LAKE COUNTY
DEPARTMENT OF
GROWTH MANAGEMENT
Planning & Community Design Division

December 16, 2009

Jim Hall
VHB, Incorporated
225 East Robinson Street
Suite 300
Orlando, Florida 32801

RE: Windmill 27 Revised - Rezoning
(Project No. 2009020021 Application Request No. 1397)

Dear Mr. Hall:

This letter is to notify you that your Rezoning Application request has been reviewed by the Development Review Staff, please see the attached comments. Additional information is needed to address these comments. The comments will be the subject of discussion at our DRS meeting scheduled for December 22, 2009. That meeting will take place in the Growth Management conference room, situated on the 5th Floor of the Lake County Administration Building, located at 315 W. Main Street, Tavares, Florida. Feel free to bring any information to the meeting that may be useful in addressing our comments.

In order to remain on the February public hearing schedule, the requested information must be provided by December 30, 2009. After the requested information is received and found sufficient, your application will be placed on the agenda for the public hearing before the Zoning Board and Board of County Commissioners.

Should you have any questions, please do not hesitate to contact our office at (352) 343-9739.

Sincerely,

Steve K. Greene, AICP
Chief Planner

cc: File
Floribra USA Inc., 7575 Dr. Phillips Blvd., Suite 305, Orlando, FL 32819

Planning & Community Design Division, Steve K. Greene, (352) 343-9739
Required Items

Item: LEGAL DESCRIPTION IS ACCURATE
Remarks: 1. The description of the land area contained on the boundary survey does not match the legal description on the cover sheet of the Land Use Plan. Please provide a sketch (with corresponding directional distances) of the description specified on the concept plan (Sheet C003) as this is the area for rezoning.

Item: MEETING REQUIREMENTS OF LDR CH. 3.00
Remarks: 1. The property is currently zoned as Agriculture (A) with residential density of 1 dwelling per 5-acres. Planned Commercial (CP) zoning is more appropriate for the proposed commercial/office - institutional uses rather than PUD. However, CP zoning must meet commercial location criteria specified in the Comp Plan. Alternatively, Institutional activity is allowable as a community facility use under CFD (community facility district) zoning.

Item: THIS PROJECT IS CONSISTENT WITH OTHER APPLICABLE PROVISIONS OF THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS
Remarks: 1. The property is currently designated as Suburban future land use, with a base density of 1 dwelling per 5-gross acres. Office and commercial development at this location is inconsistent with the Suburban land use and the policies of the comprehensive plan. New commercial and office development must be situated at the intersection of arterial or collector roads. While the project is located along US 27 (a rural principal arterial), there are no intersecting arterial or collector roads at this location. Office and commercial development at this location will require the submittal and approval of a future land use map amendment per Comp Plan Policy 1-1.6. At this time, the County is not processing any future land use map amendments until the comprehensive plan update has been approved. Under these circumstances it will be difficult to receive a favorable staff recommendation for the rezoning request.

2. A discrepancy exists between the concept plan (Sheet C003) and the City of Leesburg utility information form. The concept plan specifies almost 142,650 SF of non-residential uses while the utility information form shows a demand for 316,200 SF of commercial use and 184 dwellings. Please correct this discrepancy and provide an updated utility information form from the City of Leesburg. The water and sewer demands specified on the concept plan should be removed and included on the utility information form. Ensure the proposed utility service provider specifies the available capacity (potable water & sewer) to handle the impact demands generated by the proposed use pursuant to LDR Section 14.

3. Please provide information regarding the potential impacts on public facility services as it pertains to police, fire and emergency, solid waste, and drainage.

4. Please remove the list of C-2 uses, site development standards, setbacks, utilities, utility capacity, and parking summary data from the concept plan (Sheet C003). This level of detail is pre-mature for rezoning and not needed on Sheet C003. However, you may provide this information on a narrative document as supplemental information to the rezoning application.

5. The legend shows an indicator for open space, however, the open space areas are not shown on the concept plan. Please revise Sheet C003 to show the proposed open space areas.

6. Please provide some documentation regarding the ownership and use of the easement depicted at the northeast corner of the property shown on Sheet C003.

Informational Comments

Item: COMMENTS
Remarks: 1. The area proposed for rezoning is slightly larger than the area that was subject to the recent timeliness analysis (AR #1463). The proposed rezoning area and the area of the timeliness analysis should be the same. This difference in acreage causes the need to run timeliness analysis for the 36.43-acres proposed for rezoning.

2. The trip generation data on Sheet C003 should be revised to show residential trip generation because the proposed non-residential use at this location is inconsistent with the comp plan.

3. Non-residential parking data is not applicable as the proposed non-residential use is inconsistent with the locational criteria specified in the comp plan. Be advised that there are different parking demands for the numerous commercial, office, and institutional uses specified on the concept plan (Sheet C003) as C-2 uses. Reference LDR Section 9.03.00 for parking demand per activity. Please provide the maximum number of parking spaces along with the minimum parking spaces stated on Sheet C003.

4. Sheet C003 should show the perimeter landscape buffer areas consistent with the landscape ordinance, as amended.

Review Status: NEED MORE INFO

Public Works Dept. - Ross Pluta (352) 483-9041
Informational Comments

Item: TRANSPORTATION
Remarks: The proposed development will need to comply with the Access Management of the Land Development Regulations and Florida Department of Transportation (FDOT) for access off of US 27 (SR 25).

Item: FLOODPLAIN
Remarks: The proposed site for the PUD contains Flood Zone A - no base flood elevation determined. This flood zone may require further information with future development plans.

Review Status: APPROVED W/COMM

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:
12/1/09 Fire Review #1
Will be required at site plan.

Item: PROVIDE FIRE DEPARTMENT ACCESS PER FLORIDA FIRE PREVENTION CODE 2007
Remarks: 12/1/09 Fire Review #1
Will be required at site plan.

Item: ADD FIRE PROTECTIONS SYSTEMS NOTES FOR POINT OF SERVICE, TAMPER SWITCHES, AND SIGNAGE
Remarks: 12/1/09 Fire Review #1
Will be required at site plan.

Item: STORAGE ARRANGEMENT & COMMODITY CLASSIFICATION OF STORAGE
Remarks: 12/1/09 Fire Review #1
Will be required at site plan.

Item: PROVIDE QUANTITY OF ALL HAZARDOUS MATERIALS AND MSDS, INCLUDING NFPA 704 INFORMATION
Remarks: 12/1/09 Fire Review #1
Will be required at site plan.

Item: PROVIDE ACCESSIBLE ROUTE/PATH OF TRAVEL TO A PUBLIC WAY FROM ALL REQUIRED EXITS (SIDEWALKS)
Remarks: 12/1/09 Fire Review #1
Will be required at site plan.

Item: LOCATION OF FIRE HYDRANTS AND/OR FIRE PROTECTION WATER STORAGE TANKS (CHAPTER 9 OF LDR AND NFPA 1142)
Remarks: 12/1/09 Fire Review #1
Will be required at site plan.

Item: ADD NOTE ON PLAN FOR KNOX BOX, LOCK OR ACCESS SYSTEM PER NFPA 1 SECTION 10.12
Remarks: 12/1/09 Fire Review #1
Will be required at site plan.

Item: JPA AREA
Remarks: Leesburg

Item: MISCELLANEOUS FIRE REQUIREMENTS
Remarks: 12/1/2009 Fire Review #1 to be addressed at time of Site Plan

.NFPA 1 Chapter 19 Section 19.2.1.4 Rubbish within Dumpsters:

Dumpsters and containers with an individual capacity of 1.5 yd3 [40.5 ft3 (1.15 m3)] or more shall not be stored in buildings or placed within 10 ft (3 m) of combustible walls, openings, or combustible roof eave lines.
19.2.1.4.1 Areas containing dumpsters or containers shall be protected by an approved automatic sprinkler system and enclosed with a fire resistance rating of 1 hour.
19.2.1.4.2 Structures of Types I and II fire-resistive construction used for dumpster or container storage shall be located not less than 10 ft (3 m) from openings and other buildings.

Fire Protection prior to combustibles:

Per 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.
Review Status: APPROVED W/COM

Health Dept - E. Christ/ P. Butler (352) 253-6130
Informational Comments

Item: WATER SUPPLY
Remarks: Application says water by City of Leesburg, however availability letter from 2008 is marked as not available.

Review Status: APPROVED W/COMM

Environmental Review- Jennifer Cotch (352)343-9739
Review Status: APPROVED

Concurrency Management/Development Processing
Review Status: NOT REQD AT THIS TIME

Transportation Concurrency - Sharon Lewis (352)483-9050
Informational Comments

Item: TRANSPORTATION CONCURRENCY
Remarks: 12/09/009 SL:

The standard LOS for the impacted roadway of US 27 is "D". The most critical segment affect by this project would be US 27 from CR 33 to CR 48; which currently has a volume to capacity ratio of seventy three percent (73 %) of its capacity.

Currently this segment of US 27 is not scheduled for improvement and funding through the FDOT CIP.

Comments:
For the Windmill 27 rezoning submittal a revised traffic study will not be required. The applicant will however need to submit a revised traffic study prior at site plan approval.

Recommended Condition in Ordinance:
For the rezoning application for the Windmill 27 project, we recommend approval.

Review Status: APPROVED W/COMM

Landscape Review - Grant Wenrick (352) 343-9739 EXT5832
Informational Comments

Item: LANDSCAPE PLAN
Remarks: 12/11/09

1) If the zoning is approved as proposed, the future detailed landscape plan shall be submitted during the site plan stage and be in compliance with the new landscape code adopted December 2009 provided; a final development order is issued after mid-June 2010. There is a grace period for projects receiving a pre-submittal letter on or before December 1, 2009 and receiving a final development order by mid-June 2010 are allowed to utilize the previous landscape code.

2) Informational - The new landscape code buffering would be as follows; north buffer = Type A (15 to 20 feet wide), east and south buffer = Type B (15 to 20 feet wide), west buffer = Type C (25 to 50 feet wide) Buffer width varies due to amount of landscape chosen.
Neighboring buffers may be utilized only if required by a development order issued by Lake County.

3) Informational - All other internal landscape and buffering for parking lots, retention ponds, access roads, internal building areas shall provide required landscaping during the future site plan process. Internal landscape buffering between separate commercial and office out parcels shall be buffer Type A. The buffer may be shared between internal commercial and office out parcels.

Item: TREE REMOVAL APPLICATION
Remarks: 12/11/09
1) Informational - The applicant is advised that tree mitigation during the future site plan process for any trees classified as protected on site. The applicant may defer the Tree Removal Permit process to each out parcel as they are developed for affected trees.

Review Status: APPROVED W/COMM

Environmental Utilities - Gary Debo (352) 343-3776
Required Items

Item: CAPACITY ANALYSIS
Remarks: PLEASE PROVIDE ESTIMATED SOLID WASTE GENERATION FOR THE PROPOSED DEVELOPMENT IN TERMS OF TONS PRODUCED ANNUALLY. - W.A.

Review Status: NEED MORE INFO

Water Quality Services - Walter Wood (352) 343-3776
Review Status: APPROVED