

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS PETITION TO REZONE PROPERTY

LAKE COUNTY ZONING BOARD
October 29, 2014



BOARD OF COUNTY COMMISSIONERS
November 18, 2014

PH #32-14-5 G & P Custer Property	Case Manager: Steve K. Greene, AICP	Agenda Item # 1
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Applicant: Matthew Cason (the "Applicant")
Owner: Gary and Peggy Custer (the "Owner")

Requested Action: The Applicant is proposing a rezoning amendment to existing Planned Commercial (CP) Ordinance #2011-33 to increase the maximum impervious surface ratio (ISR) to 0.70, by establishing a new CP Ordinance.

- Site Location and Information -

The property outlined in red denotes the approximate location



Size	Approx. 17.26 acres	
Location	CR 44 and Emerald Ave	
Alternate Key #	258	
Future Land Use	Industrial	
Zoning District	Existing	Proposed
	CP, with limited C-1 and C-2 uses	CP w/ limited C-1 & C-2 uses
Density	N/A	N/A
Intensity (FAR/ISR)	FAR un specified ISR -0.30	FAR - 1.0 ISR - .070
JPA	N/A	
Utility Area	Leesburg	
Road Classification	CR 44 (Urban – collector)	
Flood Zone / FIRM Panel	Zones A and X/panels 311, 332 July 3, 2002	
Commission District	5- Cadwell	

Site Visit(s): October 17, 2014
Sign(s) Posted: October 17, 2014 (2)

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural Transition	R-6 and R-7	vacant	Wetlands
South	Urban Low	C-2, RMRP, C-1	Gas station/mobile homes park	Tara Village Mobile Home Park
East	Industrial	HM	Manufacturing	Wolverine Materials
West	Rural Transition	CP, RMRP	Mobile home park	Midway Manor

- Summary of Staff Determination –

STAFF RECOMMENDATION: Staff recommends **Approval** of the rezoning application to amend Ordinance #2011-33, by establishing a new ordinance, with conditions.

PLANNING AND ZONING BOARD RECOMMENDATION: TBD

-Summary of Analysis-

The Applicant desires to amend existing Planned Commercial (CP) Zoning Ordinance #2011-33 (Attachment 1) by establishing a new ordinance to increase the Impervious Surface Ratio (ISR) of the property to be consistent with the ISR allowed by the Industrial Future Land Use Category that applies to the property, rather than the current ISR of 0.30, which is equivalent to that allowed in Rural Transition. The property is situated on the north side of CR 44 and east of Emeralda Avenue and is currently used for vehicle storage.

Since the adoption of Ordinance 2011-33 in July 2011, the property underwent a future land use map amendment in July 30, 2013, which changed the future land use of the property from Rural Transition to Industrial. The current ordinance allows vehicle storage, warehouse, retail (general and convenience), consumer service and professional office uses consistent with the Industrial future land use.

The Applicant currently desires to increase the ISR to be consistent with the future land use category would accommodate a larger range of commercial development opportunities.

- Analysis -

(Standards for Review - LDR 14.03.03)

A. Whether the proposed rezoning is in conflict with any applicable provisions of these Regulations;

The proposed rezoning amendment to increase the Impervious Surface Ratio (ISR) from 0.30 to 0.70 is consistent with the Land Development Regulations (LDR). LDR Section 3.02.06, provides for density, impervious surface, floor area and building height within the County's zoning districts. This LDR provision allows a maximum ISR of 0.70 for development within CP zoning districts.

B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;

The proposed ISR of 0.70 for development of this property is consistent with the ISR provisions of Industrial future land use category (FLUC). Comprehensive Plan (Comp Plan) Policy I-1.3.8 allows a maximum ISR of 0.80 in the Industrial FLUC. The applicant seeks commercial development of the property to support the needs of the Industrial uses and activities.

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

The proposed rezoning amendment to increase the ISR to 0.70 is consistent with the existing CP Zoning District and the adjacent industrial uses to the east.

D. Whether there have been changed conditions that require a rezoning;

There has been no change.

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

TRANSPORTATION:

The Level of Service (LOS) for the impacted roadway of CR 44 is "D" with a capacity of 792. This segment of roadway is currently operating at one hundred and eleven percent (111%) of its capacity. This project will generate approximately 31 directional PM Peak hour trips, which will increase the volume to capacity ratio to one hundred and fifteen (115) percent.

The Applicant will be required to complete a traffic study in accordance with the prescribed methodology prior to site plan approval. This is specified as a condition in the proposed ordinance.

SEWER & WATER

An on-site well is proposed to provide the water needs and on-site septic is proposed to provide the sewage needs for the proposed uses.

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

A preliminary review of the site revealed no threatened or endangered species. Although the property contains wetlands, the concept plan provided does not depict the future development as impacting the wetland or the associated buffers. An environmental assessment of the site will be required with a development application to ensure appropriate wetland protection.

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

No information has been submitted to indicate that the proposed rezoning would adversely affect the property values in the area.

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

The proposed rezoning does not alter the existing development pattern in the area.

I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations;

The proposed rezoning would be in harmony with the general intent of the Comp Plan and LDR.

J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

The City of Leesburg did not respond to the Utility Availability request. This will be addressed at site plan, if approved.

FINDINGS OF FACT: Staff has reviewed the application for this rezoning request and found:

1. The rezoning application is consistent with LDR Section 3.02.06 regarding the maximum ISR of 0.70 which is allowed within the CP zoning district.
2. The rezoning application is consistent with Comp Plan Policy I-1.3.8 which allows an ISR of 0.80, maximum, in the Industrial Future Land Use Category.

Based on these findings of fact, staff recommends **Approval** of the rezoning application to amend Ordinance #2011-33, by establishing a new ordinance, with conditions.

WRITTEN COMMENTS FILED: Support: -0- Concern: -0- Oppose: -0-