



City of Apopka

CITY COUNCIL STAFF REPORT

Type of Form: Public Hearing/Ordinances/Resolution

Meeting Date: June 7, 2023

Department: Community Development

SUBJECT:

Ordinance Number 3006 – First Reading/Transmittal – Comprehensive Plan Amendment – Text Amendment – Policy 3.1.h.ii and Map 1-1.a; Future Land Use Element – 750 and 922 Plymouth Sorrento Road

REQUEST:

Accept the first reading of Ordinance Number 3006 and approve transmittal to the Florida Department of Economic Opportunity.

SUMMARY:

Owner(s):	Peggy G Charlton Living Trust 1/2 Int, Gary D Charlton Living Trust 1/2 Int, and Gary D Charlton Living Trust
Applicant(s):	Lowndes Law Firm c/o Jonathan Huels, Esq.
Parcel Identification Number(s):	06-21-28-7172-08-050 and 06-21-28-7172-08-040
Location:	750 and 922 Plymouth Sorrento Road
Existing Future Land Use:	Commercial (0.25 floor area ratio maximum) and Agriculture (1 dwelling unit per 5 acres)
Proposed Future Land Use:	HDR-25 (25 dwelling units per acre maximum)
Zoning District:	C-C (Community Commercial) and T (Transitional)
Existing Use(s):	Vacant and warehouse
Tract Size:	13.05 +/- Acres

FUNDING SOURCE:

Not applicable.

PROJECT SUMMARY:

A text amendment to the Comprehensive Plan, per Florida Statute 163, is processed similar to a large-scale future land use amendment. After recommendation from the Planning Commission; if approved, the City Council transmits the amendment to the Florida Department of Economic Opportunity.

The applicant intends to construct a multi-family development with a proposed density of 19 dwelling units per acre, and therefore they are requesting to amend Policy 3.1.h of the Future Land Use Amendment and extend the boundary of Map 1-1.a of the Comprehensive Plan to make the subject properties eligible for HDR-25 (High Density Residential – 25) Future Land Use (FLU) designation. The HDR-25 FLU designation is established under Ordinance Number 2747, which was adopted by City Council on May 26, 2020. The HDR-25 FLU designation is based on ongoing development trends and market demands for

multi-family development, particularly multi-story apartment buildings, as the need exists for higher density residential development where transportation facilities and infrastructure show the potential to support the residential density increase and compatibility with the area is demonstrated.

The proposed Future Land Use designation of HDR-25 is compatible with the area because parcels on the north of the subject properties are within the delineated area eligible to have a future land use designation of HDR-25. The subject properties are in close proximity to the Floridian Town Center on the northwest, which comprises a mix of commercial and high-density residential uses. Additionally, an approved high-density residential development, slated to have 516 units within Unincorporated Orange County is located northeast of the subject properties. This application is being processed simultaneously with an application to amend the FLU map from Agriculture and Commercial to HDR-25.

Future Land Use Element:

Policy 3.1.h. ii. High Density Residential – 25 (HDR-25)

The primary use shall be residential dwelling units with a minimum of 15 units per acre up to a maximum of 25 dwelling units per acre; elementary schools; middle schools, high schools; supporting infrastructure of less than five acres. The HDR-25 Designation may only be assigned to properties located within the geographical areas delineated within Maps 1- 1. a to 1- 1. d. through a Future Land Use Map Amendment. Properties assigned the HDR - 25 Designation must have access to a collector or arterial road, or planned as a component of a pedestrian -oriented, mixed- use master plan with internal complete street" connectivity. Only properties located inside an HDR - 25 edibility area, as delineated in Maps 1- 1. a to 1- 1. d, are eligible to be assigned this designation through a Future Land Use Map amendment.

Special exception uses shall include:

- 1) Institutional uses of ten acres or less,
- 2) Supporting infrastructure and public facilities of five acres or more.

Planned Development uses may include:

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

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 16, 2023.

PUBLIC HEARING SCHEDULE:

May 9, 2023 – Planning Commission (5:30 P.M.)

June 7, 2023 – City Council (1:30 P.M.), First Reading and Transmittal

DULY ADVERTISED:

April 21, 2023 – Apopka Chief

April 25, 2023 – Mailed notices to adjacent property owners; Posters placed on property

April 28, 2023 – Apopka Chief

RECOMMENDED MOTION:

Development Review Committee:

Recommends approval of the amendment to Policy 3.1.h.ii of the Future Land Use Element and Map 1-1.a, Apopka Comprehensive Plan, and recommend transmittal to the Florida Department of Economic Development.

Planning Commission:

At its meeting on May 9, 2023, Planning Commission, on a 6-1 vote, found the request incompatible with the surrounding area and recommended to deny the amendment to Policy 3.1.h.ii of the Future Land Use Element and Map 1-1.a, Apopka Comprehensive Plan and transmittal to the Florida Department of Economic Development.

Recommended Motion – City Council:

Accept the first reading of Ordinance Number 3006 and approve the transmittal to the Florida Department of Economic Opportunity.

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:

- Maps (PDF)
- Ordinance Number 2747
- Ordinance Number 3006