LAKE COUNTY
DEPARTMENT OF
GROWTH MANAGEMENT
Planning & Community Design Division

December 9, 2011

Bryan Potts, P.E.
C/O Tannath Design.
2494 Rose Spring Drive
Orlando, FL 32825

RE: Pre-submittal Application –
RaceTrac (Woodcrest Way and US Hwy 27)
(Project #2010060010, Application Request #1959)

Dear Mr. Potts:

The Development Review Staff (DRS) have reviewed your pre-submittal application for a convenience store with gasoline sales on approximately 3.6 acres at the intersection of US Hwy 27, which includes a proposed extension of Woodcrest Way. The DRS review comments provided below is for your reference. Please use this information in the preparation of your formal development application.

As discussed on December 5, 2011, written comments only were requested for this application. A meeting to discuss these comments with DRS has not been requested, however after reviewing the comments, you may request one if desired. If so, please contact me and I will assist you in scheduling a DRS meeting.

Please be advised the review of your pre-submittal application is a cursory review based on the information provided. The following comments are included to inform you of Code requirements, fees, or processes that will be required when you move forward with the Rezoning Application process. The cursory review and comments related to the pre-submittal meetings do not constitute a waiver of any requirements contained in the County's Comprehensive Plan, Land Development Regulations, nor does it constitute an approval of your proposal.

REVIEW / INFORMATIONAL COMMENTS

Planning and Community Design Division

1. The project proposes a 5,928 square foot convenience store with gasoline pumps for fuel sales on approximately 3.6 acres. The proposed location is a portion of two (2) parcels (AK #1595169 and AK #1071011) consisting of approximately 98.68 total acres.

2. The project site is situated on 98 +/- acres. The current zoning for the property is Agriculture and C-1. The Future Land Use Category (FLUC) is Green Swamp Ridge which has a maximum intensity of 0.25 and a density of four (4) dwelling units per net buildable acre.

3. The property is located in the Green Swamp Area of Critical State Concern. As such, a copy of all development orders within this land use category issued by the County will be provided to the Office of Economic Opportunity, Areas of Critical State Concern for review and comment.

4. The maximum intensity of the Green Swamp Ridge FLUC is 0.25 Floor Area Ratio (FAR), the maximum Impervious Surface Ratio (ISR) is 0.45, and the maximum building height is limited to 40 feet. Commercial uses, including services and retail trade are limited to 5,000 square feet or less per parcel. However, the square footage can be increased to the maximum FAR and ISR providing the development meets or exceeds the sustainable building rating and certification system (green building) and retains the first three (3) inches of stormwater runoff on the property.

5. There are a few options available depending on the development intentions.
   A. Option #1

   - Develop and rezone the total acreage (98 +/- acres) as a mixed use Planned Unit Development (PUD) consisting of a mix of residential and commercial uses.

   - Mixed use PUDs in the Green Swamp Ridge FLUC are limited to a maximum of twenty (20%) percent of the net buildable area of the site for commercial use. Strip commercial is prohibited.

   - Residential development is required to be developed using Planned Unit Development Zoning and must dedication of a minimum of forty (40%) percent of the net buildable area of the project site as common open space.

   - If a PUD rezoning application is submitted, a bubble concept plan will be required for the rezoning. Be sure to include the proposed uses, density, open space, ISR, FAR, landscape buffer areas, proposed access, proposed rights-of-way, adjacent FLUC, and adjacent Zoning Districts at a minimum.

   B. Option #2

   - Develop and rezone approximately 5 +/- acres of the total 98 acres described in the application for a convenience store with gas pumps and leave the remainder zoned Agriculture.

   - Submit a Rezoning Application to rezone the portion from C-1 and Agriculture to Planned Commercial (CP). Provide a sketch of description prepared by a surveyor with the rezoning application describing the boundaries of the area to be rezoned.

   - Provide a conceptual plan showing the proposed structure location, driveway connection, setbacks, building square footage, building height, FAR, ISR, parking, landscape buffers, fuel dispenser area, storage tank/s location, and proposed access at a minimum.

   - Please be aware, the same rules apply for the rezoning to commercial. Commercial uses, including services and retail trade are limited to 5,000 square feet or less per parcel. However, the square footage can be increased to the maximum FAR and ISR providing the development meets or exceeds the sustainable building rating and certification system (green building) and retains the first three (3) inches of stormwater runoff on the property.

6. The rezoning of the property, either Option #1 or #2 will not require any outside agency approvals. If the rezoning is approved, at a minimum, platting and/or a site plan will be required prior to any development of the site. Possible outside agency approvals may be required by the St. Johns Water Management District (stormwater), Florida Department of Transportation (road access), Florida Fish & Wildlife Commission (species relocation/removal), and Florida Department of Environmental Protection (fuel storage tank permitting) to name a few.

Site Plan Requirements for Convenience Retail

1. All structures shall be setback a minimum of 50 feet from all rights-of-way and a minimum of 15 feet from property lines not fronting on a right-of-way.

2. Parking requirements for retail convenience is one (1) vehicle space per 200 square foot of gross leasable area. The required number of vehicle spaces is 5,928 square feet % by 200= 30 vehicle spaces required. Any parking spaces in excess of the required 30 space shall be pervious parking such as turf blocks or grass parking.

   Single parking rows that have 10 continuous parking spaces or extend more than 120 feet must provide a terminal island. Each terminal island shall contain a minimum pervious area of 300 square feet . and be a minimum of 12 feet wide. Each terminal island shall contain a minimum of one canopy tree and a single row of 2-foot high shrubs the length of the island or as limited by sight distances.

3. Please ensure the submitted site plan shows the perimeter landscape buffer areas. The detail for these areas should be included on a separate Landscape Plan.

4. South Lake Utilities is the service provider for water and sewer. Be sure to obtain a Utility Availability Letter from the service provider to submit with the site plan application acknowledging that water and sewer capacity is available to support the proposed project.

Landscape Plan:

5. A landscape plan will be required with the site plan submittal. The landscape plan must be prepared by a registered landscape architect. The landscape plan shall contain a minimum of the following information.

6. A Type B buffer along the north, west, and southern boundary of the development site and a Type C buffer along the Hwy 27 road frontage are required. To assist in preparation, a copy of the landscape planting requirements for the buffers has been included as an attachment to this letter.

7. If removal of protected trees is determined to be necessary, a tree removal permit shall be obtained from the County prior to any such removal. When submitting the site plan for review and approval, be sure to address any tree removal necessary in the tree removal section of the site plan application. A tree survey will be required. Any trees necessary for mitigation for tree removal can be shown as part of the landscaping requirements.

Environmental:

8. An Environmental Assessment must be submitted with a development application. All Environmental Assessments shall be no older than 6 months.

   10. A gopher tortoise survey and sand skink are highly recommended and may be required prior to site plan approval, based on preliminary environmental assessment finding should any threatened and/or endangered species be found on the property, the appropriate permits from state and/or federal agencies will be required prior to site plan approval.

Building Division-Fire Section

1. Fire flow calculations will be required any proposed structures at site plan submittal.

2. At site plan submittal, please provide the location of all fire hydrants.
   - Per Florida Fire Prevention Code (FFPC) 1 Chapter 16 Section 16.4.3.1.1* A water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material accumulates.

   - Per FFPC 1 Chapter 16 Section 16.4.3.1.2 there shall be no delay in the installation of fire protection equipment.

   - Per FFPC 1 Chapter 16 Section 16.4.3.1.3 where underground water mains and hydrants are to be provided, they shall be installed, completed, and in service prior to construction work.

3. Dumpsters and containers with an individual capacity of 1.5 yd3 or more shall not be stored in buildings or placed within 10 feet of combustible walls, openings, or combustible roof eave lines.

4. Structures of Types I and II fire-resistive construction used for dumpster or container storage shall be located not less than 10 feet from openings and other buildings.

5. If the proposed structure is to be made of light-frame truss-type construction (repetitive wood or light gauge steel framing members) then the placement of an identifying symbol (i.e. Maltese cross) shall be place according to the requirements of Fire Code 69A-3.012 (size, color, height and placement) on the site plan.

Public Works Department

1. A stormwater management permit from St Johns River Water Management District is required prior to approval of the site plan.

Transportation Concurrency

2. The standard Level Of Service for the impacted roadway of US 27 is "C" with a capacity of 2590. This segment of roadway CR 474 to US 192 is currently operating at eighty six percent (86%) of its capacity in the peak direction during the peak period. This project will be generating one hundred and thirteen (113) peak hour trips; with fifty seven (57) directional pm peak hour trips increasing the volume to capacity (v/c) ratio to eighty-eight percent (88%) and is within the available capacity of the affected facility.

3. Currently there are no State funded improvements scheduled for this roadway segment.

4. A Tier 2 traffic analysis will be required at the time of PUD Rezoning or site plan submittal to determine whether any improvements are necessary.

Florida Department of Health – Lake County Division (LCDOH)

1. Existing onsite septic systems and wells will need to be identified and shown on the site plan. Onsite septic systems will need to be abandoned per Ch 64E-6, Florida Administrative Code (FAC) with the connection to public sewer.

2. The site is within St. Johns River Water Management District (SJRWMD) Delineated Area #35463261. Any installation of ground water monitoring wells, irrigation or geothermal wells will require permitting and approval through the SJRWMD.

Concurrency Management - Development Processing

1. If Option #1 is selected (PUD Rezoning – 98 acres) you must apply for a Capacity Encumbrance Letter (CEL). Receipt of a CEL encumbers capacity for public facilities and services for 120 days from the date of issuance. Prior to expiration of the CEL, you must either have a building permit issued or apply for and receive a Capacity Reservation Certificate. In order to receive the Certificate, which reserves capacity for up to 4 years, capacity reservation fees must be paid in full.
2. Reservation fees are based on 100% of the estimated transportation impact fees for commercial and 50% of the estimated applicable impact fees (school, park, and transportation) for residential (per lot).

    - Based on the information provided, the proposed 5928 sq ft convenience store will be assessed Transportation Impact Fees in the amount of $87,935.95 ($14,834.00 per 1000 sq ft) and Fire Impact Fee in the amount of $7,712.33 ($1301 per 1000 sq ft).

    - The application indicates that 2 to 3 residential lots, maybe more will be developed in the proposed project. For residential development, School Impact fees are $9,324 per lot and are assessed at time of building permit application. Transportation Impact fees for residential development are based on the living area of the residence.

3. If Option #2 is selected (Commercial Rezoning – 3.6 acres), based on the information provided, the proposed 5928 sq ft convenience store will be assessed Transportation Impact Fees in the amount of $87,935.95 ($14,834.00 per 1000 sq ft) and Fire Impact Fee in the amount of $7,712.33 ($1301 per 1000 sq ft).

4. Currently, the Transportation Impact fees are suspended until March 1, 2012. School Impact Fees are suspended until April 1, 2012. Provided a building permit is obtained prior to the suspension dates, school and transportation impact fees will not be assessed.

Potential Review & Impact Fees

Be advised that the rezoning fees are an estimate and have been broken down to address Option #1 and Option #2 as discussed in other areas of this letter. The estimates are specified below.

Option #1 – PUD Rezoning Application
Rezoning Application Fee - $1,250
Public Works/Stormwater Fee - $30
Public Works/Transportation Fee - $915
Growth Management Administration/Parks Fee-$110
Health Department Fee - $75
Estimated Total Fees ($2,380)

Option #2 – Commercial Rezoning Application
Rezoning Application Fee - $1,250
Health Department Fee - $75
Estimated Total Fees ($1,325)

Please contact Planning and Community Design prior to submitting the rezoning application to confirm all necessary fees. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Rick Hartenstein, AICP, Senior Planner
(352) 343-9739 ext.5400
Email: rhartenstein@lakecountyfl.gov

Cc: File
Brian T. Sheahan, AICP, Planning Director
Steve Greene, AICP, Chief Planner

Attachments: Rezoning Application
Landscape Buffer Plant Requirements

Department of Growth Management

Rezoning Application

You have the option to request a Development Review Staff (DRS) meeting or written comments only. Please check which one you would prefer.

_____DRS meeting requested _____ Written comments only

1. Project Address: _____
2. Applicant's name: _____

   Mailing address: _____

   E-Mail address:_____Telephone number:_____

   Status: Owner _____ Appointee _____ Agent _____ Purchaser _____
3. Owner's name:_____

   Mailing address (complete) _____

   E-Mail address:_____Telephone number: _____

   The property is generally located in the vicinity of the following streets: _____

   _____

   Property legal description: Section _____ Township _____ Range _____

   Alternate Key #(s) _____ _____ _____
4. Area of Property: _____ Acres _____Sq. Ft.
5. Does property have or intend to provide:

   Central water & sewer? Yes _____ No _____ If yes, utility provider documentation required.

   Individual well and septic? Yes _____ No _____; or explain how services will be provided: _____

   _____
6. Existing zoning: _____ Proposed zoning: _____

   If amendment, Planned Commercial District (CP) _____ or Planned Industrial District (MP) _____ or Planned Unit Development (PUD) _____ or Community Facilities District (CFD) _____ Existing ordinance #_____

   Note: A site conceptual plan is required for CP, MP, PUD and CFD zonings and must be prepared as enumerated on page 7 of this application.
7. Future Land Use Map designation: _____

   Wekiva River Protection Area: Yes _____ No _____

   Green Swamp Area of Critical State Concern: Yes _____ No _____
8. If the proposed zoning is Planned Unit Development (PUD), indicate type of use(s) requested:

   Residential_____ Commercial_____ Industrial _____

   THEN, refer to page 7 of this application for submittal requirements.
9. Any waivers or variances to the PUD ordinance requirements must be applied for at the time of rezoning request, including waivers to central utility connection requirements. These WAIVERS or VARIANCES must be attached and made a part of this application.

If additional room is needed to fully answer the following questions please use additional paper.

10. List number of existing structures on site and their present use, and the use of the property:

_____

_____

11. Proposed use(s) of the site: _____

_____

12. A statement describing any changed conditions that would justify the rezoning:_____

_____

A statement describing why there is a need for the proposed rezoning:_____

_____

A statement describing whether and how the proposed rezoning is consistent with the Lake County Comprehensive Plan: _____

_____

A statement outlining the extent to which the proposed rezoning:

A. Is compatible with existing land uses: _____

_____

B. Affects the capacities of public facilities and service: _____

_____

C. Affects the natural environment: _____

_____

D. Will result in an orderly and logical development pattern: _____

_____

13. Affordable Housing Projects: Estimated value of structure(s) and land for each lot.

Structure(s): $_____ + Land $_____ = Total $_____

If the combined value is equal to or less than 80% of the median price of a home in the Orlando MSA and/or at least 30% of the dwellings in each phase are affordable; then the project qualifies for expedited review.

14. Is the proposed use permissible in requested zoning district?

YES _____ NO _____ **PLANNER'S INITIALS:** _____

15. Has any previous application been filed within the last year in connection with this property?

YES _____ NO_____. If yes, describe briefly the nature of the request: _____

_____

_____

16. Please attach the exact legal description of the property being petitioned for this rezoning on a separate sheet as described on the warranty deed and provide copies of current deed.

17. Please attach a current property record card for the parcel. A property record card may be obtained from the Lake County Property Appraiser's office or website.

To be completed by Staff:

Date: _____ Verbal Pre-submittal Project#_____

Public Hearing #:_____ Project #: _____

Applicant Request #: _____

Existing Zoning: _____

Future Land Use Category: _____

Section: _____ Township: _____ Range: _____

Planning Area: _____

Utility Service Area: _____Commission District: _____

Notes: _____

_____

_____

_____

_____

_____

_____

_____

Staff Name: _____ Date: _____

OWNER'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

BEFORE ME, the undersigned authority personally appeared _____, who being by me first duly sworn on oath, deposed of and says:

1. That he/she is the fee-simple owner of the property legally described on page 3 of this application.
2. That he/she desires rezoning from _____ to _____ for the property legally described on Page 3 of this Application.
3. That he/she has appointed_____ to act as Agent to accomplish the above. The Owner is also required to complete the APPLICANT'S AFFIDAVIT of this Application if NO AGENT is appointed to act in his stead.

_____

Affiant (Owner's Signature)

STATE OF FLORIDA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by _____, who is personally known to me or who has produced _ _____ as identification and who did _____ or did not _____ take an oath.

_____

Notary Public (Signature)

(SEAL) My Commission Expires: _____

NOTE:

All Applications shall be signed by the Owner(s) of the Property, or some person duly authorized by the Owner to sign. The authority authorizing such person other than the Owner to sign MUST be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned authority personally appeared _____, who being by me first duly sworn on oath, deposes and says:

1. That he/she affirms and certifies that they understand and will comply with all Ordinances, Regulations, and Provisions of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of their knowledge and belief, and further, that this application and attachments shall become part of the Official Records of Lake County, Florida, and are Not Returnable.

2. That he/she desires rezoning from _____ to _____ for the property legally described on Page 3 of this application.

3. That the submittal requirements for the application, which are shown on Page 7, have been completed and attached hereto as part of this application.

4. That the sign cards which will be posted by the Growth Management Department on or before the first (1st) working day of the month in which the case will be considered for public hearing before the Planning and Zoning Board and the Board of County Commissioners, will remain posted until final determination has been made by the Board of County Commissioners, after which said signs are to be REMOVED AND DESTROYED BY THE APPLICANT.

_____
Affiant (Applicant's Signature)

STATE OF FLORIDA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____,
20_____, by _____, who is personally known to me or who has produced _
_____ as identification and who did _____ or did not _____ take an oath.

_____
Notary Public (Signature)

(SEAL) My Commission Expires: _____

APPLICATION FILING FEES

Rezoning Fees (select one from A – H)

A. Rezoning to AR, R1, R2, R3, R4, R7, & RP, CFD (*ZFJ**)	$1,000.00_____
B. Rezoning to "A" Agriculture and "RA" Ranchette District (*ZFM**) (5 acre minimum)	$ 200.00_____
C. Rezoning to Commercial or Industrial – (*ZFK**) or to Planned Unit Development – (ZFN*)	$1,250.00_____
D. PUD (includes CFD, CP, & MP) Major Amendment to Development Plan – (*PUDF**)	$ 550.00_____
E. PUD (includes CFD, CP, & MP) Non-Substantial Text Amendment – (*PUDJ**)	$ 400.00_____
F. PUD Non-Substantial Amendment to Development Plan (20 lots or less) – (*PUDK**)	$ 250.00_____
G. PUD Non-Substantial Amendment to Development Plan – (*PUDM**)	$ 525.00_____

All applications listed above are required to pay the Legal Advertising Fee and Notification Fee

Legal Advertising Fee: You will receive a bill for this fee.

Notification Fee (*NFEE**) Total Properties _____ x .28 cents = $ _____

$0.28 cents will be charged for all real property contiguous to and within 350 feet of the perimeter of the Applicant's property.

Capacity Encumbrance Letter Review (**OPTIONAL EXCEPT FOR PUDS**)

Capacity Encumbrance Letter - No Alternate Data – not submitting traffic study
Public Works – Stormwater: $ 30.00 (CELPWS)
Public Works – Transportation: $450.00 (CELPWT)
Growth Mgmt Administration – Parks, SW: $110.00 (CELADM) $ 590.00 _____

Capacity Encumbrance Letter - Alternate Data – submitting traffic study (**REQUIRED FOR PUDS**)
Public Works – Stormwater: $ 30.00 (CELPWSD)
Public Works – Transportation: $915.00 (CELPWTD)
Growth Mgmt Administration – Parks, SW: $110.00 (CELADM) $1055.00 _____

Waiver – Central Water and/or Sewer Service – (*WAV*) $ 250.00_____
This fee will apply if the applicant is requesting a waiver.

Health Department
Zoning Map Amendment (*HDZMA**) $ 75.00_____

Subtotal: $_____
A 1% service charge will apply if paying by credit card (of the total amount due) (CCARD) $_____
TOTAL: $_____

Public Hearing Applicant Initiated Postponement (*ZFB**) $ 100.00 _____

If the rezoning is approved, you will be responsible for all fees associated with recording the ordinance into the public records of Lake County. A staff member will contact you when the ordinance is complete and the total fees for recording the document have been determined.
Make checks payable to: **LAKE COUNTY BOARD OF COUNTY COMMISSIONERS**
A 1% service charge will apply if paying by credit card.

REZONING SUBMITTAL GUIDE

The following required information shall be submitted with the rezoning application:

____ 1. General application form.
A completed application shall be signed by all owners, or their agent, and notarized. Signatures by agents will be accepted only with notarized proof of authorization by the owners. In a case of corporate ownership, the authorized signature shall be accompanied by a notation of the signatory's office in the corporation.

____ 2. Copy of the Tax Receipt or Property Record Card, **and** the latest recorded Warranty Deed showing the current fee-simple titleholders of the property. If the legal description shown on the Warranty Deed is not correct or does not close, you may be required to submit a Boundary Survey or Sketch of Description of the property proposed for rezoning, certified by a professional land surveyor. The legal description should appear on the face of the survey or sketch of description.

____ 3. Plot plan, for all non-residential rezonings, drawn to an appropriate scale, on a 22-1/2" x 27" reproducible sheet, showing the following information:

All planned districts (CP, MP, CFD, CUP and PUD) are required to have a conceptual master plan.

____ a. Project name.

____ b. North arrow, date and scale.

____ c. Name, address and telephone number of the owner and applicant.

____ d. Property lines and contiguous street(s).

____ e. Location and dimensions, and square footage of building, of all existing and proposed structures, indicating their intended use, and setback distances from all property lines and roadways.

____ f. Existing and proposed means of vehicular ingress and egress to the property.

____ g. Location of off-street parking and loading areas, showing the number of spaces, and the dimensions of access aisles and driveways.

____ h. Location of all buffers, screens, walls and fences, indicating their height and type of materials used.

____ 4. Utility availability and or nonavailability letter for central water and/or sewer

____ 5. Application for Capacity Encumbrance Letter (optional)

____ 6. Any other information deemed necessary to establish compliance with this and other ordinances.

____ 7. Application Fees Make checks payable to the **LAKE COUNTY BOARD OF COUNTY COMMISSIONERS**
A 1% service charge will apply if paying by credit card.

Table 2 - Land Use Buffer Area Requirements

Buffer Area Type	Width Options (All options available unless restricted)	Landscape Requirements (per 100 linear feet)[1]
A	20 Feet	• Three (3) canopy trees; • Two (2) ornamental trees; • Two (2) foot high hedge; and • 15% of landscape groundcover other than turf.
	15 Feet	• Four (4) canopy trees; • Three (3) ornamental trees; • Two (2) foot high hedge; and • 20% of landscape groundcover other than turf.
	10 Feet (See Note 3 below)	• Three (3) canopy trees; • Two (2) ornamental trees (optional); and • One single row of shrubs.
B (Note 1 below)	20 Feet	• Three (3) canopy trees; • Two (2) ornamental trees; • Two (2) foot high hedge; and • 15% of landscape groundcover other than turf.
	15 Feet	• Four (4) canopy trees; • Three (3) ornamental trees; • Two (2) foot high hedge; and • 20% of landscape groundcover other than turf.

Buffer Area Type	Width Options (All options available unless restricted)	Landscape Requirements (per 100 linear feet)[1]
C (Note 1 below)	50 Feet	• Three (3) canopy trees; • Two (2) ornamental trees; • Two rows of hedges, two (2) feet high; and • 10% of landscape groundcover other than turf.
	25 Feet	• Four (4) canopy trees; • Three (3) ornamental trees; • Two rows of hedges, two (2) feet high; and • 15% of landscape groundcover other than turf.
	15 Feet	• Five (5) canopy trees; • Four (4) ornamental trees; • Two rows of hedges, two (2) feet high; and • 20% of landscape groundcover other than turf.
D (Note 1 below)	80 Feet	• Six (6) canopy trees; • Five (5) ornamental trees; • Two (2) rows of hedges, three (3) feet high; • Four (4) foot high berm; and • 15% of landscape groundcover other than turf.
	40 Feet	• Eight (8) canopy trees; • Seven (7) ornamental trees; • Two (2) rows of hedges, three (3) feet high; and • 20% of landscape groundcover other than turf.
	30 Feet (See Note 3 below)	• Ten (10) canopy trees; • Eight (8) ornamental trees (optional); and • Double (2 rows) shrubs.