

MINUTES
LAKE COUNTY PLANNING AND ZONING BOARD
October 29, 2014

The Lake County Planning and Zoning Board met on Wednesday, October 29, 2014 in County Commission Chambers on the second floor of the Lake County Administration Building to consider petitions for Rezoning Amendments, PUD Amendments, and Comprehensive Plan Amendments.

The recommendations of the Lake County Planning and Zoning Board will be transmitted to the Board of County Commissioners (BCC) for their public hearing to be held on Tuesday, November 18, 2014 at 9:00 a.m. in the County Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Paul Bryan, Chairman	District 5
Timothy Morris, Vice Chairman	District 3
Kathryn McKeeby, Secretary	District 1
Rick Gonzalez	District 4
Kasey Kesselring	At-Large Representative

Members Not Present:

Debbie Stivender	School Board Representative
Donald Heaton	Ex-Officio Non-Voting Military

Staff Present:

Amye King, AICP, Director, Growth Management
Chris Schmidt, Manager, Planning & Community Design Division
Steve Greene, AICP, Chief Planner, Planning & Community Design Division
Rick Hartenstein, Senior Planner, Planning & Community Design Division
Donna Bohrer, Office Associate, Planning & Community Design Division
Erin Hartigan, Assistant County Attorney
Seth Lynch, Engineer II, Public Works

Chairman Paul Bryan called the meeting to order at 9:04 a.m. and noted that a quorum was present and that the meeting had been duly advertised. He led the Pledge of Allegiance and gave the invocation.

Mr. Bryan explained the procedures for the meeting, noting that the cases on the consent agenda had been placed there by staff who were recommending approval on those without further discussion or public comment and that they were considered noncontroversial. He added that those who wish to speak on any of the cases on the Consent Agenda would fill out a card to do so and might result in that case being moved to the Regular Agenda. He stated that they were a recommending body, and the Board of County Commissioners would have final authority on those cases at their next meeting on November 18, 2014.

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Consideration of Minutes October 1, 2014

CONSENT AGENDA

<u>TAB NO:</u>	<u>CASE NO:</u>	<u>OWNER/APPLICANT/AGENT/PROJECT</u>
Tab 1	PH# 32-14-5	G & P Custer Property Rezoning
Tab 2	PH# 28-14-1	Hilochee Partners, LTD.
Tab 3	PH# 30-14-4	Payne Road/E. Hunter Ave.

REGULAR AGENDA

Tab 4	PH# 17-14-2	Johns Lake Landing PUD Amendment
Tab 5	LPA# 14/10/1-2	Wellness Way Sector Plan

Other Business

Adjournment

MINUTES

MOTION by Tim Morris, **SECONDED** by Kathryn McKeeby to **APPROVE** the Minutes of October 1, 2014 of the Lake County Planning and Zoning Board meeting, as submitted.

FOR: Morris, Gonzalez, Bryan, McKeeby, Kesserling

AGAINST: None

MOTION CARRIED: 5-0

PUBLIC COMMENT

Winton Williams, the Fair Housing Advocate with Community Legal Services of Mid-Florida, briefly discussed the history of the Fair Housing Act and its prohibitions against housing discrimination. He discussed the importance of locating shelters for the homeless and the victims of domestic violence. Also, he requested the Planning and Zoning Board to consider affordable housing needs for the lower income residents of Lake County when considering rezoning and land use issues.

AGENDA UPDATES

Mr. Steve Greene, Chief Planner, Division of Planning & Community Design, said under other business staff would be asking to have a Planning and Zoning Board member appointed to the Affordable Housing committee.

CONSENT AGENDA

<u>TAB NO:</u>	<u>CASE NO:</u>	<u>OWNER/APPLICANT/AGENT/PROJECT</u>
Tab 1	PH# 32-14-5	G & P Custer Property Rezoning
Tab 2	PH# 28-14-1	Hilochee Partners, LTD.
Tab 3	PH# 30-14-4	Payne Road/E, Hunter Ave.

MOTION by Tim Morris, SECONDED by Rick Gonzalez to APPROVE the Consent Agenda which includes Tabs 1, 2 and 3.

FOR: Morris, Gonzalez, Bryan, McKeeby, Kesserling

AGAINST: None

MOTION CARRIED: 5-0

TAB 4 PH# 17-14-2 Johns Lake Landing PUD Amendment

Rick Hartenstein, AICP, Senior Planner, said staff had received two letters requesting postponement, one from a Magnolia Point resident and another from Anita Geraci-Carver, representing the Magnolia Point homeowners association. Mr. Hartenstein said staff was ready to move forward.

Allison Turnbull, Holland and Knight, representing the applicant, said the application had been filed with the County in May and the traffic study in June. She said they had met with the homeowners association and the application has been postponed once. In response to a

question from Tim Morris, she noted that although the traffic study was not presented at the meetings, it was announced that it was on record with the County. She said information from the traffic study had been presented at those meetings, but they had not received a request for the traffic study until last Wednesday.

In response to a question from Rick Gonzalez, Mr. Hartenstein said staff had not received a request for the traffic study and staff had provided access to the entire file, which included the traffic study.

Anita Geraci-Carver, representing the Magnolia Point Homeowners Association, said she had not been at the July meetings. She said Mr. Blankenship was told a traffic study was not available. She requested it from the applicant last Wednesday but didn't receive a copy until Monday, which did not allow time for a traffic consultant to review the study.

In response to a question from Mr. Gonzalez, Ms. Geraci said she had not requested the traffic study from the County, while acknowledging she had just recently been retained.

Jim Hitt, Economic Development Director, City of Clermont, said the City would like a continuance to further discuss the utility services agreement, because of changes in the projected usage and to the access points. He said two to three weeks would be sufficient for the City's review. In response to questions from Mr. Gonzalez, Mr. Hitt said the site plan had changed significantly and new figures have not been provided.

Ms. Turnbull stated that they had met with the City and have been in contact with them regarding the changes to water and sewage. She said the traffic study had been available from the County and that the applicant was not amenable to a postponement, certainly not a three month postponement.

In response to a question from Kasey Kesslering, Mr. Hartenstein noted that the traffic study had been filed with the County on May 8, 2014 and staff had not received a request for the study.

Ms. Turnbull said the applicant was not amenable to a 30 day delay. She said they would continue to work with City and the home owners association before the Board of County Commissioners meeting.

There was some discussion by the Board on the request for a continuance. Mr. Gonzalez thought it should move forward, that enough time had been allowed for review and it had been continued once before. Mr. Morris said he preferred a 30 day continuance to allow everyone an opportunity to present their case. Mr. Hartenstein said staff had no objection.

MOTION by Tim Morris, SECONDED by Kathryn McKeeby to approve a thirty (30) day continuance on PH# 17-14-2, Johns Lake Landing.

FOR: Morris, Bryan, McKeeby

AGAINST: Gonzalez, Kesslerling

MOTION CARRIED: 3-2

Tab 5 Wellness Way Sector Plan LPA# 14/10/1-2

Amye King, AICP, Growth Management Director, introduced the Wellness Way Sector Plan (WWSP) transmittal hearing. She enumerated the challenges impacting South Lake County, including growth pressure from Orlando, the imbalance between residence/employment and the transportation network. She explained this is a text and map amendment to the Comprehensive Plan.

Robert Chandler, Director of Economic Development and Tourism, presented the WWSP. He explained that the growth pressure from Orlando was greatest towards the west making Clermont the second highest population growth area from 2000 to 2010. He added that as other areas surrounding Orlando were built out, the pressure on South Lake County will increase. Mr. Chandler discussed the employment/jobs balance, noting that the number of county residents seeking employment outside of Lake County has increased. He said the only major east-west transportation corridor is Highway 50 and without additional transportation corridors that congestion will only increase.

Mr. Chandler discussed the location of the sector plan, the breakdown of acreage, and the need for more economic development. He discussed the Interlocal Service Boundary Agreement (ISBA) with Clermont, explaining that the City's lowest density is 1.5 units per acre. He said the WWSP would direct development in that area, providing for infrastructure, improved transportation corridors, recreation opportunities and environmental corridors. He discussed the number of residential units that would be allowed in the WWSP as opposed to the number allowed by annexations into the City of Clermont.

Chris Schmidt, Planning & Community Design Manager, discussed the transmittal and adoption process for sector plans and the review process through the Department of Economic Opportunity (DEO). He explained that the sector plan's goal was long term planning for development, conservation and agriculture on a large scale.

Mr. Schmidt said the plan would be accomplished through adoption of a master plan and implemented through detailed specific area plans (DSAPs). He discussed the County's process including stakeholder outreach meetings, meetings with the Chamber of South Lake and the City of Clermont, the East Central Florida Regional Planning Council (ECFRPC), school board and the Lake Sumter Metropolitan Planning Organization (LSMPO). The plan includes five (5) tiers of land uses, 30% open space, a job to housing ratio and a net buildable acreage. The WWSP will coordinate an effective development pattern, transportation, long-range school planning. It is flexible, predictable and simple.

In response to a question from Mr. Bryan about non-residential uses, Mr. Schmidt confirmed that professional, medical offices were included. Mr. Schmidt explained how the plan would respond to market influence through the allocation of land for non-residential uses. He added that the ratio was based on the job to residence ratio.

Mr. Schmidt confirmed to Mr. Gonzalez that the landowners were willing to put these restrictions on the use of their land.

Mr. Morris discussed the 50% open space that can never be built upon and the Conserve II land.

Mr. Kesserling commended staff on undertaking such an ambitious project.

Mr. Schmidt explained that the adoption process would not prevent any landowner from moving forward with developing their land under the current Comprehensive Plan.

PUBLIC COMMENT

Miranda Fitzgerald, Lownes, Drosdick, Cantor and Reed, asked a question about financing options for regional infrastructure and if that policy would prohibit Community Development Districts (CDD).

Ms. King, explained that language would be amended to clarify that CDDs would not be prohibited.

Cecilia Bonifay, Akerman LLP, noted that she represented several landowners and had been involved in the process. She complimented staff, saying the process had been good and that staff had been responsive.

Dawn McDonald, Senior Planner, Lake County School Board, also complimented staff on this process, noting that they had been included in all the meetings. She voiced concern that sufficient school capacity would be available for the development.

Ms. King stated that the WWSP policies mirror the Comprehensive Plan, that there are concurrency policies in place, providing many ways to ensure the level of service (LOS) is maintained.

Winton Williams, reiterated concerns that affordable housing be part of the WWSP.

MOTION by Kasie Kesserling, SECONDED by Kathryn McKeeby to recommend the Board of County Commissions approve the Wellness Way Sector, LPA 14/10/1-2.

FOR: Morris, Gonzalez, Bryan, McKeeby, Kesserling

AGAINST: None

MOTION CARRIED: 5-0

OTHER BUSINESS

MOTION by Tim Morris, SECONDED by Kassey Kesserling on continue the appointment of Rick Gonzalez to the Affordable Housing Committee.

FOR: Morris, Gonzalez, Bryan, McKeeby, Kesserling

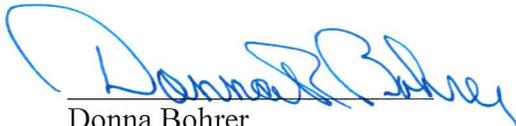
AGAINST: None

MOTION CARRIED: 5-0

There was discussion about having a quorum for the November 26, 2014 meeting date. Staff indicated they would solicit Planning and Zoning attendance prior to that meeting date.

There being no further business, the meeting was adjourned at 10:10 a.m.

Respectfully submitted,



Donna Bohrer
Public Hearing Associate



Paul Bryan
Chairman

Orlando Sentinel

Published Daily
ORANGE County, Florida

STATE OF FLORIDA

COUNTY OF LAKE

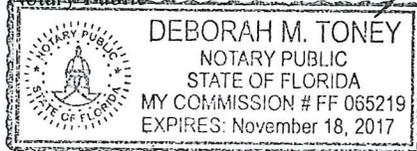
Before the undersigned authority personally appeared Sheri Schmitz / Adeliris DelValle / Brian Hall / Charity Casas / Pam Arnold, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, October 29, 2014 was published in said newspaper in the issues of Oct 14, 2014.

Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


Signature of Affiant

Sworn to and subscribed before me on this 14 day of October, 2014, by Sheri Schmitz / Adeliris DelValle / Brian Hall / Charity Casas / Pam Arnold, who is personally known to me or who has produced identification.


Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

NOTICE OF PUBLIC HEARING

The Lake County Planning & Zoning Board will hold a 9:00 a.m., public hearing on Wednesday, October 29, 2014 in the County Commission Chambers, County Administration Building, 315 West Main Street, Tavares, FL, to consider the following petitions. Recommendations of the Lake County Planning & Zoning Board regarding these petitions will be transmitted to the Lake County Board of County Commissioners at a 1:30 p.m. public hearing, or soon thereafter, on Tuesday, November 18, 2014, in the County Commission Chambers, County Administration Building, 315 West Main Street, Tavares, FL.

All interested citizens are welcome to attend the public hearing and review the petitions in the Planning Division, County Administration Building, Room 510, 315 West Main Street, Tavares, FL. Persons with disabilities needing assistance to participate in any of these proceedings should contact 352-343-9760, 48 hours in advance of the scheduled meeting.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by Board, they will need a record of the proceedings and they may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based. One or more County Commissioners and one or more members of different committees/boards may attend and may participate in discussions on any of the committee/board meetings noticed. All oral and written communications between Planning & Zoning Board members and the public concerning a case are prohibited by Florida Law unless made at the public hearing on the case.

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

PUBLIC HEARING NO.: PH# 32-14-5, G&P Custer Property Rezoning
REQUESTED ACTION: Amend CP Ordinance 2011-33 to increase Impervious Surface Ratio (ISR) to 70%.

GENERAL LOCATION: Lisbon Area, northeast corner of CR 44/Emeralda Road intersection

AND PUBLIC HEARING NO.: PH# 28-

14-1, Hilochee Partners, LTD./Royal Equestrian Ranch PUD
REQUESTED ACTION: Amend Planned Unit Development (PUD) Ordinance #2010-27 (Royal Equestrian Ranch Club) to add 11 +/- acres to the PUD and remove the provision for public water supply.

GENERAL LOCATION: South Lake County, West of the US Hwy 27/CR 474 intersection

AND PUBLIC HEARING NO.: PH# 30-14-4, E. Hunter Ave. Property Rezoning
REQUESTED ACTION: Rezone property from Rural Residential (R-1) to Community Commercial (C-2), Community Facilities District (CFD) and Agriculture (A).
GENERAL LOCATION: Sorrento area, Southwest of SR 46 and Hunter Avenue intersection.

AND PUBLIC HEARING NO.: PH# 33-14-2, Senniger Irrigation, Inc./Lake County Fire Station #90
REQUESTED ACTION: Rezone property from Planned Industrial (MP) to Community Facility District (CFD) to allow government uses.

GENERAL LOCATION: Clermont area, West of Hartle Road and South of SR 50

AND PUBLIC HEARING NO.: PH# 17-14-2, Johns Lake Landing PUD Amendment

REQUESTED ACTION: Amend Planned Unit Development (PUD) Ordinance #2014-9 to decrease commercial acreage and increase the number of residential units.

GENERAL LOCATION: East Clermont, southwest of SR 50 and Magnolia Pointe Blvd.

LAKE COUNTY DEPARTMENT OF GROWTH MANAGEMENT
DIVISION OF PLANNING & COMMUNITY DESIGN
315 WEST MAIN STREET
TAVARES, FL 32778
(352) 343-9641

LAK2753095

10/14/2014

Orlando Sentinel

October 14, 2014

Account: Lake Co. Board of County Commissioners
Attn: Donna Bohrer

RE: Wellness Way

To Whom It May Concern:

This is to verify that the Lake County Board of County Commissioners advertisement did run in The Lake Edition of *THE ORLANDO SENTINEL* on the following date(s):

Date	Section	Size
10-13-2014	Lake	3 col x 10.50 inch

Cost: \$333.90



Kristi Koffel
Retail Sales Manager
Advertising Department

Subscribed and sworn
before me this day,
October 14, 2014, in
the County of Lake.



10-14-14
Linda Jeannine Adkins, Notary



LINDA JEANNINE ADKINS
MY COMMISSION # FF 033320
EXPIRES: November 3, 2017
Bonded Thru Budget Notary Services

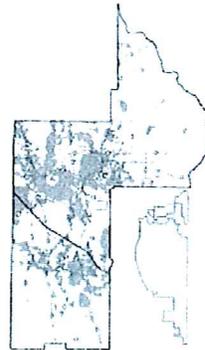
NOTICE OF PUBLIC HEARING ON COMPREHENSIVE PLAN MAP AMENDMENT

The Board of County Commissioners of Lake County, Florida, proposes to transmit the following ordinance to the Florida Department of Economic Opportunity, Division of Community Planning and Development:

LPA# 14/10/1-2
WELLNESS WAY SECTOR PLAN (WWSP)

ORDINANCE NO. 2014-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY COMPREHENSIVE PLAN BY PROVIDING TEXT AND MAP AMENDMENTS TO THE FUTURE LAND USE ELEMENT & MAP RELATED TO THE CREATION OF THE WELLNESS WAY SECTOR PLAN; PURSUANT TO F.S. CH. 163.3245; AMENDING POLICY 1-1.2.2 CONSISTENCY BETWEEN FUTURE LAND USE AND ZONING TO INCLUDE ADDITIONAL LAND USE CATEGORIES UNDER WELLNESS WAY SECTOR PLAN; CREATING GOAL I-8 WELLNESS WAY SECTOR PLAN; WITH OBJECTIVES AND POLICIES ESTABLISHING A LONG-TERM MASTER PLAN FOR THE SOUTHEAST LAKE REGION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL, PROVIDING FOR ADVERTISEMENT AND PUBLICATION AS REQUIRED BY SECTION 163.3184 (11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.



Public hearings on the ordinance will be held on October 29, 2014 at 9:00 a.m. before the Lake County Planning & Zoning Board and for transmittal by the Board of County Commissioners on November 18, 2014 at 1:30 p.m. or as soon thereafter, in the County Commission Chambers, 2nd Floor, County Administration Building, 315 West Main Street, Tavares, Florida.

The proposed ordinance amending the 2030 Comprehensive Plan Future Land Use Map and the staff report for the proposed amendment shall be available for review at the Department of Growth Management, Planning and Community Design Division, 315 West Main Street, Tavares, Florida, 8:00 a.m. to 5:00 p.m., Monday to Friday, excluding holidays.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if any person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at this public hearing, he or she will need a record of the proceedings, and is advised that, for such purposes, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Department of Facilities Development and Management at (352) 343-9760 at least 48 hours in advance of the public hearing.

Lake County Board of County Commissioners
Department of Growth Management
Planning & Community Design Div.
352-343-9641 (Chris Schmidt, Planning Manager)