

# **TOWN COMMISSION MEETING AGENDA ITEM TOWN OF LADY LAKE, FLORIDA**

**AGENDA ITEM TITLE**

Ordinance 2022-12 – First Reading - Large-Scale Future Land Use Comprehensive Plan Amendment – Changing the future land use designation from Lake County Rural to Lady Lake Single Family Medium Density for property owned by Joseph H. O’Dell and Julien and Diana Malkiewicz; being approximately 172.707 acres; Referenced by Alternate Key Numbers 1283582, and 1283523, within Lake County, Florida.

**AGENDA ITEM ID**

2022151

**DEPARTMENT**

Growth Management

**STAFF RECOMMENDED MOTION**

Staff recommends approval of Ordinance 2022-12.

**SUMMARY**

On Tuesday, July 19, 2022, applications were filed with the Town of Lady Lake by Charles Brashier with CHW Professional Consultants, on behalf of property owners Joseph H. O’Dell and Julien and Diana Malkiewicz to amend the Future Land Use designation of 172.707 acres in accordance with the Town’s Comprehensive Plan to assign an appropriate Future Land Use designation. The request is to change the property from Lake County Rural to Lady Lake Single Family Medium Density. The subject property consists of two parcels located approximately 1,500 Feet north of Lake Ella Road and east of Cherry Lake Road, identified by alternate key numbers 1283582, and 1283523.

The subject properties are in Section 30, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal descriptions, location maps, and surveys of the properties were included with the submitted applications.

**FUTURE LAND USE**

EXISTING FLU. Existing Future Land Use designation is Lake County Rural. It is intended to protect rural lifestyles represented by single-family homes on large lots and to accommodate agricultural pursuits. New development cannot utilize regional water and wastewater utilities

within the Rural FLU classification. This FLU is limited to a maximum density of one dwelling unit per five acres.

PROPOSED FLU. Proposed Future Land Use designation is Lady Lake Single Family Medium Density (SF-MD). The Single-Family Medium Density FLU category has a maximum density of six dwelling units per acre. The FLU category is limited to detached single-family dwelling units, unless a PUD is implemented; with a PUD, multifamily, industrial, and commercial uses are also permitted.

The requested land use change would result in the potential for up to  $\pm 1,002$  additional dwelling units compared to the properties' current County entitlements. However, the requirements of the concurrently proposed Planned Unit Development (PUD) limit the overall density to  $\pm 4$  dwelling units per acre. Therefore, the limitation of dwelling units to be placed on the two subject properties is  $\pm 691$ .

#### **JUSTIFICATION FOR AMENDMENT**

The Large-Scale Future Land Use Amendment will help the Town achieve sustainable growth by assisting in the provision of adequate housing and the development of unique neighborhoods. The additional  $\pm 176$  acres of Single-Family Medium Density FLU will also help create favorable economic conditions by increasing property tax revenue for the Town. The extension of public facilities will be necessary for development to occur on these properties. All costs related to the extension of water and sewer infrastructure will be paid for exclusively by the developer. This will generate new customers and new revenue for the Town's Utilities Department. The developer will also contribute heavily to roadway improvements that will benefit residents beyond the boundaries of this project by enhancing the area's connected roadway network. A mixture of market rate single-family detached homes, age-restricted single-family detached homes, and single-family attached townhomes will be provided in the development of the Planned Unit Development (PUD), of which the lands of this Large-Scale Future Land Use Amendment will include. The land use requested for the properties, Single Family Medium Density, is the appropriate land use to accommodate housing diversity when paired with a PUD. The requested amendment does not promote, allow, or designate land for urban development while leaping over undeveloped lands which are available and suitable for development; the properties are proximate to existing and approved development. Lastly, the development to follow approval of this amendment will be of similar character and density to that of the properties' surroundings, ensuring broad area compatibility.

#### **ADJACENT PROPERTY CHARACTERISTICS**

Direction      Future Land Use Designations of Adjacent Properties

North Lady Lake SINGLE-FAMILY MEDIUM DENSITY, Lake County RURAL  
East Lady Lake SINGLE-FAMILY MEDIUM DENSITY, Lake County URBAN LOW  
South Lake County RURAL  
West Lake County RURAL

**ENVIRONMENTAL**

O'Dell Property:

The subject property is an active cattle ranch with a large herd of cattle. The property is regularly maintained and contains no wetlands or surface waters. One listed species, the gopher tortoise, was observed on site. There were no protected plant species found on the project sites. Protected plants are not expected to occur on the project site since the area has been previously cleared and used as a landscape nursery.

Two land-use types were determined for the project site. A brief description of each community is provided below:

211 – Improved Pasture

The dominate habitat type located on site. There is a barn as well as several shade structures for cattle present. This area is currently grazed by cattle so groundcover is low and a monoculture of bahia grass (*Paspalum notatum*). There are a few laurel oaks (*Quercus laurifolia*) present throughout this habitat.

420 – Upland Hardwood Forests

Isolated in the south-central portion of the property this area was left uncleared when the property was converted to pasture. Canopy species present consist of laurel oak, camphor tree (*Cinnamomum camphora*), live oak (*Quercus virginiana*), and Chinese tallow (*Triadica sebifera*). Groundcover was absent in most places with a heavy duff layer. Vegetation observed include Caesar weed (*Urena lobata*), bahia grass, and some blackberry (*Rubus fruticosus*).

Malkiewicz Property:

The subject property is an occupied single-family home. The habitat surrounding the home is mowed and maintained uplands. No listed species were observed on site. There are no wetlands present on site.

Two land-use types were determined for the project site. A brief description of each community is provided below:

### 110 – Residential, Low Density

Located in the northeastern portion of the property there is a home that is currently occupied. Vegetation surrounding the home consists of bahia grass (*Paspalum notatum*).

### 190 – Open Lands

The dominate habitat type located on site. There is a shed as well as a pad where a previous structure once was. This area is regularly mowed and maintained vegetation observed includes of bahia grass there are a few laurel oaks (*Quercus laurifolia*) and longleaf pines (*Pinus palustris*) present on site.

### IMPACT ON TOWN SERVICES

**Potable Water:** Conclusion: Maximum development potential of the subject properties would generate an estimated demand of  $\pm 259,000$  gallons per day on the Town's potable water infrastructure; considering a more accurate density of 4 dwelling units per acre, the consumption would be 172,750 gallons per day. The development to follow approval of this application will include the extension of Town potable water utility infrastructure at the expense of the developer to serve the project. Per Town of Lady Lake Public Works staff, the Town's current potable water capacity is approximately 300,000 GPD. The Town's water Consumptive Use Permit will be eligible for renewal in 2026. At this time, the allocations may be adjusted by the St. John's River Water Management District, potentially expanding potable water capacity. Adjustment to the Town's Consumptive Use Permit will ensure there is adequate capacity, at the appropriate time, to serve the development to follow this application. Last year's average consumption per day was 739,169 gallons per day.

**Sewer:** Maximum development potential of the subject properties would generate an estimated demand of  $\pm 259,000$  gallons per day on the Town's sanitary sewer infrastructure; considering a more accurate density of four dwelling units per acre, the consumption would be 172,750 gallons per day. The development to follow approval of this application will include the extension of Town sewer utility infrastructure at the expense of the developer to serve the project.

The Town's current sanitary sewer capacity is approximately 130,000 GPD. The Town has recently begun construction of a new wastewater treatment plant, which will increase this capacity. This plant is slated for completion in approximately two years. The new wastewater treatment plant will ensure there is adequate capacity, at the appropriate time, to serve the development to follow this application.

**Schools:** Maximum development potential of the subject properties would result in 163 new elementary-age students (109 when evaluated at four dwelling units per acre); 79 new middle school-age students (55 when evaluated at four dwelling units per acre); and 114 new high school-age students (79 when evaluated at four dwelling units per acre). The properties are within Concurrency Service Area (CSA) #8 and are zoned for Villages Elementary School, Carver Middle School, and Leesburg High School.

**Transportation:** Maximum development potential of the subject properties would generate an estimated  $\pm 8,506$  daily trips/ 881 pm Peak Hour Trips (5,694 Daily New Net Trip/ 599 pm Peak Hour Trips is the true impact of the concurrent PUD submittal including a total of 331 acres). A Traffic Analysis was submitted with the application. The analysis examines the potential maximum development scenario of the concurrently submitted PUD application. This analysis finds that the requested PUD rezoning is not projected to cause Level of Service deficiencies on the transportation network within the study area.

**Parks And Recreation:** As part of the residential development, additional activity-based recreational areas will be provided internally by the development. This application is submitted concurrently with a PUD alteration application, proposing to include the two subject properties in the adjacent PUD to the east. This proposed PUD will include  $\pm 130.36$  acres of open space and recreational opportunities for residents of the PUD. This provision of recreational opportunities will help address Level of Service demands on recreation facilities introduced by development of the properties.

**Stormwater:** Project will be required to adhere to St. Johns River Water Management District (SJRWMD) guidelines, drainage, and engineering best management practices.

**Flood:** The subject property (O'Dell) does contain portions of Flood Hazard Area A as per FEMA Firm Map 12069C0165E effective 12/18/12.

Staff mailed notices to inform the surrounding 89 property owners within 150 feet of the property proposed by the annexation request on Monday, July 25, 2022. The property was also posted Monday, July 25, 2022.

**FISCAL IMPACT**

Not applicable.

**SOURCE OF FUNDING**

Not applicable.

**FUNDING ACCOUNT**

Not applicable.

**PAST ACTIONS**

The Technical Review Committee found that Ordinance 2022-12 was ready for transmittal to the Planning and Zoning Board.

At the August 8, 2022 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance 2022-12 to the Town Commission with the recommendation of approval.

**PUBLIC HEARINGS**

The Local Planning Agency will consider Ordinance 2022-12 on Wednesday, September 7, 2022, at 5:30 p.m.

The Second and Final Reading of Ordinance 2022-12 will occur pending the receipt of comments from the Florida Department of Economic Opportunity (DEO), following transmittal after the First Reading.