

TOWN COMMISSION MEETING AGENDA ITEM TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Ordinance 2023-05 — First Reading - Small Scale Future Land Use Comprehensive Plan Amendment — Hien D. Nguyen and Barbara D. Kleinschrodt — Changing the future land use designation from Lady Lake Mixed Residential – Low Density (MR-LD) to Town of Lady Lake Commercial General - Retail Sales and Service (RET); for property being approximately 0.682 acres; Referenced by Alternate Key Numbers 2801573 and 2515678 within Lake County, Florida.

AGENDA ITEM ID

2023128

DEPARTMENT

Growth Management

STAFF RECOMMENDED MOTION

Staff recommends approval of Ordinance 2023-05.

SUMMARY

On Wednesday, May 10, 2023, applications were filed with the Town of Lady Lake by Michael Rankin with LPG Urban & Regional Planners, LLC, on behalf of property owners Hien Nguyen and Barbara Kleinschrodt to amend the Future Land Use designation of 0.68 acres into the Town’s Comprehensive Plan Map. The request is to change the property from Lady Lake Mixed Residential Low Density (MR-LD) to Lady Lake Commercial General-Retail Sales and Services (RET). The subject parcels consist of two contiguous, vacant lots located east of Clay Avenue, south of West Lemon Street and north of Highway 466, just northeast of the intersection of Highway 466 and Clay Avenue and approximately 0.3 miles west of the intersection of US Hwy 441 and West Lemon Street, identified by alternate key numbers 2801573 and 2515678.

The subject properties are in Section 17, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal description, a location map, and a sketch of the property were included with the submitted application.

FUTURE LAND USE

EXISTING FLU. The existing Future Land Use designation is Lady Lake Mixed Residential Medium Density. The Mixed Residential Low Density Residential category shall be limited to manufactured homes and detached single family dwelling units. Densities cannot exceed 5 units/acre. Multi-family, commercial and industrial uses are prohibited, however, a mixed-use PUD shall be allowed as outlined in Policy FLU 1-10.2. Public facilities shall be allowed as outlined in Policy FLU 1-2.3 and OBJECTIVE FLU 1-8.

PROPOSED FLU. The proposed Future Land Use designation is Lady Lake Commercial General – Retail Sales and Services (RET). This land use category is limited to retail sales and services which is an establishment engaged in the selling of products and services to the public for personal or household consumption, including but not limited to beauty/barber shop, laundry and dry-cleaning store, newsstand/bookstore, clothing stores, drug stores, home electronic equipment, food/grocery stores, hotel/motel, religious uses, professional services and sporting goods. The intensity standard for this land use category is limited to a maximum of 80% impervious surface ratio per parcel (which includes building coverage) and a maximum building height of 35 feet unless fire protection is adequately provided. The floor area ratio (FAR) shall be limited to a maximum of 0.50 for the Commercial General category.

FUTURE LAND USE DESIGNATIONS OF ADJACENT PROPERTIES

- North West Lemon Street ROW/ Mixed Residential Low Density (MR-LD)
- East Mixed Residential Low Density (MR-LD)
- South Lady Lake Commercial General- Retails Sales and Services (RET)
- West Professional Services (PS)

STATEMENT OF NEED

At the May 15, 2023, Special Conceptual Workshop Meeting, the applicant stated that with the absence of food establishments nearby the residents of the adjacent neighborhood, as well as visitors of the Town’s recreation facilities and library, could take advantage of getting a quick bite to eat with a short walk. The proposed number of tenants would provide a variety of fares for patrons to choose from as well. The dining area would be outside, with the ordering to be done within each tenant space. The concept is remarkably similar to that of a food truck operation; however, the ordering counters are not mobile.

The applicant proposes a 2,000-square-foot Fast-Food Restaurant without Drive-through and outside seating.

ENVIRONMENTAL

Both parcels are wooded. The flora includes a combination of large and small hardwood tree species none of which can be identified as dominating the canopy. Examination of existing site conditions revealed that the subject parcels historically have remained the site of mobile home residential units. Historical aeriels were researched back from 1957 to 1967 and it showed the project site as undeveloped maintain pastureland with remnants of an old citrus grove in the south portion. By 1984, the transition to a multi-parcel property is apparent with mobile residential units clearly visible throughout. There is no Special Flood Hazard Area found within these parcels as per FEMA FIRM Map 12069C0170E effective December 18, 2012. No wetlands were observed on site.

An Environmental Ecological Site Assessment was prepared on April 11, 2023, after a preliminary field and wildlife survey was conducted on March 28, 2023, for the occurrence of protected flora and fauna. The only threatened species that could potentially be found on within the site is the Gopher Tortoise. The surveys resulted in the location of no “potentially occupied” gopher tortoise burrows. The report recommended that a 100% survey be conducted prior to the initiation of any construction activities. In regard to the Florida Sand Skink, due to onsite conditions, the applicant should consult with the U.S. Fish Wildlife Service (USFWS) to determine if the subject parcels may be exempt from a coverboard survey. According to the Soil Survey for Lake County, Florida, the site includes mostly Candler Sand, 0 to 5 percent slopes (#8), nearly level to gently sloping, excessively drained soils found on rolling uplands of central ridge.

The site is within the Town of Lady Lake Utility Service Area and will be required to connect to potable water, sanitary sewer, and reuse facilities to support the needs of the overall project. In accordance with the Lady Lake Public Works Department, Connection to Town sewer will most likely require main line extension along CR 466, approximately +/-900 feet. Water and Reuse connections may require jack and bore under CR 466.

There are residential structures built along the northern boundary and across West Lemon Street, as well as to the east of the property. To the south, the subject parcels front Highway 466 and the Gold in Art Jewelers, which is zoned Light Commercial. To the west, there is vacant commercial land zoned Residential Professional (RP).

IMPACT ON TOWN SERVICES

Potable Water: The projected demand on the Water System for this project is 750 gpd or 3 ERUs for the commercial project. Based upon the proposed uses, there is adequate capacity at the present time. Consumptive Use Permit No. 50049 issued by St. Johns to the Town provides allocation of 1.188 million gpd.

Sewer: Based upon the proposed uses, there is adequate capacity at the present time. Town's Central Sewer Wastewater Treatment Plant Facility System allocation is 1.0 million gpd. Total impact to the wastewater system will be determined at time of site plan but is estimated not to exceed 3 ERUs or 750 gpd.

Schools: Lake County schools will not be impacted by this commercial project.

Transportation: If the property were developed in accordance to the highest intensity allowed under the future land use designation (14,810 square feet of retail) 806 daily trips could be generated with 98 trips occurring in the PM peak hour. However, the concurrent rezoning application is proposing a 2,000 square foot takeout restaurant with outdoor seating and no drive-through window will result in 12 new PM peak hour/peak directional trips.

Parks and Recreation: The Parks and Recreation Level of Service is not expected to be affected by the approval of this commercial project.

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 properties do not contain any Special Flood Hazard Areas nor wetlands as per FEMA Firm Map 12060C0170E effective 12/18/12.

At the June 12, 2023 meeting, the Planning and Zoning Board voted 3-1 to forward Ordinance 2023-05 to the Town Commission with the recommendation of denial. On Thursday, June 29, 2023, Ryan Solstice sent an email to Town Staff requesting a 60-day continuance to allow time to have a community meeting and to meet with Lake County Public Works to inquire about access to the site directly from Highway 466.

PUBLIC NOTICE

Property owners within 150 feet of the property proposed by the Small-Scale Future Land Use Map Amendment request on Thursday, May 25, 2023. The property was posted Tuesday, May 30, 2023.

On Wednesday, August 23, 2023, staff again mailed notices to inform the surrounding 11 property owners of the public hearings, and once again posted the property.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDING

Not applicable.

FUNDING ACCOUNT

Not applicable.

PAST ACTIONS

The Technical Review Committee found that Ordinance 2023-05 was ready for transmittal to the Planning and Zoning Board.

At the June 12, 2023 meeting, the Planning and Zoning Board voted 3-1 to forward Ordinance 2023-05 to the Town Commission with the recommendation of denial.

PUBLIC HEARINGS

The second and final hearing of Ordinance 2023-05 is scheduled for Monday, September 18, 2023 at 6:00 p.m.