



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): November 4, 2020
Board of County Commissioners (BCC): November 24, 2020

Case No. and Project Name: RZ-20-27-4 Thrill Hill Properties 101 LLC Rezoning

Applicant: Cary F. Rada

Owner: Thrill Hill Properties 101 LLC

Requested Action: Rezone 0.53 +/- acres of property from Agriculture (A) to Planned Commercial (CP), to create a CP zoning district for mixed-uses of storage/warehouse, commercial, and office uses.

Staff Determination: Staff finds the rezoning consistent with the Comprehensive Plan and Land Development Regulations (LDR)

Case Manager: Marellys Moreno, CRA Coordinator

PZB Recommendation:

Subject Property Information

Size: 0.53 +/- acres (total)

Location: Northeast of the intersection of State Road 46 and Paducah Street, in the Sorrento area

Alternate Key No.: 1361249

Future Land Use: Mount Plymouth-Sorrento Main Street

Existing Zoning District: Agriculture (A)

Proposed Zoning District: Planned Commercial (CP)

Joint Planning Area / ISBA: N/A

Overlay Districts: Mount Plymouth-Sorrento CRA and Wekiva Study Area

Adjacent Property Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Mt. Plymouth-Sorrento Main Street	Agriculture (A)	Vacant Residential	Undeveloped
South	Mt. Plymouth-Sorrento Main Street	Urban Residential (R-6)	Vacant Residential	Undeveloped
East	Mt. Plymouth-Sorrento Main Street	Agriculture (A)	Vacant Residential	Undeveloped
West	Mt. Plymouth-Sorrento Main Street	Residential Professional (RP)	Office	Real Estate

Staff Analysis

The subject property is identified by Alternate Key Number 1361249 comprises 0.53 +/- acres which is zoned Agriculture (A). The subject property is generally located northeast of the intersection of State Road 46 and Paducah Street, in the Sorrento.

The Applicant is requesting to rezone the property from Agriculture (A) to Planned Commercial (CP), to create a CP zoning district for mixed-uses of storage/warehouse, commercial, and office uses. The subject property is located within the Mount Plymouth-Sorrento Community Redevelopment Agency (CRA) and designated as Mount Plymouth-Sorrento Main Street Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. Pursuant to Comprehensive Plan Policy I-3.2.6, commerce uses are permissible in this land category.

The rezoning proposal and the concept plan were presented to the CRA Advisory Committee on October 20, 2020 for feedback. The CRA Advisory Committee had no objections to the proposed rezoning, provided that the future development application promote a walkable community and favors the aesthetics of the CRA according to the Land Development Regulations.

Standards for Review (LDR Section 14.03.03)

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

Pursuant to Comprehensive Plan Policy I-3.2.6, commerce uses are permissible within the Mount Plymouth-Sorrento Main Street FLUC. Comprehensive Plan Policy I-3.2.6 also specifies that activities related to warehousing are limited to those without off-site impacts, within an enclosed building, and requires a conditional use permit. As such, the rezoning to Planned Commercial suffice the requirement.

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

The proposed indoor storage is considered as warehousing, which is a permissible use pursuant to LDR Section 3.01.03. within CP zoning. The rezoning application is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which also allows commercial, and office uses within the CP zoning district.

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

The proposed rezoning is consistent with the land uses permitted by the proposed zoning district and existing FLUC. As depicted in the Historical Zoning Map, the parcels surrounding the subject property are developed with office and residential land uses. The subject property lies within the boundary of the Mount Plymouth-Sorrento CRA.

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

The owner wishes to develop the property with mixed-uses of storage/warehouse, commercial, and office uses district. As previously stated, the request and proposed use are consistent with the surrounding uses, as the adjoining parcels are developed with office use and properties along SR 46 include commercial uses.

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 owner is proposing to use a private well and septic system for the proposed development. The proposed well and septic system will need to be permitted with DOH –Lake and 2. Well may have to be regulated by DEP.

Schools

No adverse impacts are anticipated on schools.

Parks

No adverse impacts are anticipated on parks.

Solid Waste

No adverse impacts anticipated to current solid waste capacity levels.

Public Safety

The closest Lake County Fire Rescue Station (LCFR Station #39) is located approximately 0.4 miles from the site.

Transportation Concurrency

The request is not anticipated to adversely impact the roadways standard Level of Service (LOS).

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

The property is currently undeveloped with mature vegetation. Any future development will require the submittal of an environmental assessment (EA) that is dated no more than six (6) months prior to the application submission date. The EA must describe the existence of any protected flora or fauna on the property, and must include the presence of wetlands and water bodies pursuant to the LDR, as amended.

Environmental Design Standards pursuant to Comprehensive Plan Policy I-2.1.8 states that the County shall require compliance with environmental design standards established for the Wekiva Study Area within the Mount Plymouth-Sorrento Planning Area.

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

The application does not contain any information regarding the effect of the proposed rezoning on property values in the area.

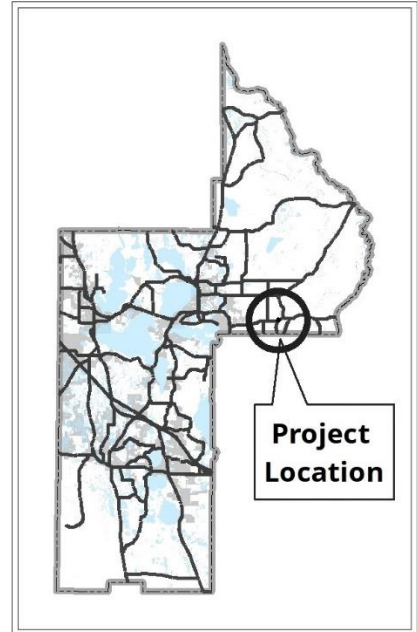
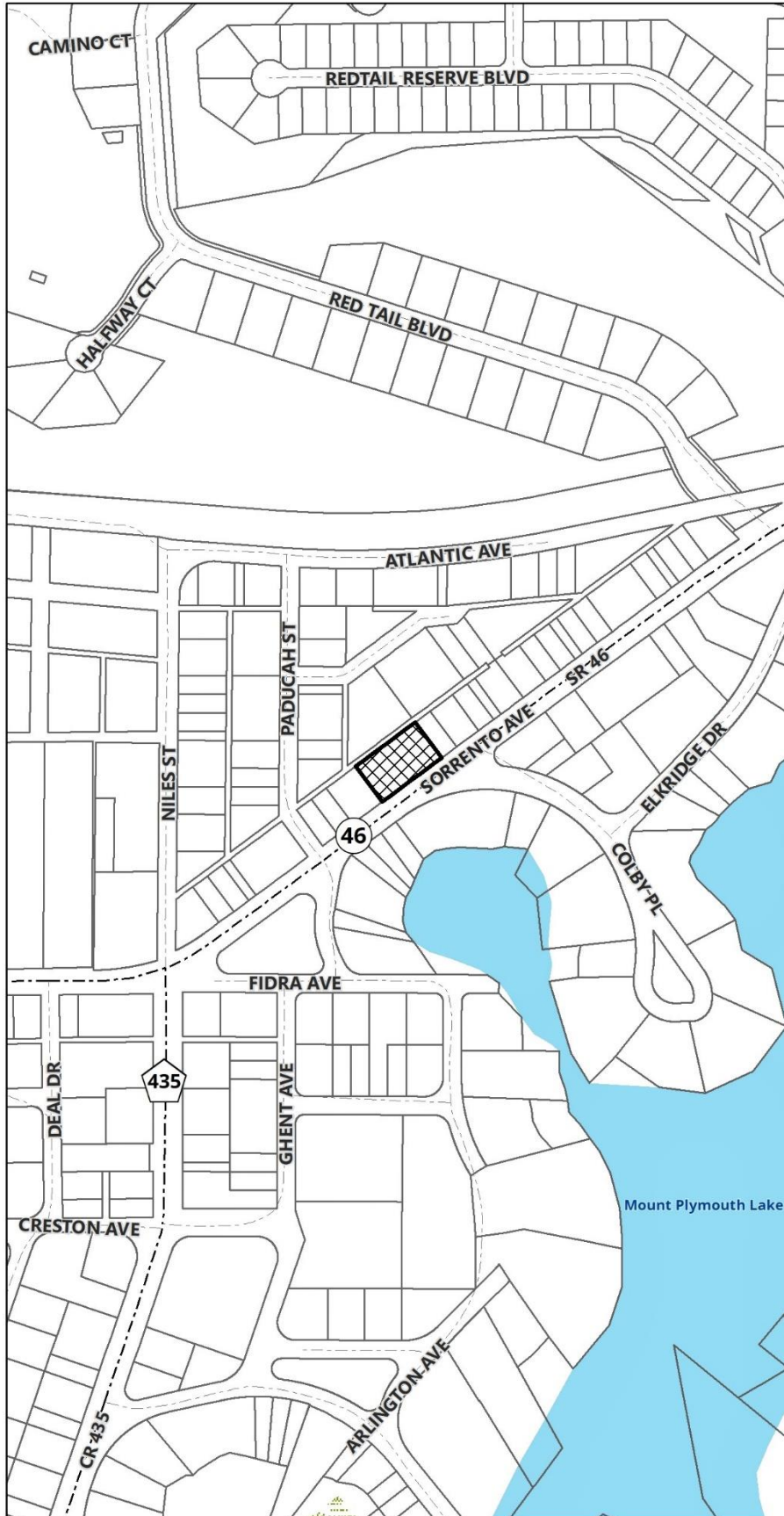
H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The surrounding properties are developed with residential, mixed residential, and commercial uses, on varying tract sizes. Therefore, the proposed rezoning is not anticipated to disrupt the existing orderly, logical development pattern in the area.

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 amendment will not be contrary to the purpose and interest of Lake County's regulations.

Subject Property



CURRENT FUTURE LAND USE



FUTURE LAND USE LEGEND

- Conservation
- Mt Plymouth-Sorrento Neighborhood
- Mt Plymouth-Sorrento Main Street
- Mt Plymouth-Sorrento Receiving Area

NAME: THRILL HILL PROPERTIES

DISTRICT: 4

CASE NUMBER: RZ-20-27-4

LOCATION (S-T-R): 29-19-28

REQUEST: AGRICULTURE (A) TO COMMUNITY COMMERCIAL (C-2)



CURRENT ZONING



ZONING LEGEND

- | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| A | R-3 | RP | CP | PUD |
| R-1 | R-6 | C-1 | CFD | |

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1 **ORDINANCE #2020-XX**

2 **Thrill Hill Properties 101 LLC**

3 **RZ-20-27-4**

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

6 **WHEREAS**, Cary F. Rada, (the "Applicant"), submitted an application to Rezone 0.53 +/- acres of
7 property from Agriculture (A) to Planned Commercial (CP), to create a CP zoning district for mixed-uses of
8 storage/warehouse, commercial, and office uses; and

9 **WHEREAS**, the subject property consists of approximately 0.53 +/- acres, and is generally located
10 Northeast of the intersection of State Road 46 and Paducah Street, in the unincorporated Sorrento area of
11 Lake County, Florida, in Section 29, Township 19 South, Range 28 East, identified by Alternate Key Number
12 1361249, and more particularly described below:

13 **LEGAL DESCRIPTION – EXHIBIT "A"**

14 **WHEREAS**, the subject property is located within the Mt. Plymouth-Sorrento Main Street Future
15 Land Use Category, as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

16 **WHEREAS**, the property will be zoned Planned Commercial (CP) in accordance with the Lake
17 County Zoning Regulations; and

18 **WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition RZ-20-27-4 on November
19 4, 2020, after giving Notice of Hearing on petition for a change in the use of land, including notice that said
20 petition was presented to the Board of County Commissioners of Lake County, Florida, on November 24,
21 2020; and

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

25 **WHEREAS**, upon review, certain terms pertaining to the development of the above described
26 property have been duly approved.

27 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
28 Florida, that:

29 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone the
30 subject property to Planned Commercial (CP). All uses specified must be generally consistent
31 with the Concept Plan as shown in Exhibit "B" of this Ordinance. To the extent where there are
32 conflicts between the Concept Plan and this Ordinance, the Ordinance will take precedence

- 1 **A. Land Uses.**
- 2 1. Limited Neighborhood Commercial (C-1) and Community Commercial (C-2) uses,
- 3 to include day care use.
- 4 The following uses are prohibited:
- 5 a. Adult Use
- 6 b. Auto service station-convenience store
- 7 c. Car wash
- 8 d. Commercial Amusement
- 9 e. Motel/Hotel
- 10 f. Marina
- 11 g. Recreation Commercial
- 12 h. Restaurant Fast Food
- 13 i. Retail convenience
- 14 j. Self Service Laundry
- 15 k. Theaters
- 16 l. Truckyard
- 17 m. Automotive/Boat/Recreational Vehicular (RV) Sales, including ATV and
- 18 motorcycles
- 19 2. Accessory uses may be approved by the County Manager or designee. Any other
- 20 use of the property will require approval of an amendment to this Ordinance by the
- 21 Board of County Commissioners.
- 22 **B. Impervious Surface Ratio, Floor Area Ratio, Open Space, and Building Height.**
- 23 Impervious Surface Ratio, Floor Area Ratio, Open Space, and Building Height shall be in
- 24 accordance with the Comprehensive Plan and LDR, as amended.
- 25 **C. Development Standards/Design Criteria.** Development shall adhere to commercial design
- 26 standards in accordance with the Comprehensive Plan and LDR, as amended.
- 27 **D. Setbacks.** Setbacks shall be in accordance with the LDR, as amended.
- 28 **E. Parking Requirements.** Off-street parking must be provided in accordance with the
- 29 Comprehensive Plan and LDR, as amended, unless a waiver is granted by the Board of
- 30 County Commissioners.
- 31 **F. Landscaping, Buffering, and Screening.** All new development must provide landscaping
- 32 in accordance with the LDR, as amended.
- 33 **G. Environmental Requirements.** Environmental resources shall be protected in accordance
- 34 with the Comprehensive Plan and LDR, as amended.
- 35 **H. Noise Compliance.** Development shall comply with noise protection provisions of the LDR,
- 36 as amended.

- 1 **I. Transportation:**
- 2 1. The site improvements will need to accommodate the Sorrento Ave CRA
- 3 improvement plan.
- 4 2. Sidewalks will be required per the Commercial Design Standards and LDR, as
- 5 amended
- 6 3. All access management shall be in accordance with the Comprehensive Plan and
- 7 LDR, as amended.
- 8 **J. Stormwater Management.** The stormwater management system shall be designed in
- 9 accordance with all applicable Lake County and St. Johns River Water Management District
- 10 (SJRWMD) requirements; as amended.
- 11 **K. Floodplain Management.** The Owners will be responsible for any flood studies required for
- 12 developing the site and to comply with Federal Emergency Management Agency (FEMA)
- 13 regulations, the Comprehensive Plan, and the LDR. Any development within the floodplain
- 14 as identified on the FEMA maps will require compensating storage.
- 15 **L. Lighting.** Exterior lighting must be in accordance with the LDR, as amended, and consistent
- 16 with Dark-Sky Principles.
- 17 **M. Signage.** All signage must be in accordance with the LDR, as amended.
- 18 **N. Utilities.** The use of a private well and a septic tank system to provide service needs will be
- 19 permitted by the Florida Department of Health (DOH).
- 20 **O. Concurrency Management Requirements.** Any development must comply with the Lake
- 21 County Concurrency Management System, as amended.
- 22 **P. Bear Management.**
- 23 1. Property owner shall be required to keep garbage secure by using bear-resistant
- 24 garbage containers, modifying regular cans to be bear-resistant, or keeping cans in a
- 25 secured location.
- 26 2. Property owners shall not have bird and wildlife feeders that are not modified to exclude
- 27 bears.
- 28 3. Lake County shall have the right, but not the obligation, to enforce such provisions.
- 29 **Q. Development Review and Approval.** Prior to the issuance of any permits, the Owners shall
- 30 be required to submit a development application for site plan review generally consistent
- 31 with the Conceptual Plan attached as Exhibit "B" for review and approval in accordance with
- 32 the Comprehensive Plan and LDR, as amended.

33 **Section 2. Conditions.**

- 34 **A.** After establishment of the facilities as provided in this Ordinance, the property identified in
- 35 this Ordinance may only be used for the purposes identified in this Ordinance. Any other
- 36 proposed use must be specifically authorized by the Board of County Commissioners.
- 37 **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve,
- 38 move, convert, or demolish any building structure, add other uses, or alter the land in any

manner within the boundaries of the above described land without first obtaining the necessary approvals in accordance with the Lake County Code, as amended, and obtaining the permits required from the other appropriate governmental agencies.

C. This Ordinance will inure to the benefit of, and will constitute a covenant running with the land and the terms, conditions, and provisions of this Ordinance, and will be binding upon the present Owner and any successor, and will be subject to each and every condition in this Ordinance.

D. The transfer of ownership or lease of any or all of the property described in this Ordinance must include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Ordinance and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the LDR, as amended.

E. The Lake County Code Enforcement Special Master will have authority to enforce the terms and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

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

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

Section 5. Effective Date. This Ordinance will become effective as provided by law.

ENACTED this _____ day of _____, 2020.

FILED with the Secretary of State _____, 2020.

EFFECTIVE _____, 2020.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

LESLIE CAMPIONE, CHAIRMAN

1 **ATTEST:**

2 _____
3 **GARY J. COONEY, CLERK OF THE**
4 **BOARD OF COUNTY COMMISSIONERS**
5 **LAKE COUNTY, FLORIDA**

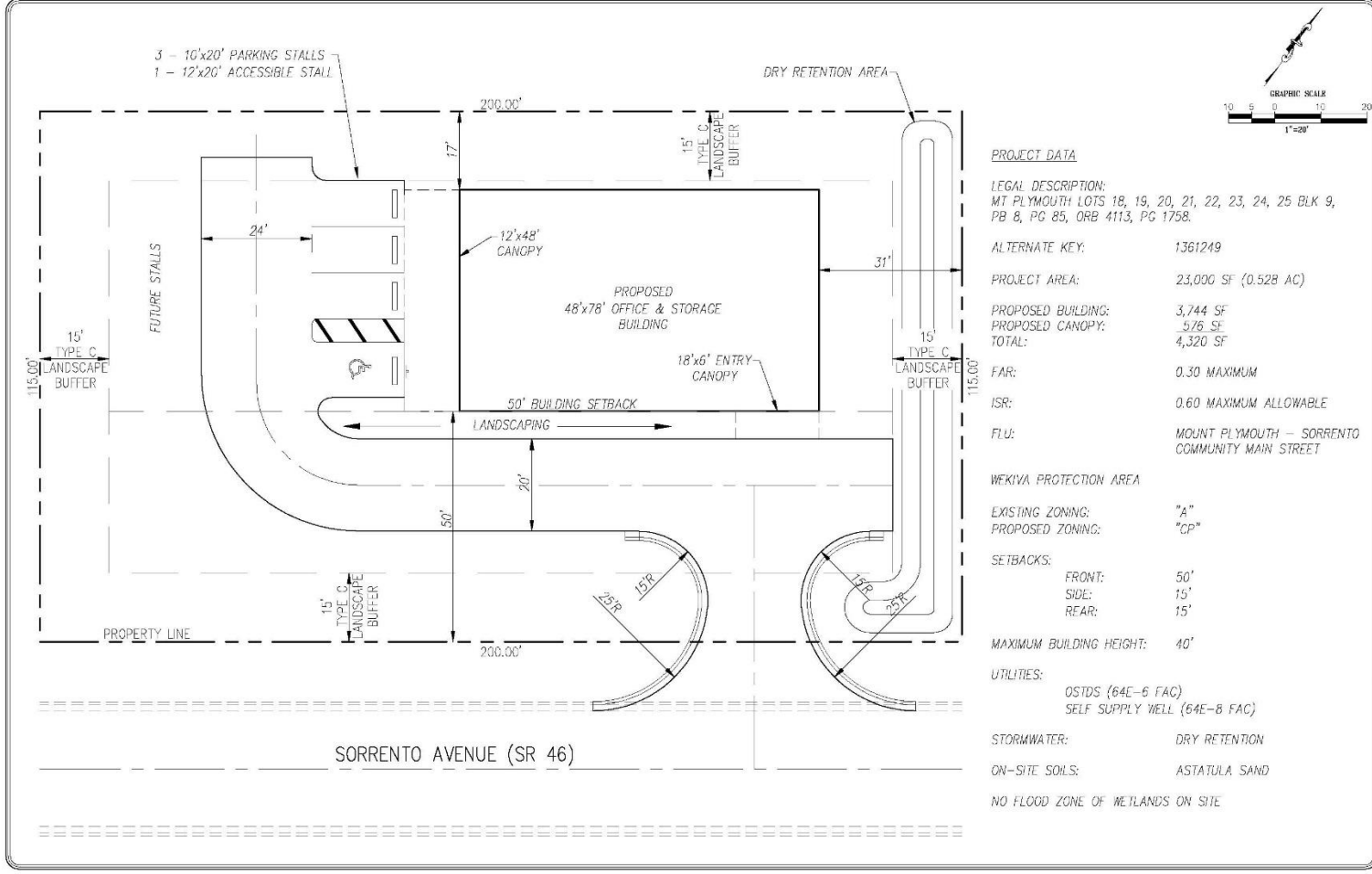
6 **APPROVED AS TO FORM AND LEGALITY**

7 _____
8 **MELANIE MARSH, COUNTY ATTORNEY**
9

1 **Exhibit "A" – Legal Description**

2 Lots 18, 19, 20, 21, 22, 23, 24, and 25, all in Block 9 in Section "A", Mount Plymouth, a subdivision in
3 Lake County, Florida, as recorded in Plat Book 8, Pages 85 to 85D inclusive, Public Records of Lake
4 County, Florida.

Exhibit "B" – Concept Plan



PROJECT DATA

LEGAL DESCRIPTION:
 MT PLYMOUTH LOTS 18, 19, 20, 21, 22, 23, 24, 25 BLK 9,
 PB 8, PG 85, ORB 4113, PG 1758.

ALTERNATE KEY: 1361249

PROJECT AREA: 23,000 SF (0.528 AC)

PROPOSED BUILDING: 3,744 SF
 PROPOSED CANOPY: 576 SF
 TOTAL: 4,320 SF

FAR: 0.30 MAXIMUM

ISR: 0.60 MAXIMUM ALLOWABLE

FLU: MOUNT PLYMOUTH – SORRENTO
 COMMUNITY MAIN STREET

WEKIVA PROTECTION AREA

EXISTING ZONING: "A"
 PROPOSED ZONING: "CP"

SETBACKS:
 FRONT: 50'
 SIDE: 15'
 REAR: 15'

MAXIMUM BUILDING HEIGHT: 40'

UTILITIES:
 OSTDS (64E-6 FAC)
 SELF SUPPLY WELL (64E-8 FAC)

STORMWATER: DRY RETENTION

ON-SITE SOILS: ASTATULA SAND

NO FLOOD ZONE OF WETLANDS ON SITE

Miss Engineering Services, Inc.
 201 West North Street, Suite 200, Tallahassee, FL 32301
 Phone: 904.209.1100

Revised: 03/16/20
 Date: 03-16-20
 Scale: AS SHOWN
 File No: 20209
 Sheet: 1 of 1

THRILL HILL PROPERTIES
 CONCEPT PLAN
 MOUNT PLYMOUTH, FLORIDA 32171