



LAKE COUNTY

DEPARTMENT OF
GROWTH MANAGEMENT

June 5, 2009

Steve Mellich
Mellich-Blenden Engineering, Inc.
Winter Park, FL 32789

RE: Donelson II & Brenda K. Jones
Project No. 2009040023, Application No.1437
Description: Jones 85-Acres Presubmittal / AK#1598192

Dear Mr. Mellich:


The Development Review Staff has reviewed your pre-submittal application for the proposed 85-acres mixed use development. We have attached our review comments for your reference. Please feel free to use this information in the preparation of your formal development application.


A meeting to discuss the comments with DRS has been scheduled for May 7, 2009. The meeting will be held in Conference Room (#515) located on the 5th Floor of the Lake County Administration Building, 315 W. Main Street, Tavares, Florida.

Please be advised that our review of your pre-submittal application is a cursory review before filling any formal applications. The cursory review and comments related to the pre-submittal meetings do not constitute a waiver of any requirements contained in the County's Land Development Code, nor does it constitute an approval of your proposal or acknowledgement of application fees required for the formal application, when submitted.

Should you have any questions, please contact our office at (352) 343-9855.

Sincerely,


Mary Harris, Associate Planner
Division of Planning and Community Design
(352) 343-9739 ext.5565
Email: mharris@lakecountyfl.gov


Development Processing Section
(352) 343-9855

DEVELOPMENT PROCESSING SECTION
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District 1

ELAINE RENICK
District 2

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District 3

LINDA STEWART
District 4

WELTON G. CADWELL
District 5

HEALTH DEPARTMENT (352) 253-6130

Informational Comments

Item: WATER SUPPLY

Remarks: per application, water from Mt. Dora, please provide utility letter. Existing well must be properly abandoned by a licensed well driller. ec 5/4/09

Item: WASTEWATER DISPOSAL

Remarks: per application, city of Mt. Dora. Please provide utility letter. existing septic tank must be properly abandoned by a licensed septic tank contractor. ec 5/4/09

Item: SURROUNDING FEATURES (WELLS ETC.)

Remarks: site plan should show any neighboring wells and septic within 100' of subject property lines.

Review Status: COMPLETE

LANDSCAPE RVW - GRANT WENRICK 352-343-9739 EXT5832

Informational Comments

Item: LANDSCAPE PLAN

Remarks: 05-05-09 - 1st Review

Informational - The applicant is advised that updates are pending to the Landscape Code and Tree Removal Permit that are expected to be heard by the Board of County Commissioner's in June 2009. These updates have the potential to change the future site plan requirements. All landscaping shall meet the requirements of the Landscape Ordinance in effect at the time of submittal of a site plan.

05-05-09 - 1st Review

Informational - During the future platting and site plan stage a landscape plan will be required to be developed and signed and sealed by a landscape architect since the project is mixed use. The plan shall generally depict the following information:

a) A perimeter landscape buffer type B around the entire perimeter of the site. The buffer shall be a separate tract of land from the residential lots.

b) Providing a minimum number of canopy trees in the common open space areas. Currently at six (6) canopy trees per acre but set to increase to ten (10) canopy trees with the new code.

c) Providing a landscape buffer to the eastern six residential lots and the southern eight residential lots around the proposed commercial area. The buffer shall comprise of a wall or fence to comply with section 3.05 of the Land Development Regulation. The buffer shall be a separate tract of land from the

residential lots.

d) Providing the appropriate number of canopy trees on the residential lots.

e) Providing internal parking lot landscaping for the commercial section of the development.

f) Recommendation - Additional fencing or a wall may be deemed appropriate between the proposed residential and the less dense adjacent residential. The applicant should consider additional screening in these areas as a way to mitigate the increased densities in these areas.

g) Section 9.01.04 Land Development Regulations requires new single-family and multi-family residential development of more than 20 units to provide a treed boulevard along the length of the development along all rights of way.

h) A 25-foot vegetated wetland buffer is also required.

Item: TREE REMOVAL APPLICATION

Remarks: 05-05-09 - 1st Review

Informational - The applicant is advised that updates are pending to the Landscape Code and Tree Removal Permit that are expected to be heard by the Board of County Commissioner's in June 2009. These updates have the potential to change the future site plan requirements.

05-05-09 - 1st Review

Informational - During the future site plan construction stage the applicant shall provide a Tree Removal Permit along with a mitigation plan that meets the requirements.

Review Status: COMPLETE

FIRE - GUTTING/SIKES (352) 343-9653 EXT. 5427

Informational Comments

Item: PROVIDE NEEDED FIRE FLOW CALCULATIONS FOR THE BUILDING (S) PER LDR CHAPTER 9.08 ON THE PLANS

Remarks: Will be needed at time of site plan review.

Item: PROVIDE FIRE DEPARTMENT ACCESS PER FLORIDA FIRE PREVENTION CODE 2007

Remarks: Will be needed at time of site plan review.

Item: ADD FIRE PROTECTIONS SYSTEMS NOTES FOR POINT OF SERVICE, TAMPER SWITCHES, AND SIGNAGE

Remarks: Will be needed at time of site plan review. If applicable.

Item: STORAGE ARRANGEMENT & COMMODITY CLASSIFICATION OF STORAGE

Remarks: Will be needed at time of site plan review.

Item: PROVIDE QUANTITY OF ALL HAZARDOUS MATERIALS AND MSDS, INCLUDING NFPA 704 INFORMATION

Remarks: Will be needed at time of site plan review. If applicable.

Item: PROVIDE ACCESSIBLE ROUTE/PATH OF TRAVEL TO A PUBLIC WAY FROM ALL REQUIRED EXITS (SIDEWALKS)

Remarks: Will be needed at time of site plan review.

Item: LOCATION OF FIRE HYDRANTS AND/OR FIRE PROTECTION WATER STORAGE TANKS (CHAPTER 9 OF LDR AND NFPA 1142)

Remarks: Will be needed at time of site plan review.

Item: LOCATION AND SIZE OF FUEL STORAGE TANKS

Remarks: Will be needed at time of site plan review. If applicable.

Item: ADD NOTE ON PLAN FOR KNOX BOX, LOCK OR ACCESS SYSTEM PER NFPA 1 SECTION 10.12

Remarks: Will be needed at time of site plan review. If applicable.

Review Status: NEED MORE INFO

PLANNING & COMMUNITY DESIGN DIVISION

Informational Comments

Item: PROPOSED DEVELOPMENT DESCRIPTION (REDEVELOPMENT OR NEW DEVELOPMENT)

Remarks: Mixed Use Residential / Commercial PUD development proposing 288 single family units and 19,000 square feet of commercial space on 85.78 acres.

Providing there is sufficient area available for the commercial floor area allocation based on the location criteria discussed below for the proposed commercial space, a Future Land Use Map Amendment may not be required.

Based on the proposed application, the following information is being provided in accordance with the Comprehensive Plan and the Land Development Regulations. Please be advised that the Comprehensive Plan is currently being revised and may change the information provided to you. Any information provided herein, does not alleviate an applicant from complying with those requirements of the Comprehensive Plan or any other rules or regulations thereof as they may be amended in the future. Please note that the Board of County Commissioners (Board) is currently considering a new landscape ordinance that may affect the information provided in this letter.

DEVELOPMENT REVIEW : (Items/Issues to be referenced as applicable)

Please note that Lake County is in the process of adopting Comprehensive Plan amendments that could change the information provided in this letter. The County recently adopted changes required by the Wekiva Parkway and Protection Act and is also in the process of revising the entire Comprehensive Plan. Both

these actions could affect the manner in which this property could be developed in the future. A rezoning, which would be required for this proposal, does not guarantee or vest, future development as proposed. Copies of the Wekiva Comprehensive Plan Amendments are included for your reference and the draft 2030 Comprehensive Plan is available for review at:

http://www.lakecountyfl.gov/departments/growth_management/planning_and_community_design/comprehensive_planning/.

STAFF COMMENTS:

Based on the information provided and on currently effective policies and regulations, the proposed use would require a change in zoning to Planned Unit Development (PUD) Zoning. This zoning allows some flexibility for the mixed use development. An application for Rezoning must be submitted for public hearing and must receive final approval by the Board. Please be aware that the information provided below is based on currently adopted policies and regulations that are proposed for revision.

Residential

The request to construct a 288 residential development at the density proposed must be demonstrated by meeting the criteria of the Urban Area Residential Density Point System using the methodology outlined in Section 3.03.03 of the Land Development Regulations. Based on this methodology a maximum density of 4.5 dwelling units per net acre would be allowed on the property. Development within the UCN-Non Wekiva is based on net acres pursuant to Comprehensive Plan Policy 1-20.4(d) and Section 3.02.02 LDR.

The property contains a total gross area of 85.78 acres. Based on County wetlands data, approximately 14.998 acres of wetlands exist on the property leaving 70.78 acres available for development. The maximum number of units that can be possibly constructed based on this data is 321. The request for 288 units is within this maximum density. Please note that this is the maximum number of units that would be possible under this one criteria; an analysis of the rezoning application may result in a recommendation for less units and without such an analysis a recommendation at this stage cannot be determined. A minimum of 25% common open space is required.

Commercial

The Comprehensive Plan provides for new commercial development in the Neighborhood Activity Center land use designation without a Land Use Plan Amendment, provided that the development meets locational criteria for this commercial development and the criteria established within other policies of the Comprehensive Plan. Policy 1-3A.1 (3) (c) allows combined commercial allocations from 10,000 to a maximum 50,000 square feet of gross leasable area.

Based upon the above policy and your proposal to develop 19,000 square feet of commercial uses, you must demonstrate that the capacity for the uses proposed is available. Existing commercial development in the allowable density may impact the availability for the additional commercial uses. Commercial uses will be limited to those uses of the Neighborhood Commercial (C-1) Zoning District.

Open space for commercial shall be provided at a minimum of 20% for

commercial uses, per the Comprehensive Plan Policy 1-1.2.

Floodplain

According to the FEMA Flood Insurance Rate Map, Panel 395 (12069C0395D), a substantial amount of the site is located within the 100-year flood plain - Flood Zone AE. Development within the floodplain must meet all special design criteria, including but not limited to elevation or flood proofing of structures, preservation of hydrological flow and compensatory water storage.

Noise

A noise study, in compliance with the adopted Noise Ordinance, Section 9.09.00, Land Development Regulations, may be required with development applications to ensure compatibility to adjacent properties. A copy of these requirements can be provided upon request.

Item: PROPERTY LOCATION

Remarks: Urban Compact Node - Non Wekiva (Urban) and Neighborhood Activity Center.

Item: OUTSIDE AGENCY APPROVALS REQUIRED (SJRWMD, DEP, US ARMY COE, FFWCC, ETC.)

Remarks: Approvals of St. Johns River Water Management District and/or Department of Environmental Protection (DEP) may be required with development applications. These permits are not required, at this time, for rezoning applications. A copy of these permits must be provided to Lake County, if applicable for construction plans and site plan applications.

Item: SETBACKS PROPOSED

Remarks: The preliminary conceptual plan is proposing setbacks for the residential development at 20 ft on front; 25 ft rear; 5 ft sides; and 15 ft from side streets. Setbacks may be subject to final approval of the rezoning and submittal of an approved site development plan.

Item: PARKING PROPOSED

Remarks: The preliminary conceptual plan appears to have calculated parking using office / retail general uses for the commercial portion. Parking shall be provided at a minimum of one (1) space per 200 square feet of gross leasable area. A minimum of 95 parking spaces shall be provided, based on the proposed commercial square feet.

Item: WATER/SEWER PROVISIONS

Remarks: The application indicates that utilities (potable water) will be provided by the City of Mount Dora. This site is currently outside of the City's Utility Service Area. A letter must be provided to the County stating that the City can provide service to the site.

Review Status: COMPLETE

PUBLIC WORKS DEPT. - ROSS PLUTA (352) 483-9041

Informational Comments

Item: TRANSPORTATION

Remarks: 4-22-09 SNL

Public Works has the following requirements for transportation improvements that would need to be included with future development plans.

The entrances for the site will be required to provide turn lanes designed to County standard.

The realignment area on the east side for CR 437 connection to the proposed road will be required to provide turn lanes designed to County standards.

Item: RIGHT-OF-WAY

Remarks: 4-22-09 SNL

The following is preliminary right-of-way information found when reviewing for the presubmittal application.

Site fronts on CR 437 (#3986) w/24 feet of recorded R/W from centerline (total varies from 24' to 40'). Classified as a Rural Major Collector requiring 50 feet from centerline (100' total). Per Ross, no Dolan test required during the Pre-submittal process.

Also fronts on Harbeck Ln. a non county maintained road, no R/W requested.

Note: All existing easements identified in a title opinion should be shown on the final plat. Any easement lying within additional required right of way will require subordination or release.

Item: FLOODPLAIN

Remarks: The proposed site for the Commercial and Single Family Residential contains Flood Zone AE- base flood elevation determined and Flood Zone A - no base flood elevation determined. These flood zones may require further information with future development plans.

Item: ACCESS MANAGEMENT

Remarks: 4-22-09 SNL

The new CR 437 will be required to have 120 ft R/W width or 100 ft R/W width with 10 ft easements on either side for Utilities.

The old CR 437 will need to be aligned off of the proposed new road to meet access management, sight distance, and traffic safety standards. The new road will need to be designed and constructed to meet County standards.

Review Status: APPROVED W/COMM

ENVIRONMENTAL REVIEW- JENNIFER COTCH (352)343-9739

Informational Comments

Item: ENVIRONMENTAL ASSESSMENT

Remarks: An Environmental Assessment (EA) addressing habitat and species shall be submitted to the County during the Preliminary Plat review phase of the project

Item: WETLANDS

Remarks: There are wetlands located on the project site. Wetland buffers and setbacks shall be maintained.

In accordance with Lake County Comprehensive Plan Policy 1-2.1E., Wetlands within the project area shall be placed in a conservation easement

Item: PROTECTED SPECIES

Remarks: A site inspection conducted by county staff revealed the presence of gopher tortoises on the property. The gopher tortoise is listed as a threatened species by the Florida Fish and Wildlife Conservation Commission (FWCC). Any impact to the gopher tortoise or its burrow will require a permit from the FWCC. Said permit will be required prior to construction plan approval. A 100% gopher tortoise survey of suitable habitat shall be submitted with the EA submitted at Preliminary Plat review.

Review Status: COMPLETE

PUBLIC WORKS TRANSPORTATION

Informational Comments

Item: TRANSPORTATION CONCURRENCY

Remarks: 04/21/09 SL:

A Traffic Impact Study will be required. Please contact Sharon Lewis at Lake County Public Works (352) 483-9050 for additional information.

Review Status: COMPLETE