

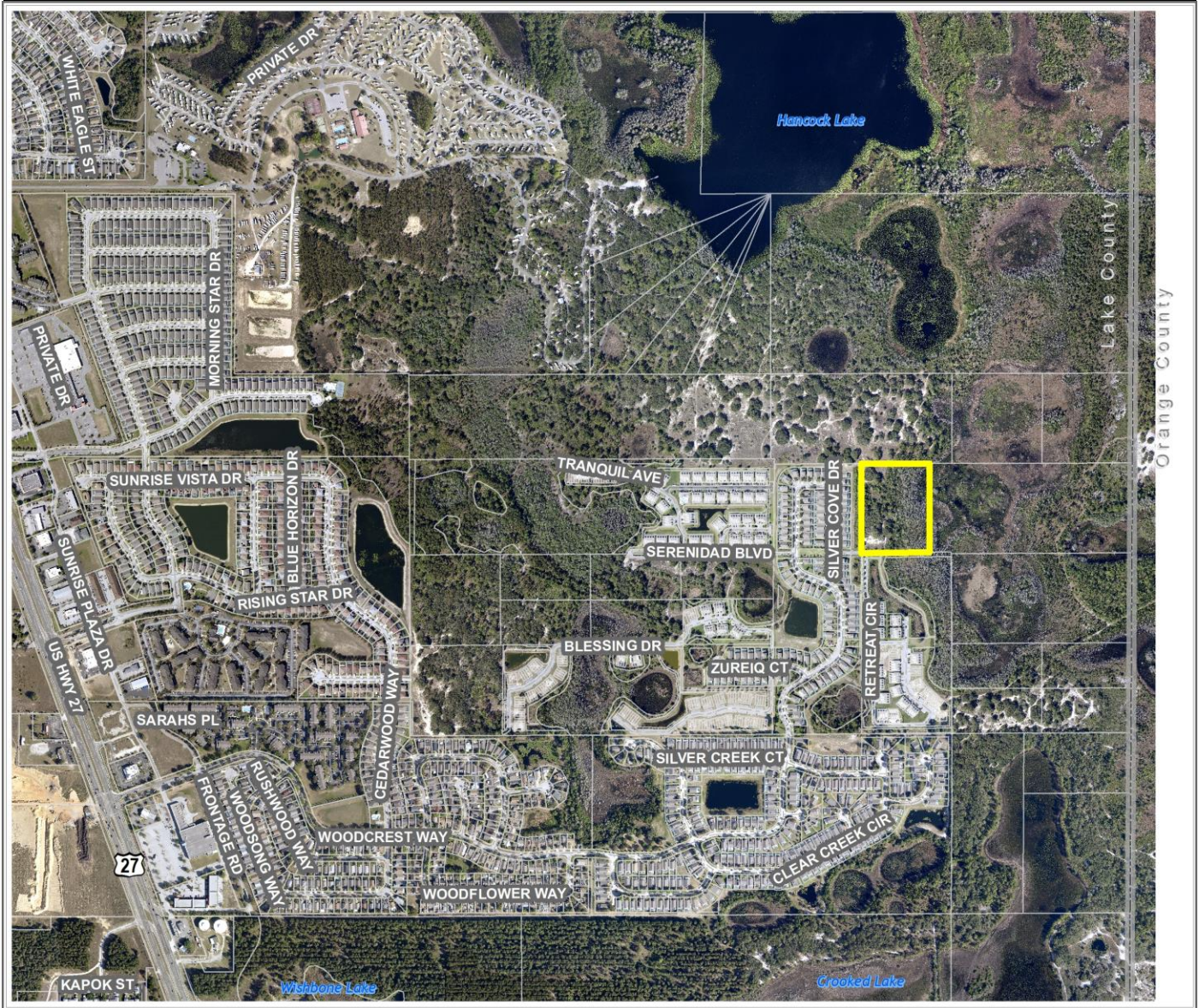
# LAKE COUNTY OFFICE OF PLANNING AND ZONING FUTURE LAND USE AMENDMENT STAFF REPORT

Planning and Zoning Board  
June 26, 2018



Board of County Commissioners  
July 24, 2018 (Approval)

<b>FLU-18-06-1</b> Oasis of Hope	<b>Commissioner District 1</b> Sullivan	<b>Agenda Item #3</b>
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**Requested Action:** Amend the Future Land Use Map (FLUM) to change the Future Land Use Category on 7.57 acres (portion of Alternate Key 1744300) from Wellness Way 3 to Urban Low Density.

**Owners:** KLS Investments, LLC and Suzanna Ferry

**Applicant:** Mervin Morgan

**- Site Location & Information -**

<b>Alternate Key</b>	Portion of 1744300
<b>Size</b>	7.57 gross acres (approximately 6 acres of Uplands)
<b>Location</b>	Northeast of Retreat Circle in south Lake County
<b>Future Land Use</b>	Wellness Way 3 (Max. capacity allocation of 1.35 dwelling units per net acre)
<b>Proposed Land Use</b>	Urban Low Density (Max. density of four (4) dwelling units per net acre)
<b>Zoning District</b>	Agriculture (A) (Max. density of 1 dwelling unit per five (5) acres)
<b>Joint Planning Area/ ISBA</b>	None
<b>Overlay Districts</b>	None

**- Land Use Table -**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
<b>North</b>	Wellness Way 3	Agriculture (A)	Non-Agriculture acreage and Wetlands	None
<b>South</b>	Wellness Way 3 and Urban Low	Agriculture and Planned Unit Development (PUD)	Townhomes and Wetlands	Retreat at Silver Creek Subdivision
<b>East</b>	Orange County	Orange County	Wetlands	None
<b>West</b>	Urban Low	Planned Unit Development (PUD)	Single Family Residences	Silver Creek Subdivision

**- Summary of Recommendations -**

**Staff Recommendation:** Staff recommends **APPROVAL** of the application to amend the Future Land Use Map (FLUM) to change the Future Land Use Category on 7.57 acres (Portion of Alternate Key 1744300) from Wellness Way 3 to Urban Low Density.

**Planning and Zoning Board Recommendation:**

**Analysis**

The subject property (Portion of Alternate Key 3335708) contains approximately 7.57 acres (including wetlands and open bodies of water). The eastern portion of the property contains wetlands and floodzone AE.

The Applicant submitted a Comprehensive Plan Amendment application to amend the Future Land Use Map (FLUM) to change the Future Land Use Category (FLUC) from Wellness Way 3 to Urban Low Density in order to develop the property with a church and accessory uses. Pursuant to Comprehensive Plan Policy I-8.7.1 *Master Planned Unit Developments (PUDs)*, new development within the Wellness Way Area Plan can only be approved as part of a Master PUD. The applicant wishes to develop the property separate from the Wellness Way Plan. The applicant has submitted a rezoning application to rezone the subject property from Agriculture (A) to Community Facility District (CFD) to develop the property as a church with associated uses. In order to facilitate the rezoning application, the subject property must be removed from the Wellness Way Area Plan. The application amends the Future Land Use Map on 7.57 acres from Wellness Way 3 FLUC to Urban Low FLUC, which allows religious organizations as a permitted use.



### Standards for Review

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

The proposed Comprehensive Plan text amendment is consistent with all elements of the Comprehensive Plan. The amendment seeks to change the future land use category on approximately 7.57 acres from Wellness Way 3 to Urban Low Density. The FLU Amendment is consistent with Comprehensive Plan Policy I-1.3.2, *Urban Low Density Future Land Use Category*, which names religious organizations as a typical use in the Urban Low FLUC.

Pursuant to Comprehensive Plan Policy IX-3.1.1, *Regional Wastewater Service Criteria*, Policy IX-3.1.2, *Mandatory Sewer Connection*, and Policy IX-3.1.5, *Provisions of Central Sewer Services Inside of Designated Urban Areas*, development within the Urban Future Land Use Series must connect to central water and sewer when services are available. The subject property is located within Southlake Utilities, Inc. Service Area (Attachment A) and central water and sewer connections are available along Silver Cove Drive. The applicant is proposing to connect the proposed development to the available utilities.

Goal I-1, *Purpose of the Future Land Use Element*, requires the County to ensure compatibility between densities and intensities of development and also requires that land use transitions be provided as appropriate to protect the integrity of both urban and rural areas. The subject property abuts the Urban Low FLUC on its western and southern boundary.

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

The proposed amendment would not be in conflict with the Land Development Regulations. The property is currently zoned Agriculture (A) and the Applicant has submitted an application to rezone the property Community Facility District (CFD). Both applications will be presented to the Board of County Commissioners (the 'Board') at the same time for approval.

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

The Applicant wishes to develop the subject property independent from the Wellness Way Area Plan. The Applicant is proposing to develop the property with a church and associated uses, consistent with the Urban Low FLUC.

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

The Applicant would like to develop the property independently of the Wellness Way Area Plan due to the Master PUD requirement.

**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.**

Water and Sewer

The proposed ordinance requires development to connect to a potable water service and regional wastewater provider. Southlake Utilities has indicated that the subject property is located within their service area and utility connections are available along Silver Cove Drive (Attachment A).

Schools

The applicant does not intent on developing the property with residences; therefore, school capacity will not be affected by this application.

Parks

The proposed comprehensive plan amendment is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

The proposed future land use map amendment is not anticipated to adversely impact solid waste capacities or levels of service.

Public Safety

Lake County Fire Station #112 is located approximately 1.36 miles away from the subject property at 16240 County Road 474.

Transportation Concurrency Analysis

Public Works had no comments or objections to the Future Land Use Map amendment.

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

The amendment will not result in a significant impact on the natural environment. The subject property contains wetlands and all development of the site will be required to be a minimum of fifty (50) feet from the jurisdictional wetland line. All other sensitive resources will be addressed through the development review process. New development will be required to meet all criteria contained within the Comprehensive Plan and Land Development Regulations.

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

There is no indication that the amendment would have an adverse impact on 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 properties to the south and west of the subject property are designated as part of the Urban Low FLUC. The proposed amendment will have no negative effects on the development pattern in the area and 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 in harmony with the purpose and interest of these regulations.**

The proposed text amendment will be consistent with the purpose and interest of Lake County's regulations.

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

1. The request is consistent with Comprehensive Plan Goal I-1, *Purpose of the Future Land Use Element*, which requires the County to ensure compatibility between densities and intensities of development and also requires that land use transitions be provided as appropriate to protect the integrity of both urban and rural areas; and
2. The request is consistent with Comprehensive Plan (CP) Policy I-1.3.2, *Urban Low Density Future Land Use Category*, which allows religious organizations as a typical use; and

3. The request is consistent with Policy IX-3.1.1, *Regional Wastewater Service Criteria*, Policy IX-3.1.2, *Mandatory Sewer Connection*, and Policy IX-3.1.5, *Provisions of Central Sewer Services Inside of Designated Urban Areas*, which require development within the Urban Future Land Use Series to connect to central water and sewer when available.

Based on these findings of fact, staff recommends **APPROVAL** of the application to amend the Future Land Use Map (FLUM) to change the Future Land Use Category on 7.57 acres (portion of Alternate Key 1744300) from Wellness Way 3 to Urban Low Density.

**Case Manager:** Michele Janiszewski, Chief Planner

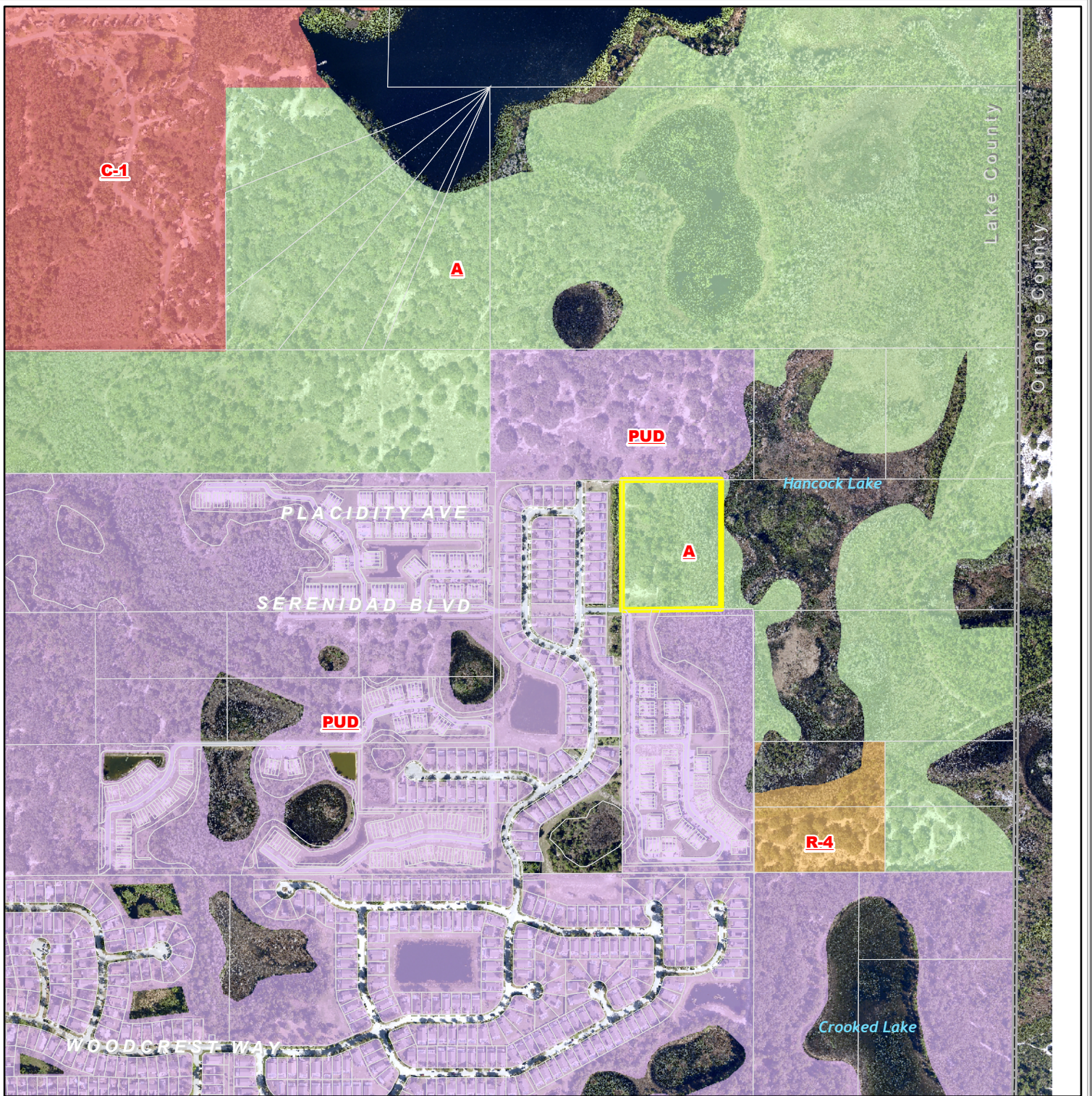
**WRITTEN COMMENTS FILED:**

**Support: -0-**

**Questions: -0-**

**Opposition: -0-**

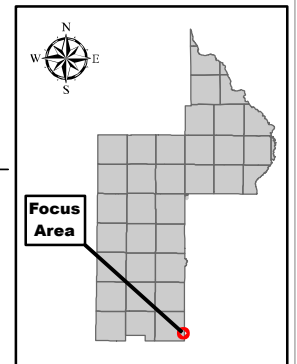




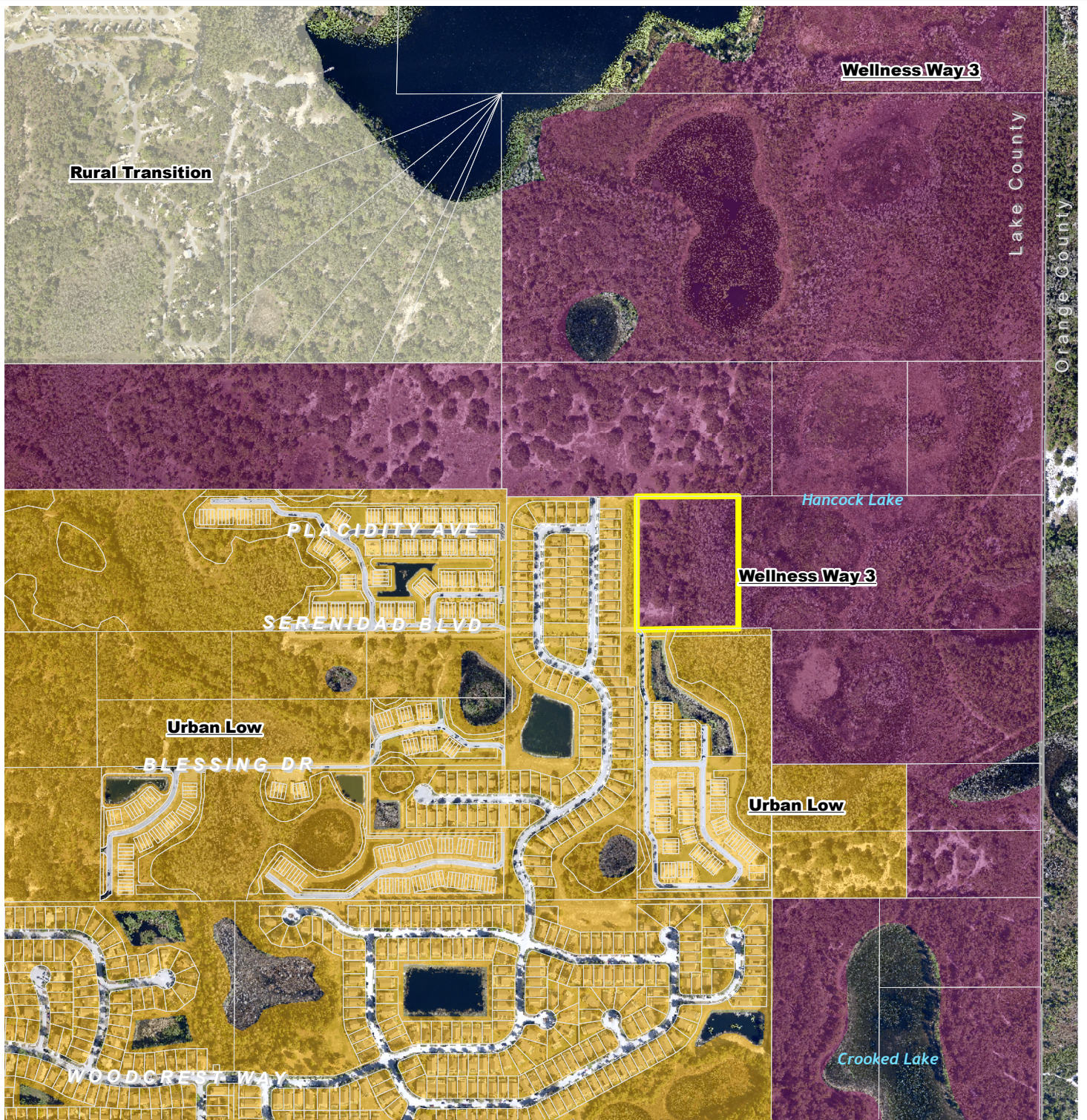
**ZONING LEGEND**

A	RA	R-2	R-4	R-7	RMRP	RV	C-2	LM	MP	PUD
AR	R-1	R-3	R-6	RP	RM	C-1	CP	HM	CFD	

**NAME: OASIS OF HOPE**  
**CASE NUMBER: FLU-18-06-1**  
**LOCATION (S-T-R): 25-24-26**  
**REQUEST: WELLNESS WAY 3 TO URBAN LOW**



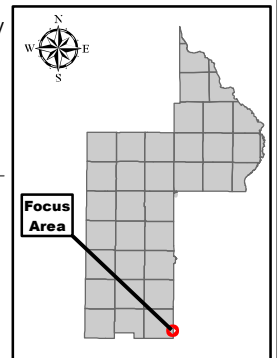




**FUTURE LAND USE LEGEND**

- |                                |                                            |                          |
|--------------------------------|--------------------------------------------|--------------------------|
| Bella Collina                  | Mt Plymouth-Sorrento Main Street District  | Regional Commercial      |
| Cagan Crossings                | Mt Plymouth-Sorrento Neighborhood          | Rural                    |
| Conservation                   | Mt Plymouth-Sorrento Receiving Area        | Rural Transition         |
| Green Swamp Core Conservation  | Regional Office                            | Sending Area A-1-20      |
| Green Swamp Interlachen        | Public Service Facility and Infrastructure | Sending Area A-1-40      |
| Green Swamp Ridge              | Receiving Area A-1-20                      | South Lake Regional Park |
| Green Swamp Rural              | Recreation                                 | Summer Bay               |
| Green Swamp Rural Conservation |                                            | Urban Low Density        |
| Heavy Industrial               |                                            | Urban Medium Density     |
|                                |                                            | Urban High Density       |
|                                |                                            | Wellness Way 1           |
|                                |                                            | Wellness Way 2           |
|                                |                                            | Wellness Way 3           |
|                                |                                            | Wellness Way 4           |
|                                |                                            | Towncenter               |

**NAME: OASIS OF HOPE**  
**CASE NUMBER: FLU-18-06-1**  
**LOCATION (S-T-R): 25-24-26**  
**REQUEST: WELLNESS WAY 3 TO URBAN LOW**





**ORDINANCE 2018-XX**  
**FLU-18-06-1**  
**Oasis of Hope**

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2       **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY,**  
3       **FLORIDA; AMENDING THE FUTURE LAND USE MAP FROM WELLNESS WAY 3 TO URBAN**  
4       **LOW DENSITY FUTURE LAND USE CATEGORY FOR A 7.57 ACRE PROPERTY LOCATED**  
5       **NORTHEAST OF RETREAT CIRCLE IN SOUTH LAKE COUNTY, AS DESCRIBED IN THIS**  
6       **ORDINANCE; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11),**  
7       **FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN**  
8       **EFFECTIVE DATE.**

9  
10       **WHEREAS**, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal  
11       planning, and land development regulation in the State of Florida; and

12       **WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County  
13       Commissioners of Lake County to “[p]repare and enforce comprehensive plans for the development of the  
14       county”; and

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

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

22       **WHEREAS**, on the 22<sup>nd</sup> day of September, 2011, the Lake County 2030 Comprehensive Plan  
23       became effective and designated the property as part of the Rural Transition Future Land Use Category; and

24       **WHEREAS**, on the 5<sup>th</sup> of January 2016, the Board of County Commissioners approved Ordinance  
25       No. 2016-1, for the adoption of the Wellness Way Area Plan, which was subsequently challenged and not  
26       immediately made effective; and

27       **WHEREAS**, on the 26<sup>th</sup> day of December 2017, a Joint Motion for Final Order Dismissing Challenge  
28       and Closing File was granted by the State of Florida Administration Commission making Ordinance No. 2016-  
29       01 effective; and

30       **WHEREAS**, Ordinance No. 2016-01 designated the subject property as Wellness Way 3 Future Land  
31       Use Category; and

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

34       **WHEREAS**, on the 26<sup>th</sup> day of June 2018, this Ordinance was heard at a public hearing before the  
35       Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

36       **WHEREAS**, on the 24<sup>th</sup> day of July 2018, this Ordinance was heard at a public hearing before the  
37       Lake County Board of County Commissioners for adoption; and

38       **WHEREAS**, it serves the health, safety and general welfare of the residents of Lake County to adopt  
39       the amendment to the Lake County Comprehensive Plan and Future Land Use Map;

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1 ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

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3 FILED with the Secretary of State \_\_\_\_\_, 2018.

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BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA

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Timothy I. Sullivan, Chairman

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11 ATTEST:

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15 Gary J. Cooney, Clerk Ad Interim  
16 Board of County Commissioners of  
17 Lake County, Florida

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19 Approved as to form and legality:

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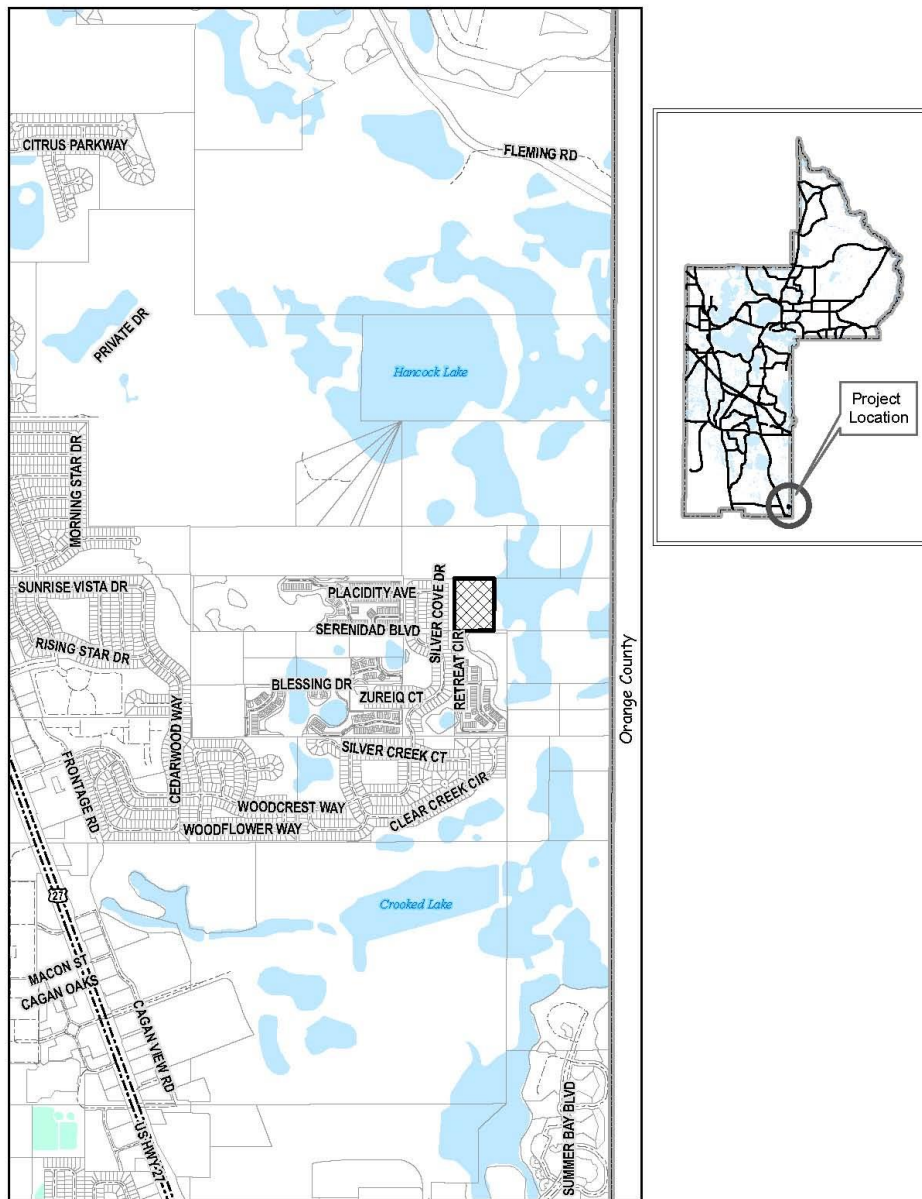
\_\_\_\_\_  
23 Melanie Marsh, County Attorney



### Exhibit A. Legal Description.

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The West 500 feet of the East  $\frac{3}{4}$  of the South  $\frac{1}{4}$  of the North East  $\frac{1}{4}$  of Section 25, Township 24 South, Range 26 East, Lake County, Florida. Subject to easements for road over the North 35 feet and the South 35 feet. This property contains approximately 7.57 acres.



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# Attachment A. Utility Availability.



May 10, 2018

Jeff Banker, P.E.  
Highland Engineering, Inc.  
79 W. Illiana Street  
Orlando, Florida 32806-4468

E-Mail: [jbanker@heifl.com](mailto:jbanker@heifl.com)

Re: Request for Availability of Water and Wastewater  
Lake County, Florida – Alternate Key 1744300

Dear Mr. Banker:

Pursuant to your request, please be advised that the referenced is within Southlake Utilities, Inc. Service Area.

The requested parcel is east of Silver Creek SUB TRACT D as recorded in PB 47, PG 61-63, ORB 2497, PG 925, with no access to Silver Cove Drive where water and wastewater mains are installed, however should your client provide evidence of a recorded utility easement granted by the Silver Creek Subdivision HOA, then water and wastewater service could serve the requested site with main extensions.

An engineering study will be necessary to determine fire flow requirements and if a gravity collection system or pumping station and force main will be utilized.

If you need additional information, please call me at (352) 636-8072.

Sincerely,

*Randall W. Corbin*

Randall W. Corbin  
Manager

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