



City of Apopka

CITY COUNCIL STAFF REPORT

Type of Form: Public Hearing/Ordinances/Resolution

Meeting Date: April 11, 2023

Department: Community Development

SUBJECT:

Ordinance Number 3005 – Change of Zoning from T (Transitional) to KPI-MU (Kelly Park Interchange - Mixed-Use), assignment of Neighborhood Overlay District and Master Plan – Plymouth Sorrento Road Residential

REQUEST:

Accept the first reading of Ordinance Number 3005 and hold it over for second reading and adoption.

SUMMARY:

Owner(s):	Kager Family Trust
Applicant(s):	KPM Franklin c/o Alex Goetz
Parcel Identification Number(s):	18-20-28-0000-00-020
Location:	4225 Plymouth Sorrento Road
Existing Future Land Use:	Residential Very Low Suburban (max. 2 du/ac)
Proposed Future Land Use:	Mixed-Use (min. 1 du/ac; max. 5 du/ac)
Existing Use(s):	Vacant Land
Tract Size:	5.56 +/- Acres

Direction	Future Land Use	Zoning	Present Use
North	Residential Very Low Suburban	T (Transitional)RSF-1A (Residential Single-Family Estate)	Single Family Residence
East	Residential Very Low Suburban	RSF-1A (Residential Single-Family Estate)	Oak Ridge Residential Subdivision Phase 1
South	Residential Very Low Suburban	RSF-1A	Single Family Residences
West	Residential Very Low Suburban	RSF-1A	Single Family Residence and Agricultural Facility

PROJECT SUMMARY:

The applicant has requested a change of zoning for a parcel located east of Plymouth Sorrento Road, north of Sand Oak Loop and within the Wekiva Parkway Interchange Vision Plan Area. The City's Comprehensive Plan, Future Land Use Element Policy 20.9 and the Kelly Park Interchange (KPI) Form-Based Code require the subject property to have a Mixed-Use future a land use designation.

Because the subject property is located within the Wekiva Parkway Interchange Vision Plan Area and the one-mile radius of the intersection of SR 429 and Kelly Park Road, it is required to adhere to the KPI Form-Based Code. Therefore, the property must comply with Objectives 18 – 20 and related policies within the Future Land Use Element of the Comprehensive Plan. The applicant's request is consistent with the Mixed-Use future land use designation and the Overlay District covering properties within the Vision Plan. The proposed rezoning of the property to KPI-MU (Kelly Park Interchange – Mixed-Use) with the Neighborhood Overlay District is dictated by the Form-Based Code in order to develop.

The Master Plan depicts 16 single-family residential lots, a tot lot, pocket park and amenitized stormwater pond on 5.56 acres of land area. The applicant is also dedicating a 30-foot wide right-of-way (ROW) along the project's frontage on Plymouth Sorrento Road for future ROW widening. The proposed access point for this project is on Plymouth Sorrento Road.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed Mixed-Use future land use designation of the property is compatible with the character of the surrounding area. City Planning Staff supports the Future Land Use Map (FLUM) amendment given the consistency with the Comprehensive Plan policies listed below. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT:

Orange County Public Schools (OCPS) has issued a Capacity Determination based on 16 single-family units. Capacity for this development is would be available at Kelly Park Elementary and Middle Schools. However, it is deficient by 1.862 students at Apopka High School. Applicant is required to submit for concurrency review and, if necessary, enter into a Concurrency Mitigation Agreement with OCPS.

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 February 17, 2023.

PUBLIC HEARING SCHEDULE:

April 11, 2023 – Planning Commission (5:30 pm)

May 3, 2023 – City Council (1:30 pm) – First Reading

May 17, 2023 – City Council (7:00 pm) – Second Reading and Adoption

DULY ADVERTISED:

March 17, 2023 – Apopka Chief

March 22, 2023 – Mailed notices to adjacent property owners; Posters placed on property

FUNDING SOURCE:

Not applicable.

RECOMMENDED MOTION:

Development Review Committee:

Finds the proposed Plymouth Sorrento Road Residential – Change of Zoning and Master Plan consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from T (Transitional) to KPI-MU (Kelly Park Interchange – Mixed-Use), assignment of Neighborhood Overlay District and the Master Plan, based on the findings and facts presented in the staff report and exhibits.

Planning Commission:

At its meeting on April 11, 2023, Planning Commission, on a vote of 2-2, did not reach a majority vote to issue a recommendation for the proposed Change of Zoning from T (Transitional) to KPI-MU (Kelly Park Interchange – Mixed-Use), assignment of Neighborhood Overlay District.

Recommended Motion – City Council:

Accept the first reading of Ordinance Number 3005 and hold it over for second reading and adoption.

ATTACHMENTS:

- Maps (PDF)
- Ordinance Number 3005
- PSR Residential – Master Plan (PDF)
- PSR Residential – OCPS Capacity Determination (PDF)