

**ROCK SPRINGS RIDGE HOMEOWNERS ASSOCIATION**  
**APRIL 3, 2018**  
**POTENTIAL DEVELOPMENT ON GOLF COURSE PROPERTY**

- BACKGROUND
  - Rock Springs Ridge PUD: approximately 1,433 acres.
  - Future Land Use designation for the PUD: Residential Estates ("RE") with 199 acres Residential Very Low Suburban ("RVLS").
  - Zoning: PUD. Permitted uses: single-family residential, open space, and parks and recreational. Golf course satisfies required open space and recreational requirements.
- CHARACTERISTICS OF CURRENT DEVELOPMENT
  - Residential plan is complete. All phases have been platted. 1,370 approved platted lots. Golf course closed in November 2014 by current owner, Rock Springs Golf Club, Inc.
  - Some common area in residential portion of the PUD counts toward the open space requirement for the PUD. PUD is in violation of its open space and parks and recreation requirements (20%) because of golf course closure.
- 2016 PUD AMENDMENT APPLICATION
  - September 1, 2016 application for 280 residential lots on the Golf Course Property (the "2016 Application"). City deemed the 2016 Application incomplete. Owner has not revised or re-submitted the application to date.
- CITY OF APOPKA DEVELOPMENT APPROVAL PROCESS
  - PUD amendment to redevelop the Golf Course Property, regardless of the number of residential units requires a FLUM (comprehensive plan) amendment.
  - Transmittal: Public hearings at both the Planning Commission and the City Council. Review by state Department of Economic Opportunity ("DEO").
    - Adoption: If DEO submits comments, City can revise amendment, or can leave amendment as is. Plan amendment considered a second time at public hearings at both Planning Commission and City Council, which votes whether to adopt the amendment.
    - City may require one or more community meetings in addition to the four public hearings.
  - Redevelopment of Golf Course Property also requires PUD amendment, which can accompany FLUM amendment adoption. Requires public notice and two hearings of the ordinance before the City Council. Additional community meetings may be required.
- PUD density:
  - Total of 1,370 acres in residential area. 1,370 platted lots = density of 1 DU/acre (approved density in PUD), per David Moon at the City of Apopka.
- Golf Course Property potential density: 300.7 acres. At 1 DU/acre, approved density in the PUD would allow for of 300 homes on Golf Course Property, but several factors affect potential residential redevelopment.
  - Amendment to PUD must address parks and open space compliance within the PUD.
  - Existing Golf Course Property Future Land Use:

- a. 239.2 RE Future Land Use with maximum density of 1 DU/acre
  - b. 61.5 RVLS Future Land Use, with maximum density of 2 DU/acre.
- CHALLENGES TO THE REDEVELOPMENT OF THE GOLF COURSE PROPERTY
  - Stormwater issues
  - Road access to Golf Course Property
  - City Planning Manager has done a density analysis of the Golf Course Property. Assuming the restaurant property remains a commercial use, considering the acres needed for drainage and to prevent non-conformity, the maximum residential density for the Golf Course Property would be 162 DUs.
  - Open space and recreation: Any redevelopment must provide necessary acreage and facilities for open space and recreation:
  - Political challenges: The general public and public officials are generally not sympathetic to redevelopment of closed golf courses.
- IS REDEVELOPMENT OF GOLF COURSE ECONOMICALLY FEASIBLE?
  - Given today's market, and issues and challenges to redevelopment of Golf Course Property, redevelopment would be unlikely to turn a profit.
  - As property values increase in the area, at some point redevelopment may be economically feasible.
- HOA ALTERNATIVES TO REDEVELOPMENT
  - HOA Purchase of the Golf Course Property: Most expensive option for the HOA, but certainty for the HOA to control its own destiny.
    - Highly inflated price.
    - What would HOA do with Golf Course Property? Assessments would have to pay for the maintenance.
    - Possibility of a grant to assist with purchase. According to Planning Manager, Alafaya Woods obtained grant several years ago for half the cost to purchase property.
    - Approach environmental groups to gauge interest in acquisition of property or development rights (environmental clean-up likely required - potential for Brownfield assistance).
    - May be able to recoup some of acquisition cost by selling transferable development rights with City approval.
    - HOA advantage: large HOA with professional management and working Board has resources that smaller communities do not.
  - City purchase? City is not interested in purchasing the property or running a golf course.
  - Find a golf course operator to buy and re-open course? Not a realistic scenario. Renovating the golf course would likely cost millions, and there is no required membership base to support it.
- WHAT HAPPENS WHEN THE NEXT APPLICATION TO DEVELOP THE GOLF COURSE IS SUBMITTED?
  - First, don't panic. Your Board is forward-thinking and is preparing for that eventuality.

- As soon as the Board learns of a new application, Board members, working with the HOA attorney and likely a planning consultant, will begin reviewing the application, meeting with City staff, meeting with elected officials, and identifying the issues and problems with the application.
- Board members will notify HOA members when the community meeting is scheduled. You will receive the facts of what is being proposed, and prepared talking points and questions for the community meeting. You should choose one or two that you will talk about at the community meeting.
- During the meeting, listen calmly to City staff and the developer's representatives. When the time comes to ask questions, ask your questions and make your points calmly and firmly. Well-prepared, well-informed residents scare developers much more than those who interrupt and shout, especially about things that are irrelevant or in the past (like the closing of the golf course).
- Board members, the attorney, and the consulting planner will communicate with City staff with the goal of the Development Review Committee recommending denial of the application, based on Apopka's land development code and comprehensive plan.
- When the application goes to the Planning Board, the Board will notify HOA members of the date and time of the public hearing, and will do the same for the City Council public hearing. Each time, you will receive talking points as for the Community Meeting.
- At public hearings before the Planning Board and City Council, it is even more important to remain calm and be prepared with one or two points, because your time is limited.
- CAN YOU DEFEAT AN APPLICATION FOR REDEVELOPMENT?
  - HOA likely can secure a denial of the next application for redevelopment based on the requirements that the developer will have to meet.
  - Unless HOA or some other non-developer entity acquires Golf Course Property, It is unlikely that the HOA can keep it from being redeveloped at some point in the future.
    - The HOA has no property rights in the Golf Course Property, other than the right of drainage for HOA property.
    - The owner and any future owners of the Golf Course Property cannot be denied all economically beneficial use of his or her property under federal and state law.
    - Political circumstances change.
    - Owner of the Golf Course Property may decide to litigate his or her right to develop the property.
- ALTERNATIVES TO LESSEN THE IMPACTS OF FUTURE DEVELOPMENT IF IT SEEMS INEVITABLE
  - HOA and individual residents can have leverage if they work together. HOA can negotiate what type and how much development would be acceptable.
  - HOA can negotiate open space and recreational areas.
  - HOA can negotiate size and type of buffers.
  - HOA can negotiate density and type of development.

