



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 7

Public Hearings: Planning & Zoning Board (PZB): June 3, 2020
Board of County Commissioners (BCC): June 16, 2020

Case No. and Project Name: RZ-20-12-3, Lake Square Presbyterian Church CFD Amendment

Applicant: Jimmy D. Crawford, Esq.

Owner: Lake Square Presbyterian Church

Requested Action: Amend CFD Ordinance #71-88 to include a private educational (K-5 school) use.

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

Case Manager: Emily W. Johnson, Planner

PZB Recommendation:

Subject Property Information

Size: 4.14 +/- Acres

Location: 10200 Morningside Drive, in the Leesburg area.

Alternate Key No.: 1390541

Future Land Use Category: Urban Medium Density

Existing Zoning District: Community Facility District (CFD)

Proposed Zoning District: Community Facility District (CFD)

Joint Planning Area/ISBA: Leesburg ISBA

Overlay Districts: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Medium Density	Urban Residential (R-6)	Residential	Single-Family Residences and Vacant Residential, Adjacent to Morningside Drive
South	Urban Medium Density	Urban Residential (R-6)	Residential	Single-Family Residences
East	Urban Medium Density	Urban Residential (R-6)	Residential	Single-Family Residences and Vacant Residential, Adjacent to Radio Road
West	Urban Medium Density	Urban Residential (R-6)	Residential	Single-Family Residences, Adjacent to Somerset Drive

– Summary of Analysis –

The subject property contains 4.14 +/- acres, is identified as Alternate Key Number 1390541, is zoned Community Facility District (CFD), and is designated as Urban Medium Density Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject property is currently developed with four buildings, utilized as a religious congregation facility and related accessory uses; one of the existing buildings contains classrooms currently used for religious instruction.

The application seeks to amend CFD Ordinance #71-88 to include a private educational facility (K-5 school), with a maximum of 50 students, as an allowed use.

- 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 request is consistent with LDR Section 3.01.02, *Classification of Uses*, which classifies a Primary or Secondary School as a community facility use, and defines a Primary or Secondary School as an organization formed and chartered for instructional purposes at a primary or secondary level, approved under the regulations of the State of Florida.

The request is consistent with LDR Section 3.01.03, *Schedule of Permitted and Conditional Uses*, which allows Primary or Secondary Schools within the CFD zoning district.

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

The request is consistent with Policy I-1.3.3, *Urban Medium Density Future Land Use Category*, which lists schools as a typically allowed use within the FLUC.

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

The subject property is currently zoned CFD, and developed with community facility uses; the school will provide additional educational options for school-aged children in the surrounding residential community.

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

The request is consistent with all applicable elements of the Comprehensive Plan, and LDR Section 3.01.03, which allows primary schools as a community facility use within the CFD zoning district. The applicant provided the following statement in regards to conditions which justify a rezoning, “[*The*] growing community requires additional and different options for school aged children. Existing facility in an urban area with plenty of parking justifies the request.”

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 and Sewer

Connection to central utilities must be addressed during site plan review.

Office of Public Safety

Lake County Fire Rescue Station #72 is located 2.6 miles from the subject properties at 12340 County Road 44, Leesburg, and will provide advanced life support should an emergency situation on the property demand this service. Fire protection water supply and emergency access will be addressed during the preliminary plat review process, should the rezoning amendment be approved by the Board.

Solid Waste

The request is not anticipated to adversely impact solid waste capacities or levels of service.

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 rezoning would result in significant adverse impacts on the

natural environment;

No impacts to the natural environment are anticipated; the subject property is currently disturbed and maintained with existing development. The school use will take place within the limits of existing development.

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

There is no information within the application that specifies impacts on property values.

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;

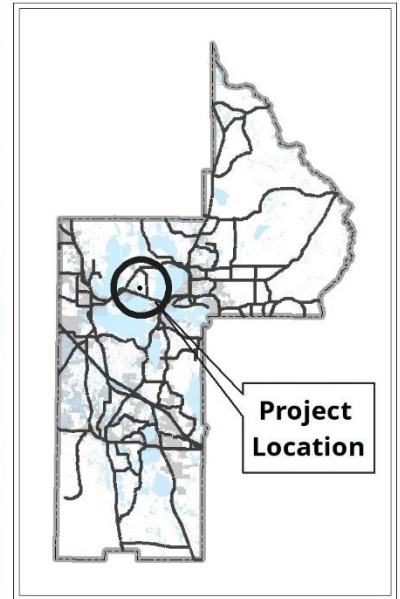
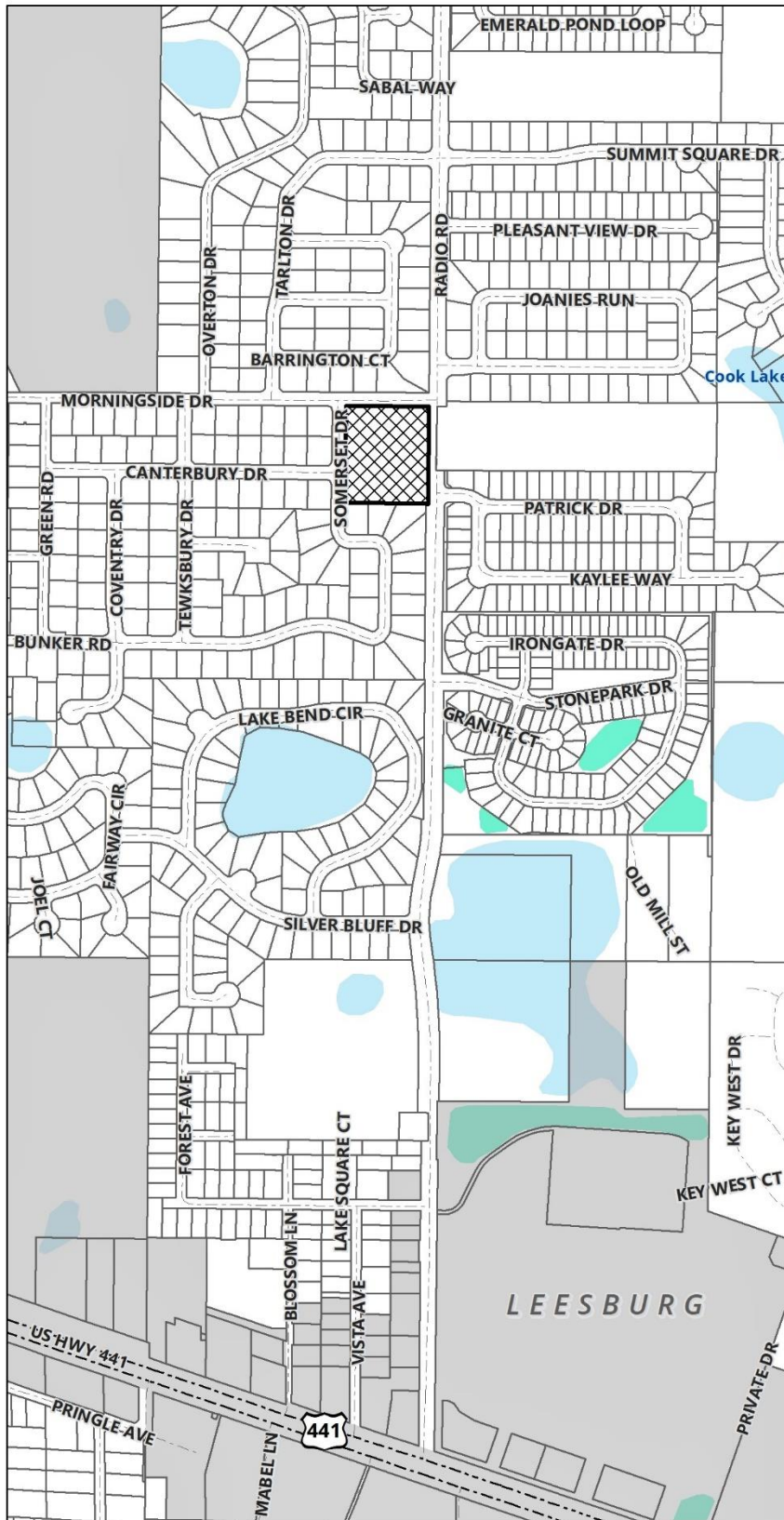
The proposed rezoning would not disrupt the existing orderly and logical development pattern of the area. The subject property is currently zoned CFD, and the school use will take place within the limits of existing development.

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

The request is in harmony with the general intent of the Comprehensive Plan and LDR as stated in Sections A through H above.

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.

N/A.



Future Land Use Map

CURRENT FUTURE LAND USE



FUTURE LAND USE LEGEND

- Urban Medium
- Urban Low

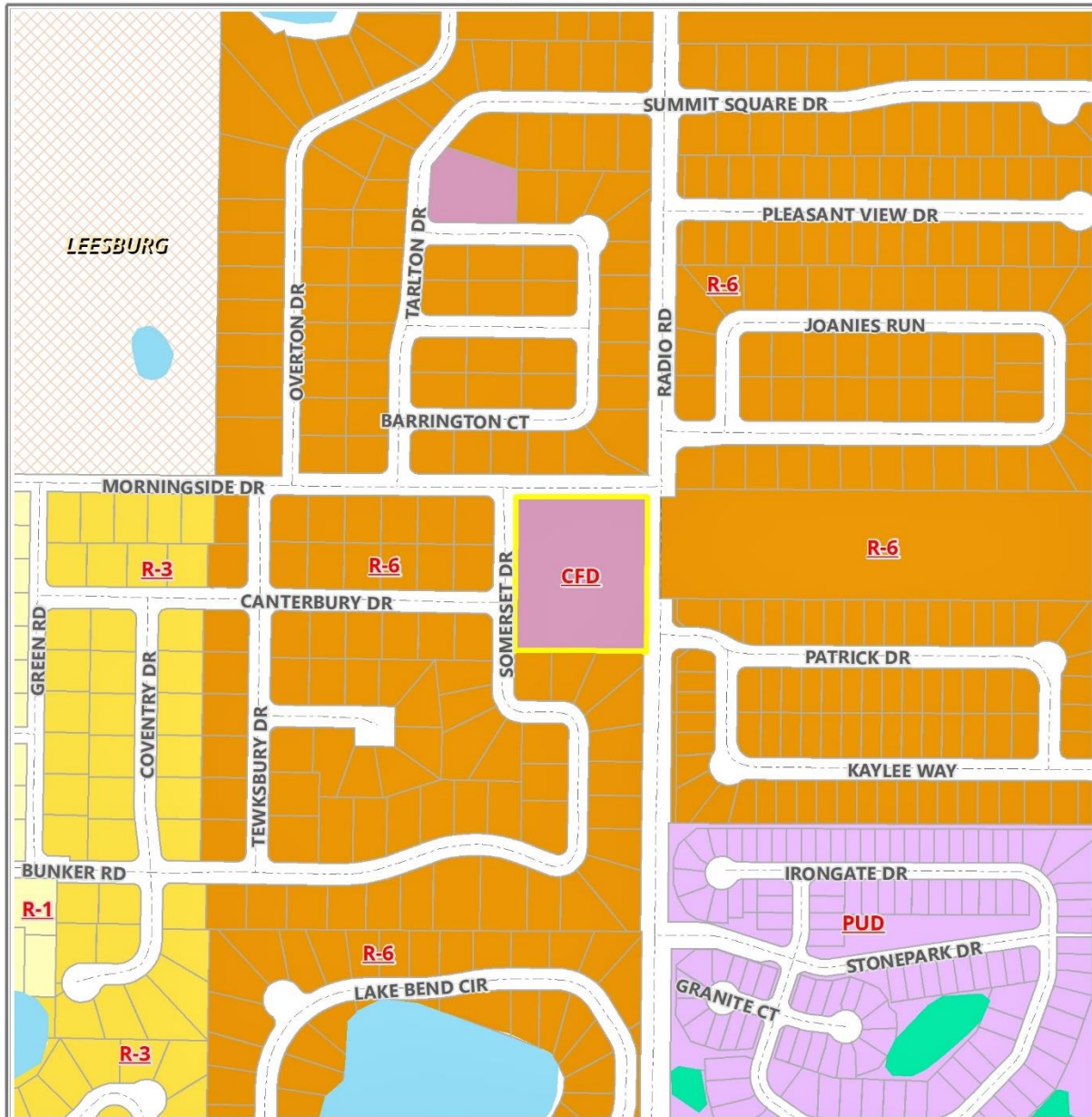
NAME: **LAKE SQUARE PRESBYTERIAN PROPERTY**
CASE NUMBER: **RZ-20-12-3**
LOCATION (S-T-R): **14-19-25**
REQUEST: **AMEND COMMUNITY FACILITY DISTRICT (CFD) TO ALLOW PRIVATE K-5 SCHOOL**

DISTRICT: **3**



Current Zoning Map

CURRENT ZONING



ZONING LEGEND

R-1 R-3 R-6 CFD PUD

NAME: LAKE SQUARE PRESBYTERIAN PROPERTY

DISTRICT: 3

CASE NUMBER: RZ-20-12-3

LOCATION (S-T-R): 14-19-25

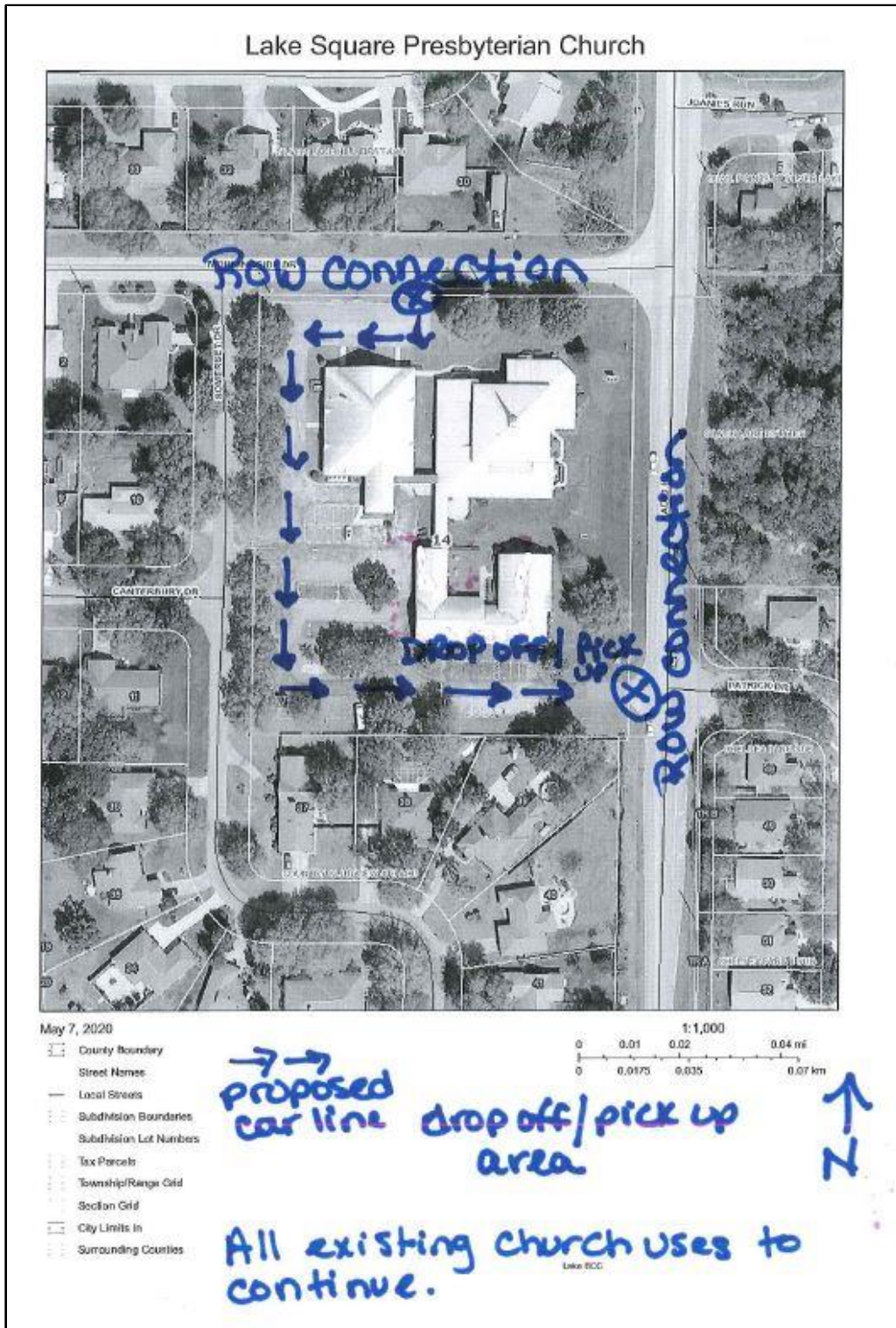
REQUEST: AMEND COMMUNITY FACILITY DISTRICT (CFD) TO
ALLOW PRIVATE K-5 SCHOOL



Attachment "A" – Concept Plan



Attachment "A" – Concept Plan (Page 2 of 2)



ORDINANCE #2020-XX
Lake Square Presbyterian Church CFD Amendment
RZ-20-12-3

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

3 **WHEREAS**, Jimmy D. Crawford, Esq. (the “Applicant”) submitted a rezoning application on
4 behalf of the Lake Square Presbyterian Church (“the Owner”) to amend CFD Ordinance #71-88 to include
5 a private K-5 school; and

6 **WHEREAS**, the subject property consists of 4.14 +/- acres, is located at 10200 Morningside
7 Drive in the Leesburg area, in Section 14, Township 19 South, Range 25 East, consisting of Alternate
8 Key Number 1390541, and more particularly described below:

9 EXHIBIT “A” – LEGAL DESCRIPTION

10 **WHEREAS**, the property subject to the request is located within the Urban Medium Density
11 Future Land Use Category (FLUC) as shown on the Lake County Comprehensive Plan Future Land Use
12 Map (FLUM); and

13 **WHEREAS**, on the 27th day of July 1988, the Lake County Planning and Zoning Commission
14 did review Petition #131-88-1, a request to revoke CUP #758-1 and rezone the subject property from
15 Urban Residential (R-1-7) to Public Facilities District (PFD); and

16 **WHEREAS**, as of the 31st day of May 1992, the Public Facilities District (PFD) zoning
17 classification was re-named Community Facility District (CFD); and

18 **WHEREAS**, the Lake County Planning and Zoning Board did review Petition RZ-20-12-3 on the
19 3rd day of June 2020, after giving notice of the hearing on the petition for change in zoning, including
20 notice that the petition would be presented to Board of County Commissioners of Lake County, Florida,
21 on the 16th day of June 2020; and

22 **WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations
23 of the Lake County Planning and Zoning Board, the staff report and any comments, favorable or
24 unfavorable from 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 has been duly approved.

27 **WHEREAS**, Ordinance #71-88 will be superseded and replaced by the adoption of this
28 ordinance.

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

32 **Section 1. Terms.** The County Manager or designee shall amend the Lake County Zoning Map in
33 accordance with this Ordinance. The uses of the property shall be limited to the uses
34 specified in this Ordinance and generally consistent with the “Conceptual Plan” attached
35 hereto as Exhibit “B”. To the extent where there are conflicts between the Conceptual Plan
36 and this Ordinance, this Ordinance shall take precedence. The adoption of this Ordinance
37 shall revoke and replace PUD Ordinance #71-88.

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- A. Land Uses.**
 - 1. Uses of the site described above shall allow the following:
 - a. Church Facility
 - b. Private Educational Facility (K-5 school), not to exceed 50 students

Accessory uses may be approved by the County Manager or designee. Any other use of the property will require approval of an amendment to this Ordinance by the Board of County Commissioners.
- B. Open Space, Impervious Surface Ratio, and Building Height.** Open space, impervious surface ratio, and building height shall be in accordance with the Comprehensive Plan, and Land Development Regulations (LDR), as amended.
- C. Setbacks.** Setbacks shall be in accordance with the LDR, as amended.
- D. Parking Requirements.** Off-street parking must be provided in accordance with the LDR, as amended.
- E. Environmental Requirements.** An environmental assessment dated within six (6) months of the development application submittal date will be required to demonstrate the presence of vegetation, soils, threatened and endangered species that may exist on the site. Any State permitting or mitigation will be required before development can commence compliance accordance with the Comprehensive Plan and LDR, as amended.
- F. Noise.** Noise assessment shall be in accordance with the LDR, as amended.
- G. Floodplain / Stormwater Management.**
 - 1. Prior to development, any required flood studies will comply with FEMA, Comprehensive Plan and LDR, as amended. Any development within the floodplain as identified on the FEMA maps will require compensating storage.
 - 2. The stormwater management system shall be designed in accordance with all applicable Lake County and St. Johns River Water Management District (SJRWMD) requirements, as amended.
- H. Transportation Improvements.**
 - 1. Sidewalks will be required per the LDR Commercial Design Standards, as amended.
 - 2. Transportation improvements and access management shall be in accordance with the Comprehensive Plan and LDR, as amended.
- I. Lighting.** Exterior lighting shall be consistent with Dark-Sky Principles and in accordance with the LDR, as amended.
- J. Landscaping, Buffering, and Screening.** Landscaping, Buffering, and Screening shall be in accordance with the LDR, as amended.
- K. Utilities.** The development shall connect to central potable water and central sewer, in accordance with the Comprehensive Plan and LDR, as amended. Connection to central

1 utilities must be addressed during site plan review and approval, otherwise the Applicant
2 must obtain a connection waiver from the BCC prior to site plan approval.

3 **L. Signage.** All signage must be in accordance with the LDR, as amended.

4 **M. Commercial Design Standards.** The commercial design of structures shall be in
5 accordance with the LDR, as amended.

6 **N. Concurrency Management Requirements.** Any development must comply with the
7 Lake County Concurrency Management System, as amended.

8 **O. Development Review and Approval.** Prior to the issuance of any permits, the Applicant
9 or Owner shall be required to submit a development application for review and approval
10 in accordance with the Comprehensive Plan and LDR, as amended.

11 **P. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific
12 references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake
13 County Comprehensive Plan, and Lake County Land Development Regulation shall
14 include any future amendments to the Statutes, Code, Plan, and/or Regulations.

15 **Section 2. Conditions.**

16 **A.** After establishment of the facilities as provided in this Ordinance, the property may only
17 be used for the purposes identified in this Ordinance. Any other proposed use must be
18 specifically authorized by the Lake County Board of County Commissioners.

19 **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,
20 improve, move, convert, or demolish any building structure, add other uses, or alter the
21 land in any manner within the boundaries of the above described land without first
22 obtaining the necessary approvals in accordance with the Lake County Code, as
23 amended, and obtaining the permits required from the other appropriate governmental
24 agencies.

25 **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with the
26 land, and the terms, conditions, and provisions of this Ordinance will be binding upon the
27 present Owners and any successor, and will be subject to each and every condition set
28 out in this Ordinance.

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

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

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

1 **Section 4. Filing with the Department of State.** The clerk is hereby directed to send a copy of this
2 Ordinance to the Secretary of State for the State of Florida in accordance with Section
3 125.66, Florida Statutes.

4 **Section 5. Effective Dates. This Ordinance will become effective as provided by law.**

5
6 **ENACTED** this _____ day of _____, 2020.
7 **FILED** with the Secretary of State _____, 2020.
8 **EFFECTIVE** _____, 2020.

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

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14 _____
15 **LESLIE CAMPIONE, CHAIRMAN**

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19 **ATTEST:**

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21 _____
22 **GARY J. COONEY, CLERK OF THE**
23 **BOARD OF COUNTY COMMISSIONERS**
24 **LAKE COUNTY, FLORIDA**

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28 **APPROVED AS TO FORM AND LEGALITY:**

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31 _____
32 **MELANIE MARSH, COUNTY ATTORNEY**
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EXHIBIT "A" – LEGAL DESCRIPTION

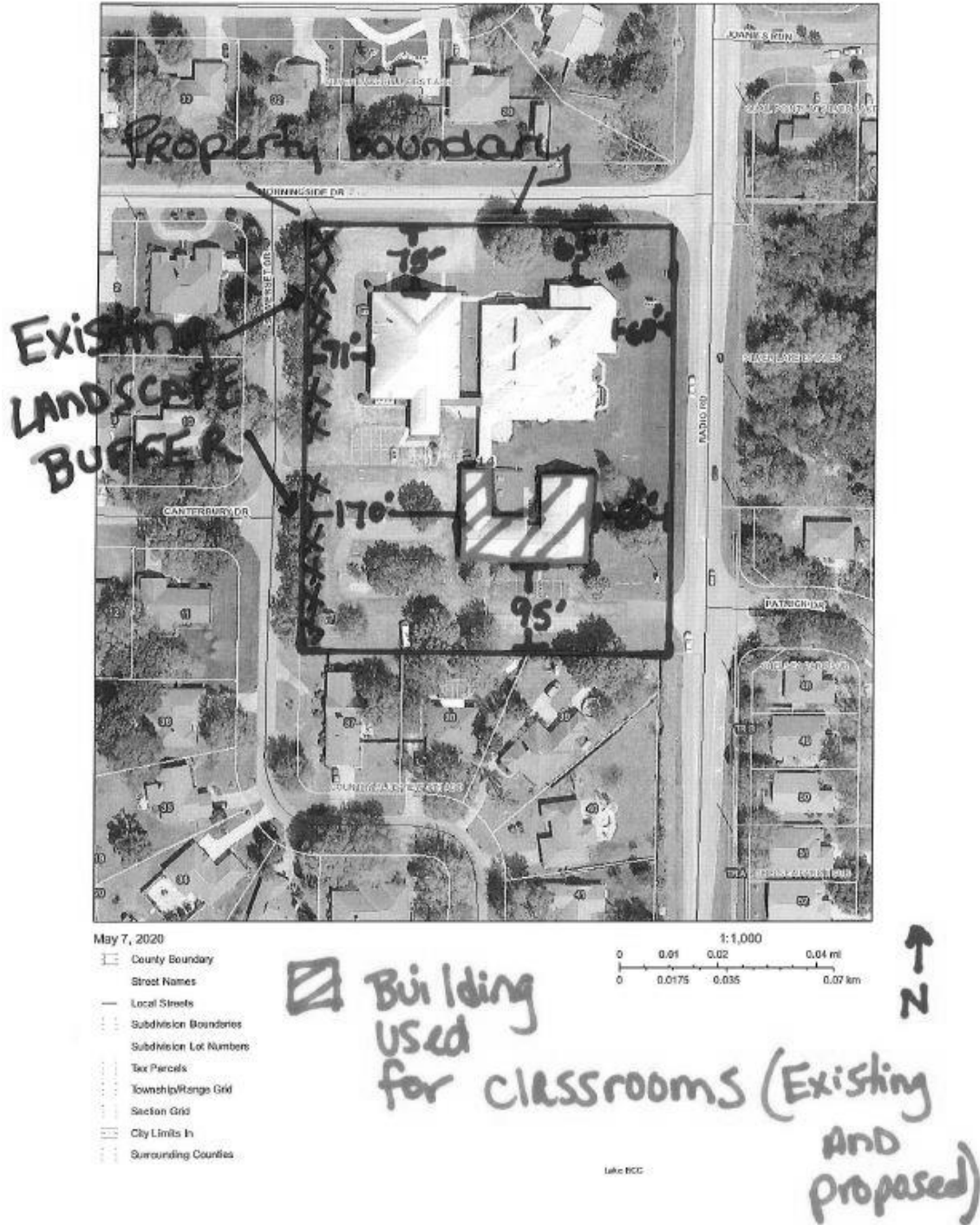
From the Northwest corner of the Southwest 1/4 of Section 14, Township 19 South, Range 25 East, Lake County, Florida, run Easterly along a midsection line 898.25 feet for a Point of Beginning, run thence South 00°03'40" East, 492.01 feet, thence North 89°25'08" East, 430 feet to the East line of the Northwest 1/4 of the Southwest 1/4, thence Northerly to the Northeast corner of said Northwest 1/4 of the Southwest 1/4, thence Westerly to the Point of Beginning, LESS 33 feet along the North side and 40 feet along the East Side for public roads.

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EXHIBIT "B" – CONCEPTUAL PLAN (Page 1 of 2)

Lake Square Presbyterian Church



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EXHIBIT "B"— CONCEPTUAL PLAN (Page 2 of 2)

Lake Square Presbyterian Church



May 7, 2020

- County Boundary
- Street Names
- Local Streets
- Subdivision Boundaries
- Subdivision Lot Numbers
- Tax Parcels
- Township/Range Grid
- Section Grid
- City Limits In
- Surrounding Counties

1:1,000
0 0.01 0.02 0.04 mi
0 0.0175 0.035 0.07 km

→ →
Proposed
car line drop off/pick up
area

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All existing church uses to
continue.

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