Plan, the City's Land Development Code and Florida Statutes. The Applicant will comply with all capacity and concurrency requirements for public facilities under the City's Comprehensive Plan and LDC and Florida Statutes.

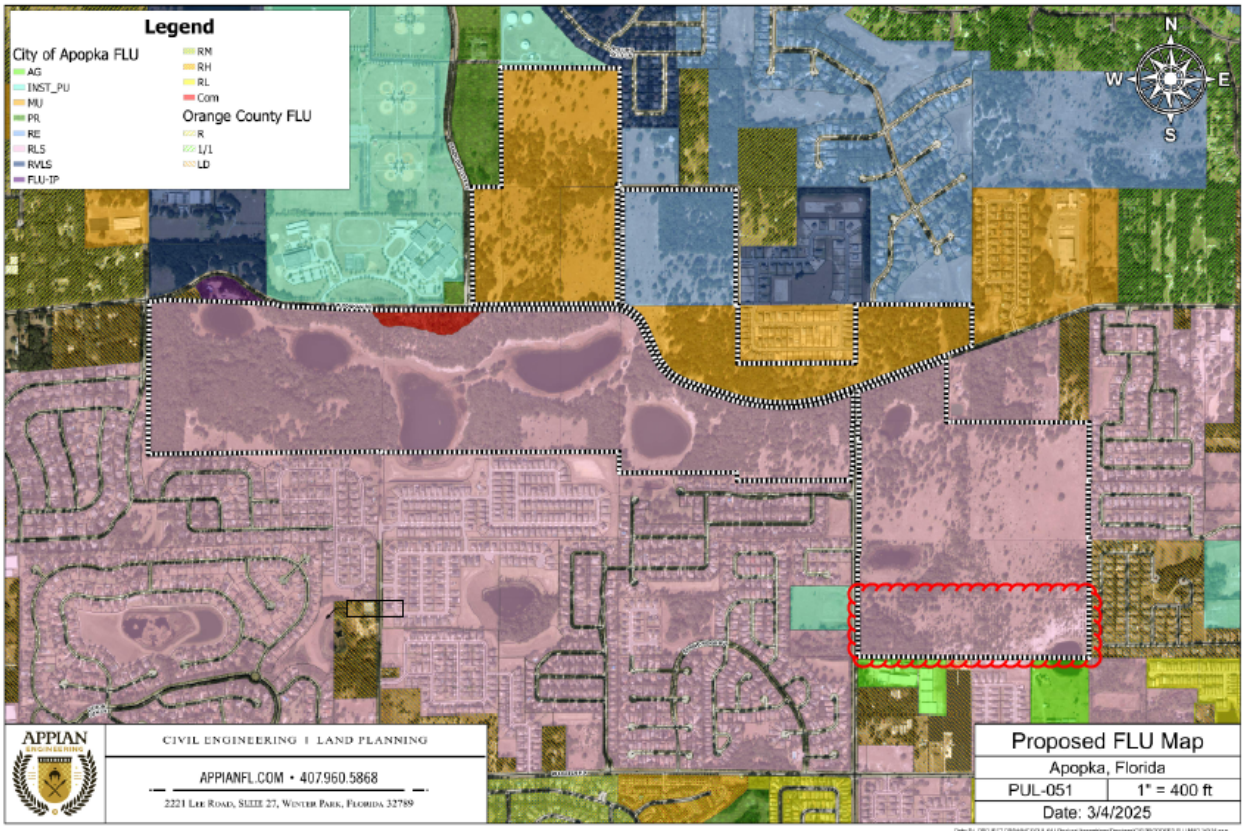
The Residential Parcels, as part of the Proposed Development, will undergo a school capacity determination in coordination with Orange County Public Schools and will comply with all school concurrency requirements, which will include financial contributions to mitigate any impacts on school capacity.

Conclusion

The requested Future Land Use Amendment related to the Residential Parcels is compatible with the surrounding development and uses. The Applicant respectfully requests your consideration of this Application for approval of a future land use designation of RLS for the Residential Parcels. Should you have any questions regarding this Application, please contact Dan O'Keefe or Elesa Sowell with Shutts & Bowen LLP.

Exhibit “A”

Proposed FLU Map Exhibit

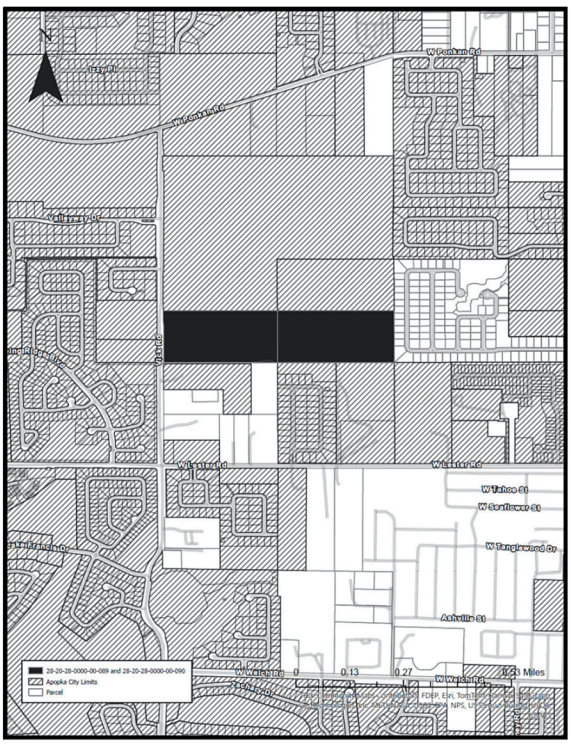


CITY OF APOPKA
PUBLIC HEARING NOTICE
SMALL-SCALE FUTURE LAND USE AMENDMENT

NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Daniel O'Keefe** has made application relating to the following described property:

ORDINANCE NO. 3125

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 TO CITY RESIDENTIAL LOW SUBURBAN FOR CERTAIN REAL PROPERTY OWNED BY PAULUCCI ACRES, LLC; LOCATED ON THE EAST SIDE OF VICK ROAD, APPROXIMATELY ¼ MILE NORTH OF THE INTERSECITON OF VICK ROAD AND W. LESTER ROAD; COMPRISING 39.85 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): 28-20-28-0000-00-089 and 28-20-28-0000- 00-090
Contains: 39.85 +/- acres

NOTICE is given that a public hearing for Ordinance Number 3125 will be held by the **City of Apopka Planning Commission** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:30 P.M.,** or as soon thereafter as possible.

FURTHER NOTICE is given that a public hearing for Ordinance Number 3125 will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, September 3, 2025 beginning at 1:30 P.M.** and **Wednesday, September 17, 2025 at 7:00 P.M.** or as soon thereafter as possible.

Affected parties and the public may appear at the above listed hearings to speak. The proposed future land use amendment can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka FL 32703, Telephone: 407-703-1704, no less than 48 hours prior to the proceeding.

Apopka City Council
Apopka Planning Commission
Community Development Department

July 25, 2025

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: PUBLIC HEARING
Item #: 12.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Legislative – Ordinance No. 3126 – Future Land Use Amendment – Paulucci Acres commercial

ACTION ITEM INFORMATION:
Owner(s): Paulucci Acres, LLC
Applicant(s): Daniel O'Keefe
Location: South side of Ponkan Road, west of Jason Dwelley Parkway
Project: 5.789 +/- acre(s)
Density: N/A (Commercial proposed)
Project Manager: Bobby Howell, AICP

REQUEST:
Recommend approval of the Future Land Use Map Amendment from Residential Low Suburban to Commercial for Paulucci Acres.

SUMMARY:
Owner(s): Paulucci Acres
Applicant(s): Daniel O'Keefe
Parcel Identification Number(s): Portion of 29-20-28-0000-00-002 and 30-28-28-0000-00-018
Location: South side of Ponkan Road, west of Jason Dwelley Parkway
Existing Future Land Use: Residential Low Suburban
Proposed Future Land Use: Commercial (maximum 0.25 FAR)
Existing Zoning: RSF-1A (Residential Single-Family Estate)
Existing Use(s): Vacant
FAR: 0.25
Tract Size: 5.789 +/- acre(s)

Direction	Future Land Use	Zoning	Present Use
North	Mixed-Use, Institutional/Public-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Vacant
East	Residential Low Suburban	RSF-1A (Residential Single-Family — Large Lot)	Vacant
South	Residential Low Suburban	PD (Planned Development)	Vista Reserve Phase II Residential Subdivision
West	Residential Low Suburban	RSF-1A (Residential Single-Family — Large Lot)	Vacant

PROJECT SUMMARY:
The subject property is approximately 5.789 acres in size and is currently vacant. The applicant is requesting the amendment of the future land use of the property to Commercial to allow the property to be developed as a non-residential portion of a PD (Planned Development) that is currently under review. The property is located on the south side of Ponkan Road, west of Jason Dwelley Parkway, across from the Wolf Lake Elementary and Middle Schools. The properties to the north have future land use designations of Mixed-Use and Institutional/Public-Use. The request to change the future land use designation to Commercial allows a maximum of 0.25 FAR (floor area ratio). The applicant is requesting a future land use amendment from Residential Low Suburban, which permits a maximum of 3.5 dwelling units per acre to Commercial, which permits a maximum FAR of 0.25 to allow the property to be used as commercial development in a PD (Planned Development) that is proposed that is currently under review.

Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

- **Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans**;
    - *Applicant's response: Response: The requested action to amend the City of Apopka Comprehensive Plan Future Land Use Map to amend the FLU designation for the proposed Commercial Parcel-South from RLS to COMM is consistent with and furthers the goals, objectives, and policies of the City's Comprehensive Plan. The Comprehensive Plan Future Land Use Map Amendment is consistent with Goal 1 because it would provide commercial services to the new residential development in the area—thus maximizing the economic benefit to the land and meeting the service needs of the current and, importantly here, the projected population. Specifically, the proposed Commercial Parcel-South is consistent with Future Land Use Goal 1, Objective 3, Policy 3.1.i, because the proposed Commercial Parcel-South would be primarily used "for business, commerce, and convenience shopping which may be neighborhood or community oriented." The main uses of commercial land are businesses, shops, and commerce which would confer an economic benefit to the surrounding area while ensuring that the commercial uses are neighborhood oriented through the proposed PD.*
    - *Staff response:* Staff has no objection/comments.
- **Is in conflict with any provisions of the LDC**;
    - *Applicant's response: No, the requested action is consistent with the City's Land Development Code.*
    - *Staff response:* Staff has no objection/comments.
- **Addresses a demonstrated community need**;
    - *Applicant's response: The proposed FLU Amendment for the Commercial Parcel-South addresses a demonstrated community need, as the City has experienced considerable economic growth. The proposed FLU Amendment will provide neighborhood-friendly commercial services to support the proposed residential housing—meeting the demonstrated need outlined in the Future Land Use Housing Element Goals, Objectives and Policies Objective 1.*
    - *Staff response:* Staff has no objection/comments.
- **Is required by changed conditions;**
    - *Applicant's response: Yes, there are changed conditions that necessitate the Future Land Use Amendment. The surrounding uses and development, including the City's Northwest Recreation Complex with multiple ball fields, tennis courts and an amphitheater, have created a need for neighborhood-friendly commercial development logically placed at or near the intersection of Ponkan Road and Jason Dwelley Parkway.*
    - *Staff response:* Staff has no objection/comments.
- **Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land**;
    - *Applicant's response: Yes, the requested FLU Amendment is compatible with the existing and proposed uses surrounding Commercial Parcel-South. The "Proposed FLU Map Exhibit" attached hereto as Exhibit "A" reflects the compatibility of the proposed FLU Amendment with the surrounding uses. Specifically, the location of the proposed Commercial Parcel-South at or near the intersection of Ponkan Road and Jason Dwelley Parkway, is appropriate and suitable for neighborhood-friendly commercial use. The existing surrounding uses are compatible with the proposed Commercial Parcel-South, including the multiple ball fields, tennis courts and*

amphitheater at the City's Northwest Recreational Complex, which draw large groups of people for tournaments and performances throughout the year. The property to the north of the Commercial Parcel-South has a FLU of Mixed Use, which uses will be compatible with the Commercial Parcel-South. There will continue to be a significant natural buffer between the Commercial Parcel-South and the residential development to the south.
    - *Staff response: Staff has no objection/comments.*
- **Would result in a logical and orderly development pattern**;
    - *Applicant's response: The location of the proposed Commercial Parcel-South with a future land use designation of COMM is logical and orderly because it is at or near the intersection of Ponkan Road, a major County roadway, and Jason Dwelley Parkway. Further, the land to the south of the proposed Commercial Parcel-South is proposed to remain in its natural state, creating a significant natural buffer between future residential development and the proposed Commercial Parcel-South.*
    - *Staff response: Staff has no objection/comments.*
- **Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and**
    - *Applicant's response: The proposed FLU Amendment minimizes the environmental impacts on the natural environment. The Applicant intends to maintain a significant portion of the natural environment surrounding the existing lakes located south of Ponkan Road adjacent to the Commercial Parcel-South providing for open spaces, recharge areas and avoiding environmental degradation consistent with Future Land Use Goal 1, Objective 4. The preservation of these lakes and the surrounding habitats will serve to maintain the natural vegetation, wetlands, and natural functioning environment and provide a natural buffer between the commercial and residential segments of the surrounding area.*
- **Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).**
    - *Applicant's response: Yes, the development will be adequately served by public facilities. Adequate transportation, utilities, drainage and other public facilities either exist or will be provided for or mitigated as required in accordance with City's Comprehensive Plan, the City's Land Development Code and Florida Statutes. The Applicant will comply with all capacity and concurrency requirements for public facilities under the City's Comprehensive Plan and LDC and Florida Statutes.*
    - *Staff response:* Staff has no objection/comments.

SCHOOL CAPACITY REPORT:

This is not applicable as no residential development is proposed.

ORANGE COUNTY NOTIFICATION:
The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on July 10, 2025.

PUBLIC HEARING SCHEDULE:
August 12, 2025 (5:30 P.M.) – Planning Commission
September 3, 2025 (1:30 P.M.) – City Council, First Reading
September 17, 2025 (7:00 P.M.) – City Council, Second Reading and Adoption

DULY ADVERTISED:
July 25, 2025 – Apopka Chief

LAND USE REPORT:

1. Relationship of adjacent properties

Direction	Future Land Use	Zoning	Present Use
North	Mixed-Use, Institutional/Public-Use	MU-ES-GT (Mixed-Use – East Shore – Gateway)	Vacant
East	Residential Low Suburban	RSF-1A (Residential Single-Family — Large Lot)	Vacant
South	Residential Low Suburban	PD (Planned Development)	Vista Reserve Phase II Residential Subdivision
West	Residential Low Suburban	RSF-1A (Residential Single-Family — Large Lot)	Vacant

2. Land Use Analysis
The subject property is located on the south side of Ponkan Road west of Jason Dwelley Parkway. The applicant is requesting a future land use amendment from Residential Low Suburban, which permits a maximum of 3.5 dwelling units per acre to Commercial, which permits a maximum FAR of 0.25 to allow the property to be used as commercial development in a PD (Planned Development) that is proposed that is currently under review. The property is approximately 5.789 acres in size and subject to standards in the following areas:

Wekiva Parkway Interchange Plan Area: No
Wekiva River Protection Area: No
Area of Critical State Concern: No

JPA:

The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The proposed Small-Scale Future Land Use Amendment request for a change from Mixed-Use to Residential Very Low Suburban is consistent with the terms of the JPA (Second Amendment).

City of Apopka Comprehensive Plan Policies: Future Land Use Element:

Policy 3.l.i
Primary uses shall be for business, commerce, and convenience shopping which may be neighborhood or community oriented. The maximum floor area ratio shall be .25 gross floor area. Institutional land uses of less than five acres; and public facilities or utilities of less than five acres. The expansion of strip commercial areas shall be prohibited except in infill areas.

Special exception uses shall include:
1) Institutional land uses of five acres or more
2) Elementary schools, middle schools and high schools
3) Supporting infrastructure and public facilities of five acres or more
Planned Unit Development uses may include:
1) All primary land uses
2) All special exception uses
3) Multifamily development of up to fifteen dwelling units per acre, when located within a primary use structure
4) Other uses deemed compatible with and complimentary to the other proposed master planned uses and the surrounding neighborhoods.

Transportation Element:

Policies 1.1 and 1.2 state that the City of Apopka is a Transportation Concurrency Exception Area.

Infrastructure Element:

Policies 1.1.1, 2.1.1 and 5.1.2 state the minimum levels of service for the City's wastewater and water systems as well as the City's solid waste collection service.

Conservation Element:

A habitat study will be required as the development is over ten (10) acres.

Land Use Calculations:

CURRENT: Future Land Use – Residential Low Suburban (3.5 dwelling units per acre per FLUE Policy 3..1.d) 3.5 DU/AC X 5.789 acres = 20 dwelling units
PROPOSED: Future Land Use – Commercial (0.25 FAR) X 5.789 acres = 0.25 x (5.789 x43,560 = 252,168.84) = 63,042.21 sq ft non-residential

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

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:

Development Review Committee:

Recommends approval of the Future Land Use Map Amendment from Residential Low Suburban to Commercial for Paulucci Acres.

Recommended Motion – Planning Commission:

Find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change in Future Land Use designation from Residential Low Suburban to Commercial for Paulucci Acres.

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

ATTACHMENTS:
1. Ordinance No 3126
2. Maps
3. FLU Amendment Justification (Commercial Parcel) - Paulucci
4. Advertisement July 25

ORDINANCE NO. 3126

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 LOW SUBURBAN TO COMMERCIAL FOR CERTAIN REAL PROPERTY OWNED BY PAULUCCI ACRES, LLC; LOCATED ON THE SOUTH SIDE OF PONKAN ROAD WEST OF THE INTESECTION OF JASON DWELLEY PARKWAY AND PONKAN ROAD; COMPRISING 5.789 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka adopted the City's Comprehensive Plan by Ordinance No. 653 on October 2, 1991, in accordance with the laws of the State of Florida; and

WHEREAS, the City of Apopka is committed to planning and managing the future growth and development of the City; and

WHEREAS, the City Council of the City of Apopka has the authority to amend its Comprehensive Plan pursuant to Chapter 163, *Florida Statutes*; and

WHEREAS, the City of Apopka Planning Commission held a public hearing on August 12, 2025, to consider this small-scale amendment to the Future Land Use Map of the Comprehensive Plan and determined that this amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, the City of Apopka has complied with all requirements and procedures of Florida law in processing this small-scale amendment to the City's Comprehensive Plan; and

WHEREAS, the City Council of the City of Apopka hereby finds and determines that this amendment is internally consistent with the City's Comprehensive Plan.

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

Section I. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act. The City of Apopka has complied with all requirements of Florida Law in processing this ordinance. The recitals set

forth above recitals are hereby adopted.

Section II. Future Land Use Map Amendment. Page 1-32 (Map 1-6) of the Future Land Use Element of the City of Apopka Comprehensive Plan, is hereby amended to change the land use from County Rural to Mixed-Use for certain real property generally located on the south side of Ponkan Road, west of the intersection of Ponkan Road and Jason Dwelley Parkway, comprising 5.789 acres more or less; as shown and further described in Exhibit "A" attached hereto.

Section III. Applicability and Effect. The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Community Planning Act as set forth in Chapter 163, *Florida Statutes*.

Section IV. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section V. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed**.**

Section VI. Effective Date. This Ordinance shall become effective thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, the Ordinance shall become effective after the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with applicable law.

ADOPTED at a regular meeting of the City Council of the City of Apopka, Florida, this ____ day of _____, 2025

READ FIRST TIME: _____

READ SECOND TIME AND ADOPTED: _____

ATTEST:

_____ _____

Susan Bone, City Clerk Bryan Nelson, Mayor

Approved as to form and legal sufficiency:

_____

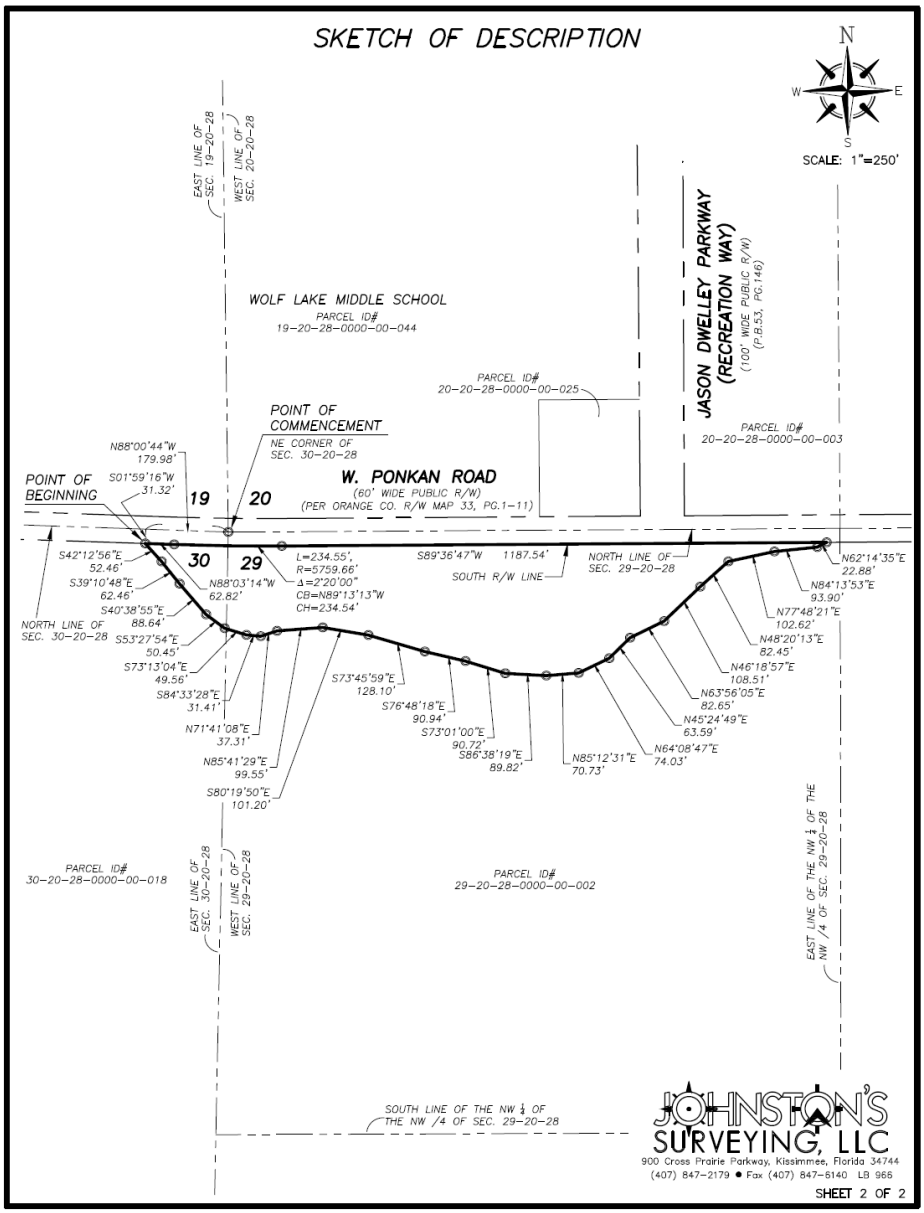
Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 25, 2025

92

EXHIBIT "A"

Parcel Identification Number(s): Portion of 29-20-28-0000-00-002 and 30-20-28-0000-00-018
Acreage: 5.789+/- Acres



Vicinity

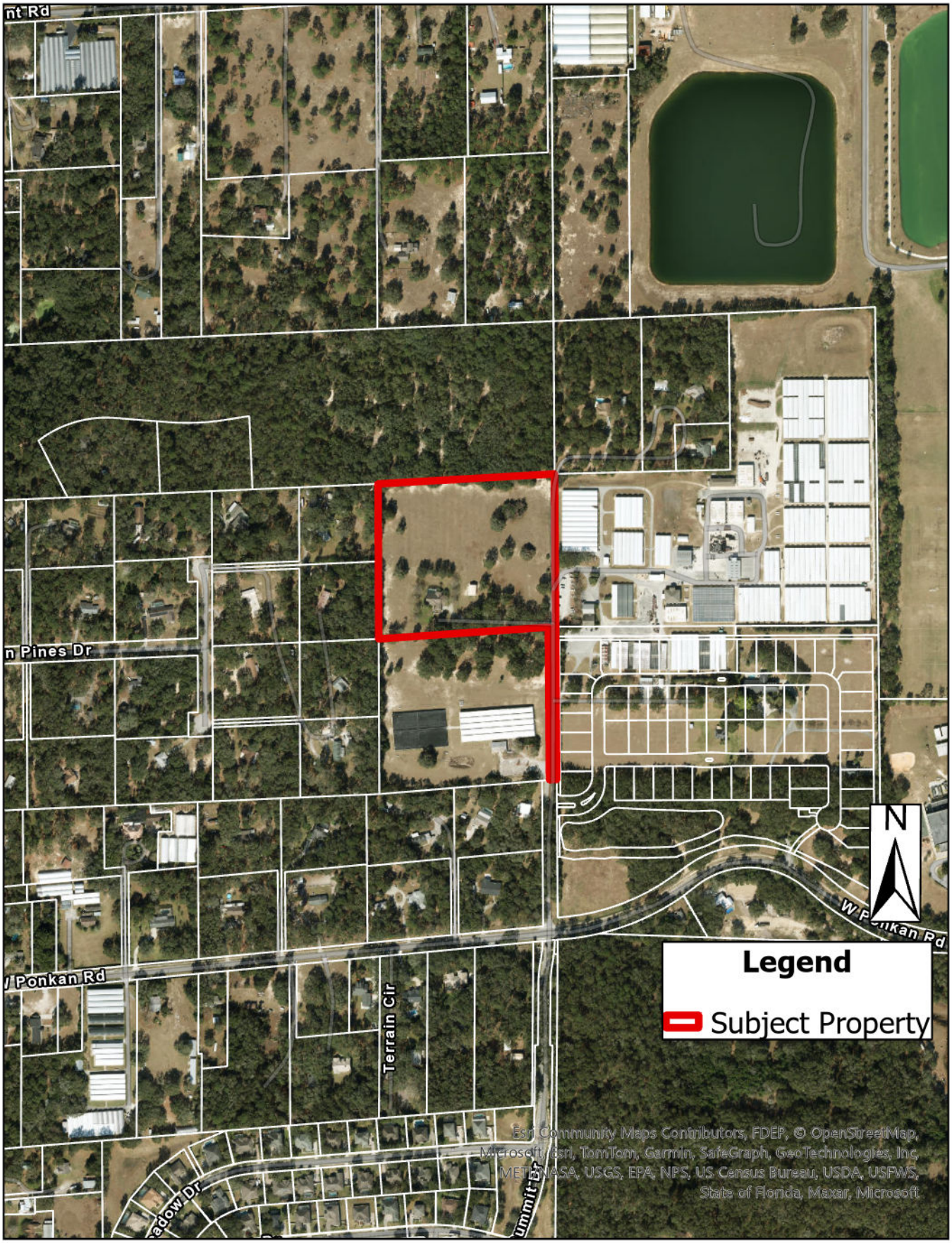
nt Rd
n Pines Dr
/ Ponkan Rd
W Ponkan Rd
Terrain Cir
N
Legend
Subject Property
Esri Community Maps Contributors, FDEP, © OpenStreetMap,
Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc,
MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Future Land Use

Zoning

nt Rd
n Pines Dr
/ Ponkan Rd
Terrain Cir
W Ponkan Rd
N
Legend
Subject Property
Apopka Zoning
(C-C) - Community Commercial
(MU-ES-GT) - Mixed-Use-East Shore-Gateway
(O) - Office
(PR) - Parks and Recreation
(RSF-1A) - Residential Single-Family-Estate
(RSF-1B) - Residential Single-Family-Large Lot
(T) - Transitional
Esri Community Maps Contributors, FDEP, © OpenStreetMap,
Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc,
MET NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Aerial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Subject Property
Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, State of Florida, Maxar, Microsoft

2025

Paulucci Acres Future Land Use Amendment Justification (Commercial Parcel)

PREPARED FOR THE CITY OF APOPKA, FLORIDA

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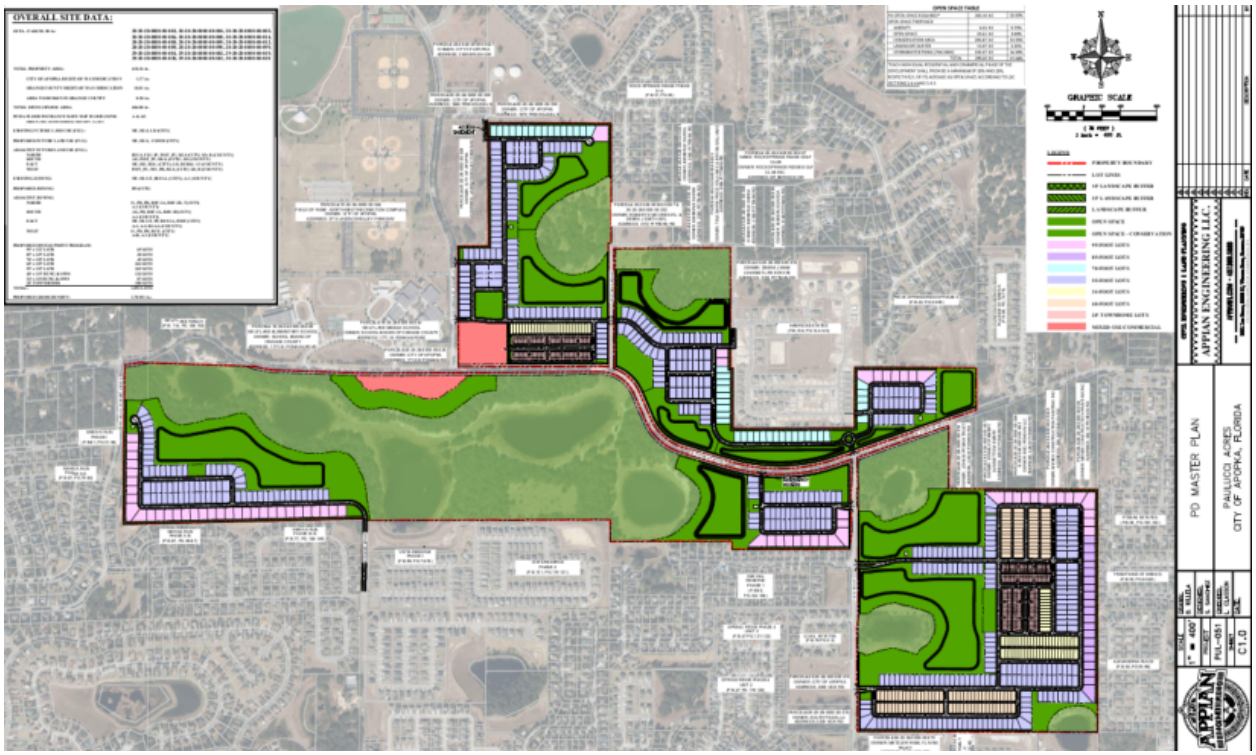
APPLICATION REQUEST 2
REVIEW CRITERIA 3
A. LAND DEVELOPMENT CODE SECTION 2.5.1.D.3 REQUIRES THE COUNCIL TO WEIGH THE RELEVANCE OF AND CONSIDER WHETHER AND THE EXTENT TO WHICH THE PROPOSED AMENDMENT: 3
CONCLUSION 5
EXHIBIT "A" 6

Summary and Location

The proposed development, currently referred to as “Paulucci Acres” (the “Proposed Development”), is a 618.36± acre site situated north and south of W. Ponkan Road. Paulucci Acres will consist of a master planned residential community of up to 1,052 single-family residential units and two commercial parcels, which will be comprised of approximately 10 acres total, for future development.

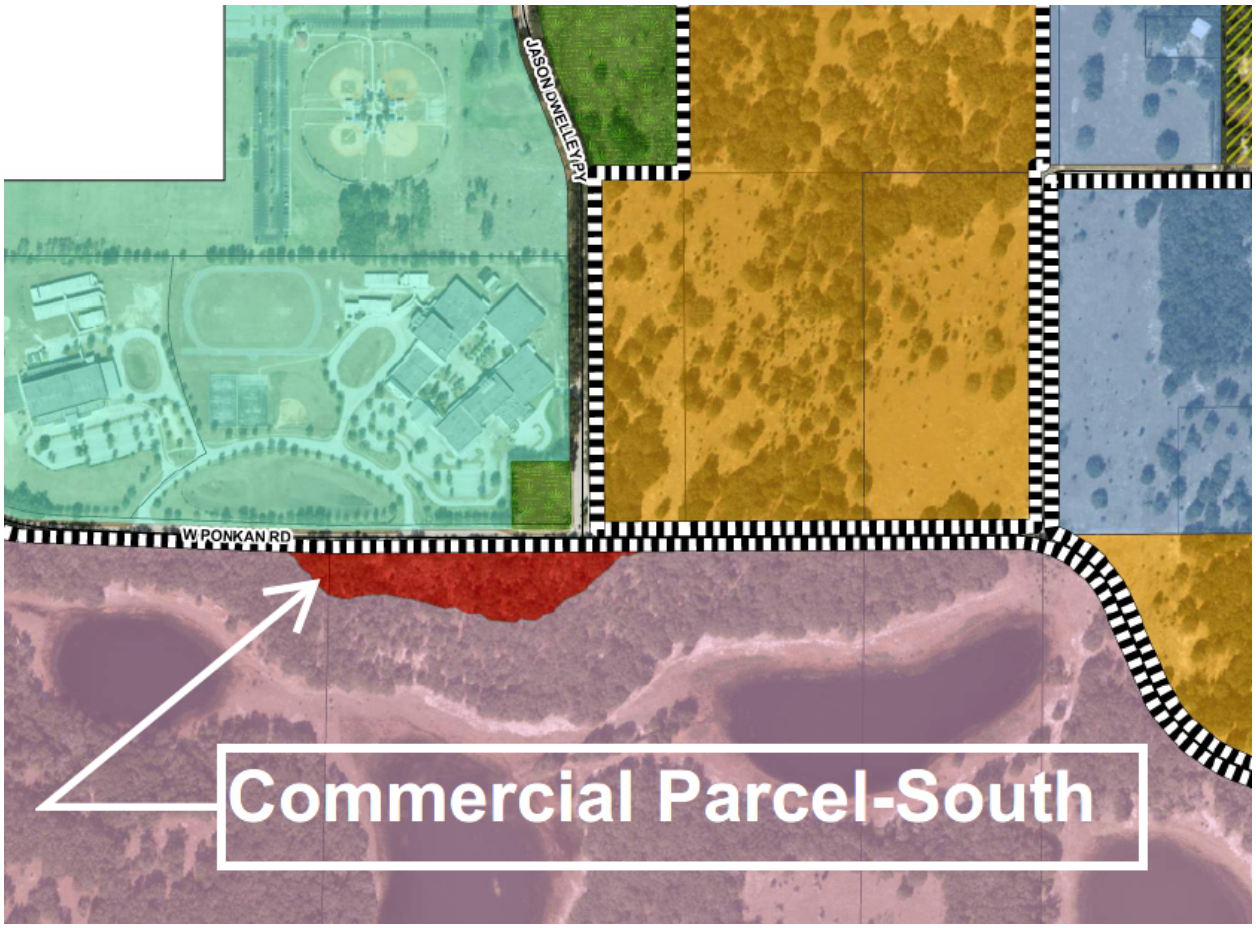
The commercial parcels are contemplated to be located at the intersection of W. Ponkan Road and Jason Dwelley Parkway, with one commercial parcel located on the northern boundary of W. Ponkan Road and the other commercial parcel located on the southern boundary of W. Ponkan Road (the “Commercial Parcel-South”).

The commercial parcels are identified in red in the below exhibit.



The proposed Commercial Parcel-South is approximately 5.873 +/- acres. The Commercial Parcel-South is comprised of a small part of Orange County Property Appraiser Parcel Identification Numbers 30-20-28-0000-00-018 and 29-20-28-0000-00-002.

The location of Commercial Parcel-South is identified in red in the Proposed FLU Exhibit below.



Application Request

The Commercial Parcel-South has a future land use designation of Residential Low Suburban ("RLS") and is zoned RSF-1A.

The Small-Scale Comprehensive Plan Future Land Use Map Amendment Application (FLU-25-5) (this "Application") requests to amend the City of Apopka Comprehensive Plan Future Land Use Map designation for the proposed Commercial Parcel-South from RLS to Commercial ("COMM"). The requested action is consistent with and furthers the goals, objectives, and policies of the City's Comprehensive Plan.

In conjunction with this Application, Applicant has also submitted a Master Plan and Planned Development Application to request to rezone the proposed development, including Commercial Parcel-South, to Planned Development ("PD") zoning district.

Review Criteria

A. Land Development Code Section 2.5.1.D.3 requires the Council to weigh the relevance of and consider whether and the extent to which the proposed amendment:

a. Is consistent with and furthers the goals, objectives and policies of the comprehensive plan and other adopted City plans.

RESPONSE: Response: The requested action to amend the City of Apopka Comprehensive Plan Future Land Use Map to amend the FLU designation for the proposed Commercial Parcel-South from RLS to COMM is consistent with and furthers the goals, objectives, and policies of the City's Comprehensive Plan. The Comprehensive Plan Future Land Use Map Amendment is consistent with Goal 1 because it would provide commercial services to the new residential development in the area—thus maximizing the economic benefit to the land and meeting the service needs of the current and, importantly here, the projected population. Specifically, the proposed Commercial Parcel-South is consistent with Future Land Use Goal 1, Objective 3, Policy 3.1.i, because the proposed Commercial Parcel-South would be primarily used "for business, commerce, and convenience shopping which may be neighborhood or community oriented." The main uses of commercial land are businesses, shops, and commerce which would confer an economic benefit to the surrounding area while ensuring that the commercial uses are neighborhood oriented through the proposed PD.

b. Is in conflict with any provisions of the LDC.

RESPONSE: No, the requested action is consistent with the City's Land Development Code.

c. Addresses a demonstrated community need.

RESPONSE: The proposed FLU Amendment for the Commercial Parcel-South addresses a demonstrated community need, as the City has experienced considerable economic growth. The proposed FLU Amendment will provide neighborhood-friendly commercial services to support the proposed residential housing—meeting the demonstrated need outlined in the Future Land Use Housing Element Goals, Objectives and Policies Objective 1.

d. Is required by changed conditions.

RESPONSE: Yes, there are changed conditions that necessitate the Future Land Use Amendment. The surrounding uses and development, including the City's Northwest Recreation Complex with multiple ball fields, tennis courts and an amphitheater, have created a need for neighborhood-friendly commercial development logically placed at or near the intersection of Ponkan Road and Jason Dwelley Parkway.

e. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land.

RESPONSE: Yes, the requested FLU Amendment is compatible with the existing and proposed uses surrounding Commercial Parcel-South. The "Proposed FLU Map Exhibit" attached hereto as Exhibit "A" reflects the compatibility of the proposed FLU Amendment with the surrounding uses. Specifically, the location of the proposed Commercial Parcel-South at or near the intersection of Ponkan Road and Jason Dwelley Parkway, is appropriate and suitable for neighborhood-friendly commercial use. The existing surrounding uses are compatible with the proposed Commercial Parcel-South, including the multiple ball fields, tennis courts and amphitheater at the City's Northwest Recreational Complex, which draw large groups of people for tournaments and performances throughout the year. The property to the north of the Commercial Parcel-South has a FLU of Mixed Use, which uses will be compatible with the Commercial Parcel-South. There will continue to be a significant natural buffer between the Commercial Parcel-South and the residential development to the south.

f. Would result in a logical and orderly development pattern.

RESPONSE: The location of the proposed Commercial Parcel-South with a future land use designation of COMM is logical and orderly because it is at or near the intersection of Ponkan Road, a major County roadway, and Jason Dwelley Parkway. Further, the land to the south of the proposed Commercial Parcel-South is proposed to remain in its natural state, creating a significant natural buffer between future residential development and the proposed Commercial Parcel-South.

g. Would not result in significant adverse impacts on the natural environment—including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

RESPONSE: The proposed FLU Amendment minimizes the environmental impacts on the natural environment. The Applicant intends to maintain a significant portion of the natural environment surrounding the existing lakes located south of Ponkan Road adjacent to the Commercial Parcel-South providing for open spaces, recharge areas and avoiding environmental degradation consistent with Future Land Use Goal 1, Objective 4. The preservation of these lakes and the surrounding habitats will serve to maintain the natural vegetation, wetlands, and natural functioning environment and provide a natural buffer between the commercial and residential segments of the surrounding area.

h. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).

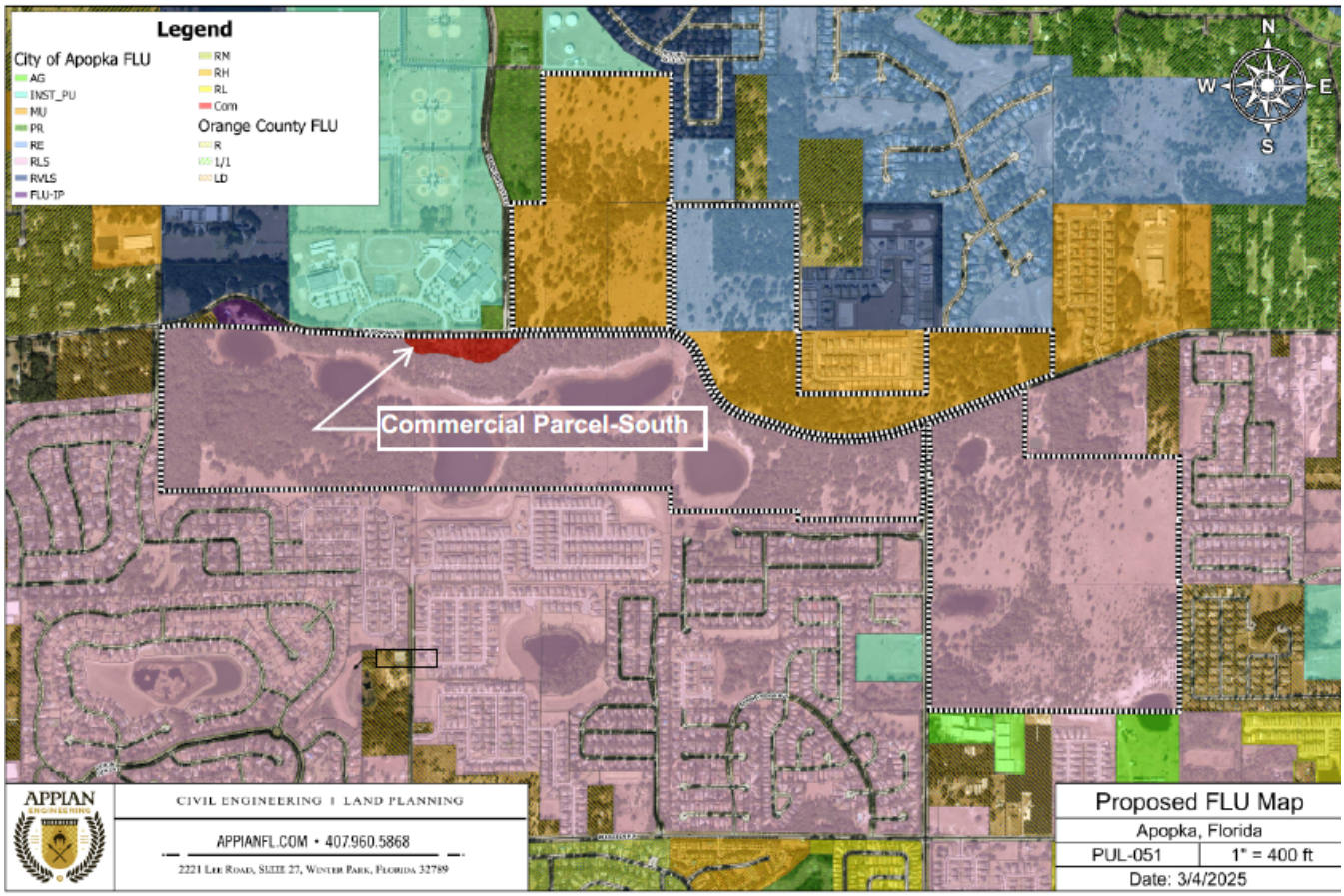
RESPONSE: Yes, the development will be adequately served by public facilities. Adequate transportation, utilities, drainage and other public facilities either exist or will be provided for or mitigated as required in accordance with City's Comprehensive Plan, the City's Land Development Code and Florida Statutes. The Applicant will comply with all capacity and concurrency requirements for public facilities under the City's Comprehensive Plan and LDC and Florida Statutes.

Conclusion

The requested Future Land Use Amendment related to the Commercial Parcel-South is compatible with the surrounding development and uses. The Applicant respectfully requests your consideration of this Application for approval of a future land use designation of COMM for the Commercial Parcel-South. Should you have any questions regarding this Application, please contact Dan O'Keefe or Elesa Sowell with Shutts & Bowen LLP.

Exhibit “A”

Proposed FLU Map Exhibit

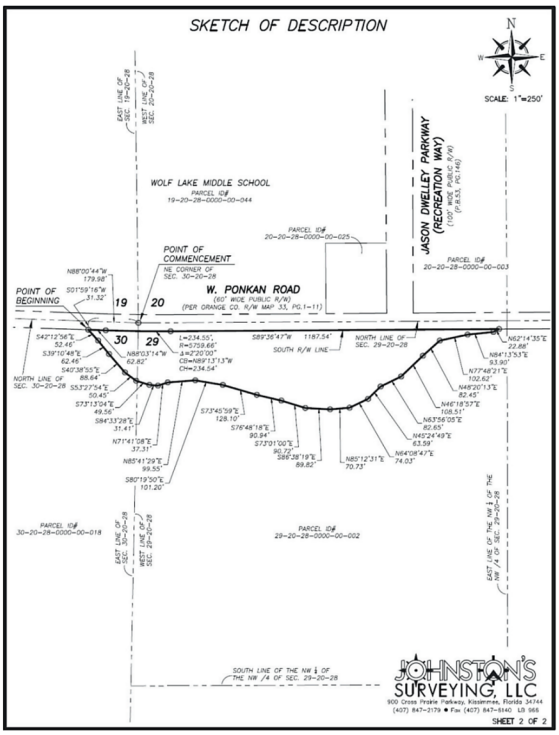


CITY OF APOPKA
PUBLIC HEARING NOTICE
SMALL-SCALE FUTURE LAND USE AMENDMENT

NOTICE is hereby given pursuant to Secs. 163.3184 and 166.041(3)(a), Florida Statutes and the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.4.7.B, that **Daniel O'Keefe** has made application relating to the following described property:

ORDINANCE NO. 3126

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 LOW SUBURBAN TO COMMERCIAL FOR CERTAIN REAL PROPERTY OWNED BY PAULUCCI ACRES, LLC; LOCATED ON THE SOUTH SIDE OF PONKAN ROAD WEST OF THE INTESECTION OF JASON DWELLEY PARKWAY AND PONKAN ROAD; COMPRISING 5.789 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.



Parcel Identification Number(s): Portion of 29-20-28-0000-00-002 and 30- 20-28-0000-00-018
Contains: 5.789 +/- acres

NOTICE is given that a public hearing for Ordinance Number 3126 will be held by the **City of Apopka Planning Commission** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Tuesday, August 12, 2025 beginning at 5:30 P.M.,** or as soon thereafter as possible.

FURTHER NOTICE is given that a public hearing for Ordinance Number 3126 will be held by the **City of Apopka City Council** at its regularly scheduled meeting in the City Council Chambers of the Apopka City Hall, 120 E. Main Street, Apopka, Florida on **Wednesday, September 3, 2025 beginning at 1:30 P.M.** and **Wednesday, September 17, 2025 at 7:00 P.M.** or as soon thereafter as possible.

Affected parties and the public may appear at the above listed hearings to speak. The proposed future land use amendment can be inspected at the Apopka Community Development Department located at Apopka City Hall on weekdays between the hours of 8:00 a.m. and 4:30 p.m. City Hall address shown below. Please be advised that, under State law, if you decide to appeal a decision made with respect to this matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act (ADA), persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka FL 32703, Telephone: 407-703-1704, no less than 48 hours prior to the proceeding.

Apopka City Council
Apopka Planning Commission
Community Development Department

July 25, 2025

City of Apopka
PLANNING COMMISSION STAFF REPORT

Section: SITE PLANS
Item #: 1.
Meeting Date: August 12, 2025
Department: Community Development

SUBJECT:
Springhaven (fka Chandler Hills) Major Development Plan

ACTION ITEM INFORMATION:
Owner(s): Orchid Estate HOA Community, Mega GNG, LLC, Jacob Snavely, 4625 Chandler Road, LLC, Matthew & Deborah Shaw, Daphne Martin, Walter H. Robinson III, Yoo Shik Um Irrevocable Trust, PM-S1 REO, LLC
Applicant(s): Luke Classon, P.E.
Location: 2350 W. Kelly Park Road
Project: Springhaven (fka Chandler Hills)
Density: 3.38 Units/Acre (Mixed-Use Future Land Use permits maximum of 15 du/ac)
Project Manager: Bobby Howell, AICP

REQUEST:
Recommend approval of the Springhaven - Major Development Plan

SUMMARY:

Direction	Future Land Use	Zoning	Present Use
North	Mixed Use	MU-KPI (Neighborhood)	Oaks at Kelly Park subdivision
East	Residential Very Low Suburban	RSF-1A (Residential Single-family - Estate), O (Office)	Agricultural buildings, Jason Dwelly K-8 School
South	In Progress	T (Transitional)	Vacant
West	Mixed-Use, Residential Very Low Suburban	MU-KPI (Transition), RSF-1A (Single-Family Estate)	Vacant

PROJECT SUMMARY:
The subject property, which is approximately 117.16 acres in size, is located at 2350 W. Kelly Park Road and is vacant with abandoned agricultural buildings. A Large-Scale future land use amendment was adopted by the City Council on January 15, 2025, which changed the future land use designation to Mixed-Use, and a rezoning and Master Plan was adopted by the City Council on February 19, 2025. The Master Plan allows a development consisting 392 single-family residences in the Neighborhood character zone of the Kelly Park Interchange Form Based Code area, which permits a maximum density of 5 dwelling units per acre by right.

The applicant has submitted a Major Development Plan detailing the development of the property, which proposes development of the property with a total of 392 single-family residential units within the Neighborhood character zone at a maximum density of 3.38 dwelling units per acre. Consistent with the approved Master Plan, the Major Development Plan consists of front loaded and rear loaded lots. Lot widths range from 34-feet to 60-feet in width. A total of 162 lots are 34-feet in width, of which are all rear loaded, 130 lots are 55-feet in width, and 100 are 60-feet in width. There are no minimum and maximum lot size and living area requirements in the Form Based Code.

Consistent with the approved Master Plan, building setbacks are as follows:

- Front loaded lots - front porch, 10-feet, front/street side - 15- foot minimum, 30-foot maximum, rear - 20-feet, side - 5-feet, corner lot - 15-feet.
- Rear loaded lots - front porch - 10-foot minimum, front/street side - 15-foot minimum, 30-foot maximum, rear - 5-feet, side - 5-feet, rear garage - 20-feet, corner - 15-feet.

The Major Development Plan details design of the proposed subdivision in accordance with the requirements of the Kelly Park Interchange Form Based Code, and the Neighborhood character zone criteria, consistent with the approved Master Plan. The Neighborhood character zone is located at the edge of the study area. The primary intent of this zone is to provide a transition between the medium density residential in the Transition zone and the adjoining lower density neighborhoods outside the study area. The Neighborhood character zone allows single-family homes designed with front porches and garages located in the back, with access from alleyways.

Consistent with the approved Master Plan, access to the site is proposed via W. Kelly Park Road. A dedication of a 30-foot wide strip for future right-of-way needs for W. Kelly Park Road is detailed on the Major Development Plan. Within this strip, a 12-foot wide multipurpose trail will be constructed by the developer to help facilitate the construction of the regional trail system that is proposed and is currently being constructed within the Kelly Park Form Based Code area. The stormwater ponds are located on the eastern portion of the site adjacent to the Kelly Park School property, and the southern portion of the site. In accordance with the requirements of the Form Based Code, 20-percent of the total site area is required to remain as open space. Consistent with the approved Master Plan, the Major Development Plan reserves 32.59-percent of the site as open space. Common recreation elements include amenity and pocket park, green space with internal trail system, passive open space/recreation areas, and the dedication of the bike trail along W. Kelly Park Road. The main internal roadways are street type "E", which is the required street type within the Neighborhood character zone. Rights-of-ways ranging in width from 50 to 70-feet wide are provided. Within this right-of-way 127 on-street parking spaces are provided. The 34-foot wide lots are alley loaded. Per Table 14 of the Form Based Code, the alleyways are required to provide 18-feet of right-of-way. Additionally, the applicant is dedicating a 15-foot wide strip, and 50-foot wide strip for future right-of-way needs for Chandler Road along the portion of property under their ownership. A vehicular point of ingress/egress will be constructed that will allow access onto the future Chandler Road right-of-way.

The Development Review Committee finds that the applicant demonstrates there is competent substantial evidence in the record that all of the following standards are met:
a. The proposed development and use(s) in the development plan comply with Article 3: Zoning Districts, and Article 4: Use Regulations;
b. The development proposed in the development plan and its general layout and design comply with all the standards in Article 5: Development Standards, and Article 6: Environmental Standards;
c. The development proposed in the development plan complies with all conditions of approval in any development approval or permit to which the plan is subject;
d. The development proposed in the development plan complies with all other applicable standards in this LDC and all other City regulations.

ORANGE COUNTY NOTIFICATION:
Orange County was notified at the time of the site plan submittal for this property through the DRC agenda distribution.

PUBLIC HEARING SCHEDULE:
August 12, 2025 – Planning Commission (5:30 P.M.)
September 3, 2025 – City Council (1:30 P.M.)

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:

Development Review Committee:

Finds the proposed Springhaven – Major Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommends approval of the Major Development Plan, based on the findings and facts presented in the staff report and exhibits.

Recommended Motion - Planning Commission:

Find the proposed Springhaven – Major Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Major Development Plan, based on the findings and facts presented in the staff report and exhibits.

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.

ATTACHMENTS:

1. Major Development Plan
2. Map Series

MAJOR DEVELOPMENT PLAN

FOR

SPRINGHAVEN

(FKA CHANDLER HILLS)

CITY OF APOPKA, FLORIDA

OCPA PARCEL ID # 18-20-28-0000-00-031, 18-20-28-0000-00-032, 18-20-28-0000-00-033, 18-20-28-0000-00-034, 18-20-28-0000-00-035, 18-20-28-0000-00-037, 18-20-28-0000-00-046, 18-20-28-0000-00-047, 18-20-28-0000-00-048, 18-20-28-0000-00-049, 18-20-28-0000-00-050, 18-20-28-0000-00-051, 18-20-28-0000-00-052, 18-20-28-0000-00-061, 18-20-28-0000-00-080, 18-20-28-0000-00-105, 18-20-28-0000-00-106, 18-20-28-0000-00-119, 18-20-28-0000-00-132

VICINITY MAP

SCALE: 1" = 2000'

LEGAL DESCRIPTION PER ALLEN & COMPANY PROFESSIONAL SURVEYORS & MAPPERS DATED: JULY 15, 2024

YOO SHIK UM

PARCEL 1:THAT PART OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE N 89°50'38" W ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 FOR A DISTANCE OF 690.00 FEET; THENCE S 03°08'43" W 30.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 03°08'43" W 773.16 FEET; THENCE N 89°49'33" W 317.50 FEET; THENCE N 09°40'34" W 135.00 FEET; THENCE N 03°08'43" E 239.86 FEET; THENCE S 89°50'38" E 327.48 FEET; THENCE N 03°08'43" E 400.00 FEET; THENCE S 89°50'38" E 20.02 FEET TO THE POINT OF BEGINNING.

PARCEL 2: PARCEL NOS. 7 AND 8 AS PER PLAT OF SURVEY RECORDED IN DEED BOOK 921, PAGE 429, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; AND MORE PARTICULARLY DESCRIBED AS: BEGIN 30 FEET SOUTH AND 1365 FEET WEST OF THE NE CORNER OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, RUN SOUTH 1284.22 FEET, WEST 337.5 FEET, NORTH 1284 FEET AND EAST 337.5 FEET TO THE POINT OF BEGINNING.

PARCEL 3: PARCEL NO. 21 AS PER PLAT OF SURVEY RECORDED IN DEED BOOK 921, PAGE 429, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; AND MORE PARTICULARLY DESCRIBED AS: NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, LESS THE WEST 15 FEET THEREOF, SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST.

PARCEL 4: BEGIN 30 FEET SOUTH AND 1702.5 FEET WEST OF THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, THENCE RUN SOUTH 1284 FEET, WEST 675 FEET, NORTH 1283.56 FEET, AND EAST 675 FEET TO THE POINT OF BEGINNING, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA A/K/A LOTS 3, 4, 5 AND 6 AS DESCRIBED IN DEED BOOK 921, PAGE 429.

PARCEL 5: BEGIN 20 FEET SOUTH AND 690 FEET WEST OF THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, RUN SOUTH 1284.66 FEET; THENCE WEST 675.00 FEET; THENCE NORTH 1284.22 FEET; THENCE EAST 675.00 FEET TO THE POINT OF BEGINNING. BEING PARCELS 9, 10, 11 AND 12 AS DEPICTED ON THE PLAT RECORDED IN DEED BOOK 921, PAGE 429, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

LESS: THAT PART OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 20 SOUTH, RANG 28 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE N 89°50'38" W ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 FOR A DISTANCE OF 690.00 FEET; THENCE S 03°08'43" W 30.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 03°08'43" W 773.16 FEET; THENCE N 89°49'33" W 317.50 FEET; THENCE N 09°40'34" W 135.00 FEET, THENCE N 03°08'43" E 239.86 FEET; THENCE S 89°50'38" E 110.00 FEET; THENCE N 03°08'43" E 400.00 FEET; THENCE S 89°50'38" E 237.50 FEET TO THE POINT OF BEGINNING.

ALSO LESS: BEING AT A POINT 30 FEET SOUTH AND 927.5 FEET WEST OF THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, RUN THENCE SOUTH 400 FEET, THENCE WEST 100 FEET, THENCE NORTH 400 FEET, THENCE EAST 100 FEET TO THE POINT OF BEGINNING.

BOUDREAU

THE SOUTH ONE-HALF (1/2) OF THE NORTH ONE-HALF (1/2) OF THE SOUTHWEST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4), SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, LESS THE WEST 15 FEET THEREOF, AND DESCRIBED AS TRACT 22, UNRECORDED PLAT.

MARTIN

THE EAST 652.5 FEET OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 BEING THE EAST 1/2 OF TRACT 23 OF UNRECORDED PLAT, SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA.

PM S-1 REO, LLC

PARCEL 1: BEGINNING 15 FEET SOUTH AND 7.5 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, RUN WEST 661.25 FEET, THENCE SOUTH 330 FEET, THENCE EAST 661.51 FEET, THENCE NORTH 330 FEET TO THE POINT OF BEGINNING; BEING TRACT NO. 26 OF AN UNRECORDED PLAT AS SHOWN IN DEED BOOK 921, PAGE 429, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PARCEL 2: THAT CERTAIN PARCEL OF REAL ESTATE SITUATED IN SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST AND DESCRIBED AS PARCEL NO. 28, AS PER PLAT THEREOF RECORDED IN DEED BOOK 921, PAGE 429, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN 345 SOUTH AND 7.5 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, RUN WEST 661.51 FEET, SOUTH 330 FEET, EAST 661.77 FEET, NORTH 330 FEET TO THE POINT OF BEGINNING.

ROBINSON

PARCEL 1: THAT CERTAIN PARCEL OF REAL ESTATE LYING IN SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, AND DESCRIBED AS PARCEL 24, AS PER PLAT THEREOF, RECORDED IN DEED BOOK 921, PAGE 429, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, LESS THE WEST 15 FEET, SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, LAND LYING AND BEING IN ORANGE COUNTY, FLORIDA.

PARCEL 2: BEGINNING AT NW CORNER SE 1/4 OF THE NE 1/4, SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, RUN SOUTH 664.6 FEET, RUN THENCE EAST 668.14 FEET, THENCE NORTH 664.6 FEET, RUN THENCE WEST 668.14 FEET TO THE POINT OF BEGINNING, LYING IN ORANGE COUNTY, FLORIDA.

TOGETHER WITH THE EASEMENT FOR INGRESS AND EGRESS CONTAINED IN THE DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 5876, PAGE 4902, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SNAVELY

THAT CERTAIN PARCEL OF REAL ESTATE SITUATE, LYING AND BEING IN SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, AND DESCRIBED AS PARCEL NO. 53 OF THAT CERTAIN SURVEY MADE BY C.R. SHEWEY, DATED JUNE 10, 1955, REG. SURVEYOR NO. 623, AND ALSO BEING PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, CONVEYED BY DEED RECORDED IN DEED BOOK 1027, PAGE 466, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCEL NO. 53: FROM A POINT 664.6 FEET SOUTH OF NORTHWEST CORNER OF SOUTHEAST QUARTER OF NORTHEAST QUARTER RUN SOUTH 332.3 FEET; EAST 668.44 FEET; NORTH 332.42 FEET; WEST 668.14 FEET TO POINT OF BEGINNING.

SHAW

THE WEST 652.5 FEET OF THE EAST 1305 FEET OF THE FOLLOWING DESCRIPTION: THE NORTH ONE HALF OF THE SOUTH ONE HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; LESS THE WEST 15 FEET THEREOF, LYING IN SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST.

ALL LYING AND BEING SITUATE IN ORANGE COUNTY, FLORIDA

ORCHID ESTATES COMMUNITY HOMEOWNERS ASSOCIATION, INC.

PARCEL 1: WEST 15 FEET OF THE NORTHEAST QUARTER AND THE NORTH 15 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA. LESS AND EXCEPT ANY LAND CONTAINED IN COUNTY DEED RECORDED IN OFFICIAL RECORDS BOOK 10606, PAGE 8543, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

ALSO DESCRIBED AS: BEGIN AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18; THENCE ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 18, SOUTH 01°11'56" WEST, 15.02 FEET TO A POINT ON A LINE THAT IS 15.00 SOUTHERLY OF AND PERPENDICULAR TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE ALONG A LINE THAT IS 15 FEET SOUTHERLY OF AND PARALLEL TO SAID NORTH LINE SOUTH 88°08'31" WEST, 1330.15 FEET TO THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE ALONG SAID WEST LINE NORTH 01°19'12" EAST, 2642.78 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF KELLY PARK ROAD; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 88°06'16" EAST, 15.02 FEET TO A POINT ON A LINE THAT IS 15.00 FEET EASTERLY OF AND PARALLEL TO THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE ALONG SAID PARALLEL LINE SOUTH 01°19'12" WEST, 2627.68 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE ALONG SAID NORTH LINE NORTH 88°08'31" EAST, 1315.10 FEET TO THE POINT OF BEGINNING.

PARCEL 2: THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, LESS AND EXCEPT THE NORTH 15 FEET; AND

LESS AND EXCEPT THE LAND CONTAINED IN THE CERTIFICATE OF TITLE RECORDED APRIL 1, 2019 IN OFFICIAL RECORDS INSTRUMENT NUMBER 20190194789, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA

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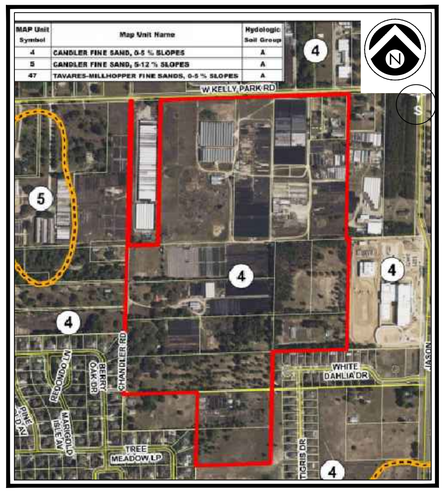
EMAIL: AYMANA@TRAFFICMOBILITY.COM

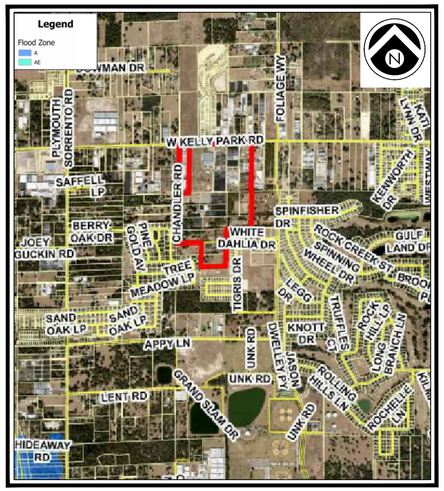
AERIAL MAP

SCALE: 1" = 500'



SOILS MAP

SCALE: 1" = 500'



FEMA FLOOD MAP

SCALE: 1" = 2,000'

UTILITY PROVIDERS

WATER/SEWER/RECLAIMED:
CITY OF APOPKA
748 E. CLEVELAND STREET
APOPKA, FLORIDA 32703
CONTACT:DIANA ALMODOVAR P.E.
PHONE: (407) 703-1731

SOLID WASTE COLLECTION:
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748 EAST CLEVELAND STREET
APOPKA, FLORIDA 32703
PHONE: (407) 703-1731

CABLE:
CHARTER COMMUNICATIONS
(A.K.A. SPECTRUM)
3767 ALL AMERICAN BOULEVARD
ORLANDO, FLORIDA 32810
CONTACT: TRACEY DOMOSTOY
PHONE: (407) 532-8509

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33 NORTH MAIN STREET, ROOM 144
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GAS
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1320 WINTER GARDEN VINELAND ROAD
WINTER GARDEN, FLORIDA 34787
CONTACT: MINGO COLON
PHONE: (407) 656-2734

POWER:
DUKE ENERGY
3250 BONNETT CREEK ROAD
PO BOX 10000
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SHEET 1 OF 70
NOT FOR CONSTRUCTION

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BOARD OF PROFESSIONAL
ENGINEERING REGISTRY
NO. 39060

PERMITS REQUIRED

	PERMIT TYPE	DATE APPLIED	DATE APPROVED	APPROVAL NO.
CITY OF APOPKA	MASTER PLAN	07-29-2024	03-05-2025	PD-24-9
CITY OF APOPKA	MAJOR DEVELOPMENT PLAN	03-12-2025		MDP-25-6

REV.	DATE	DESCRIPTION
1	04/21/2025	CITY OF APOPKA COMMENTS DATED 04/07/2025
2	06/23/2025	CITY OF APOPKA COMMENTS DATED 06/12/2025
3	07/09/2025	CITY OF APOPKA COMMENTS DATED 07/09/2025
4		
5		
6		
7		
8		
9		
10		

OVIDIO SALVADOR SANCHEZ LICENSE No. 86492 STATE OF FLORIDA PROFESSIONAL ENGINEER
Ovidio Sanchez
7/22/25

This item has been digitally signed and sealed by Ovidio S. Sanchez, PE on the date adjacent to the seal.
Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

P:_project drawings\ASH-014 Kelly Park South Assemblage\Drawings\CAD Civil3D\Layouts\04 MDP\COVER SHEET.dwg Plotted:7/22/2025 By:bkilbelda

GENERAL NOTES

1. UNLESS OTHERWISE SPECIFIED, ALL WORK SHALL BE PERFORMED CONSISTENT WITH THE FOLLOWING SPECIFICATIONS:

- CITY OF APOPKA, FLORIDA
- ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
- FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
- NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

2. THE GEOTECHNICAL REPORT SHALL BE REVIEWED BY THE CONTRACTOR, AND THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE SITE, INCLUDING ALL SURFACE AND SUBSURFACE CONDITIONS, THE WORK REQUIRED, AND ALL OTHER CONDITIONS THAT MAY AFFECT THE SUCCESSFUL COMPLETION OF THE JOB PRIOR TO COMMENCEMENT OF WORK.

3. THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND PERMIT CONDITIONS BEARING ON THE CONDUCT OF THE WORK, AS DRAWN AND SPECIFIED. IF THE CONTRACTOR OBSERVES THAT THE DRAWINGS AND SPECIFICATIONS ARE AT VARIANCE THEREWITH, HE SHALL PROMPTLY NOTIFY THE ENGINEER, IN WRITING, AND ANY NECESSARY CHANGES SHALL BE ADJUSTED, AS PROVIDED IN THE AGREEMENT FOR CHANGES IN THE WORK.

4. THE CONTRACTOR SHALL BE RESPONSIBLE TO THE OWNER AND THE ENGINEER FOR THE ACTS AND OMISSIONS OF CONTRACTOR'S EMPLOYEES AND ALL HIS SUBCONTRACTORS AND THEIR AGENTS AND EMPLOYEES AND OTHER PERSONS PERFORMING ANY OF THE WORK UNDER A CONTRACT WITH THE CONTRACTOR.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING ALL NECESSARY ARRANGEMENTS WITH GOVERNMENTAL DEPARTMENTS, PUBLIC UTILITIES, PUBLIC CARRIERS, SERVICE COMPANIES, AND CORPORATIONS OWNING OR CONTROLLING ROADWAYS, RAILWAYS, WATER, SEWER, GAS, ELECTRICAL, TELEPHONE, AND TELEGRAPH FACILITIES SUCH AS PAVEMENTS, TRACKS, PIPING, WIRES, CABLES, CONDUITS, POLES, GUYS, OR OTHER SIMILAR FACILITIES, INCLUDING INCIDENTAL STRUCTURES CONNECTED THEREWITH THAT ARE ENCOUNTERED IN THE WORK IN ORDER THAT SUCH ITEMS MAY BE PROPERLY SUPPORTED, PROTECTED OR LOCATED.

6. UNLESS OTHERWISE SPECIFIED IN THE GENERAL CONDITIONS, ALL CONSTRUCTION IS TO BE GOVERNED BY THE PLANS, APPLICABLE PERMITS, AND SPECIFICATIONS HEREIN, AND ALL APPLICABLE FEDERAL, STATE AND LOCAL BUILDING AND SAFETY CODES, LAWS AND ORDINANCES.

7. PRIOR TO PERFORMING ANY WORK WITHIN ANY PUBLIC OR UTILITY RIGHT-OF-WAY, CONTRACTOR SHALL OBTAIN AUTHORIZATION AND PERMIT FROM JURISDICTION RESPONSIBLE FOR SUCH RIGHT-OF-WAY. IN ADDITION, CONTRACTOR SHALL OBTAIN GAS I.D. NUMBER FROM LOCAL GAS COMPANY AND NOTIFY SUNSHINE STATE ONE-CALL UTILITY NOTIFICATION CENTER AT 1-800-432-4770 AT LEAST 48 HOURS PRIOR TO START OF WORK.

8. PRIOR TO PERFORMING ANY WORK WITHIN ANY PUBLIC RIGHT-OF-WAY, CONTRACTOR SHALL DEVELOP AND IMPLEMENT A TRAFFIC CONTROL PLAN CONSISTENT WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" PUBLISHED BY THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, AND SUBMIT TO THE COUNTY ENGINEER FOR APPROVAL.

9. IN THE EVENT THE CONTRACTOR DISCOVERS ANY ERRORS OR OMISSIONS IN THE PLANS HE SHALL IMMEDIATELY NOTIFY THE ENGINEER AND/OR OWNER OR OWNER'S AGENT.

10. CONTRACTOR SHALL PRESERVE AND PROTECT ALL PERMANENT REFERENCE MONUMENTS, PERMANENT CONTROL POINTS, PERMANENT BENCH MARKS AND PROPERTY CORNERS. IN THE EVENT THE MONUMENTS, POINTS OR MARKERS ARE DISTURBED THE CONTRACTOR SHALL EMPLOY A FLORIDA REGISTERED LAND SURVEYOR TO RESET OR REPLACE THEM.

11. THE OWNER, OWNER'S AGENT AND INSPECTORS OF APPLICABLE GOVERNMENT JURISDICTIONS, SHALL AT ALL TIMES HAVE ACCESS TO THE WORK WHEREVER AND WHENEVER IT IS IN PREPARATION OR PROGRESS; AND THE CONTRACTOR SHALL PROVIDE PROPER FACILITIES FOR SUCH ACCESS AND FOR THE INSPECTION.

12. IT IS THE CONTRACTOR'S RESPONSIBILITY TO TAKE ALL REASONABLE AND PRUDENT PRECAUTIONS TO INSURE THAT ALL COMPLETED WORK, MATERIALS AND EQUIPMENT STORED ON SITE ARE SAFE AND SECURED FROM UNAUTHORIZED ACCESS, USE, THEFT, OR VANDALISM. SUCH PRECAUTIONS MAY INCLUDE INSTALLATION OF SIGNS, FENCES, OR POSTING OF SECURITY GUARDS.

13. CONTRACTOR SHALL, AT ALL TIMES, UTILIZE ALL NORMALLY ACCEPTED AND REASONABLY EXPECTED SAFETY PRACTICES AND COMPLY WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS, ORDINANCES AND GUIDELINES PERTAINING TO SAFE UTILIZATION OF EQUIPMENT OR MATERIALS AS PUBLISHED BY THEIR MANUFACTURER'S.

14. PRIOR TO INITIATING ANY EXCAVATION (INCLUDING BUT NOT LIMITED TO TUNNELS, DITCHES, STORM WATER PONDS, CANALS, ARTIFICIAL LAKES) CONTRACTOR SHALL INSTALL FENCES AND/OR TAKE ALL OTHER REASONABLE AND PRUDENT STEPS TO INSURE THAT ACCESS TO EXCAVATION BY UNAUTHORIZED PERSONNEL IS PREVENTED.

15. CONTRACTOR SHALL COMPLY IN EVERY RESPECT WITH THE PROVISIONS OF THE FLORIDA STATE TRENCH SAFETY ACT.

16. THE CONTRACTOR SHALL TAKE ALL REASONABLE PRECAUTIONS FOR THE SAFETY OF, AND SHALL PROVIDE ALL REASONABLE PROTECTION TO PREVENT DAMAGE, INJURY OR LOSS TO:

    A. ALL EMPLOYEES ON THE WORK AND ALL OTHER PERSONS WHO MAY BE AFFECTED THEREBY;

    B. ALL THE WORK AND ALL MATERIALS AND EQUIPMENT TO BE INCORPORATED THEREIN, WHETHER IN STORAGE ON OR OFF THE SITE, UNDER THE CARE, CUSTODY OR CONTROL OF THE CONTRACTOR OR ANY OF ITS SUBCONTRACTORS;

    C. OTHER PROPERTY AT THE SITE OR ADJACENT THERETO, INCLUDING TREES, SHRUBS, LAWNS, WALKS, PAVEMENTS, ROADWAY, STRUCTURES AND UTILITIES NOT DESIGNATED FOR DEMOLITION IN THE COURSE OF CONSTRUCTION.

17. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE SAFETY CODES AND WITH ALL APPLICABLE LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC, QUASI PUBLIC OR OTHER AUTHORITY HAVING JURISDICTION FOR THE SAFETY OF PERSONS OR PROPERTY OR FOR THEIR PROTECTION AGAINST DAMAGE, INJURY OR LOSS, OR DESIGNED TO PROTECT THE ENVIRONMENT. THE CONTRACTOR SHALL ERECT AND MAINTAIN, AS REQUIRED BY EXISTING CONDITIONS AND PROGRESS OF THE WORK, ALL REASONABLE SAFEGUARDS FOR SAFETY AND PROTECTION, INCLUDING POSTING DANGER SIGNS AND OTHER WARNINGS AGAINST HAZARDS, PROMULGATING SAFETY REGULATIONS AND NOTIFYING OWNERS AND USERS OF ADJACENT UTILITIES OF THE EXISTENCE OF HAZARDS AND OF THE SAFETY REGULATIONS.

18. ALL DAMAGE OR LOSS TO ANY PROPERTY CAUSED IN WHOLE OR IN PART BY THE CONTRACTOR, A SUBCONTRACTOR, OR BY ANYONE FOR WHOSE ACTS ANY OF THEM MAY BE LIABLE, SHALL BE REMEDIED BY THE CONTRACTOR, EXCEPT DAMAGE OR LOSS PROPERLY ATTRIBUTABLE SOLELY TO THE ACTS OR OMISSIONS OF THE OWNER, OR THE ENGINEER OR ANYONE EMPLOYED BY THEM, OR FOR WHOSE ACTS ANY OF THEM MAY BE LIABLE, AND NOT PROPERLY ATTRIBUTABLE IN WHOLE OR IN PART, TO THE FAULT OR NEGLIGENCE OF THE CONTRACTOR.

19. THOSE PARTS OF WORK IN PLACE WHICH ARE SUBJECT TO DAMAGE BECAUSE OF OPERATIONS BEING CARRIED ON ADJACENT THERETO SHALL BE COVERED, BOARDED UP OR SUBSTANTIALLY ENCLOSED WITH ADEQUATE PROTECTION BY THE CONTRACTOR AT CONTRACTOR'S EXPENSE.

20. UNTIL FINAL ACCEPTANCE OF THE WORK BY OWNER, THE CONTRACTOR SHALL HAVE THE CHARGE AND CARE OF AND SHALL BEAR THE RISK OF INJURY OR DAMAGE, LOSS OR EXPENSE TO ANY PART THEREOF, OR TO ANY MATERIALS STORED ON SITE, BY THE ACTION OF THE ELEMENTS OR FROM ANY OTHER CAUSE WHETHER ARISING FROM THE EXECUTION OR NON-EXECUTION OF THE WORK. THE CONTRACTOR SHALL REBUILD, REPAIR, RESTORE AND MAKE GOOD ALL INJURIES OR DAMAGES TO ANY PORTION OF THE WORK OCCASIONED BY ANY OF THE ABOVE CAUSES BEFORE FINAL ACCEPTANCE AND SHALL BEAR THE EXPENSES THEREOF.

21. ADEQUATE TRAFFIC CONTROL, BARRICADES AND FLAGMAN SERVICES SHALL BE FURNISHED AND MAINTAINED BY THE CONTRACTOR AT ALL POINTS WHERE CONVEYING EQUIPMENT ENGAGED ON THE WORK REGULARLY ENTERS ONTO OR CROSSES TRAFFIC-CARRYING ROADS.

22. THE CONTRACTOR SHALL COMPLY IN EVERY RESPECT WITH THE FEDERAL OCCUPATIONAL HEALTH AND SAFETY ACT OF 1970 AND ALL RULES AND REGULATIONS NOW OR HEREAFTER IN EFFECT UNDER SAID ACT, AND THE CONTRACTOR FURTHER AGREES TO COMPLY WITH ANY AND ALL APPLICABLE STATE LAWS AND REGULATIONS PERTAINING TO JOB SAFETY AND HEALTH.

23. CONTRACTOR AND ITS SUBCONTRACTORS SHALL USE, HANDLE, TRANSPORT, AND DISPOSE OF ALL MATERIALS (HAZARDOUS OR OTHERWISE) IN COMPLIANCE WITH ALL PRESENT FEDERAL, STATE AND LOCAL ENVIRONMENTAL, HEALTH OR SAFETY LAW, INCLUDING, BUT NOT LIMITED TO, ALL SUCH STATUTES, REGULATIONS, RULES, ORDINANCES, CODES, AND RULES OF COMMON LAW.

24. CONTRACTOR FURTHER AGREES THAT CONTRACTOR AND ITS SUBCONTRACTORS SHALL NOT CAUSE THE DISCHARGE, RELEASE OR DISPOSAL OF ANY HAZARDOUS MATERIAL CREATED BY ITS WORK ON OR ABOUT THE JOB SITE. IN THE EVENT OF ANY SPILL, RELEASE OR ANY OTHER REPORTABLE OCCURRENCE, CONTRACTOR SHALL NOTIFY THE APPROPRIATE GOVERNMENTAL AGENCY AND SHALL TAKE SUCH ACTION AS MAY BE NECESSARY TO MINIMIZE THE DELETERIOUS EFFECT OF SUCH SPILL ON PERSONS OR PROPERTY.

25. THE CONTRACTOR SHALL PROTECT AND KEEP OWNER (INCLUDING THEIR AGENTS AND EMPLOYEES) FREE AND HARMLESS FROM ANY AND ALL LIABILITY, PUBLIC OR PRIVATE, PENALTIES, CONTRACTUAL OR OTHERWISE, LOSSES, DAMAGES, COSTS, ATTORNEY'S FEES, EXPENSES, CAUSES OF ACTION, CLAIMS OR JUDGMENTS RESULTING FROM THE FEDERAL OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AS AMENDED OR ANY RULE OR REGULATION PROMULGATED THEREUNDER OR OF ANY STATE LAWS OR REGULATIONS PERTAINING TO JOB SAFETY AND HEALTH ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF WORK OR WORK TO BE PERFORMED UNDER THIS CONTRACT, AND CONTRACTOR SHALL INDEMNIFY OWNER FROM ANY SUCH CLAIMS, PENALTIES, SUITS OR ACTIONS, PUBLIC OR PRIVATE, ADMINISTRATIVE OR JUDICIAL, INCLUDING ATTORNEY'S FEES PAID OR INCURRED BY OR ON BEHALF OF OWNER, JOINTLY OR SEVERALLY, AND/OR THEIR AGENTS AND EMPLOYEES. THE CONTRACTOR FURTHER AGREES, IN THE EVENT OF A CLAIMED VIOLATION OF ANY FEDERAL OR STATE SAFETY AND HEALTH LAW OR REGULATION ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF WORK OR WORK TO BE PERFORMED UNDER THIS CONTRACT, OWNER MAY IMMEDIATELY TAKE WHATEVER ACTION IS DEEMED NECESSARY BY OWNER TO REMEDY THE CLAIMED VIOLATION. ANY AND ALL COSTS OR EXPENSES PAID OR INCURRED BY OWNER IN TAKING SUCH ACTION SHALL BE BORNE BY CONTRACTOR, AND CONTRACTOR AGREES TO PROTECT, HOLD HARMLESS AND INDEMNIFY OWNER AGAINST ANY AND ALL SUCH COSTS OR EXPENSES.

26. CONTRACTOR AND ITS SUBCONTRACTORS SHALL, UPON COMPLETION OF PERFORMANCE OF ALL DUTIES UNDER THIS CONTRACT, REMOVE ALL SUPPLIES, MATERIALS, AND WASTE CONTAINING AND HAZARDOUS MATERIAL FROM THE JOB SITE. CONTRACTOR SHALL BEAR FULL FINANCIAL RESPONSIBILITY, AS BETWEEN THE PARTIES OF THIS CONTRACT, FOR THE COMPLIANCE OF CONTRACTOR AND ITS SUBCONTRACTORS WITH THE PROVISIONS OF THIS CONTRACT.

27. CONTRACTOR AGREES TO INDEMNIFY, DEFEND, PROTECT AND HOLD THE OWNER HARMLESS FROM AND AGAINST ANY CLAIMS INCLUDING, WITHOUT LIMITATION, ACTUAL ATTORNEY'S FEES AND ANY COSTS OF INVESTIGATION, SOILS TESTING, GOVERNMENTAL APPROVALS, REMEDIATION AND CLEANUP ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE FAILURE OF CONTRACTOR OR ITS SUBCONTRACTORS, OR THEIR AGENTS, EMPLOYEES, OFFICERS, OR REPRESENTATIVES, TO COMPLY WITH THE TERMS OF THESE CONSTRUCTION DOCUMENTS.

28. SHOULD CONTRACTOR OR ITS SUBCONTRACTORS DISCHARGE, RELEASE OR DISPOSE OF ANY HAZARDOUS MATERIAL ON OR ABOUT THE JOB SITE IN VIOLATION OF THESE CONSTRUCTION DOCUMENTS, CONTRACTOR SHALL IMMEDIATELY SO INFORM OWNER & ENGINEER IN WRITING. IN THE EVENT OF ANY SPILL, RELEASE OR ANY OTHER REPORTABLE OCCURRENCE, CONTRACTOR SHALL NOTIFY THE APPROPRIATE GOVERNMENTAL AGENCY, OWNER & ENGINEER AND SHALL TAKE SUCH ACTION AS MAY BE NECESSARY TO MINIMIZE THE DELETERIOUS EFFECT OF SUCH SPILL ON PERSONS OR PROPERTY.

29. IN THE EVENT CONTRACTOR OR ITS SUBCONTRACTORS ENCOUNTER ON THE PREMISES ANY PIPELINE, UNDERGROUND STORAGE TANK OR OTHER CONTAINER, OF ANY KIND, THAT MAY CONTAIN A HAZARDOUS MATERIAL, OR ENCOUNTER MATERIAL REASONABLY BELIEVED TO BE A HAZARDOUS MATERIAL, CONTRACTOR SHALL IMMEDIATELY STOP WORK IN THE AREA AFFECTED AND REPORT THE CONDITION TO OWNER AND/OR ENGINEER IN WRITING.

30. "HAZARDOUS MATERIAL" MEANS ANY SUBSTANCE: (A) THE PRESENCE OF WHICH REQUIRES INVESTIGATION OR REMEDIATION UNDER ANY PRESENT FEDERAL, STATE OR LOCAL STATUTE, REGULATION, ORDINANCE, RULE, CODE, ORDER, ACTION, POLICY OR COMMON LAW, OR (B) WHICH IS OR BECOMES DEFINED AS A "HAZARDOUS WASTE," "HAZARDOUS SUBSTANCE," POLLUTANT OR CONTAMINANT UNDER ANY PRESENT FEDERAL, STATE OR LOCAL STATUTE, REGULATION, RULE OR ORDINANCE OR AMENDMENTS THERETO INCLUDING, WITHOUT LIMITATION, THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT (42 U.S.C. SECTIONS 9601 ET SEQ.) AND/OR THE RESOURCE CONSERVATION AND RECOVERY ACT (42 U.S.C. SECTIONS 6901 ET SEQ.), OR (C) WHICH IS TOXIC, EXPLOSIVE, CORROSIVE, FLAMMABLE, INFECTIOUS, RADIOACTIVE, CARCINOGENIC, MUTAGENIC, OR OTHERWISE HAZARDOUS AND IS REGULATED BY ANY GOVERNMENTAL AUTHORITY, AGENCY, DEPARTMENT, COMMISSION, BOARD, AGENCY OR INSTRUMENTALITY OF THE UNITED STATES, THE STATE IN WHICH THE PREMISES ARE LOCATED OR ANY POLITICAL SUBDIVISION THEREOF, OR (D) THE PRESENCE OF WHICH ON THE PREMISES CAUSES OR THREATENS TO CAUSE A NUISANCE UPON THE PREMISES OR TO ADJACENT PROPERTIES OR POSES OR THREATENS TO POSE A HAZARD TO THE HEALTH OR SAFETY OF PERSONS ON OR ABOUT THE PREMISES, OR (E) WHICH CONTAINS GASOLINE, DIESEL FUEL OR OTHER PETROLEUM HYDROCARBONS, OR (F) WHICH CONTAINS POLYCHLORINATED BIPHENYLS (PCBS), ASBESTOS, LEAD OR UREA FORMALDEHYDE FOAM INSULATION.

31. THE CONTRACTOR SHALL FIELD LOCATE ALL EXISTING UTILITIES AS TO SIZE, LOCATION, AND ELEVATION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY AND ALL CONFLICTS, DEVIATIONS OR OMISSIONS TO THESE CONSTRUCTION DRAWINGS PRIOR TO BEGINNING CONSTRUCTION.

32. IF ANY TESTING, INSPECTION OR APPROVAL REVEAL DEFECTIVE WORK, CONTRACTOR SHALL NOT BE ALLOWED TO RECEIVE ANY ASSOCIATED COSTS AND THE OWNER SHALL BE ENTITLED TO DEDUCT FROM THE CONTRACT PRICE, BY ISSUING A CHANGE ORDER, OWNER'S COSTS ARISING OUT OF THE DEFECTIVE WORK, INCLUDING COSTS OF REPEATED PROCEDURES, COMPENSATION FOR ENGINEER'S AND DESIGN ENGINEER'S SERVICES AND ALL OTHER RELATED COSTS.

HANDICAP ACCESSIBILITY NOTES:

1. ALL CONSTRUCTION MUST MEET OR EXCEED ALL REQUIREMENTS AS OUTLINED IN THE AMERICANS WITH DISABILITIES ACT (ADA) AND THE FLORIDA ACCESSIBILITY CODE, MOST RECENT EDITIONS. BOTTOM OF CURB RAMP ELEVATION (B.O. RAMP) IS RELATIVE TO EACH CURB RAMP CONDITION. ACTUAL ELEVATIONS SHALL BE BASED ON EXISTING GRADE OF CURB FLOW LINE AT THE B.O. RAMPS.
2. TOP OF CURB ELEVATION ADJACENT TO B.O. RAMP = 0.50 FT. MAX. UNLESS OTHERWISE NOTED.
3. ADA REQUIREMENTS SUPERSEDE SPOT GRADES AT LOT LINES. CONTRACTOR TO CUT BACK SLOPE AT 3:1 OR FLATTER AS NEEDED FOR RAMP AND SIDEWALK CONNECTION.
4. REFER TO PLAN SHEETS AND SECTIONS FOR LOCATIONS AND SIDEWALK WIDTHS.
5. THE DETECTABLE WARNING STRIP SHALL CONSIST OF A 24 INCH WIDE TACTILE PATTERN OF RAISED TRUNCATED DOMES (ALIGNED PATTERN). DOMES SHALL HAVE A DIAMETER OF 0.9 INCH, A HEIGHT OF 0.2 INCH, AND A CENTER TO CENTER SPACING OF 2.35 INCHES. THE RAMP DETECTABLE WARNING STRIP SHALL BE CONTRASTING IN COLOR. THE MATERIAL USED TO PROVIDE CONTRAST SHALL CONTRAST BY AT LEAST 70%.
6. THE CROSS SLOPE OF RAMP SURFACES AND ADJACENT STREET GRADES SHALL BE NO MORE THAN 1:50 OR 2% MAXIMUM.
7. CURB RAMPS CONSTRUCTED BY THE CONTRACTOR SHALL MEET ALL CURRENT APPLICABLE A.D.A. REQUIREMENTS AND SHALL HAVE DETECTABLE WARNING COMPLYING WITH A.D.A. REQUIREMENTS. ACCESSIBILITY ROUTES SHALL MEET ALL APPLICABLE A.D.A. REQUIREMENTS.
8. CONTRACTOR TO REFER TO ORANGE COUNTY DETAILS AS NEEDED.
9. DRIVEWAY/ROADWAY CROSS SLOPES AT CROSSWALKS SHALL BE MAXIMUM 2% PER ADA REQUIREMENTS.
10. SIDEWALK CROSS SLOPES SHALL BE MAXIMUM 2% PER ADA REQUIREMENTS.
11. CURB RAMP FLARES & LANDINGS SHALL MEET ADA REQUIREMENTS.
12. ACCESSIBLE ROUTE WITH RUNNING SLOPES GREATER THAN 1:20 IS A RAMP AND SHALL COMPLY WITH ADA RAMP REQUIREMENTS.
13. IT IS THE CONTRACTORS SOLE RESPONSIBILITY TO MEET ALL CURRENT ADA STANDARDS. CONTRACTOR SHALL REFER TO FDOT STANDARDS. (INDEX 304, MOST CURRENT EDITION)

RECORD DRAWING AS-BUILT REQUIREMENTS:

AS-BUILT DRAWINGS SHALL BE PREPARED BY AND CERTIFIED (SIGNED AND SEALED) BY A REGISTERED SURVEYOR, AND SHALL BE PROVIDED TO THE ENGINEER OF RECORD UPON COMPLETION OF THE PROJECT SITE IMPROVEMENTS A MINIMUM OF 1 WEEK PRIOR TO CONTRACTORS ATTEMPT FOR FINAL CERTIFICATE OF OCCUPANCY (CO). AS-BUILT DRAWINGS SHALL REFLECT ANY CHANGES TO THE IMPROVEMENTS MADE DURING CONSTRUCTION AND MUST MEET THE MINIMUM REQUIREMENTS OF ALL REGULATORY AGENCIES HAVING JURISDICTION AS WELL AS THE CRITERIA OUTLINED BELOW. BOTH THE ORIGINAL DESIGN AND REVISED AS-BUILT DATA, AS APPLICABLE, MUST BE CLEARLY SHOWN. THE AS-BUILT DRAWINGS MUST BE CLEARLY LABELED AS AS-BUILT OR RECORD DRAWING. THE FOLLOWING INFORMATION, AT A MINIMUM, SHALL BE CERTIFIED ON THE AS-BUILT DRAWINGS:

WATER DISTRIBUTION SYSTEM:

A. LOCATION AND DIMENSIONS OF PIPES, VALVES, FITTINGS, CHANGE OF DIRECTION, AND OTHER ASSOCIATED FACILITIES.

WASTEWATER COLLECTION/TRANSMISSION SYSTEM:

A. LOCATION, DIMENSION, AND INVERT ELEVATIONS OF PIPES, MANHOLES (INCLUDING RIM ELEVATION), LIFTSTATION, FORCEMAIN, FITTINGS, CHANGE IN DIRECTION AND OTHER ASSOCIATED FACILITIES.

PAVING AND DRAINAGE SYSTEM:

A. DIMENSIONS AND ELEVATIONS OF ALL DISCHARGE STRUCTURES INCLUDING ALL WEIRS, SLOTS, GATES, PIPES, AND SKIMMERS;

B. LOCATIONS, DIMENSIONS, AND ELEVATIONS OF ALL FILTER, EXFILTRATION, OR UNDERDRAIN SYSTEMS INCLUDING CLEANOUTS, PIPES, CONNECTIONS TO CONTROL STRUCTURES, AND POINTS OF DISCHARGE TO THE RECEIVING WATERS;

C. DIMENSIONS, ELEVATIONS, CONTOURS, OR CROSS-SECTIONS OF ALL STORMWATER TREATMENT POND STORAGE AREAS SUFFICIENT TO DETERMINE STAGE-STORAGE RELATIONSHIPS OF THE STORAGE AREA, AND THE POND DEPTH AND VOLUME BELOW THE CONTROL WATER ELEVATION FOR NORMALLY WET SYSTEMS;

D. DIMENSIONS, ELEVATIONS, CONTOURS, FINAL GRADES, OR CROSS-SECTIONS OF THE DRAINAGE SYSTEM IMPROVEMENTS TO DETERMINE FLOW DIRECTIONS AND CONVEYANCE OF RUNOFF TO THE TREATMENT SYSTEM;

E. DIMENSIONS, ELEVATIONS, CONTOURS, FINAL GRADES, OR CROSS-SECTIONS OF ALL CONVEYANCE SYSTEMS UTILIZED TO CONVEY OFF-SITE RUNOFF AROUND THE SYSTEM;

F. EXISTING WATER ELEVATION OF SURFACE WATERS AND THE DATE DETERMINED;

G. ELEVATION AND LOCATION OF BENCHMARK'S FOR THE SURVEY.

ADA FACILITIES:

A. ELEVATIONS AT THE FOUR CORNERS OF ALL HANDICAP PARKING SPACES AND ADJACENT LOADING AISLES.

B. ELEVATIONS AND LOCATIONS FOR ALL ACCESSIBLE RAMPS WHICH ADEQUATELY REFLECT THE BUILT SLOPES.

C. ELEVATIONS AND LOCATIONS ALONG THE PATHS OF CONVEYANCE FOR PEDESTRIAN TRAFFIC AND ALL ADA ACCESSIBLE ROUTES EVERY 25 FT. WHICH ADEQUATELY REFLECT THE SLOPE AND CROSS SLOPE.

SHEET 2 OF 70

NOT FOR CONSTRUCTION

REV.	DATE	DESCRIPTION	BY
7	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
6	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
5	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

1828 ENGINEERING
2400 MAITLAND CENTER PKWY, SUITE 107
MAITLAND, FLORIDA 32751
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BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

GENERAL NOTES
MAJOR DEVELOPMENT PLAN
SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/25/2025

SCALE: N.T.S.
PROJECT: ASH-014
SHEET: C1.0

OLDIS SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

This item has been digitally signed and sealed by Oldis S. Sanchez, PE on the date adjacent to the seal.
Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

P:_project drawings\ASH-014 Kelly Park South Assemblage\Drawings\CAD Civil3D\Layouts\04 MDP\GENERAL NOTES.dwg Modified: 7/22/2025 By:bkillela Plotted By:brian killela

ABBREVIATIONS

A	
A	AREA
AB	ANCHOR BOLT
ABD	ABANDON(ED)
AC	ACRE(S)
AC-FT	ACRE FOOT/FEET
ACP	ASBESTOS CEMENT PIPE
ADDL	ADDITIONAL
ADT	AVERAGE DAILY TRAFFIC
AL	ALUMINUM
ALT	ALTERNATE
AM	BEFORE NOON
AMP	AMPERE(S)
APPROX	APPROXIMATE
ARV	AIR RELEASE VALVE
ARVV	AIR RELEASE VACUUM VALVE
ASPH	ASPHALT
ASSY	ASSEMBLY
AVE	AVENUE
AVG	AVERAGE
AZ	AZIMUTH
B	
BFP	BACKFLOW PREVENTER
BL	BASELINE
BLDG	BUILDING
BLVD	BOULEVARD
BM	BENCH MARK
BND	BOUNDARY
BO	BLOWOFF
BOC	BACK OF CURB
BOT	BOTTOM
BRG	BEARING
BS	BOTTOM OF SLOPE
BV	BUTTERFLY VALVE
C	
CAP	CAPACITY
CB	CATCH BASIN
CC	CENTER TO CENTER
CEM	CEMENT
CF	CUBIC FEET
CFM	CUBIC FEET PER MINUTE
CFS	CUBIC FEET PER SECOND
C&G	CURB AND GUTTER
CI	CAST IRON
CIP	CAST IRON PIPE
CJ	CONSTRUCTION JOINT
C/L	CENTER LINE
CLP	CONCRETE LIGHT POLE
CLR	CLEAR/CLEARANCE
CLS	CLASS
CM	CONCRETE MONUMENT
CMP	CORRUGATED METAL PIPE
CMPA	CORRUGATED METAL PIPE ARCH
CND	CONDUIT
CO.	COUNTY
CO	CLEANOUT
COL	COLUMN
COMP	COMPLETE
CONC	CONCRETE
CONN	CONNECTION
CONST	CONSTRUCT(ION)
CONT	CONTINUOUS
COORD	COORDINATE(S)
COR	CORNER
CPLG	COUPLING
CPP	CONCRETE POWER POLE
CS	CONTROL STRUCTURE
CTG	COATING
CTR	CENTER
CTV	CABLE TELEVISION
CULV	CULVERT
CY	CUBIC YARD
CYL	CYLINDER
D	
DBL	DOUBLE
DEG OR °	DEGREE
DEFL	DEFLECT(ION)
DEPT	DEPARTMENT
DET	DETAIL
DHWL	DESIGN HIGH WATER LEVEL
DI	DUCTILE IRON
DIA	DIAMETER
DIAG	DIAGONAL
DIM	DIMENSION
DIP	DUCTILE IRON PIPE
DISCH	DISCHARGE
DIST	DISTANCE
DMH	DROP MANHOLE
DN	DOWN
DRN	DRAIN
DWG	DRAWING
DWY	DRIVEWAY
E	
E	EAST
EA	EACH
EC	EDGE OF CONCRETE
ED	ENERGY DISSIPATOR
EF	EACH FACE
EFF	EFFLUENT
EG	EXISTING GRADE
E/L	EASEMENT LINE
ELB	ELBOW
ELEC	ELECTRIC
ELEV	ELEVATION
ELLIP	ELLIPSE/ELLIPTICAL
ENC	ENCASEMENT
ENG	ENGINEER(ING)
EOP	EDGE OF PAVEMENT
EQ	EQUAL/EQUATION
EQUIP	EQUIPMENT
EQUIV	EQUIVALENT
ESMT	EASEMENT
EST	ESTIMATE
EW	EACH WAY
EWL	ENDWALL
EXC	EXCAVATE/EXCAVATION
EXIST	EXISTING
EXP	EXPAND/EXPANSION
EXT	EXTEND/EXTENSION

F	
F&C	FRAME AND COVER
FD	FLOOR DRAIN
FDC	FIRE DEPARTMENT CONNECTION
FDN	FOUNDATION
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
FF	FINISHED FLOOR
FG	FINISHED GRADE
FH	FIRE HYDRANT
F&I	FURNISH AND INSTALL
FIG	FIGURE
FIN	FINISHED
FIT	FITTING
FL	FENCE LINE
FLR	FLOOR
FLEX	FLEXIBLE
FLG	FLANGE
FM	FORCE MAIN
FND	FOUND
FPH	FEET PER HOUR
FPM	FEET PER MINUTE
FPS	FEET PER SECOND
FT	FEET/FOOT
FTG	FOOTING
G	
GA	GAUGE
GAL	GALLON
GALV	GALVANIZED
GM	GAS MAIN
GPD	GALLONS PER DAY
GPH	GALLONS PER HOUR
GPM	GALLONS PER MINUTE
GPS	GALLONS PER SECOND
GR	GUARD RAIL
GRD	GROUND/GRADE
GSP	GALVANIZED STEEL PIPE
GV	GATE VALVE
GV&B	GATE VALVE AND BOX
GW	GUY WIRE
GWT	GROUND WATER TABLE
H	
HB	HOSE BIBB
HDW	HARDWARE
HORIZ	HORIZONTAL
HP	HORSEPOWER
HR	HOUR
HT	HEIGHT
HW	HEADWALL
HWL	HIGH WATER LEVEL
HWY	HIGHWAY
HYD	HYDRAULIC
I	
I-4	INTERSTATE HIGHWAY
IA	INTERSECTION ANGLE
ID	INSIDE DIAMETER
IF	INSIDE FACE
IN	INCHES
INL	INLET
INS	INSERT
INST	INSTALL
IP	IRON PIPE
IR	IRON ROD
INT	INTERSECT/INTERSECTION
INV	INVERT
J	
JB	JUNCTION BOX
JCT	JUNCTION
JST	JOIST
JT	JOINT
L	
L	LENGTH
LAT	LATITUDE
LATL	LATERAL
LB	POUND
LF	LINEAR FEET/FOOT
LG	LONG
LIM	LIMIT(S)
LP	LIGHT POLE
LONG	LONG
LT	LEFT
LWL	LOW WATER LEVEL
M	
MAINT	MAINTENANCE
MATL	MATERIAL
MAX	MAXIMUM
MECH	MECHANICAL
ME	MITERED END
MFR	MANUFACTURER
MGD	MILLION GALLONS PER DAY
MH	MANHOLE
MHC	MANHOLE COVER
MHWL	MEAN HIGH WATER LEVEL
MIN	MINIMUM
MISC	MISCELLANEOUS
MJ	MECHANICAL JOINT
MLP	METAL LIGHT POLE
MLWL	MEAN LOW WATER LEVEL
MON	MONUMENT
MPH	MILES PER HOUR
MSL	MEAN SEA LEVEL
MTG	MOUNTING
N	
N	NORTH
NA	NOT APPLICABLE
N&C	NAIL AND CAP
NE	NORTHEAST
NG	NATURAL GROUND
NIC	NOT IN CONTRACT
NO OR #	NUMBER
NOM	NOMINAL
NTP	NOTICE TO PROCEED
NTS	NOT TO SCALE
NW	NORTHWEST
NWL	NORMAL WATER LEVEL
O	
OC	ON CENTER
OD	OUTSIDE DIAMETER
OE	OR EQUAL
OPNG	OPENING
OPP	OPPOSITE
ORCP	OVAL REINFORCED CONCRETE PIPE
OS	OUTFALL STRUCTURE
OVFL	OVERFLOW
OVHD	OVERHEAD

P	
PC	POINT OF CURVATURE
PCC	POINT OF COMPOUND CURVATURE
PEP	POLYETHYLENE PIPE
PI	POINT OF INTERSECTION
PIV	POST INDICATOR VALVE
P/L	PROPERTY LINE
POB	POINT OF BEGINNING
POJ	PUSH ON JOINT
POS	POINT OF SERVICE
PP	POWER POLE
PR	PHONE RISER
PRC	POINT OF REVERSE CURVATURE
PRESS	PRESSURE
PROJ	PROJECT
PROP	PROPOSED
PRVC	POINT OF REVERSE VERTICAL CURVE
PSF	POUNDS PER SQUARE FOOT
PSI	POUNDS PER SQUARE INCH
PT	POINT OF TANGENCY
PVC	POLYVINYL CHLORIDE
PVMT	PAVEMENT
PWR	POWER
Q	
Q	FLOW RATE
R	
R	RADIUS
RCP	REINFORCED CONCRETE PIPE
RCPA	REINFORCED CONCRETE PIPE ARCH
RD	ROAD
RDY	ROADWAY
RED	REDUCER
REF	REFERENCE
REINF	REINFORCE(D)
REQD	REQUIRED
REV	REVISE/REVISION
RPM	REVOLUTIONS PER MINUTE
RR	RAILROAD
RT	RIGHT
RV	RELIEF VALVE
R/W	RIGHT-OF-WAY
RWM	REUSE WATER MAIN
S	
S	SOUTH
SAN	SANITARY SEWER
SB	SPLASH BLOCK
SCH	SCHEDULE
SD	SIDE DRAIN
SDN	SHELF DRAIN
SE	SOUTHEAST
SEC	SECONDS
SECT	SECTION
SH	SHEET
SHGWT	SEASONAL HIGH GROUND WATER TABLE
SIM	SIMILAR
S/L	SETBACK LINE
SL	SLOPE
SM	SHEET METAL
SPEC	SPECIFICATION(S)
SQ	SQUARE
SQ IN	SQUARE INCH(ES)
SQ FT	SQUARE FOOT/FEET
SQ YD	SQUARE YARD(S)
SR	STATE ROAD
SS	STAINLESS STEEL
ST	STREET
STA	STATION
STD	STANDARD
STL	STEEL
STR	STRUCTURE
STS	STORM SEWER
SUP	SUPPORT
SUSP	SUSPEND/SUSPENSION
SVC	SERVICE
SW	SOUTHWEST
SWK	SIDEWALK
SYM	SYMBOL(S)
SYMM	SYMMETRICAL
SYS	SYSTEM
T	
T	TANGENT
TB	TURFBLOCK
T&B	TOP AND BOTTOM
TBM	TEMPORARY BENCH MARK
TC	TIME OF CONCENTRATION
TD	TRENCH DRAIN
TDH	TOTAL DYNAMIC HEAD
TECH	TECHNICIAN/TECHNICAL
TEMP	TEMPORARY
TL	TERMINAL LAMPHOLE
TOB	TOP OF BANK
TOC	TOP OF CURB
TOS	TOE OF SLOPE
TOT	TOTAL
TS	TOP OF SLOPE
TWP	TOWNSHIP
TYP	TYPICAL
U	
UD	UNDERDRAIN
UG	UNDERGROUND
UON	UNLESS OTHERWISE NOTED
UTC	UNDERGROUND TELEPHONE CABLE
V	
VB	VALVE BOX
VC	VERTICAL CURVE
VCP	VITRIFIED CLAY PIPE
VERT	VERTICAL
VPC	VERTICAL POINT OF CURVE
VPI	VERTICAL POINT OF INTERSECTION
VPT	VERTICAL POINT OF TANGENCY
W	
W	WEST
W/	WITH
WM	WATER MAIN
W/O	WITHOUT
WP	WATER/WEATHER PROOF
WPP	WOOD POWER POLE
WS	WATER SURFACE
WSWT	WET SEASON WATER TABLE
WT	WEIGHT
WV	WATER VALVE
WWF	WELDED WIRE FABRIC
WWM	WELDED WIRE MESH
Y	
YD	YARD
YR	YEAR
MISC	
&	AND
@	AT
Δ	DELTA

EXISTING SYMBOLS

LINES

- CENTER LINE
- CHAIN LINK FENCE
- CONTOUR
- EASEMENT
- FENCE
- GUARDRAIL
- EXISTING PLATS
- RETAINING WALL
- RIGHT-OF-WAY LINE
- SHORELINE
- SWALE
- SOIL BOUNDARY

SANITARY SEWER

- SANITARY SEWER LINE
- CLEANOUT
- FORCE MAIN
- MANHOLE

POTABLE WATER

- WATER MAIN
- EXISTING VALVE
- FIRE HYDRANT
- WATER METER

STORM DRAIN

- STORM SEWER
- CURB INLET
- MANHOLE
- MITERED END
- STORM INLET
- SPOT ELEVATION
- FDOT TYPE 1 INLET
- FDOT TYPE 2 INLET
- FDOT TYPE 3 INLET
- FDOT TYPE 4 INLET
- FDOT TYPE 5 INLET
- FDOT TYPE 6 INLET

HIGHWAY & UTILITIES

- BENCHMARK
- BOUND CORNER
- CONCRETE
- COUNTY ROADS
- INTERSTATE ROADS
- LIGHT POLE
- SIGN
- EDGE OF PAVEMENT W/O CURB
- STATE ROADS
- GUY POLE
- UTILITY POLE
- YARD LIGHT
- GAS MAIN
- OVER HEAD WIRE
- ELECTRIC CABLE OR CONDUIT, BURIED
- UNDERGROUND TELEPHONE CABLE
- EDGE OF PAVEMENT W/CURB

PROPOSED SYMBOLS

LINES

- PROPERTY BOUNDARY
- LOT LINE
- CENTER LINE
- EASEMENT
- BUILDING SETBACK LINE
- WETLAND LINE
- WETLAND BUFFER LINE
- FENCE
- SILT FENCE
- GUARDRAIL
- ENTRY WALL
- RETAINING WALL
- SWALE
- CONTOUR

SANITARY SEWER

- 100 LF OF 8" PVC @ 0.40% — SANITARY PIPE
- CLEANOUT
- SINGLE SANITARY SERVICE
- DOUBLE SANITARY SERVICE
- MANHOLE
- FORCE MAIN
- PLUG VALVE

POTABLE WATER

- WATER MAIN
- FIRE MAIN
- SINGLE WATER SERVICE
- DOUBLE WATER SERVICE
- FIRE HYDRANT ASSEMBLY
- FIRE DEPARTMENT CONNECTION
- METER
- SP# — SAMPLE POINT

RECLAIMED WATER

- RECLAIMED WATER MAIN
- SINGLE WATER SERVICE
- DOUBLE WATER SERVICE

GENERIC UTILITIES

- 11 1/2° BEND
- 22 1/2° BEND
- 45° BEND
- 90° BEND
- TEE
- CROSS
- GATE VALVE
- REDUCER

STORM

- 100 LF OF 24" RCP @ 0.20% — STORM PIPE
- DRAINAGE FLOW DIRECTION
- FDOT INLET TYPE 1
- FDOT INLET TYPE 2
- FDOT INLET TYPE 3
- FDOT INLET TYPE 4
- FDOT INLET TYPE 5
- FDOT INLET TYPE 6
- MANHOLE
- MITERED END SECTION
- STORM INLET

ROADWAY & GRADING

- CONCRETE
- BLDG OR STRUCTURE
- TYPE F CURB & GUTTER
- MIAMI CURB
- 10 / C1.0 — DETAIL REFERENCE
- ×100.00 — SPOT ELEVATION
- LOT TYPE "A" FFE=100.00 — FINISHED FLOOR ELEVATION W/ FHA LOT TYPE
- HANDICAP PARKING
- 95 — INTERSTATE ROADS
- LIGHT POLE
- 50 — STATE ROADS
- SIGN
- TRAFFIC FLOW PAVEMENT MARKING
- UTILITY POLE
- A A — CROSS SECTION DETAIL

NOTES:
1. TREE TYPES SHALL BE REFERENCED BY LEGEND ON APPLICABLE DRAWING SHEETS.
2. EXISTING CONSTRUCTION FEATURES MAY BE SCREENED ON DRAWING SHEETS TO PROVIDE CLARITY.

SHEET 3 OF 70

NOT FOR CONSTRUCTION

BY	DESCRIPTION	DATE	REV
OSS	CITY OF APOPKA COMMENTS DATED 07/09/2025	07/09/25	7
OSS	CITY OF APOPKA COMMENTS DATED 06/23/2025	06/24/25	6
OSS	CITY OF APOPKA COMMENTS DATED 04/07/2025	04/23/25	5

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BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060
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MAITLAND, FLORIDA 32751
(407) 558-2228

ABBREVIATIONS & SYMBOLS
MAJOR DEVELOPMENT PLAN
SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/13/2025

SCALE: N.T.S.
PROJECT: ASH-014
SHEET: C1.1

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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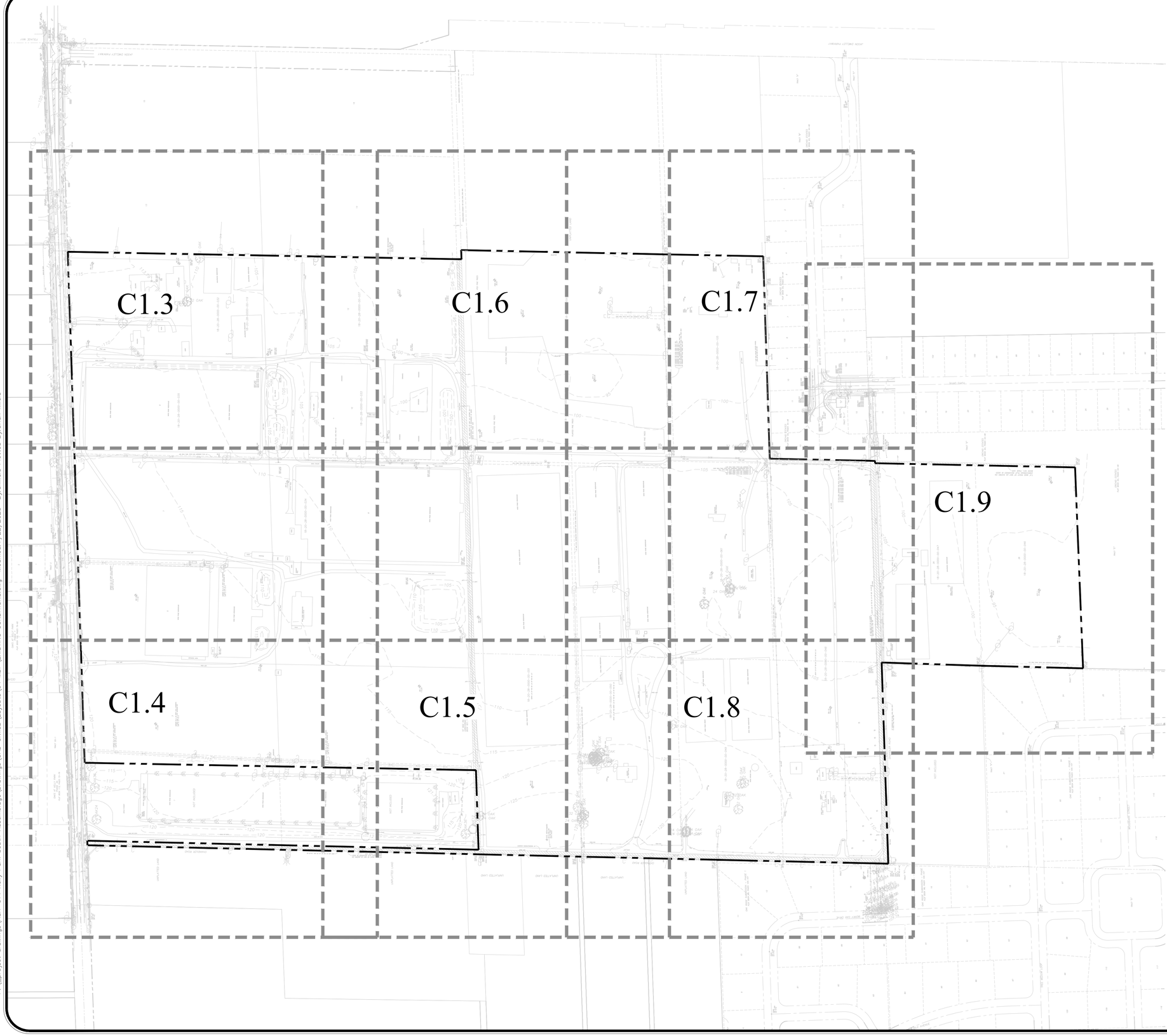
P:_project drawings\ASH-014 Kelly Park South Assemblage\Drawings\CAD Civil3D\Layouts\04 MDP\ABBREVIATIONS & SYMBOLS.dwg Modified: 7/22/2025 By:bkillela Plotted By:brian killela



GRAPHIC SCALE

150 0 75 150 300

(IN FEET)
1 inch = 150 ft.

EXISTING CONDITION PLAN BASED ON SURVEY PROVIDED BY:

JOHNSTON'S SURVEYING INC.
BARRY W. PREWITT, PSM #5267
DATE OF FIELD SURVEY: 02/08/2024

SURVEYOR'S NOTES:

ELEVATIONS SHOWN HEREON ARE BASED ON N.A.V.D. 1988 DATUM.

BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE. (NAD 83, 1990 ADJUSTMENT) AS DETERMINED FROM GLOBAL POSITIONING SYSTEM (GPS).

UNLESS OTHERWISE NOTED, PLAT INFORMATION IS EQUAL TO FIELD MEASURED DATA.

NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ROOF OVERHANGS HAVE BEEN LOCATED EXCEPTS AS NOTED HEREON.

THE SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR EASEMENTS, RESTRICTIONS, RESERVATIONS AND/OR RIGHTS-OF-WAY OF RECORD.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 12097C0000 G DATED JUNE 18, 2013, THE LAND AND THE IMPROVEMENTS AS SHOWN HEREON ARE NOT WITHIN A 100-YEAR FLOOD HAZARD ZONE. THE LAND IS IN ZONE "X".

POINT ELEVATIONS WITH TWO DECIMAL PRECISION DENOTE PAVEMENT, CONCRETE AND TOP OF WATER SHOTS. ONE DECIMAL PRECISION DENOTES NATURAL GROUND OR A SOFT SHOT, ALL OTHERS ARE AS NOTED.

SEE SHEETS 2 AND 3 FOR BOUNDARY INFORMATION.

SEE SHEETS 4-12 FOR TOPOGRAPHIC INFORMATION.

ABBREVIATIONS

P.B.	PLAT BOOK	(C)	CALCULATED	°	DEGREES	ALL PROPERTY CORNERS AS NOTED.	EL.	ELEVATION
D.B.	DEED BOOK	(P)	PLAT	'	MINUTES	D.U.E. DRAINAGE AND UTILITY EASEMENT	P.T.	POINT OF TANGENCY
BK.	BOOK	(D)	DESCRIBED	"	SECONDS	ID IDENTIFICATION	P.C.	POINT OF CURVE
PG.	PAGE	(M)	MEASURED	±	MORE OR LESS	P.C.P. PERMANENT CONTROL POINT	P.R.C.	POINT OF REVERSE CURVE
SECT.	SECTION	C.B.	CHORD BEARING	L.B.	LICENSED BUSINESS	P.O.B. POINT OF BEGINNING	P.I.	POINT OF INTERSECTION
TWP.	TOWNSHIP	CH.	CHORD	L.S.	LICENSED SURVEYOR	P.O.C. POINT OF COMMENCEMENT	N.&T.	NAIL AND TAB
RGE.	RANGE	R	RADIUS	B.W.F.	BARBED WIRE FENCE	F/F FINISH FLOOR ELEVATION	C.M.P.	CORRUGATED METAL PIPE
COR.	CORNER	L	ARC LENGTH	H.W.F.	HOG WIRE FENCE	L.F.E. LOWEST FLOOR ELEVATION	R.C.P.	REINFORCED CONCRETE PIPE
AC.	ACRES	Δ	DELTA	C.L.F	CHAIN LINK FENCE	G.F.E. GARAGE FLOOR ELEVATION	INV.	INVERT
P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER	T	TANGENT	W.	WOOD FENCE	R/W RIGHT OF WAY	FD.	FOUND
		C/L	CENTERLINE	E.P.	EDGE OF PAVEMENT	O.R. OFFICIAL RECORDS	P.R.M.	PERMANENT REFERENCE MONUMENT
BM	BENCHMARK			FRM.	FRAME	STY. STORY		
C.B.S.	CONCRETE BLOCK & STUCCO			O/S	OFFSET	CONC. CONCRETE	TX	TRANSFORMER

UGE UNDERGROUND POWER LINE
OHE OVERHEAD POWER LINE
BT BURIED TELEPHONE LINE
GAS BURIED GAS MAIN
W BURIED WATER LINE
SAN BURIED SANITARY SEWER LINE

LEGEND

- BENCHMARK
- WOOD POWER POLE
- CONCRETE POWER POLE
- GUY WIRE ANCHOR
- LIGHT POLE
- SIGN
- FIRE HYDRANT
- SANITARY SEWER M.HOLE
- STORM SEWER M.HOLE
- GAS VALVE
- TELR TELEPHONE RISER BOX
- MLP METAL LIGHT POLE
- CO CLEAN OUT (SEWER)
- GAS GAS METER
- GAS UNDERGROUND GAS MARKER
- FIBER OPTIC MARKER
- WATER VALVE
- WM WATER METER
- CATV CABLE TELEVISION RISER BOX
- WOOD LIGHT POLE
- WELL
- ELECTRIC CONTROL BOX
- ELECTRIC TRANSFORMER
- FLP FIBERGLASS LIGHT POLE

SHEET 4 OF 70
NOT FOR CONSTRUCTION

REV.	DATE	DESCRIPTION	BY
1	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
2	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
3	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

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BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

OVERALL EXISTING CONDITIONS
MAJOR DEVELOPMENT PLAN
SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/25/2025

SCALE: 1" = 150'
PROJECT: ASH-014
SHEET: C1.2

OLVIDO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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P:_project drawings\ASH-014 Kelly Park South Assemblage\Drawings\CAD Civil3D\Layouts\04 MDP\EXISTING CONDITIONS.dwg Modified: 7/22/2025 By:bkillela Plotted By:brian killela

N

W E

S

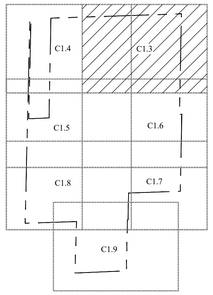
GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

EXISTING CONDITION PLAN BASED ON SURVEY PROVIDED BY:

JOHNSTON'S SURVEYING INC.
BARRY W. PREWITT, PSM #5267
DATE OF FIELD SURVEY: 02/08/2024



KEY MAP

SHEET C1.4

SHEET C1.3

SHEET C1.3

SHEET C1.6

SHEET 5 OF 70
NOT FOR CONSTRUCTION

REV.	DATE	DESCRIPTION	BY
1	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
2	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
3	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

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BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

EXISTING CONDITIONS – NORTHEAST
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/25/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C1.3

OLVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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WHITEHORN LANE

TRACT FD-2

OAKS AT KELLY PARK PHASE 3A PLAT BOOK 113, PAGES 72-76

TRACT OS-1

TRACT C

PARK RIDGE

KELLY PARK ROAD

S01°19'36"W 30.08'

S88°06'22"W 15.02'

UNPLATTED LAND

CHANDLER ROAD

NOT INCLUDED

SUBJECT TO A 10' WIDE F.P.C. EASEMENT, 5' EACH SIDE OF F.P.C. IMPROVES ON LOTS 3, 4, 5 & 6

WOOD FRAME GREENHOUSE

OFFICE AND WOOD FRAME GREENHOUSE F.F.ELEV.=425.50

GAS LINE EXCLUSION PREVENTION

GAS LINE AND GAS VALVE

MASONRY WALL

DIRT ROAD

ASPHALT ROAD

CONC. SIDEWALK

ASPHALT PAVEMENT

CONC. CURB & GUTTER

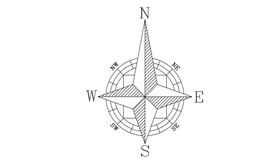
SHED

SHEET C1.4

SHEET C1.5

SHEET C1.4

SHEET C1.3



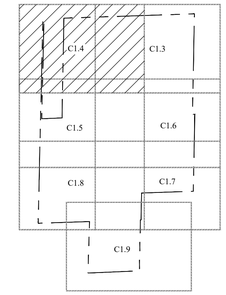
GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

EXISTING CONDITION PLAN BASED ON SURVEY PROVIDED BY:

JOHNSTON'S SURVEYING INC.
BARRY W. PREWITT, PSM #5267
DATE OF FIELD SURVEY: 02/08/2024



KEY MAP

REV.	DATE	DESCRIPTION	BY
1	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
2	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
3	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

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BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

EXISTING CONDITIONS – NORTHWEST
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN:	DESIGNED:	CHECKED:	DATE:
B. KILLELA	O. SANCHEZ	L. CLASSON	6/25/2025

SCALE	PROJECT	SHEET
1" = 50'	ASH-014	C1.4

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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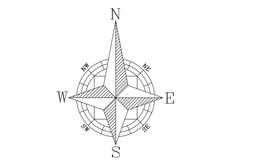
SHEET 6 OF 70
NOT FOR CONSTRUCTION



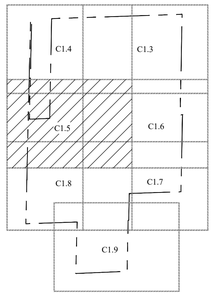
GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

EXISTING CONDITION PLAN BASED ON SURVEY PROVIDED BY:

JOHNSTON'S SURVEYING INC.
BARRY W. PREWITT, PSM #5267
DATE OF FIELD SURVEY: 02/08/2024



KEY MAP

SHEET C1.4

SHEET C1.5

SHEET C1.5

SHEET C1.6

SHEET C1.5

SHEET C1.8

SHEET 7 OF 70
NOT FOR CONSTRUCTION

REV.	DATE	DESCRIPTION	BY
1	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
2	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
3	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

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EXISTING CONDITIONS – WEST
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/25/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C1.5

OVIDIO SALVADOR SANCHEZ
LICENSED
No. 86492
STATE OF FLORIDA
PROFESSIONAL ENGINEER
7/22/25

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SHEET C1.5

SHEET C1.6

SHEET C1.3

SHEET C1.6

SHEET C1.6

SHEET C1.7

N

W E

S

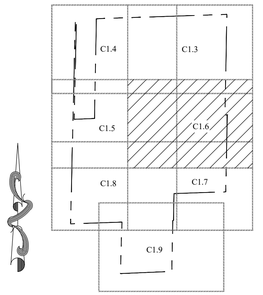
GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

EXISTING CONDITION PLAN BASED ON SURVEY PROVIDED BY:

JOHNSTON'S SURVEYING INC.
BARRY W. PREWITT, PSM #5267
DATE OF FIELD SURVEY: 02/08/2024



KEY MAP

REV.	DATE	DESCRIPTION	BY
	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

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BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

EXISTING CONDITIONS – EAST
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN:	DESIGNED:	CHECKED:	DATE:
B. KILLELA	O. SANCHEZ	L. CLASSON	6/25/2025

SCALE	PROJECT	SHEET
1" = 50'	ASH-014	C1.6

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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SHEET 8 OF 70
NOT FOR CONSTRUCTION

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SHEET C1.6
SHEET C1.7

SHEET C1.8
SHEET C1.7

SHEET C1.7
SHEET C1.9

N

W E

S

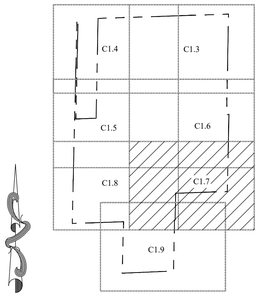
GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

EXISTING CONDITION PLAN BASED ON SURVEY PROVIDED BY:

JOHNSTON'S SURVEYING INC.
BARRY W. PREWITT, PSM #5267
DATE OF FIELD SURVEY: 02/08/2024



KEY MAP

REV.	DATE	DESCRIPTION	BY
5	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
4	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
3	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

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MAITLAND, FLORIDA 32751
(407) 558-2228
BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

EXISTING CONDITIONS – SOUTHWEST
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/25/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C1.7

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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SHEET 9 OF 70
NOT FOR CONSTRUCTION

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SHEET C1.5

SHEET C1.8

SHEET C1.8

SHEET C1.9

SHEET C1.8

SHEET C1.7

N

W E

S

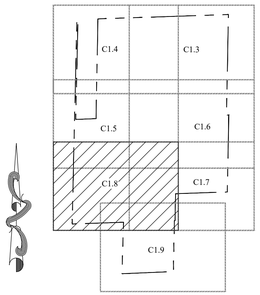
GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

EXISTING CONDITION PLAN BASED ON SURVEY PROVIDED BY:

JOHNSTON'S SURVEYING INC.
BARRY W. PREWITT, PSM #5267
DATE OF FIELD SURVEY: 02/08/2024



KEY MAP

REV.	DATE	DESCRIPTION	BY
1	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
2	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
3	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

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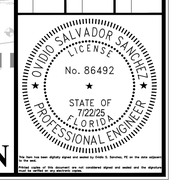
2400 MAITLAND CENTER PKWY, SUITE 107
MAITLAND, FLORIDA 32751
(407) 558-2228

BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

EXISTING CONDITIONS – SOUTHEAST
MAJOR DEVELOPMENT PLAN
SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN:	DESIGNED:	CHECKED:	DATE:
B. KILLELA	O. SANCHEZ	L. CLASSON	6/25/2025

SCALE	PROJECT	SHEET
1" = 50'	ASH-014	C1.8



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SHEET 10 OF 70
NOT FOR CONSTRUCTION

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SHEET C1.8

SHEET C1.9

SHEET C1.7

SHEET C1.9

N

W E

S

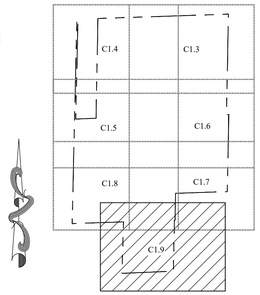
GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

EXISTING CONDITION PLAN BASED ON SURVEY PROVIDED BY:

JOHNSTON'S SURVEYING INC.
BARRY W. PREWITT, PSM #5267
DATE OF FIELD SURVEY: 02/08/2024



KEY MAP

REV.	DATE	DESCRIPTION	BY
1	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
2	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
3	04/31/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

1828 ENGINEERING

2400 MAITLAND CENTER PKWY, SUITE 107
MAITLAND, FLORIDA 32751
(407) 558-2228

BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

EXISTING CONDITIONS – SOUTH
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/25/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C1.9

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
PROFESSIONAL ENGINEER
7/22/25

This item has been digitally signed and sealed by Ovidio S. Sanchez, PE on the date adjacent to the seal.
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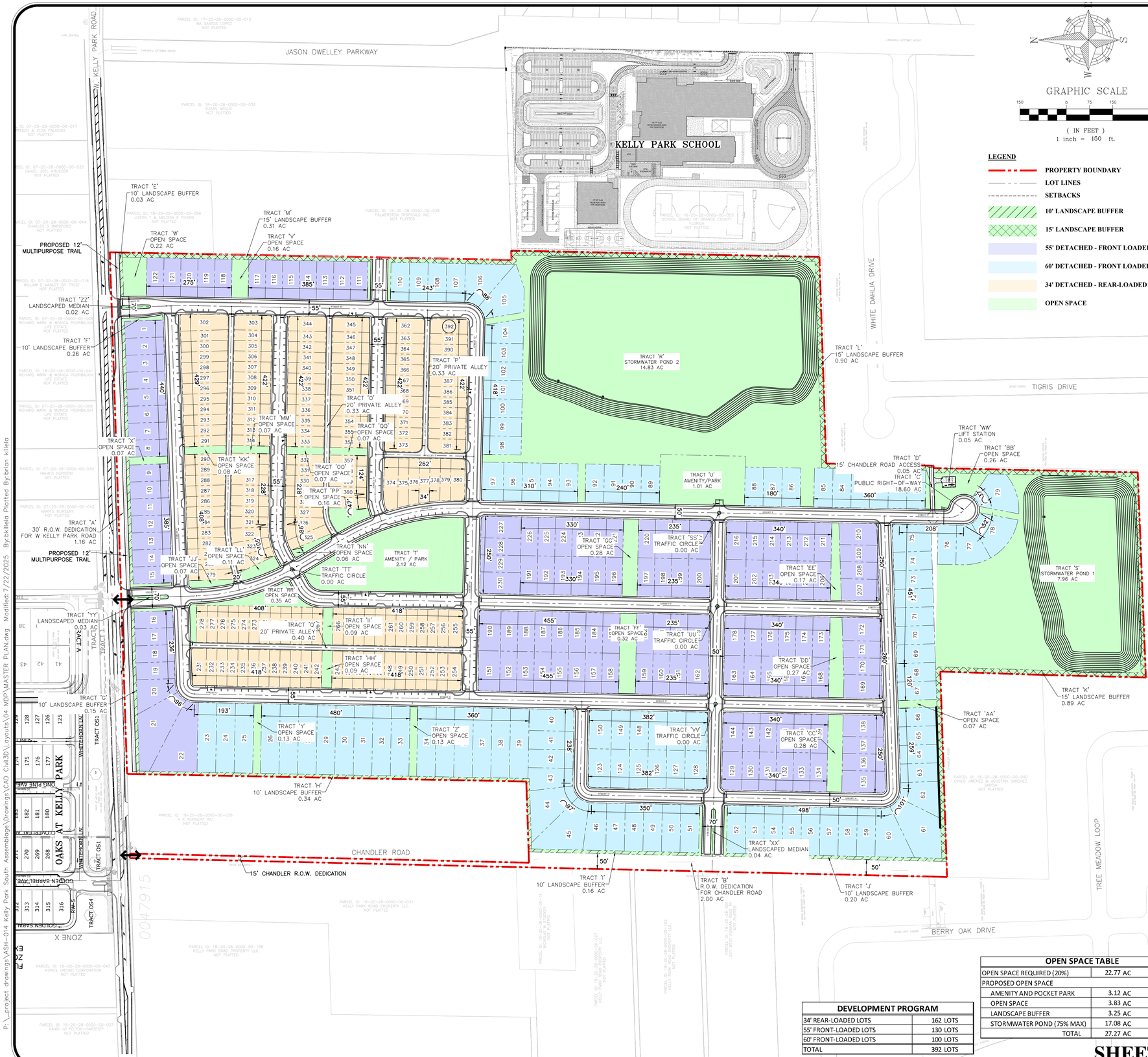
SHEET 11 OF 70
NOT FOR CONSTRUCTION

P:_project drawings\ASH-014 Kelly Park South Assemblage\Drawings\CAD Civil3D\Layouts\04 MDP\EXISTING CONDITIONS.dwg Modified:7/22/2025 By:bkillela Plotted By:brian killela



OVERALL SITE DATA:

OCPA - PARCEL ID #:	**18-20-28-0000-00-031, 18-20-28-0000-00-032, 18-20-28-0000-00-033, 18-20-28-0000-00-034, 18-20-28-0000-00-035, 18-20-28-0000-00-037, 18-20-28-0000-00-046, 18-20-28-0000-00-047, 18-20-28-0000-00-048, 18-20-28-0000-00-049, 18-20-28-0000-00-050, 18-20-28-0000-00-051, 18-20-28-0000-00-052, 18-20-28-0000-00-061, 18-20-28-0000-00-080, 18-20-28-0000-00-105, 18-20-28-0000-00-106, 18-20-28-0000-00-119, 18-20-28-0000-00-132**
PROPERTY ADDRESS:	**2350 W KELLY PARK ROAD APOPKA, FLORIDA 32712**
TOTAL PROPERTY AREA:	**117.00 AC**
R.O.W. DEDICATION AREA:	**3.16 AC**
TOTAL DEVELOPABLE AREA:	**113.84 AC**
FEMA FLOOD INSURANCE RATE MAP FLOOD ZONE: FIRM PANEL #12097C0000G DATED JUNE 18, 2013	**ZONE X**
EXISTING FUTURE LAND USE (FLU):	**R (COUNTY) FLU-IP, RVLS (CITY)**
PROPOSED FUTURE LAND USE:	**MIXED USE (CITY)**
ADJACENT FUTURE LAND USED (FLU):	
NORTH	**RS, FLU-IP, MU (CITY), R (COUNTY)**
SOUTH	**RVLS (CITY)**
EAST	**INST_PU, RE, AG (CITY), R (COUNTY)**
WEST	**RVLS (CITY), R (COUNTY)**
EXISTING ZONING:	**A-1 (COUNTY) T, RSF-1A (CITY)**
REQUESTED OVERLAY ZONING/CHARACTER ZONE:	**NEIGHBORHOOD**
PROPOSED ZONING:	**KPI-MU (CITY)**
ADJACENT ZONING:	
NORTH	**PD, AG, MU-N (CITY), A-1 (COUNTY)**
SOUTH	**PD, RSF-1A**
EAST	**PD, O, RSF-1A, RSF-1B (CITY), A-1 (COUNTY)**
WEST	**PD, RSF-1A (CITY), A-1 (COUNTY)**
PROPOSED NUMBER OF DWELLING UNITS:	**392 LOTS**
PROPOSED NET DENSITY:	**3.44 DU/Ac.**

PROPOSED MINIMUM LOT REQUIREMENTS:

	FRONT-LOADED	REAR-LOADED
MINIMUM LOT AREA	6,600 SF	3,910 SF
MINIMUM LOT WIDTH	55 ft.	34 ft.
MINIMUM LOT DEPTH	120 ft.	115 ft.
MAXIMUM BUILDING HEIGHT	35 ft.	35 ft.
SETBACKS		
FRONT PORCH	10 ft. min.	10 ft. min.
FRONT/STREET SIDE	15 ft. min./30 ft. max	15 ft. min./30 ft. max
REAR	20 ft.	5 ft.
SIDE	5 ft. min	5 ft. min
REAR GARAGE	N/A	20 ft.
CORNER	15 ft.	15 ft.

TRACT DATA

TRACT	DESCRIPTION	AREA (AC)	AREA (SF)	OWNER
TRACT 'A'	30' R.O.W. DEDICATION FOR W KELLY PARK ROAD	1.16 AC	50,625.18 SF	CITY
TRACT 'B'	R.O.W. DEDICATION FOR CHANDLER ROAD	2.00 AC	86,958.75 SF	CITY
TRACT 'C'	PUBLIC R.O.W.	18.62 AC	810,975.89 SF	CITY
TRACT 'D'	15' CHANDLER ROAD ACCESS	0.05 AC	2,112.42 SF	H.O.A.
TRACT 'E'	10' LANDSCAPE BUFFER	0.03 AC	1,428.26 SF	H.O.A.
TRACT 'F'	10' LANDSCAPE BUFFER	0.26 AC	11,347.34 SF	H.O.A.
TRACT 'G'	10' LANDSCAPE BUFFER	0.15 AC	6,566.01 SF	H.O.A.
TRACT 'H'	10' LANDSCAPE BUFFER	0.34 AC	14,788.85 SF	H.O.A.
TRACT 'I'	10' LANDSCAPE BUFFER	0.16 AC	7,112.56 SF	H.O.A.
TRACT 'J'	10' LANDSCAPE BUFFER	0.20 AC	8,741.82 SF	H.O.A.
TRACT 'K'	15' LANDSCAPE BUFFER	0.89 AC	38,671.58 SF	H.O.A.
TRACT 'L'	15' LANDSCAPE BUFFER	0.90 AC	39,410.38 SF	H.O.A.
TRACT 'M'	15' LANDSCAPE BUFFER	0.31 AC	13,301.79 SF	H.O.A.
TRACT 'N'	20' PRIVATE ALLEY	0.40 AC	17,374.58 SF	H.O.A.
TRACT 'O'	20' PRIVATE ALLEY	0.33 AC	14,238.34 SF	H.O.A.
TRACT 'P'	20' PRIVATE ALLEY	0.32 AC	13,989.88 SF	H.O.A.
TRACT 'Q'	20' PRIVATE ALLEY	0.40 AC	17,514.33 SF	H.O.A.
TRACT 'R'	STORMWATER POND 1	14.83 AC	646,186.35 SF	H.O.A.
TRACT 'S'	STORMWATER POND 2	7.85 AC	341,759.85 SF	H.O.A.
TRACT 'T'	AMENITY/PARK	2.12 AC	92,465.04 SF	H.O.A.
TRACT 'U'	AMENITY/PARK	1.00 AC	43,560.00 SF	H.O.A.
TRACT 'V'	OPEN SPACE	0.07 AC	3,125.00 SF	H.O.A.
TRACT 'W'	OPEN SPACE	0.30 AC	13,268.70 SF	H.O.A.
TRACT 'X'	OPEN SPACE	0.07 AC	3,125.00 SF	H.O.A.
TRACT 'Y'	OPEN SPACE	0.13 AC	5,626.78 SF	H.O.A.
TRACT 'Z'	OPEN SPACE	0.13 AC	5,626.78 SF	H.O.A.
TRACT 'AA'	OPEN SPACE	0.07 AC	3,125.00 SF	H.O.A.
TRACT 'BB'	OPEN SPACE	0.26 AC	11,251.65 SF	H.O.A.
TRACT 'CC'	OPEN SPACE	0.28 AC	12,102.10 SF	H.O.A.
TRACT 'DD'	OPEN SPACE	0.29 AC	12,586.19 SF	H.O.A.
TRACT 'EE'	OPEN SPACE	0.28 AC	12,102.10 SF	H.O.A.
TRACT 'FF'	OPEN SPACE	0.32 AC	14,033.94 SF	H.O.A.
TRACT 'GG'	OPEN SPACE	0.28 AC	12,244.18 SF	H.O.A.
TRACT 'HH'	OPEN SPACE	0.09 AC	3,953.22 SF	H.O.A.
TRACT 'II'	OPEN SPACE	0.09 AC	3,953.22 SF	H.O.A.
TRACT 'JJ'	OPEN SPACE	0.07 AC	3,132.95 SF	H.O.A.
TRACT 'KK'	OPEN SPACE	0.08 AC	3,340.63 SF	H.O.A.
TRACT 'LL'	OPEN SPACE	0.11 AC	4,862.33 SF	H.O.A.
TRACT 'MM'	OPEN SPACE	0.07 AC	3,025.00 SF	H.O.A.
TRACT 'NN'	OPEN SPACE	0.06 AC	2,718.85 SF	H.O.A.
TRACT 'OO'	OPEN SPACE	0.07 AC	3,025.00 SF	H.O.A.
TRACT 'PP'	OPEN SPACE	0.16 AC	7,151.95 SF	H.O.A.
TRACT 'QQ'	OPEN SPACE	0.07 AC	3,025.00 SF	H.O.A.
TRACT 'RR'	OPEN SPACE	0.35 AC	15,167.92 SF	H.O.A.
TRACT 'SS'	TRAFFIC CIRCLE	0.00 AC	68.42 SF	H.O.A.
TRACT 'TT'	TRAFFIC CIRCLE	0.00 AC	68.42 SF	H.O.A.
TRACT 'UU'	TRAFFIC CIRCLE	0.00 AC	68.42 SF	H.O.A.
TRACT 'VV'	TRAFFIC CIRCLE	0.00 AC	68.42 SF	H.O.A.
TRACT 'WW'	LIFT STATION	0.05 AC	1,975.00 SF	CITY
TRACT 'XX'	LANDSCAPED MEDIAN	0.04 AC	1,675.48 SF	H.O.A.
TRACT 'YY'	LANDSCAPED MEDIAN	0.03 AC	1,336.30 SF	H.O.A.
TRACT 'ZZ'	LANDSCAPED MEDIAN	0.03 AC	1,089.30 SF	H.O.A.

DEVELOPMENT PROGRAM

34' REAR-LOADED LOTS	162 LOTS
55' FRONT-LOADED LOTS	130 LOTS
60' FRONT-LOADED LOTS	100 LOTS
TOTAL	392 LOTS

OPEN SPACE TABLE

OPEN SPACE REQUIRED (20%)	22.77 AC	20.00%
PROPOSED OPEN SPACE		
AMENITY AND POCKET PARK	3.12 AC	2.74%
OPEN SPACE	3.83 AC	3.36%
LANDSCAPE BUFFER	3.25 AC	2.85%
STORMWATER POND (75% MAX)	17.08 AC	15.00%
TOTAL	27.27 AC	23.96%

SHEET 12 OF 70 NOT FOR CONSTRUCTION

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1828 ENGINEERING
BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060
2400 MAITLAND CENTER PKWY, SUITE 107
MAITLAND, FLORIDA 32751
(407) 558-2228

KPI-MIXED USE
MAJOR DEVELOPMENT PLAN
SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/25/2025
SCALE: 1" = 150'
PROJECT: ASH-014
SHEET: C2.0

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
PROFESSIONAL ENGINEER

This item has been digitally signed and sealed by Ovidio S. Sanchez, PE on the date adjacent to the seal.
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P:_project drawings\ASH-014 Kelly Park South Assemblage\Drawings\CAD Civil3D\Layouts\04 MDP\MASTER PLAN.dwg Modified: 7/22/2025 By:bkillela Plotted By:brian killela

A. Design Standards (1)

1. LOT CRITERIA (based on KPI Neighborhood Design Criteria):

Description	Single-Family Detached 34' Lots (Rear-Loaded)	Single-Family Detached 55' & 60' Lot (Front-Loaded)
Front Porch Setback (2)	10'	10'
Front Facade Setback	15' min./30' max.	15' min./30' max.
Rear Setback (3)	5' min.	20'
Side Setback	5'	5'
Corner/Side Street Setback	15'	15'
Garage Front Setback	N/A	25' min./30' max
Garage Rear Setback	20'	N/A
Min. Average Lot Area	3,910 SF	6,600 SF
Min. Lot Width	34'	55'
Min. Lot Depth	115'	120'
Max. Lot Coverage	75%	75%
Max. Building Height	35'/2 Stories	35'/2 Stories
Min. Living Area	1, 500 SF	1, 600 SF
3 car garage less than 50% of façade	N/A	____
Building foundation 18" above c/l of ROW	Keep at grade level	

(1) See Master Plan sheet for depiction of conceptual typical site plans.
(2) Front porch requirements and setback as allowed per Kelly Park Interchange (KPI) Form-Based Code Section J.1 and K.2(g)(v).
(3) Swimming pools and other structures allowed to encroach within rear setback per KPI Table 10.2.4.B of the Apopka Code.

B. Architectural, Buildings, and Accessory Structures

1. Architectural design shall meet the intent of City of Apopka Kelly Park Interchange Form-Base Code or unless otherwise stated.
2. All lots shall have detached single-family homes.
3. Each individual single-family home shall have a minimum of two (2) bedrooms.
4. All front-loaded lots shall have minimum two (2) car garage.
5. All rear-loaded lots shall have a minimum one (1) car garage.
6. Mail delivery for all lots within Chandler Hills shall occur at cluster mailbox units. Approval from the Postmaster of the location shall be submitted prior to approval of the Construction Site Plan.
7. AC condenser units & similar equipment shall be placed in the side or rear yard area. Units & similar equipment shall be placed with a minimum three (3) feet setback from side property line. Units shall be screened from side streets with landscaping or opaque fencing.
8. Storage sheds or similar storage facilities shall not be allowed.

9. Swimming pools shall be allowed on all front-loaded lots.
10. Swimming pools shall not be allowed on rear-loaded lots.
11. Architectural Design Standards:
    a) Architectural styles shall be determined prior to Construction Site Plan approval, and these shall meet the intent of to the City of Apopka's Kelly Park Interchange Form-Based Code except as noted on these Development Standards. Modification or replacement of the exterior elevations can be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from architectural rendering must be approved by City Council.
    b) Front facade materials such as cultured stone veneer, stucco, wood plank, and fiber cement siding may be utilized to be consistent with the applicable Architectural Style.
    c) Minimum roof pitch over the main house and garage shall be 5/12. Roof pitch over porches shall be a minimum of 4/12.
    d) Thirty-year asphalt shingle shall be installed on all roofs. Three-tab shingles are prohibited. The shingle color shall compliment the color scheme of the house.
    e) Aluminum and vinyl fascia and soffit shall be standard for all houses. Fascia and soffit color shall compliment the color scheme of the house.
    f) Trim around windows and doors shall be painted a different color from the body of the house. Doors may be painted either the same as the trim or separate accent color.
    g) Concrete or pavers shall be installed in rear yard driveways, lead walks, porches, and porticos.
12. Front Building Entrance Elevation Design Standards:
    a) Front building entrance shall feature a minimum four (4) feet deep (per Kelly Park Interchange Form-Base Code Section J.4 Figure 16) porches & porticos flush or projecting beyond front wall or similar feature. Porches shall be a minimum width of eight (8) feet and a minimum clear height of eight (8) feet.
    b) Front garages shall be attached and recessed from the primary façade (not including porches, bays, or other minor projections) by a minimum of four (4) feet.
    c) Garage frontage shall be limited to 52%. Frontage is determined by garage door width.
    d) Front porches and porticos may be at grade level.
    e) Should any home's front elevation comprise less than the required 10% of windows, the front door shall be predominantly made of glass.
    f) Identical model plan type shall not be constructed on neighboring lots who share a side yard property boundary line or are directly across the street without a different elevation type.
    g) Identical exterior paint schemes shall not be applied on neighboring lots who share a side yard property boundary line or are directly across the street.
    h) Specific elevations style types shall have similar wall finishes, window grid patterns, window banding & trim, roof lines and slopes, etc. Applied to each lot width model plan type front elevations.
    i) Modification or replacement of the exterior elevations can be approved by the Community Development Director if such changes represent equivalent architectural value. Substantial deviations from exterior elevations must be approved by City Council.
13. Individual Lot Front & Rear Yard Fencing Standards:
    a) Maximum height of a fence shall be six (6) feet above final grade or six (6) inches less than the community common wall height, whichever is less. No fence shall exceed the height of an abutting common area wall.
    b) Fencing at rear yards of rear alley loaded lots shall be setback a minimum two (2) feet from the alley and driveway edges.
    c) Fencing at street corner lot side yards shall adhere to LDC Section 5.5.

C. Utilities and Infrastructure

1. Potable water service shall be provided by the City of Apopka. The water system shall be designed to City of Apopka standards.
2. Reclaimed water service shall be provided by the City of Apopka. The reclaimed water system shall be designed to City of Apopka standards.
3. Stormwater management system shall be designed to comply with the design standards of the City of Apopka and the St. Johns River Water Management District.
4. A final drainage report and soils report will be submitted with the Construction Site Plan.
5. Sanitary service shall be provided by the City of Apopka. The sanitary system shall be designed to City of Apopka standards.
6. Utility easements shall be dedicated to the City of Apopka.
7. Drainage easements to be dedicated to the Homeowners' Association unless otherwise required by the City of Apopka.
8. All stormwater 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 Construction Site Plan.
9. On-site streets are to be constructed per City of Apopka standards.
10. Stabilized access roadways and fire hydrants must be in place before building construction may begin.
11. Solid waste collection and public safety (police and fire) shall be provided by the City of Apopka.
12. The internal Street Type E (Neighborhood) right-of-way is to be public.
13. The internal Street Type F (Alley) right-of-way is to be private.
14. Five-foot (5') wide sidewalks are to be constructed adjacent to internal roads throughout the entire project in compliance with the City of Apopka Kelly Park Interchange Form-Base Code unless otherwise noted. Sidewalk alignment may be adjusted at Construction Site Plan to preserve existing trees.
15. Garages shall be accessed from the adjacent Street Type F (Alley) at the rear of the lot for all rear-loaded lots.
16. Power service within the development shall be underground. No overhead service will be allowed.
17. Vehicular, Pedestrian and Accent lighting shall substantially conform to the City of Apopka's Kelly Park Interchange Form-Base Code Section P.4(e).
18. Lighting shall be required for safety and security in accordance with Sec. 5-6-2.A.3.

D. Recreation and Open Space

1. Required project open space shall be a minimum of 20% of the developed site area in accordance with City of Apopka Kelly Park Interchange Form-Base Code per Section Q Table 13.
2. Required project recreation shall be provided at a rate of 3.6 acres per 1,000 population with 2.6 population per dwelling unit.

E. Buffers and Landscaping

1. A ten-foot (10') buffer will be provided along the northern property boundary. This tract shall be dedicated to and maintained by the H.O.A.
2. A 30' ROW Dedication shall be made in favor of the City of Apopka along the northern property boundary adjacent to Kelly Park Road, to include a 12' community trail.
3. A ten-to-fifteen-five-foot (10' - 15') buffer will be provided along all other property boundaries. This tract shall be dedicated to and maintained by the H.O.A.
4. The design of all buffer tracts shall follow the City of Apopka Kelly Park Interchange Form-Base Code Section M. Landscaping & Hardscape Plans shall be provided at Construction Site Plan.
5. Entrance feature and community sign details will be provided with the Construction Site Plan.
6. Final landscape plans for the buffer areas along the proposed main entrance at Kelly Park Road shall be provided with the Construction Site Plan.
7. Tree Planting Conditions. Minimum of two (2) new trees shall be planted per residential lot. The new trees shall be a minimum of three (3) inches DBH at the time of planting and shall count toward the overall number of required tree replacement inches, if any.
8. Trees within the Street Type E (Neighborhood) shall be medium canopy trees at forty (40) feet minimum spacings, understory trees at twenty (20) feet minimum spacing per City of Apopka Kelly Park Interchange Form-Base Code Section P.3 Table 12.
9. Tree Protection Plan - The Construction Site Plan shall include tree protection techniques to prevent harm to any trees designate to be preserved or encroachment into protected natural areas, including but not limited to tree barricades, silt fencing or other similar techniques accepted by the City Engineer.

F. Maintenance and Plat

1. Chandler Hills Homeowners' Association shall maintain common areas including all fences/walls and landscaping within said common areas.
2. The Construction Site Plan shall include the plat document, and the plat shall be in final form.
3. The City of Apopka shall be responsible for maintenance of Street Type E (Neighborhood), on-street parallel parking spaces, street lighting, stormwater collection systems and utilities (potable water main, reclaimed water main, force main, etc.) within the public rights-of-way of the Chandler Hills.

G. Wetlands and Environmental

1. There are no wetland areas within the site.
2. According to the flood insurance rate map no. 12097C0000 G Dated June 18, 2013, The land and the improvement as shown on ALTA survey are not within a 100-year flood hazard zone. The land is in "X".
3. An erosion control plan will be submitted with the Construction Site Plan.
4. Tree removal, tree replacement, and landscaping shall comply with the City of Apopka Kelly Park Interchange Form-Base Code Section M.
5. 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 Construction Site Plan.

H. Development Condition Continuity

The MU-KPI Development Standards shall be printed within the MU-KPI Master Plan and the Construction Site Plan.

I. Signage

Signage shall comply with the City of Apopka Kelly Park Interchange Form-Base Code.

J. Lighting

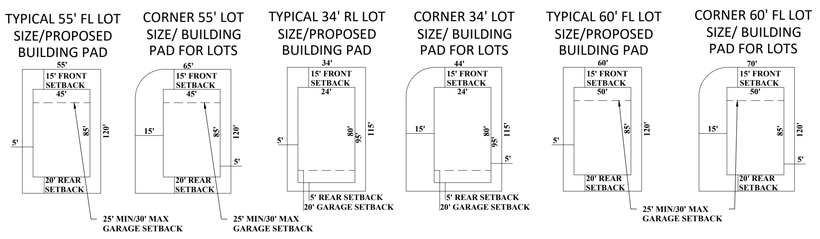
Lighting shall comply with the City of Apopka's Kelly Park Interchange Form-Base Code Section P.4(e). Street and parking area or pedestrian path light poles shall be decorative type. Details will be provided with the Construction Site Plan.

K. Garbage Pickup

1. Garbage of rear-loaded single-family units shall be picked up at the adjacent Street Type F (Alley) along the rear of the lots.

L. Miscellaneous

1. Any existing septic tanks or wells shall be properly abandoned prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies.
2. All acreages are subject to change with Construction Site Plan and Preliminary Plat review and approval.
3. Outdoor storage areas (boats, trailers, recreational vehicles, etc.) are not provided within the development and will be prohibited through the H.O.A. documents.
4. All lots with rear alley access shall have uniform address numbers on the front and rear facades of the residence.



SHEET 13 OF 70
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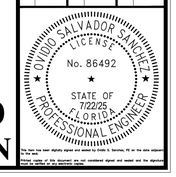
2400 MAITLAND CENTER PKWY, SUITE 107
MAITLAND, FLORIDA 32751
(407) 558-2228
BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

MASTER PLAN – DEVELOPMENT STANDARDS
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/25/2025

SCALE: N.T.S.
PROJECT: ASH-014
SHEET: C2.1



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OPEN SPACE TABLE		
OPEN SPACE REQUIRED (20%)	22.77 AC	20.00%
PROPOSED OPEN SPACE		
AMENITY AND POCKET PARK	3.12 AC	2.74%
OPEN SPACE	3.71 AC	3.26%
LANDSCAPE BUFFER	3.25 AC	2.85%
STORMWATER POND (75% MAX)	17.01 AC	14.94%
TOTAL	27.09 AC	23.79%

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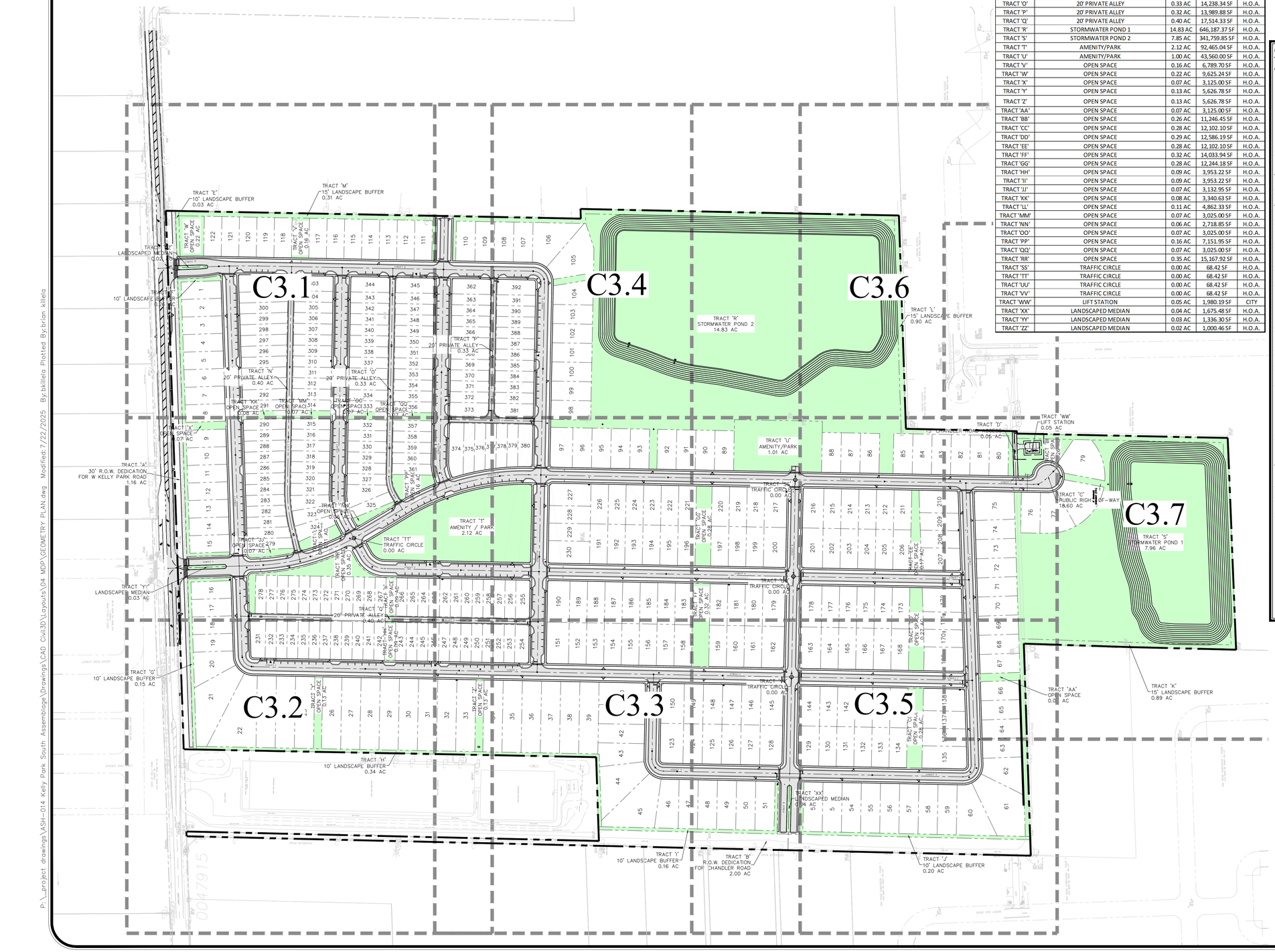
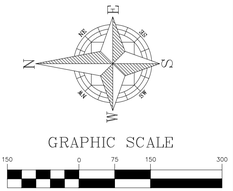
TRACT 'C'	PUBLIC R.O.W.	18.62 AC	811,214.89 SF	CITY
TRACT 'D'	15' CHANDLER ROAD ACCESS	0.05 AC	2,112.43 SF	H.O.A.
TRACT 'E'	10' LANDSCAPE BUFFER	0.03 AC	1,428.26 SF	H.O.A.
TRACT 'F'	10' LANDSCAPE BUFFER	0.26 AC	11,347.34 SF	H.O.A.
TRACT 'G'	10' LANDSCAPE BUFFER	0.15 AC	6,566.01 SF	H.O.A.
TRACT 'H'	10' LANDSCAPE BUFFER	0.34 AC	14,788.85 SF	H.O.A.
TRACT 'I'	10' LANDSCAPE BUFFER	0.16 AC	7,112.56 SF	H.O.A.
TRACT 'J'	10' LANDSCAPE BUFFER	0.20 AC	8,741.82 SF	H.O.A.
TRACT 'K'	15' LANDSCAPE BUFFER	0.89 AC	38,671.57 SF	H.O.A.
TRACT 'L'	15' LANDSCAPE BUFFER	0.90 AC	39,410.45 SF	H.O.A.
TRACT 'M'	15' LANDSCAPE BUFFER	0.31 AC	13,301.79 SF	H.O.A.
TRACT 'N'	20' PRIVATE ALLEY	0.40 AC	17,374.58 SF	H.O.A.
TRACT 'O'	20' PRIVATE ALLEY	0.33 AC	14,238.34 SF	H.O.A.
TRACT 'P'	20' PRIVATE ALLEY	0.32 AC	13,989.88 SF	H.O.A.
TRACT 'Q'	20' PRIVATE ALLEY	0.40 AC	17,514.33 SF	H.O.A.
TRACT 'R'	STORMWATER POND 1	14.83 AC	646,187.37 SF	H.O.A.
TRACT 'S'	STORMWATER POND 2	7.85 AC	341,759.85 SF	H.O.A.
TRACT 'T'	AMENITY/PARK	2.12 AC	92,465.04 SF	H.O.A.
TRACT 'U'	AMENITY/PARK	1.00 AC	43,560.00 SF	H.O.A.
TRACT 'V'	OPEN SPACE	0.16 AC	6,789.70 SF	H.O.A.
TRACT 'W'	OPEN SPACE	0.22 AC	9,625.24 SF	H.O.A.
TRACT 'X'	OPEN SPACE	0.07 AC	3,125.00 SF	H.O.A.
TRACT 'Y'	OPEN SPACE	0.13 AC	5,626.78 SF	H.O.A.
TRACT 'Z'	OPEN SPACE	0.13 AC	5,626.78 SF	H.O.A.
TRACT 'AA'	OPEN SPACE	0.07 AC	3,125.00 SF	H.O.A.
TRACT 'BB'	OPEN SPACE	0.26 AC	11,246.45 SF	H.O.A.
TRACT 'CC'	OPEN SPACE	0.28 AC	12,102.10 SF	H.O.A.
TRACT 'DD'	OPEN SPACE	0.29 AC	12,586.19 SF	H.O.A.
TRACT 'EE'	OPEN SPACE	0.28 AC	12,102.10 SF	H.O.A.
TRACT 'FF'	OPEN SPACE	0.32 AC	14,033.94 SF	H.O.A.
TRACT 'GG'	OPEN SPACE	0.28 AC	12,244.18 SF	H.O.A.
TRACT 'HH'	OPEN SPACE	0.09 AC	3,953.22 SF	H.O.A.
TRACT 'II'	OPEN SPACE	0.09 AC	3,953.22 SF	H.O.A.
TRACT 'JJ'	OPEN SPACE	0.07 AC	3,132.95 SF	H.O.A.
TRACT 'KK'	OPEN SPACE	0.08 AC	3,340.63 SF	H.O.A.
TRACT 'LL'	OPEN SPACE	0.11 AC	4,862.33 SF	H.O.A.
TRACT 'MM'	OPEN SPACE	0.07 AC	3,025.00 SF	H.O.A.
TRACT 'NN'	OPEN SPACE	0.06 AC	2,718.85 SF	H.O.A.
TRACT 'OO'	OPEN SPACE	0.07 AC	3,025.00 SF	H.O.A.
TRACT 'PP'	OPEN SPACE	0.16 AC	7,151.95 SF	H.O.A.
TRACT 'QQ'	OPEN SPACE	0.07 AC	3,025.00 SF	H.O.A.
TRACT 'RR'	OPEN SPACE	0.35 AC	15,167.92 SF	H.O.A.
TRACT 'SS'	TRAFFIC CIRCLE	0.00 AC	68.42 SF	H.O.A.
TRACT 'TT'	TRAFFIC CIRCLE	0.00 AC	68.42 SF	H.O.A.
TRACT 'UU'	TRAFFIC CIRCLE	0.00 AC	68.42 SF	H.O.A.
TRACT 'VV'	TRAFFIC CIRCLE	0.00 AC	68.42 SF	H.O.A.
TRACT 'WW'	LIFT STATION	0.05 AC	1,980.19 SF	CITY
TRACT 'XX'	LANDSCAPED MEDIAN	0.04 AC	1,675.48 SF	H.O.A.
TRACT 'YY'	LANDSCAPED MEDIAN	0.03 AC	1,336.30 SF	H.O.A.
TRACT 'ZZ'	LANDSCAPED MEDIAN	0.02 AC	1,000.46 SF	H.O.A.





OVERALL SITE DATA:

OCPA - PARCEL ID #:	**18-20-28-0000-00-031, 18-20-28-0000-00-032, 18-20-28-0000-00-033, 18-20-28-0000-00-034, 18-20-28-0000-00-035, 18-20-28-0000-00-037, 18-20-28-0000-00-046, 18-20-28-0000-00-047, 18-20-28-0000-00-048, 18-20-28-0000-00-049, 18-20-28-0000-00-050, 18-20-28-0000-00-051, 18-20-28-0000-00-052, 18-20-28-0000-00-061, 18-20-28-0000-00-080, 18-20-28-0000-00-105, 18-20-28-0000-00-106, 18-20-28-0000-00-119, 18-20-28-0000-00-132**
PROPERTY ADDRESS:	**2350 W KELLY PARK ROAD APOPKA, FL. 32712**
TOTAL PROPERTY AREA:	**117.00 AC**
R.O.W. DEDICATION AREA:	**3.16 AC**
TOTAL DEVELOPABLE AREA:	**113.84 AC**
FEMA FLOOD INSURANCE RATE MAP FLOOD ZONE: FIRM PANEL #12097C0000G DATED JUNE 18, 2013	**ZONE X**
EXISTING FUTURE LAND USE (FLU):	**R (COUNTY) FLU-IP, RVLS (CITY)**
PROPOSED FUTURE LAND USE:	**MIXED USE (CITY)**
ADJACENT FUTURE LAND USED (FLU):	
NORTH	RS, FLU-IP, MU (CITY), R (COUNTY)
SOUTH	RVLS (CITY)
EAST	INST_PU, RE, AG (CITY), R (COUNTY)
WEST	RVLS (CITY), R (COUNTY)
EXISTING ZONING:	**A-1 (COUNTY) T, RSF-1A (CITY)**
REQUESTED OVERLAY ZONING/CHARACTER ZONE:	**NEIGHBORHOOD**
PROPOSED ZONING:	**KPI-MU (CITY)**
ADJACENT ZONING:	
NORTH	PD, AG, MU-N (CITY), A-1 (COUNTY)
SOUTH	PD, RSF-1A
EAST	PD, O, RSF-1A, RSF-1B (CITY), A-1(COUNTY)
WEST	PD, RSF-1A (CITY), A-1 (COUNTY)
PROPOSED UNITS:	
34'x115' FRONT-LOADED	162 LOTS
55'x115' REAR-LOADED	130 LOTS
60'x115' REAR-LOADED	100 LOTS
TOTAL	392 LOTS
ALLOWABLE DENSITY:	**5.00 DU/Ac.**
PROPOSED NET DENSITY:	**3.44 DU/Ac.**

PROPOSED MINIMUM LOT REQUIREMENTS:

	FRONT-LOADED	REAR-LOADED
MINIMUM LOT AREA	6,600 SF	3,910 SF
MINIMUM LOT WIDTH	55 ft.	34 ft.
MINIMUM LOT DEPTH	115 ft.	115 ft.
MAXIMUM BUILDING HEIGHT	35 ft.	35 ft.
SETBACKS		
FRONT PORCH	10 ft. min.	10 ft. min.
FRONT/STREET SIDE	15 ft. min./30 ft. max	15 ft. min./30 ft. max
REAR	20 ft.	5 ft.
SIDE	5 ft. min	5 ft. min
FRONT GARAGE	25 ft. min/30 ft. max	N/A
REAR GARAGE	N/A	20 ft.
CORNER	15 ft.	15 ft.

PROPOSED GREEN BUILDING STANDARDS:

ENERGY CONSERVATION	
- USE OF ONLY SOLAR OR TANK-LESS WATER HEATING SYSTEMS THROUGHOUT THE STRUCTURE	0.50 pt.
- USE OF VEGETATION OF VEGETATED STRUCTURES TO SHADE HVAC UNITS	0.25 pt.
PASSIVE SOLAR	
- ORIENT A MINIMUM OF 50% OF LOTS WITHIN 20-PERCENT OF EAST-WEST AXIS	1.50 pt.
VEGETATION	
- PRESERVE LARGE, NON-EXOTIC TRESS ON SITE (LARGE TREE DEFINED AS 20 FEET OR GREATER IN HEIGHTS AND 24 INCHES OR GREATER DBH)	1.00 pt.
RESILIENCY TO NATURAL HAZARDS	
- ELEVATE NEW AND/OR EXISTING STRUCTURES MORE THAN 3 FEET ABOVE BASE FLOOD ELEVATION (0.5pt. PER ft. ABOVE)	1.00 pt.
- INSTALL OPERABLE WINDOWS TO ALLOW FOR NATURAL VENTILATION IN THE EVENT OF POWER FAILURES	0.25 pt.
TOTAL	4.50 pt.

SHEET 14 OF 70
NOT FOR CONSTRUCTION

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OVERALL GEOMETRY PLAN
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN:	DESIGNED:	CHECKED:	DATE:
B. KILLELA	O. SANCHEZ	L. CLASSON	6/13/2025

SCALE	PROJECT	SHEET
1" = 150'	ASH-014	C3.0

OMAR SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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PLEASE REFER TO THE OFFSITE IMPROVEMENTS PLAN ON SHEET C3.12 FOR FULL TURN LANE DETAILS

TRACT 'A' 30' R.O.W. DEDICATION FOR W KELLY PARK ROAD 1.16 AC

TRACT 'YY' LANDSCAPED MEDIAN 0.03 AC

KELLY PARK ROAD

PARK RIDGE

STREET 'F'

STREET 'C'

STREET 'D'

STREET 'E'

STREET 'G'

ALLEY 'A'

ALLEY 'B'

ALLEY 'C'

ALLEY 'D'

12' CONCRETE SIDEWALK (TYP.)

5' CONCRETE SIDEWALK (TYP.)

5' DRAINAGE EASEMENT (TYP.)

10' UTILITY EASEMENT (TYP.)

5' UTILITY EASEMENT

TYPE 'A' CURB (TYP.)

TYPE 'D' CURB (TYP.)

TYPE 'F' CURB (TYP.)

12" RIBBON CURB (TYP.)

ADA RAMPS WITH DETECTABLE WARNINGS (TYP.)

TRACT 'X' OPEN SPACE 0.07 AC

TRACT 'F' 10' LANDSCAPE BUFFER 0.26 AC

TRACT 'Z' LANDSCAPED MEDIAN 0.02 AC

TRACT 'E' 10' LANDSCAPE BUFFER 0.03 AC

TRACT 'W' OPEN SPACE 0.22 AC

TRACT 'V' OPEN SPACE 0.16 AC

TRACT 'M' 15' LANDSCAPE BUFFER 0.31 AC

TRACT 'JJ' OPEN SPACE 0.07 AC

TRACT 'KK' OPEN SPACE 0.08 AC

TRACT 'N' 20' PRIVATE ALLEY 0.40 AC

TRACT 'MM' OPEN SPACE 314.7 SQ FT

TRACT 'RR' OPEN SPACE 0.35 AC

TRACT 'NN' OPEN SPACE 0.06 AC

TRACT 'OO' OPEN SPACE 0.07 AC

TRACT 'PP' OPEN SPACE 0.16 AC

TRACT 'QQ' OPEN SPACE 0.07 AC

TRACT 'O' 20' PRIVATE ALLEY 0.40 AC

TRACT 'II' OPEN SPACE 0.09 AC

TRACT 'TT' TRAFFIC CIRCLE 0.00 AC

TRACT 'T' AMENITY / PARK 2.12 AC

TRACT 'S' 20' PRIVATE ALLEY 0.33 AC

TRACT 'U' 20' PRIVATE ALLEY 0.33 AC

5' DRAINAGE EASEMENT (TYP.)

SHEET C3.2

SHEET C3.1

SHEET C3.1

SHEET C3.4

SHEET 15 OF 70

NOT FOR CONSTRUCTION

GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

KEY MAP

NO.	REV. DATE	DESCRIPTION	BY
1	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
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GEOMETRY PLAN – SOUTHWEST
MAJOR DEVELOPMENT PLAN
SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/13/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C3.1

OVIDIO SALVADOR SANCHEZ
LICENSE No. 86492
STATE OF FLORIDA
PROFESSIONAL ENGINEER
7/22/25

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N

W E

S

GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

KEY MAP

SHEET C3.2

SHEET C3.3

SHEET C3.2

SHEET C3.1

SHEET 16 OF 70

NOT FOR CONSTRUCTION

REV.	DATE	DESCRIPTION	BY
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BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

GEOMETRY PLAN – SOUTHEAST
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/13/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C3.2

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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P:_project drawings\ASH-014 Kelly Park South Assemblage\Drawings\CAD Civil3D\Layouts\04 MDP\GEOMETRY PLAN.dwg Modified:7/22/2025 By:bkillela Plotted By:brian killela

N
W E
S

GRAPHIC SCALE
50 0 25 50 100
(IN FEET)
1 inch = 50 ft.

KEY MAP

SHEET C3.2

SHEET C3.3

SHEET C3.1

SHEET C3.3

SHEET C3.4

SHEET C3.3

SHEET C3.6

TRACT 'Z' OPEN SPACE 0.13 AC

TRACT 'I' 10' LANDSCAPE BUFFER 0.16 AC

TRACT 'B' R.O.W. DEDICATION FOR CHANDLER ROAD 2.00 AC

TRACT 'FF' OPEN SPACE 0.32 AC

TRACT 'GG' OPEN SPACE 0.28 AC

TRACT 'U' AMENITY/PARK 1.01 AC

TRACT 'I' AMENITY / PARK 2.12 AC

TRACT 'XX' LANDSCAPED MEDIAN 0.04 AC

TRACT 'YY' TRAFFIC CIRCLE 0.00 AC

TRACT 'ZZ' TRAFFIC CIRCLE 0.00 AC

5' DRAINAGE EASEMENT (TYP.)

5' UTILITY EASEMENT

10' UTILITY EASEMENT (TYP.)

5' CONCRETE SIDEWALK (TYP.)

TYPE 'F' CURB (TYP.)

TYPE 'A' CURB (TYP.)

3' CURB TRANSITION (TYP.)

12" RIBBON CURB (TYP.)

ADA CURB WITH DETECTABLE WARNINGS (TYP)

CONTRACTOR SHALL MAINTAIN THE EXISTING CHNDLER ROAD & ANY DAMAGE SHALL BE REPAIRED TO THE ORIGINAL CONDITION

STREET 'A'
STREET 'B'
STREET 'C'
STREET 'D'
STREET 'E'
STREET 'F'
STREET 'G'

ALLEY 'A'
ALLEY 'B'

REV.	DATE	DESCRIPTION	BY
5	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
4	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
3	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS
2			
1			

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GEOMETRY PLAN – WEST
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/13/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C3.3

OSCAR SALVADOR SANCHEZ LICENSE No. 86492 STATE OF FLORIDA PROFESSIONAL ENGINEER
7/22/25

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SHEET 17 OF 70

NOT FOR CONSTRUCTION

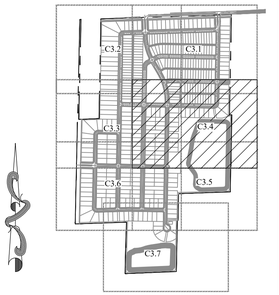
SHEET C3.1
SHEET C3.4

SHEET C3.3
SHEET C3.4

SHEET C3.4
SHEET C3.5

N
W E
S

GRAPHIC SCALE
50 0 25 50 100
(IN FEET)
1 inch = 50 ft.



KEY MAP

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GEOMETRY PLAN – EAST
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/13/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C3.4

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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SHEET C3.4
SHEET C3.5

SHEET 18 OF 70
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TRACT 'FF'
OPEN SPACE
0.32 AC

TRACT 'GG'
OPEN SPACE
0.28 AC

STREET 'C'

STREET 'B'

TYPE 'A' CURB (TYP.)

TRACT 'HH'
TRAFFIC CIRCLE
0.00 AC

TRACT 'SS'
TRAFFIC CIRCLE
0.00 AC

TYPE 'F' CURB (TYP.)

TRACT 'R'
STORMWATER POND 2
14.83 AC

TRACT 'U'
AMENITY/PARK
1.01 AC

A.D.A. RAMP WITH
DETECTABLE
WARNINGS (TYP.)

STREET 'F'

5' DRAINAGE
EASEMENT (TYP.)

10' UTILITY EASEMENT (TYP.)

5' CONCRETE SIDEWALK (TYP.)

STREET 'A'

ADA RAMPS WITH
DETECTABLE WARNINGS (TYP.)

12" RIBBON
CURB (TYP.)

TRACT 'D'
18' CHANDLER ROAD ACCESS
0.05 AC

TRACT 'WW'
LIFT STATION
0.05 AC

TRACT 'BB'
OPEN SPACE
0.26 AC

TRACT 'EE'
OPEN SPACE
0.17 AC

TRACT 'L'
15' LANDSCAPE BUFFER
0.90 AC

ORCHID ESTATES
PLAT BOOK 93, PAGES 44-48

WHITE DAHLIA DRIVE

SHEET C3.4
SHEET C3.5

SHEET C3.6
SHEET C3.5

SHEET C3.5
SHEET C3.7

GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

KEY MAP

C3.1 C3.2 C3.3 C3.4 C3.5 C3.6 C3.7

REV.	DATE	DESCRIPTION	BY
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NO. 39060

GEOMETRY PLAN – SOUTHWEST
MAJOR DEVELOPMENT PLAN
SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/15/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C3.5

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

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SHEET 19 OF 70
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SHEET C3.3

SHEET C3.6

TRACT 'B'
R.O.W. DEDICATION
FOR CHANDLER ROAD
2.00 AC

3' CURB TRANSITION (TYP.)

CONTRACTOR SHALL MAINTAIN THE EXISTING CHNDLER ROAD & ANY DAMAGE SHALL BE REPAIRED TO THE ORIGINAL CONDITION

TYPE 'A' CURB (TYP.)

12" RIBBON CURB (TYP.)

ADA CURB WITH DETECTABLE WARNINGS (TYP)

5' CONCRETE SIDEWALK (TYP.)

TRACT 'XX'
LANDSCAPED MEDIAN
0.04 AC

TRACT 'FF'
OPEN SPACE
0.32 AC

TRACT 'GG'
OPEN SPACE
0.28 AC

TRACT 'CC'
OPEN SPACE
0.28 AC

TRACT 'DD'
OPEN SPACE
0.27 AC

TRACT 'EE'
OPEN SPACE
0.17 AC

TRACT 'JJ'
10' LANDSCAPE BUFFER
0.20 AC

TRACT 'AA'
OPEN SPACE
0.07 AC

TRACT 'TT'
TRAFFIC CIRCLE
0.00 AC

TRACT 'SS'
TRAFFIC CIRCLE
0.00 AC

TRACT 'UU'
TRAFFIC CIRCLE
0.00 AC

STREET 'A'

STREET 'B'

STREET 'C'

STREET 'D'

STREET 'E'

STREET 'F'

10' UTILITY EASEMENT (TYP.)

5' DRAINAGE EASEMENT (TYP.)

TYPE 'F' CURB (TYP.)

ADA RAMPS WITH DETECTABLE WARNINGS (TYP.)

BEGIN RETAINING WALL

END RETAINING WALL

OAK RIDGE SUBDIVISION – PHASE 1
PLAT BOOK 68, PAGES 105–107

BERRY OAK DRIVE

CHANDLER ROAD

SHEET C3.6

SHEET C3.5

SHEET C3.6

SHEET C3.7

SHEET 20 OF 70

NOT FOR CONSTRUCTION

GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

KEY MAP

REV.	DATE	DESCRIPTION	BY
1	07/09/25	CITY OF APOPKA COMMENTS DATED 07/09/2025	OSS
2	06/24/25	CITY OF APOPKA COMMENTS DATED 06/23/2025	OSS
3	04/21/25	CITY OF APOPKA COMMENTS DATED 04/07/2025	OSS

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(407) 658-2228

BOARD OF PROFESSIONAL ENGINEERING REGISTRY NO. 39060

GEOMETRY PLAN – SOUTHEAST
MAJOR DEVELOPMENT PLAN

SPRINGHAVEN (FKA CHANDLER HILLS)
CITY OF APOPKA, FLORIDA

DRAWN: B. KILLELA
DESIGNED: O. SANCHEZ
CHECKED: L. CLASSON
DATE: 6/13/2025

SCALE: 1" = 50'
PROJECT: ASH-014
SHEET: C3.6

OVIDIO SALVADOR SANCHEZ
LICENSE
No. 86492
STATE OF FLORIDA
7/22/25
PROFESSIONAL ENGINEER

P:_project drawings\ASH-014 Kelly Park South Assemblage\Drawings\CAD Civil3D\Layouts\04 MDP\GEOMETRY PLAN.dwg Modified: 7/22/2025 Bybkillela Plotted By:brian killela