

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

PETITION TO REZONE PROPERTY

PLANNING & ZONING BOARD
November 26, 2014



BOARD OF COUNTY COMMISSIONERS
December 16, 2014

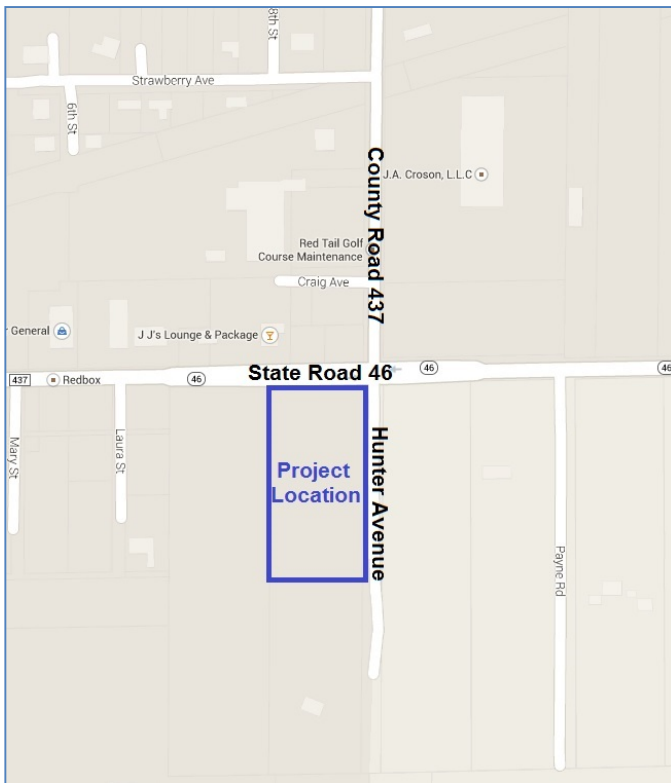
PH #31-14-4 Payne Road Properties, LLC	Case Manager: Melving Isaac, Planner	Agenda Item #4
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Owner: Payne Road Properties, LLC (the "Owner")

Applicant: Green Consulting Group, Inc. (the "Applicant")

Requested Action: Rezone property from Rural Residential (R-1) to Community Commercial (C-2) to allow commercial uses as permitted by the Mount Plymouth-Sorrento Main Street Future Land Use Category.

- Site Location & Information -



Approximate site location outlined in Blue

Site Visit November 14, 2014
Sign Posted November 14, 2014 (2 posted)

Size	4.466 +/- acres	
Location	Sorrento area, Southwest of SR 46 and Hunter Avenue intersection	
Alternate Key #	3519221	
Future Land Use	Mount Plymouth-Sorrento Main Street, Wekiva Study Area	
	Existing	Proposed
Zoning District	R-1	C-2
Impervious Surface Ratio Comprehensive Plan (Policy I-3.2.6)	0.60 max	0.60 max
Floor Area Ratio Comprehensive Plan (Policy I-3.2.6)	0.30 max	0.30 max
Joint Planning Area	N/A	
Utility Area:	N/A	
Site Utilities	Proposed well and septic system	
Road Classification	SR 46 - Rural Principal Arterial - Other Hunter Avenue - Local	
Flood Zone/ FIRM Panel	X/395	
Commissioner District	4 (Campione)	

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Mount Plymouth-Sorrento Main Street	Planned Commercial (CP), Neighborhood Commercial (C-1), Urban Residential (R-6)	Commercial, Residential	Adjacent to State Road 46
South	Mount Plymouth-Sorrento Main Street	Rural Residential (R-1)	Residential	
East	Mount Plymouth-Sorrento Main Street	Planned Commercial (CP)	Proposed Commercial and Church	Adjacent to Hunter Avenue
West	Mount Plymouth-Sorrento Main Street	Urban Residential (R-6)	Wooded Vacant Parcel	

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the proposed rezoning request, as set forth in the attached Ordinance.

PLANNING & ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The Applicant is requesting to rezone a 4.466 acre property from Rural Residential (R-1) to Community Commercial (C-2) to allow commercial uses as permitted by the Mount Plymouth-Sorrento Main Street Future Land Use Category.

The subject property is located in the Sorrento area, Southwest of SR 46 and Hunter Avenue intersection. The property is currently undeveloped and is located within the Wekiva Study Area.

The proposed rezoning request is consistent with the Comprehensive Plan which permits commercial uses in the Mount Plymouth-Sorrento Main Street Future Land Use Category (FLUC). The request is also consistent with the Land Development Regulations (LDR), which permit commercial uses in the C-2 Zoning District.

- Analysis -

Land Development Regulations Section 14.03.03 Standards for Review.

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

The proposed rezoning is consistent with the LDR as seen in LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits commercial uses in the C-2 Zoning District.

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

The C-2 zoning request is consistent with Comprehensive Plan Policy I-3.2.6 *Mount Plymouth-Sorrento Main Street Future Land Use Category*, as commercial uses are allowable in the Mount Plymouth-Sorrento Main Street FLUC. This policy allows commerce uses including services, retail trade, finance, insurance, and real estate within this FLUC.

This parcel is part of the area known as the Sorrento Commons Property identified in Comprehensive Plan Policy I-1.6.8, *Specific Limitations on the Sorrento Commons Property*, which limits the development to three (3) primary structures which shall not exceed 15,000 square feet of floor area and further limits structures other than the primary not to exceed 8,000 square feet of floor area for new development.

Comprehensive Plan Policy I-2.1.13 *Parking in the Mount Plymouth Sorrento Community* requires parking lots to be located behind the buildings that front Main Street.

The full extent of the above requirements will be evaluated as part of the site plan review process for the proposed development.

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

As shown in the map below, the property which is located within the Mount Plymouth-Sorrento Main Street FLUC, is bordered at the north by commercial and residential uses across State Road 46, east by property which is being rezoned for commercial and church uses, west by a vacant property, and to the south by rural residential. Changing the use of the site to C-2 is consistent with the Mount Plymouth-Sorrento Main Street FLUC and the existing and proposed commercial uses along State Road 46 (Main Street).



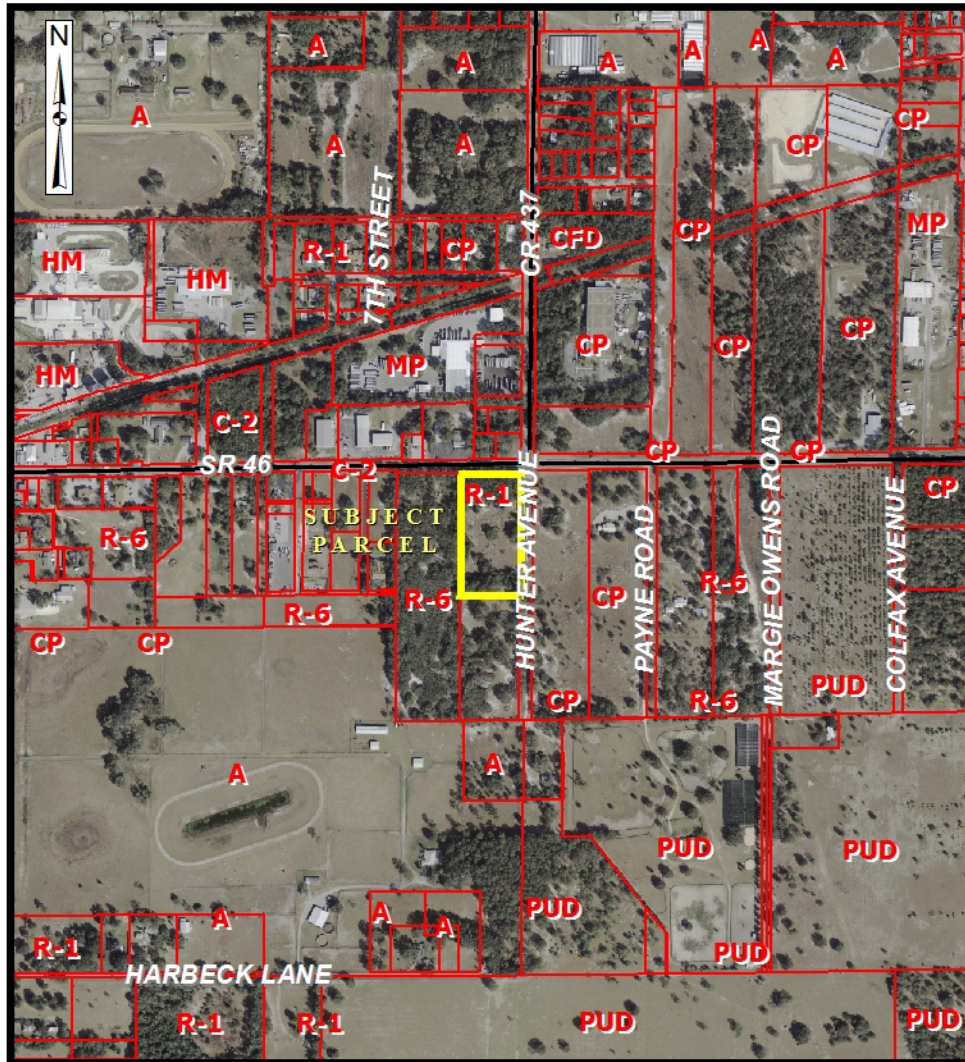
D. Whether there have been changed conditions that justify a rezoning;

The 2030 Comprehensive Plan designated this area as Mount Plymouth-Sorrento Main Street FLUC which permits commercial uses. The parcel to the east is undergoing rezoning for commercial and church uses. The Applicant seeks to establish professional office uses on that property and to use the existing residence as a funeral home that will provide services to the community.

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;

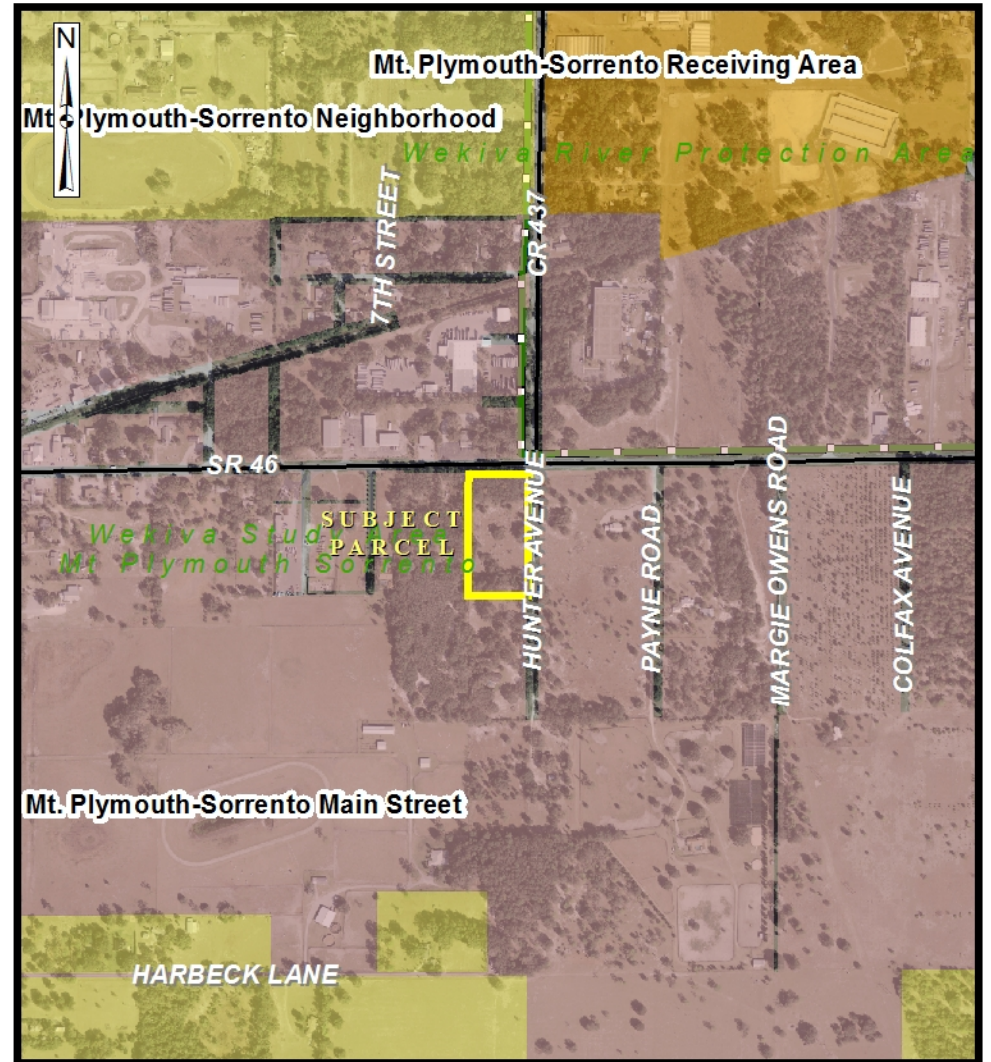
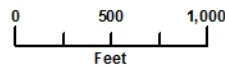
Water/Sewage - The subject property will be served by well and septic system. The Florida Department of Health has indicated that the property is in the delineated Ethylene Dibromide (EDB) area and any well permits will need to be issued through St. Johns River Water Management District.

Transportation - Public Works Transportation Division has indicated that the standard Level of Service (LOS) for the impacted roadway of SR 46 is "C", with a capacity of 710. This segment of roadway CR 437 N to CR 435 is currently operating at ninety four percent (94%) of its capacity in the peak direction during the peak period. This project will be generating one hundred and twenty seven (127) peak hour trips; with seventy one (71) directional pm peak hour trips increasing the volume to capacity (v/c) ratio to one hundred and four percent (104%). Currently the Wekiva Parkway project is anticipated to affect SR 46. Applicant will be required to submit a traffic study prior to site plan approval.



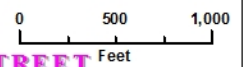
CURRENT ZONING

RURAL RESIDENTIAL (R-1)



ADOPTED FUTURE LAND USE

MOUNT PLYMOUTH-SORRENTO MAIN STREET



**PAYNE ROAD
PROPERTIES, LLC**

CASE NO.
PH #31-14-4

CASE LOCATION:
S30, T19S, R28E

REQUESTING:

Rezone from Rural Residential (R-1) to
Community Commercial (C-2) to allow commercial uses.

- ZONING**
- LAND USE**
- SUBJECT PARCEL**

DATA SOURCES:

Lake County GIS Department; Planimetrics, 2008 Aerial Image, Data Compilation and Map production compliments of the Growth Management Department, Planning and Community Design.

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MAP COMPOSITION:
JANUARY, 2008

FOCUS AREA



ORDINANCE #2014-XX
Payne Road Properties, LLC
PH #31-14-4

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Green Consulting Group, Inc. (the "Applicant") made a request on behalf of Payne Road Properties, LLC (the "Owner") to rezone property from Rural Residential (R-1) to Community Commercial (C-2) to allow commercial uses; and

WHEREAS, the subject property consists of 4.466 +/- acres and is generally located in the Sorrento area, Southwest of SR 46 and Hunter Avenue intersection, in Section 30, Township 19 South, Range 28 East, having Alternate Key Number 3519221, and more particularly described below:

LEGAL DESCRIPTION:

PARCEL 3:

THAT PART OF THE EAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 28 EAST, IN LAKE COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH LINE OF THE RIGHT-OF-WAY OF STATE ROAD #46;

LESS THAT PART OF THE FOREGOING DESCRIBED PARCEL LYING WITHIN 50 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA;

LESS A STRIP OF LAND OF EQUAL WIDTH 28 FEET WIDE OFF OF THE ENTIRE EAST SIDE OF SUCH FOREGOING DESCRIBED PARCEL;

LESS THE SOUTH 5 ACRES OF THE EAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA.

WHEREAS, the subject property is located within the Mount Plymouth-Sorrento Main Street Future Land Use Category, and within the Wekiva Study Area as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, the Lake County Planning & Zoning Board reviewed Petition PH #31-14-4 on November 26, 2014, after giving Notice of Hearing on petition for a change in the use of land, including notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on December 16, 2014; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning & Zoning Board, staff report, and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised; and

WHEREAS, upon review, certain terms pertaining to the development of the above described property have been duly approved; and

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above subject property, subject to the following terms:

1 **Section 1. Terms:**

2 The County Manager or designee shall amend the Official Zoning Map to reflect Community Commercial
3 (C-2) Zoning in accordance with this Ordinance.

4 **Section 2. Development Review and Approval:** Prior to the issuance of any permits, the Owner shall be
5 required to submit applications for and receive necessary final development order approvals as
6 provided in the Lake County Comprehensive Plan and Land Development Regulations. The
7 applications for final development orders shall meet all submittal requirements and comply with
8 all County codes and ordinances, as amended.

9 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
10 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
11 affect the validity of the remaining portions of this Ordinance.

12 **Section 4. Filing with the Department of State.** The clerk shall be and is hereby directed forthwith to
13 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance
14 with Section 125.66, Florida Statutes.

15 **Section 5. Effective Date.** This Ordinance shall become effective as provided by law.

16 ENACTED this _____ day of _____, 2014.

17 FILED with the Secretary of State _____, 2014.

18 EFFECTIVE _____, 2014.

19 BOARD OF COUNTY COMMISSIONERS
20 LAKE COUNTY, FLORIDA

21 _____
22 JIMMY CONNER, Chairman

23 ATTEST:

24 _____
25 NEIL KELLY, Clerk of the
26 Board of County Commissioners
27 Lake County, Florida

28 APPROVED AS TO FORM AND LEGALITY

29 _____
30 SANFORD A. MINKOFF, County Attorney