

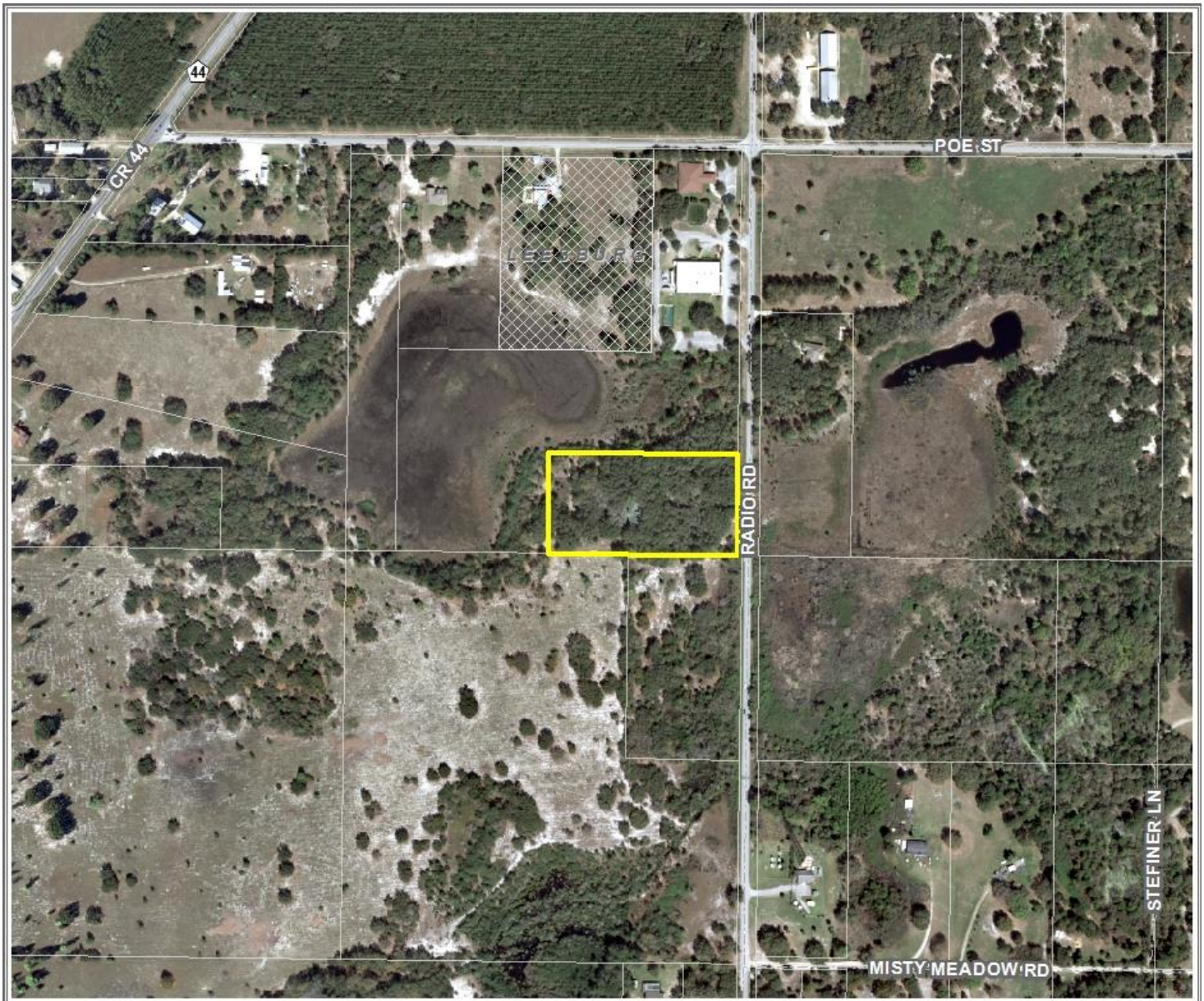
LAKE COUNTY PLANNING AND ZONING DIVISION
FUTURE LAND USE AMENDMENT STAFF REPORT



PLANNING AND ZONING BOARD
October 5, 2016

BOARD OF COUNTY COMMISSIONERS
October 25, 2016

FLU-16-10-3 Kapoor Property	Commissioner District 3 Connor	Agenda Item #1
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Requested Action: Amend the Future Land Use Map (FLUM) on approximately 4.69 acres, located south of Poe Street and adjacent to Radio Road in the Leesburg area from the Regional Commercial FLUC to the Urban Low FLUC.

Owner: Vikram and Elizabeth Kapoor

Applicant: Lake County Planning and Zoning Division

- Site Location & Information -

Size	4.69 +/- acres
Location	Adjacent to Radio Road in the Leesburg area
Alternate Key No.	2664720
Future Land Use	Regional Commercial
Zoning District	Agriculture (A)
Proposed Land Use	Urban Low
Joint Planning Area/ ISBA	Leesburg
Overlay Districts	NA

- Land Use Table -

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Regional Commercial	Community Facility District (CFD)	Adult day center (The Arc Sunrise of Central Florida formally Sunrise Arc)	Adjacent to lake
South	Urban Low	Agriculture (A)	Vacant agricultural land	
East	Urban Low	Agriculture (A)	Single Family Residence	Adjacent to Radio Road
West	Regional Commercial	Community Facility District (CFD)	Adult day center (The Arc Sunrise of Central Florida formally Sunrise Arc)	Adjacent to lake

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the request to amend the Future Land Use Category on approximately 4.69 acres from the Regional Commercial FLUC to the Urban Low FLUC.

PLANNING AND ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The subject property, described as Alternate Key (AK) number 2664720, consists of approximately 4.69 acres and is located adjacent to Radio Road in the Leesburg area. The property is currently zoned Agriculture with a Regional Commercial Future Land Use Category. Residential uses are permitted within the Agriculture zoning district, however, single family residential is not permitted within the Regional Commercial FLUC. There is an existing single family residence located on the property, which according to building permits was constructed in 2002. The single family residence was constructed prior to the adoption of the 2030 Comprehensive Plan when the subject property had a FLUC of Suburban, which allowed single family residences.

With the adoption of the 2030 Comprehensive Plan, the subject property's FLUC was changed from Suburban, which permitted single family residences, to Regional Commercial FLUC which does not permit single family residences. Per *Policy I-1.3.7 Regional Commercial Future Land Use Category*, "This category is intended to accommodate commercial development, which exhibits a high level of site and building amenities to include extensive landscaping, plazas and pedestrian friendly gathering areas" and which states, "...single-family dwellings shall not be allowed." The Urban Low FLUC is the more appropriate Future Land Use Category for the subject parcel due to it having been developed residentially rather than commercially.

Although the Urban Low FLUC has a maximum density of four (4) dwelling units per one (1) net acre, the subject property cannot be developed at that density due to its current Agriculture zoning. The existing Agriculture zoning of the property allows a maximum density of one (1) dwelling unit per five (5) net acres.

The applicant is proposing to amend the Future Land Use Map by changing the Future Land Use Category of the property from Regional Commercial FLUC to Urban Low FLUC. Based upon the above analysis, Staff is recommending to approve the request to amend the 2030 Future Land Use Map Amendment.

- Analysis -

LDR Section 14.02.03 (Standards for Review)

A. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The proposed map amendment is consistent with the Comprehensive Plan as noted in the analysis above. The property's existing single family use is consistent with the Urban Low FLUC. There is an existing development pattern in this immediate area, and the proposed amendment would be logical as the parcels to the east and south are designated with the Urban Low FLUC.

B. Whether the proposed amendment is in conflict with any applicable provisions of these regulations.

Per *Policy I-1.3.2 Urban Low Density Future Land Use Category*, single family residences are permitted within the Urban Low FLUC at a density of four (4) dwelling units per one (1) net acre. The subject property is 4.69 acres and does meet the required density for the Urban Low FLUC.

C. Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The proposed amendment to change the FLUC to Urban Low is consistent with the existing uses on the property. The property is currently developed with a single family residence.

D. Whether there have been changed conditions that justify an amendment.

The property owner intends to make residential improvements to the existing residence, which is not allowable by the current Regional Commercial FLUC.

E. Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

Goal I-1, Purpose of the Future Land Use Element, establishes the goals of the Future Land Use Element, one of which is to provide for the efficient allocation of public facilities and services concurrent with the impacts of development and in compliance with adopted level of services.

Transportation

Staff is not requiring a Traffic Study at this time because the proposed map amendment will have de minimis impacts on transportation demands.

Schools

The proposed map amendment will have de minimis impacts on schools. Although the proposed Urban Low FLUC has a maximum density of four (4) dwelling units per one (1) net acre the property cannot be developed at a density greater than one (1) dwelling unit per five (5) net acres in accordance with the existing Agriculture zoning of the property.

Parks

Per Comprehensive Plan Policy VII-1.4.3 *Level of Service*, the adopted level of service is four (4) acres of park land (developed or undeveloped) per 1000 people in unincorporated Lake County. There are currently 3,800 acres of park lands in unincorporated Lake County and there are roughly 300,000 people, leaving plenty of capacity for the proposed increase in density.

Public Safety

The closest Lake County Fire Rescue Station (LCFR Station #71) is located approximately 1.81 miles from the site.

Water and Sewer

The property is currently developed with a well and septic system, therefore the proposed map amendment will have de minimis impacts on public facilities.

Solid Waste

The County's adopted level of service for solid waste is one (1) day a week garbage pickup and one (1) day a week recycling pickup. The five-year capital improvement schedule for solid waste shows that with existing landfill cells and additional land available and permitted through an FDEP Environmental Resource Permit, there is disposal capacity through 2030.

F. Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

Any new development will be required to meet all Comprehensive Plan and Land Development Regulations requirements to protect the environment.

G. Whether, and the extent to which, the proposed amendment would affect the property values in the area.

There is no indication that there will be any adverse effects on the property values.

H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The proposed amendment is consistent with the properties located east and south of the subject property. The properties to the east and south of the subject property have an Urban Low Future Land Use Category and have been developed with single family residences. The properties to the north and west of the subject property have a Regional Commercial FLUC and Agriculture zoning. The amendment will result in an orderly and logical development pattern, as required by Goal I-1, and Policy I-1.1.3, *Direct Orderly, Compact Growth*.

I. Whether the proposed amendment would be consistent with or advance the public interest, and is in harmony with the purpose and interest of these regulations.

The amendment is consistent with the interest of the public and these regulations.

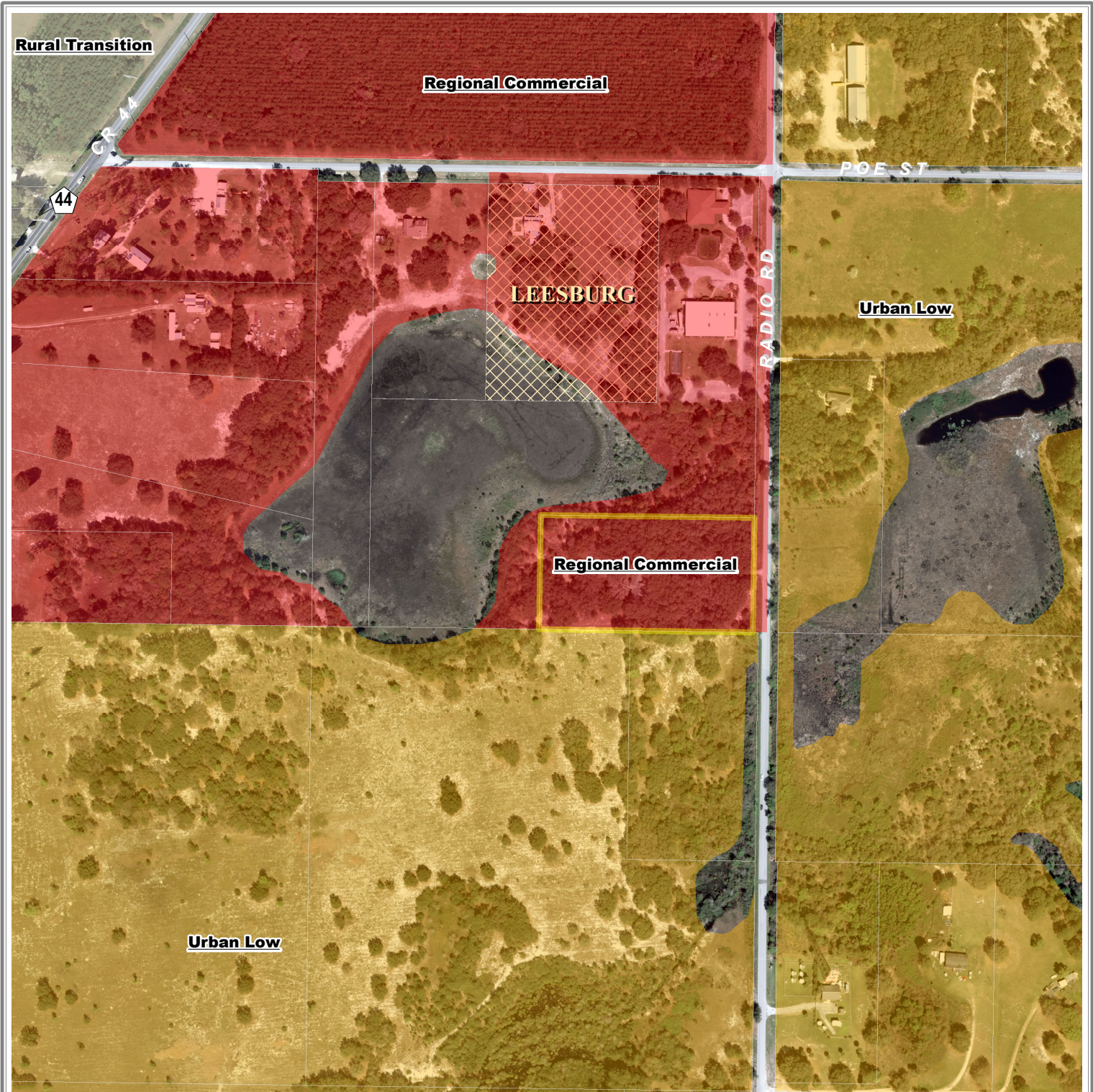
FINDINGS OF FACT: Staff has reviewed the application for the proposed map amendment and found:

1. The application is consistent with CP Goal I-1, and Policy I-1.1.3, *Direct Orderly, Compact Growth*, which requires an orderly and logical development pattern between FLUC.
2. The existing residential use is consistent with *Policy I-1.3.2 Urban Low Density Future Land Use Category*.

Based on these findings of fact, staff recommends **APPROVAL** of the request to amend the Future Land Use Category on approximately 4.69 acres from Regional Commercial FLUC to Urban Low FLUC by amending the 2030 Future Land Use Map.

Case Manager: Christine Rice, Planner

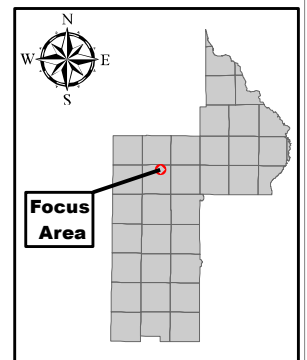
WRITTEN COMMENTS FILED: **Supportive: -0-** **Concern: -0-** **Opposition: -0-**

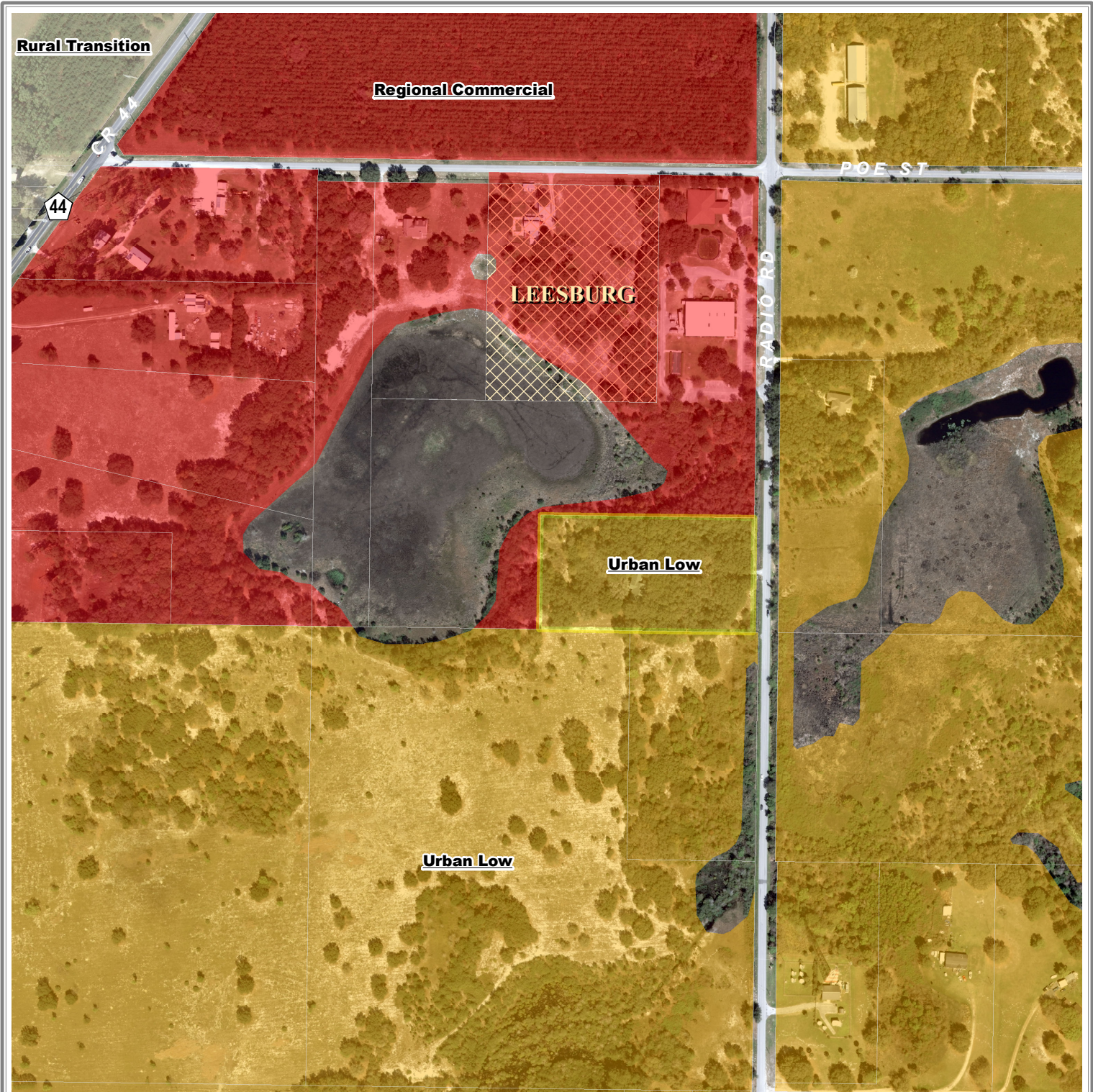


FUTURE LAND USE LEGEND

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| Bella Collina | Heavy Industrial | Recreation | Urban Low Density |
| Cagan Crossings | Mt Plymouth-Sorrento Main Street District | Regional Commercial | Urban Medium Density |
| Conservation | Mt Plymouth-Sorrento Neighborhood | Rural | |
| Green Swamp Core Conservation | Mt Plymouth-Sorrento Receiving Area | Rural Transition | |
| Green Swamp Ridge | Regional Office | Sending Area A-1-20 | |
| Green Swamp Rural | Public Service Facility and Infrastructure | Sending Area A-1-40 | |
| Green Swamp Rural Conservation | Receiving Area A-1-20 | Urban High Density | |

NAME: KAPOOR
CASE NUMBER: FLU-16-10-3
LOCATION (S-T-R): 03-1925
REQUEST: REGIONAL COMMERCIAL TO URBAN LOW

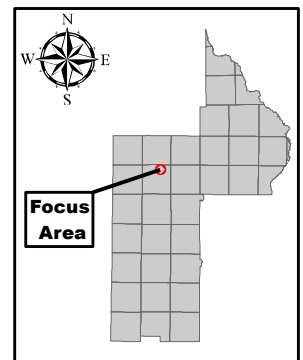




FUTURE LAND USE LEGEND

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ORDINANCE 2016-XX
FLU-2016-10-3
Kapoor Property

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP FROM REGIONAL COMMERCIAL FUTURE LAND USE CATEGORY TO URBAN LOW FUTURE LAND USE CATEGORY FOR PROPERTY LOCATED SOUTH OF POE STREET AND ADJACENT TO RADIO ROAD IN THE LEESBURG AREA, DESCRIBED WITH ALTERNATE KEY NUMBER 2664720, AS SHOWN IN EXHIBIT A; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal planning, and land development regulation in the State of Florida; and

WHEREAS, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County Commissioners of Lake County to "Prepare and enforce comprehensive plans for the development of the county"; and

WHEREAS, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th day of May, 2010, the Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030 Comprehensive Plan; and

WHEREAS, on the 23rd day of July, 2010, the State of Florida Department of Community Affairs, now known as the Community Planning and Development Division of the Florida Department of Economic Opportunity, published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In Compliance" with Chapter 163, Florida Statutes; and

WHEREAS, on the 22nd day of September, 2011, the Lake County 2030 Comprehensive Plan became effective; and

WHEREAS, Section 163.3184, Florida Statutes, sets forth the process for adoption of Comprehensive Plan Amendments; and

WHEREAS, on the 5th day of October, 2016, this Ordinance was heard at a public hearing before the Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

WHEREAS, on the 25th day of October, 2016, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners; and

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EXHIBIT A
FLU-2016-10-3

The South 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 3, Township 19 South, Range 25 East, in Lake County, Florida.