



UMATILLA CITY COUNCIL MEETING AS LAND PLANNING AGENCY

July 18, 2023 at 6:00 PM

Umatilla Council Chambers, 1 S. Central Avenue, Umatilla, FL 32784

AGENDA

Please silence your electronic devices

CALL TO ORDER

ROLL CALL

AGENDA REVIEW

PUBLIC COMMENT

At this point in the meeting, the Land Planning Agency (LPA) will hear questions, comments and concerns from the public. Please write your name and address on the paper provided at the podium. Zoning matters which may be coming before the LPA at a later date should not be discussed until such time as they come before the LPA in a public hearing. Comments, questions, and concerns from the public regarding items listed on this agenda shall be received at the time the LPA addresses such items during this meeting. Public comments are generally limited to three minutes.

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

1. First Reading of Ordinance No. 2023-10, Avenue Real Estate Holdings LLC Small-Scale Comp Plan Amendment
2. First Reading of Ordinance No. 2023-11, Avenue Real Estate Holdings LLC, Rezoning

DISCUSSION ITEMS

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352)669-3125. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by the LPA with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes, he 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.

The City of Umatilla is an equal opportunity provider and employer.



CITY OF UMATILLA
AGENDA ITEM STAFF REPORT

DATE: July 7, 2023

MEETING DATE: July 18, 2023

**SUBJECT: First Reading of Ordinance No. 2023-10, Avenue Real Estate Holdings LLC
 Small-Scale Comp Plan Amendment**

BACKGROUND SUMMARY:

Ordinance 2023-10 is a Comprehensive Plan Amendment request a change from Commercial Land Use to Multi-family Medium Density Land Use (8 units/acre).

Ordinance 2023-11 is a Rezoning of the subject site from Commercial C-1 to Multifamily-8 to accommodate the development of three (3) duplex units.

Creation of these duplex lots will be done through a proposed lot line deviation and lot split. The proposed lots are 11,738 SF (0.27 + acres), 9,258 SF (0.212 + acres), and 9,224 SF (0.211 + acres).

The proposed lots exceed the minimum requirements for the MF-8, duplex lots which is a minimum of 9,000 SF with 60' of frontage.

RECOMMENDATIONS:

Approve First Reading of Ordinance No. 2023-10, Avenue Real Estate Holdings LLC Small-Scale Comp Plan Amendment

FISCAL IMPACTS:

ATTACHMENTS:

1. Staff Report
2. Ordinance No. 2023-10, Avenue Real Estate Holdings LLC Small-Scale Comp Plan Amendment
3. Location Map

**CITY OF UMATILLA
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, INC.**

LOT LINE DEVIATION, LOT SPLIT, SSCPA AND REZONING

Owner: Avenue Real Estate Holdings, LLC

Applicant: Green Consulting Group, Inc.

Number of Acres: 0.694 ± acres

General Location: East of SR 19 and North of Lone Star Street

Existing Zoning: Neighborhood Commercial (C-1)

Proposed Zoning: Multi-family Medium Density Residential (MF-8)

Existing Land Use: General Commercial (75% ISR and 12 units/acre)

Proposed Land Use: Multi-family Medium Density (8 units/acre)

Date: May 24, 2023

Description of Project

The applicant is proposing a comp plan amendment from Commercial to Multi-family Medium Density (8 units/acre) and rezone the subject site to MF-8 to accommodate the development of three (3) duplex units. Creation of the lots is via a proposed lot line deviation and lot split. The proposed lots are 11,738 SF (0.27 ± acres), 9,258 SF (0.212 ± acres), and 9,224 SF (0.211 ± acres). The proposed lots exceed the minimum requirements for the MF-8, duplex lots which is a minimum of 9,000 SF with 60’ of frontage.

	Surrounding Zoning	Surrounding Land Use
North	Neighborhood Commercial (C-1) and Urban Residential (UR-5)	Downtown Mixed Use (12 units/acre) SF Medium Density Residential (5 units/acre)
South	PFD	Institutional
East	UR-5	SF Medium Density Residential (5 units/acre)
West	C-1	Downtown Mixed Use (12 units/acre)

Assessment

The proposed small scale comprehensive plan amendment is considered a decrease in density from 12 units/acre to 8 units/acre and a decrease in intensity from commercial to residential. The proposed multi-family medium density designation would create a transitional area between the commercial and residential.

The proposed rezoning is a downzoning and would create a transitional area between the commercial use on the west and the single-family use on the east. The proposed rezoning is compatible with the existing adjacent uses which consist of a real estate office (Calhoun Realty), convenience store with fuel, public pool, school board maintenance facility, and SF residential.

The proposed rezoning to MF-8 allows for single family detached, single family attached (townhomes), two-family (duplex), and multi-family (tri-plex, quadplex, apartments). Utilities are available to the subject property.

The proposed residential lots and duplex structures must meet the dimension requirements of the MF-8 district which is a minimum of 9,000 SF with 60' of frontage. The minimum living area is 650 for 1 bedroom, 750 SF for 2 bedrooms, and 900 SF for 3 bedrooms. The proposed lots as shown on the concept plan are 11,783 SF with 103' of frontage, 9,258 SF with 67' of frontage, and 9,224 SF with 73' of frontage. The proposed lots exceed the minimum zoning requirements.

The proposed residential parcels are compatible with the adjacent residential lots to the east. Review of available parcel data indicates the adjacent lots are approximately 6,000 SF with 50' of frontage (the existing home is approximately 700 SF) and 7,200 SF with 60' of frontage (the existing home is approximately 1292 SF).

The proposed rezoning would decrease the potential daily trips as outlined below. Lone Star Street is classified as a local roadway under the jurisdiction of City with an adopted Level of Service (LOS) of D. The rezoning would not degrade the LOS.

TRIP GENERATION ANALYSIS

Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Med Density/MF	8 units	210	57	6	4	2
TOTAL GROSS TRIPS (PROPOSED)			57	6	4	2

* 11th Edition

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Comm/Multifam	12 units	220	54	4	3	1
Commercial	20,000 SF	710	195	23	4	19
TOTAL GROSS TRIPS (EXISTING)			249	27	7	20

Net Difference (Proposed Net Trip Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-21	-3	-18

Potable Water Analysis

The subject site is within the City of Umatilla’s Utility Service Area. The city currently owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.290 MGD and the permitted consumptive use permit capacity is .733 MGD (SJRWMD CUP 2646-6). The City has a current available capacity of 0.16 MGD (includes City Industrial Park) for concurrency purposes and an analysis was conducted of the proposed amendment based on maximum intensity land use and the City’s Level of Service (LOS) standards (Table 1). The analysis concludes that the proposed amendment will not cause a deficiency and the city would have 0.15 MGD remaining. It should be noted that the City is in the process of increasing the consumptive use permit capacity and is scheduled within 2023.

Sanitary Sewer Analysis

The subject site is within the City of Umatilla’s Utility Service area. The city has an existing agreement with the City of Eustis for wastewater (Resolution 2018-46). The agreement allows for a maximum of 300,000 gallons per day (0.3 MGD) and the current usage is 120,000 gallons per day (0.12) with a remaining capacity of 180,000 gallons per day (0.18 MGD). The proposed amendment would not cause a deficiency in the City’s Level of Service standards and the city would have 179,000 gallons per day (0.17 MGD) remaining (Table 2).

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. The estimated population is 13 (6 units x 2.1 pph) and the estimated solid waste is 65 lbs per day. The proposed amendment will not cause a deficiency in the LOS.

Recommendation

The proposed small scale comp plan amendment and rezoning is compatible with the adjacent land uses and provides a transition between the commercial to the west and the single family residential to the east. The area is part of the existing urban core where commercial services and transit services are available within walking distance. The proposed rezoning and lot split is considered infill development.

The proposed small scale comp plan amendment and rezoning are consistent with the comprehensive plan and meet the minimum technical requirements of the land development regulations. The amendment is consistent with the following policies (among others):

FLU Policy 1-1.1.6: Transition of Residential Densities

FLU Policy 1-1.1.7: Availability of Facilities to Support Residential Land Uses
Policy 1-1.10.1: Land Use Allocation
Policy 1-1.10.2: Promote Orderly, Compact Growth
Policy 1-2.1.1: Land Use Designations, and Maximum Intensity and Density

The proposed lot line deviation and lot split are recommended for approval subject to approval of the amendment and rezoning.

Table 1 – Water Analysis

	Acres	Existing Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						0.16
	0.694	General Commercial (12 units/acre) 75% ISR 20,000 SF Commercial	MF Med Density (8 unit/acre)	6 Units	0.001	
		8 Units 20,000 SF Commercial	6 Units			0.15

* Includes Maxwell Road proposed Amendment

Projected population – 13 (6 x 2.1 pph)

Estimated water demand based on PF Policy 4-1.10.1 of LOS of 150 gpdpc for residential and 850 gallons per day per commercial acre

Table 2 – Wastewater Analysis

	Acres	Existing City Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						0.18
	0.694	General Commercial (12 units/acre 75% ISR)	MF Medium Density (8 units/acre)	6 units	0.001	
		8 units 20,000 SF Commercial	6 units			0.179

Projected population – 13 (6 x 2.1 pph)
 Estimated wastewater demand based on PF Policy 4-1.2.1 of LOS of 100 gpdpc

ORDINANCE 2023-10

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3187(1)(c); AMENDING THE LAND USE DESIGNATION OF 0.694 ± ACRES OF LAND DESIGNATED AS COMMERCIAL TO MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY AVENUE REAL ESTATE HOLDINGS, LLC LOCATED NORTH OF LONE STAR STREET AND EAST OF SR 19; DIRECTING THE CITY MANAGER TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Green Consulting Services, Inc. as applicant on behalf of Avenue Real Estate Holdings, LLC as owner, requesting that real property within the city limits of the City of Umatilla be assigned a land use designation from General Commercial to Multi-Family Medium Density Residential under the Comprehensive Plan for the City of Umatilla;

WHEREAS, the amendment would facilitate residential infill development and is in compliance with the policies of the City’s comprehensive plan; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Local Planning Agency for the City of Umatilla have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Council of the City of Umatilla.

WHEREAS, the City Council reviewed said petition, the recommendations of the Land Planning Agency, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF UMATILLA, FLORIDA, AS FOLLOWS:

Section 1: Purpose and Intent.

That the land use classification of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be designated from General Commercial to Multi-family Medium Density Residential as depicted on the map attached hereto as Exhibit “A”, and as defined in the Umatilla Comprehensive Plan.

LEGAL DESCRIPTION: See Exhibit “B”

Alternate Key # 1211573

- A. That a copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Umatilla as a matter of permanent record of the City, and that matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.
- B. That the City Manager, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Umatilla.

Section 2: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4: Scrivener’s Errors.

Scrivener’s errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 5: Effective Date.

This Ordinance shall become effective 31 days after its adoption by the City Council. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Council of the City of Umatilla, Lake County, Florida, this _____ day of _____, 2023.

Kent Adcock, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

Jessica Burnham, CMC
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"

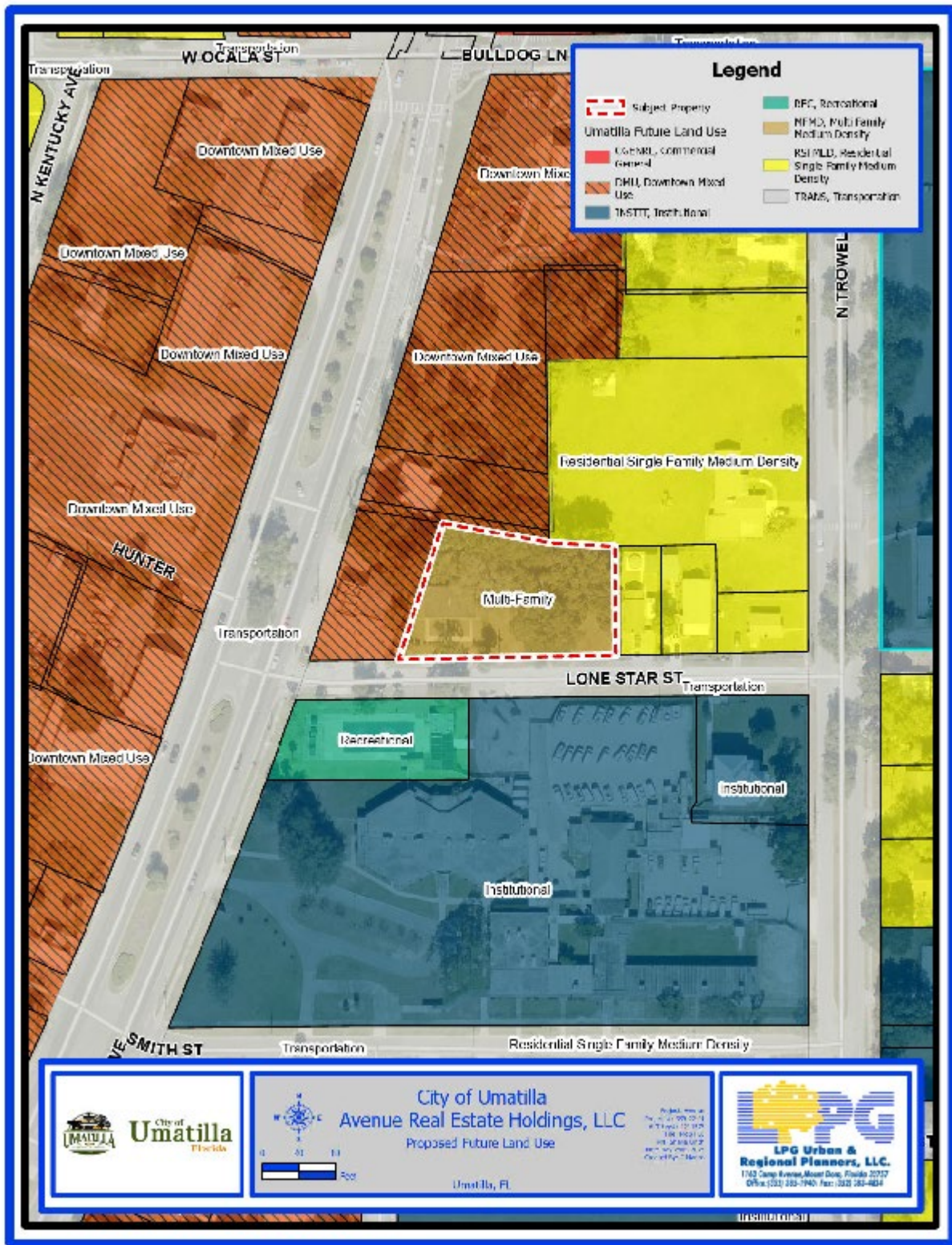


EXHIBIT "B"
LEGAL DESCRIPTION

PARCEL NO. 1: That part of the Northeast one-quarter (NE ¼) of the Northwest one-quarter (NW ¼) of Section 13, Township 18 South, Range 26 East, Lake County, Florida, in the City of Umatilla, Florida, bounded and described as follows: From the Northeast corner of the Northwest one-quarter (NW ¼) of said Section 13, run East 23 feet; thence run South 18 degrees West along the Easterly line of the right-of-way of Central Avenue, 244.5 feet; thence run East 127 feet; thence run South 298 feet; thence run North 79 degrees 43 minutes West 215 feet to a point on the Easterly line of the right-of-way of Central Avenue; thence run South 18 degrees West along the Easterly line of said right-of-way 22.27 feet for a Point of Beginning; from said Point of Beginning, run thence East and parallel with the North line of the right-of-way of Lone Star Street 100 feet; thence South 18 degrees West 150 feet to the North line of the right-of-way of Lone Star Street; thence West along the North line of the right-of-way of Lone Star Street 100 feet to the Easterly line of the right-of-way of Central Avenue; thence North 18 degrees East along the Easterly line of the said right-of-way, 150 feet to the Point of Beginning.

PARCEL NO. 2: From the North ¼ corner of Section 13, Township 18 South, Range 26 East, Lake County, Florida, run East 32.43 feet; thence South 18 degrees 00 minutes 00 seconds West 244.50 feet; thence East 127.00 feet; thence South 298.00 feet; thence North 79 degrees 43 minutes 00 seconds West, 47.80 feet to the Point of Beginning of this description; from said Point of Beginning continue North 79 degrees 43 minutes 00 seconds West 71.54 feet; thence South 18 degrees 00 minutes 00 seconds West, 162.70 feet to the North right-of-way of Lone Star Street; thence East along the North right-of-way of said Lone Star Street, 118.42 feet; thence North 01 degrees 03 minutes 18 seconds East, 141.46 feet to the Point of Beginning.

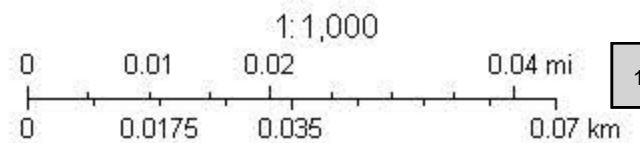
PARCEL NO. 3: From the North ¼ corner of Section 13, Township 18 South, Range 26 East, Lake County, Florida, run East 32.43 feet; thence South 18 degrees 00 minutes 00 seconds West, 244.50 feet; thence East 127.00 feet; thence South 298.00 feet to the Point of Beginning of this description; from said Point of Beginning, run North 79 degrees 43 minutes 00 seconds West, 47.80 feet; thence South 01 degree 03 minutes 18 seconds West, 141.46 feet to the North right-of-way of Lone Star Street; thence East along the North right-of-way of said Lone Star Street 125.00 feet; thence North 00 degrees 12 minutes 44 seconds East, 119.45 feet; thence North 80 degrees 11 minutes 41 seconds West 76.95 feet to the Point of Beginning.



July 6, 2023

pointLayer

Override 1





**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: July 7, 2023

MEETING DATE: July 18, 2023

**SUBJECT: First Reading of Ordinance No. 2023-11, Avenue Real Estate Holdings LLC
Rezoning**

BACKGROUND SUMMARY:

Ordinance 2023-10 is a Comprehensive Plan Amendment request a change from Commercial Land Use to Multi-family Medium Density Land Use (8 units/acre).

Ordinance 2023-11 is a Rezoning of the subject site from Commercial C-1 to Multifamily-8 to accommodate the development of three (3) duplex units.

Creation of these duplex lots will be done through a proposed lot of line deviation and lot split. The proposed lots are 11,738 SF (0.27 + acres), 9,258 SF (0.212 + acres), and 9,224 SF (0.211 + acres).

The proposed lots exceed the minimum requirements for the MF-8, duplex lots which is a minimum of 9,000 SF with 60' of frontage.

RECOMMENDATIONS:

Approve First Reading of Ordinance No. 2023-11, Avenue Real Estate Holdings LLC Rezoning

FISCAL IMPACTS:

None

ATTACHMENTS:

1. Ordinance No. 2023-11, Avenue Real Estate Holdings LLC Rezoning
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ORDINANCE 2023-11

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AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 0.694 ± ACRES OF LAND ZONED NEIGHBORHOOD COMMERCIAL (C-1) TO THE DESIGNATION OF MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL (MF-8) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY AVENUE REAL ESTATE HOLDINGS, LLC LOCATED NORTH OF LONE STAR STREET AND EAST OF SR 19; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY AND SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Green Consulting Group, Inc. as applicant on behalf of the Owner, Avenue Real Estate Holdings, LLC, to rezone approximately 0.694 acres of land from Neighborhood Commercial (C-1) to Multi-family Medium Density Residential (MF-8);

WHEREAS, the Petition bears the signature of all required parties; and

WHEREAS, the required notice of the proposed rezoning has been properly published;

WHEREAS, the City Council reviewed said petition, the recommendations of staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

WHEREAS, upon review, certain terms pertaining to the development of the above-described property have been duly approved, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Umatilla, Florida, as follows:

Section 1: Purpose and Intent.

That the zoning classification of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be designated as Multi-family Medium Density Residential (MF-8) as defined in the Umatilla Land Development Regulations and as depicted on the map attached hereto as Exhibit “A” and incorporated herein by reference.

LEGAL DESCRIPTION: See Exhibit “B”.

Alternate Key # 1211573

Section 2: Zoning Classification.

That the property shall be designated as MF-8, Multi-family Medium Density Residential, in accordance with Chapter 6, Section 2(e) of the Land Development Regulations of the City of Umatilla, Florida.

Section 3: The City Manager, or designee, is hereby directed to amend, alter, and implement the official zoning map of the City of Umatilla, Florida, to include said designation consistent with this Ordinance.

49 **Section 4: Severability.**

50 If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be
51 void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance
52 shall remain in full force and effect.
53

54 **Section 5: Scrivener’s Errors.**

55 Scrivener’s errors in the legal description may be corrected without a public hearing or at public
56 meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the
57 correct legal description.
58

59 **Section 6: Effective Date.**

60 This Ordinance shall become effective immediately upon passage by the City Council of the City of
61 Umatilla.
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63 **PASSED AND ORDAINED** in regular session of the City Council of the City of Umatilla, Lake County,
64 Florida, this _____ day of _____, 2023.
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67 _____
68 Kent Adcock, Mayor
69 City of Umatilla, Florida
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72 ATTEST:

Approved as to Form:

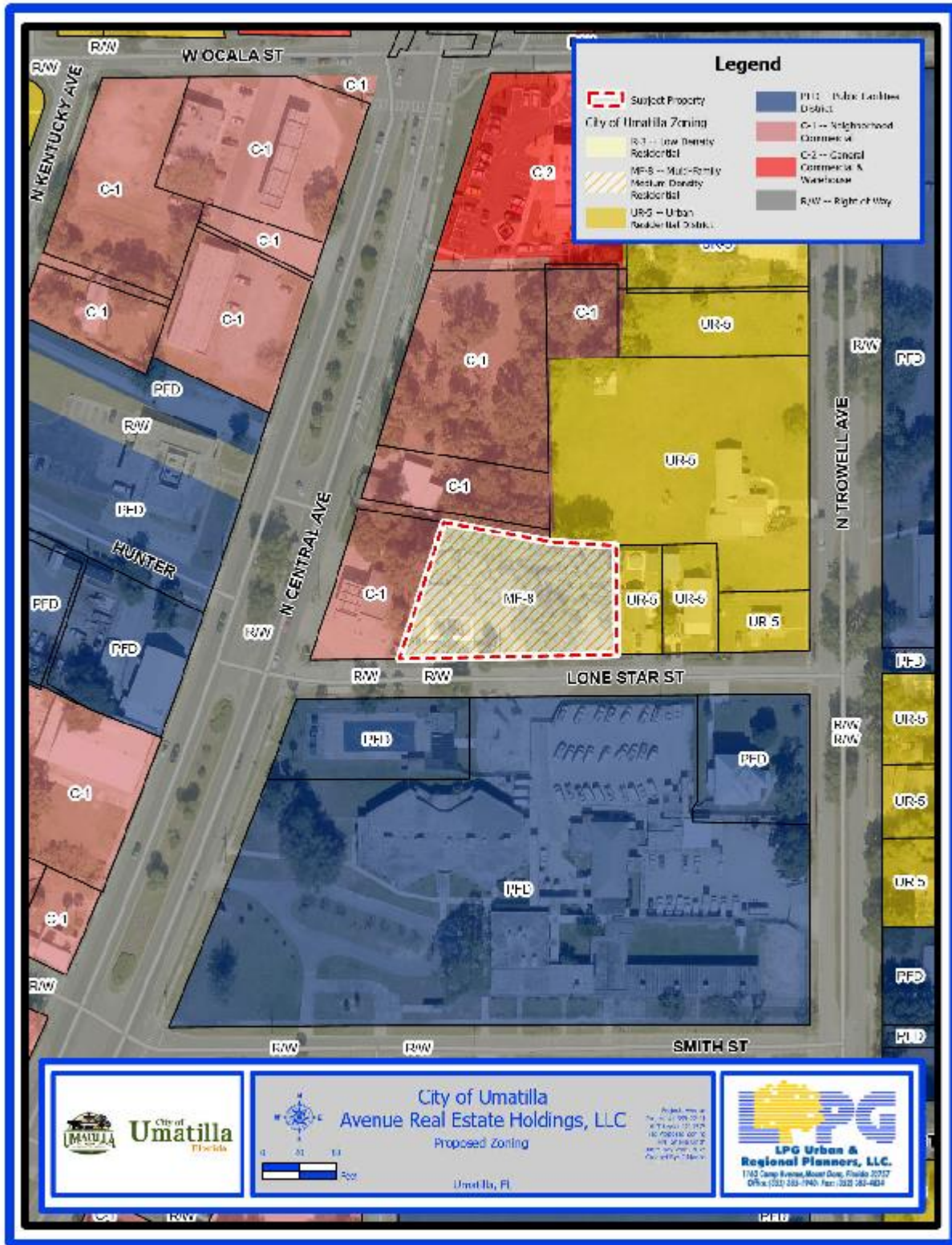
73
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75 _____
76 Jessica Burnham
77 City Clerk
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Kevin Stone
City Attorney

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80 Passed First Reading _____
81 Passed Second Reading _____
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EXHIBIT "A"



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EXHIBIT "B"

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PARCEL NO. 1: That part of the Northeast one-quarter (NE ¼) of the Northwest one-quarter (NW ¼) of Section 13, Township 18 South, Range 26 East, Lake County, Florida, in the City of Umatilla, Florida, bounded and described as follows: From the Northeast corner of the Northwest one-quarter (NW ¼) of said Section 13, run East 23 feet; thence run South 18 degrees West along the Easterly line of the right-of-way of Central Avenue, 244.5 feet; thence run East 127 feet; thence run South 298 feet; thence run North 79 degrees 43 minutes West 215 feet to a point on the Easterly line of the right-of-way of Central Avenue; thence run South 18 degrees West along the Easterly line of said right-of-way 22.27 feet for a Point of Beginning; from said Point of Beginning, run thence East and parallel with the North line of the right-of-way of Lone Star Street 100 feet; thence South 18 degrees West 150 feet to the North line of the right-of-way of Lone Star Street; thence West along the North line of the right-of-way of Lone Star Street 100 feet to the Easterly line of the right-of-way of Central Avenue; thence North 18 degrees East along the Easterly line of the said right-of-way, 150 feet to the Point of Beginning.

PARCEL NO. 2: From the North ¼ corner of Section 13, Township 18 South, Range 26 East, Lake County, Florida, run East 32.43 feet; thence South 18 degrees 00 minutes 00 seconds West 244.50 feet; thence East 127.00 feet; thence South 298.00 feet; thence North 79 degrees 43 minutes 00 seconds West, 47.80 feet to the Point of Beginning of this description; from said Point of Beginning continue North 79 degrees 43 minutes 00 seconds West 71.54 feet; thence South 18 degrees 00 minutes 00 seconds West, 162.70 feet to the North right-of-way of Lone Star Street; thence East along the North right-of-way of said Lone Star Street, 118.42 feet; thence North 01 degrees 03 minutes 18 seconds East, 141.46 feet to the Point of Beginning.

PARCEL NO. 3: From the North ¼ corner of Section 13, Township 18 South, Range 26 East, Lake County, Florida, run East 32.43 feet; thence South 18 degrees 00 minutes 00 seconds West, 244.50 feet; thence East 127.00 feet; thence South 298.00 feet to the Point of Beginning of this description; from said Point of Beginning, run North 79 degrees 43 minutes 00 seconds West, 47.80 feet; thence South 01 degree 03 minutes 18 seconds West, 141.46 feet to the North right-of-way of Lone Star Street; thence East along the North right-of-way of said Lone Star Street 125.00 feet; thence North 00 degrees 12 minutes 44 seconds East, 119.45 feet; thence North 80 degrees 11 minutes 41 seconds West 76.95 feet to the Point of Beginning.

ORDINANCE 2023-10

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3187(1)(c); AMENDING THE LAND USE DESIGNATION OF 0.694 ± ACRES OF LAND DESIGNATED AS COMMERCIAL TO MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY AVENUE REAL ESTATE HOLDINGS, LLC LOCATED NORTH OF LONE STAR STREET AND EAST OF SR 19; DIRECTING THE CITY MANAGER TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Green Consulting Services, Inc. as applicant on behalf of Avenue Real Estate Holdings, LLC as owner, requesting that real property within the city limits of the City of Umatilla be assigned a land use designation from General Commercial to Multi-Family Medium Density Residential under the Comprehensive Plan for the City of Umatilla;

WHEREAS, the amendment would facilitate residential infill development and is in compliance with the policies of the City’s comprehensive plan; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Local Planning Agency for the City of Umatilla have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Council of the City of Umatilla.

WHEREAS, the City Council reviewed said petition, the recommendations of the Land Planning Agency, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF UMATILLA, FLORIDA, AS FOLLOWS:

Section 1: Purpose and Intent.

That the land use classification of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be designated from General Commercial to Multi-family Medium Density Residential as depicted on the map attached hereto as Exhibit “A”, and as defined in the Umatilla Comprehensive Plan.

LEGAL DESCRIPTION: See Exhibit “B”

Alternate Key # 1211573

- A. That a copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Umatilla as a matter of permanent record of the City, and that matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.
- B. That the City Manager, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Umatilla.

Section 2: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4: Scrivener’s Errors.

Scrivener’s errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 5: Effective Date.

This Ordinance shall become effective 31 days after its adoption by the City Council. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Council of the City of Umatilla, Lake County, Florida, this _____ day of _____, 2023.

Kent Adcock, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

Jessica Burnham, CMC
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"

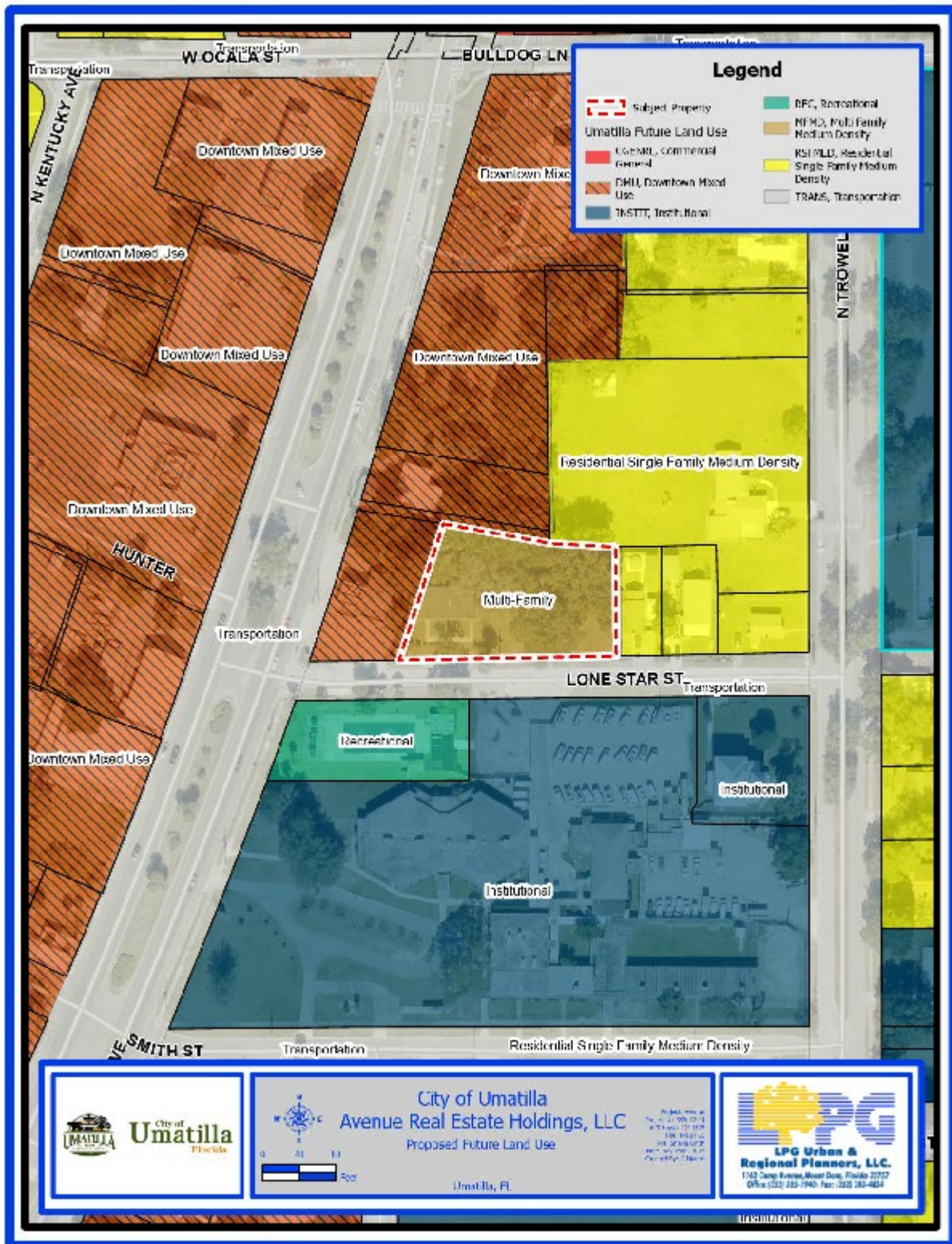


EXHIBIT "B"
LEGAL DESCRIPTION

PARCEL NO. 1: That part of the Northeast one-quarter (NE ¼) of the Northwest one-quarter (NW ¼) of Section 13, Township 18 South, Range 26 East, Lake County, Florida, in the City of Umatilla, Florida, bounded and described as follows: From the Northeast corner of the Northwest one-quarter (NW ¼) of said Section 13, run East 23 feet; thence run South 18 degrees West along the Easterly line of the right-of-way of Central Avenue, 244.5 feet; thence run East 127 feet; thence run South 298 feet; thence run North 79 degrees 43 minutes West 215 feet to a point on the Easterly line of the right-of-way of Central Avenue; thence run South 18 degrees West along the Easterly line of said right-of-way 22.27 feet for a Point of Beginning; from said Point of Beginning, run thence East and parallel with the North line of the right-of-way of Lone Star Street 100 feet; thence South 18 degrees West 150 feet to the North line of the right-of-way of Lone Star Street; thence West along the North line of the right-of-way of Lone Star Street 100 feet to the Easterly line of the right-of-way of Central Avenue; thence North 18 degrees East along the Easterly line of the said right-of-way, 150 feet to the Point of Beginning.

PARCEL NO. 2: From the North ¼ corner of Section 13, Township 18 South, Range 26 East, Lake County, Florida, run East 32.43 feet; thence South 18 degrees 00 minutes 00 seconds West 244.50 feet; thence East 127.00 feet; thence South 298.00 feet; thence North 79 degrees 43 minutes 00 seconds West, 47.80 feet to the Point of Beginning of this description; from said Point of Beginning continue North 79 degrees 43 minutes 00 seconds West 71.54 feet; thence South 18 degrees 00 minutes 00 seconds West, 162.70 feet to the North right-of-way of Lone Star Street; thence East along the North right-of-way of said Lone Star Street, 118.42 feet; thence North 01 degrees 03 minutes 18 seconds East, 141.46 feet to the Point of Beginning.

PARCEL NO. 3: From the North ¼ corner of Section 13, Township 18 South, Range 26 East, Lake County, Florida, run East 32.43 feet; thence South 18 degrees 00 minutes 00 seconds West, 244.50 feet; thence East 127.00 feet; thence South 298.00 feet to the Point of Beginning of this description; from said Point of Beginning, run North 79 degrees 43 minutes 00 seconds West, 47.80 feet; thence South 01 degree 03 minutes 18 seconds West, 141.46 feet to the North right-of-way of Lone Star Street; thence East along the North right-of-way of said Lone Star Street 125.00 feet; thence North 00 degrees 12 minutes 44 seconds East, 119.45 feet; thence North 80 degrees 11 minutes 41 seconds West 76.95 feet to the Point of Beginning.



July 6, 2023

pointLayer

Override 1

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0 0.01 0.02 0.04 mi

0 0.0175 0.035 0.07 km



**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: July 7, 2023

MEETING DATE: July 18, 2023

**SUBJECT: First Reading of Ordinance No. 2023-11, Avenue Real Estate Holdings LLC
Rezoning**

BACKGROUND SUMMARY:

Ordinance 2023-10 is a Comprehensive Plan Amendment request a change from Commercial Land Use to Multi-family Medium Density Land Use (8 units/acre).

Ordinance 2023-11 is a Rezoning of the subject site from Commercial C-1 to Multifamily-8 to accommodate the development of three (3) duplex units.

Creation of these duplex lots will be done through a proposed lot line deviation and lot split. The proposed lots are 11,738 SF (0.27 + acres), 9,258 SF (0.212 + acres), and 9,224 SF (0.211 + acres).

The proposed lots exceed the minimum requirements for the MF-8, duplex lots which is a minimum of 9,000 SF with 60' of frontage.

RECOMMENDATIONS:

Approve First Reading of Ordinance No. 2023-11, Avenue Real Estate Holdings LLC Rezoning

FISCAL IMPACTS:

None

ATTACHMENTS:

1. Ordinance No. 2023-11, Avenue Real Estate Holdings LLC Rezoning
-

ORDINANCE 2023-11

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 0.694 ± ACRES OF LAND ZONED NEIGHBORHOOD COMMERCIAL (C-1) TO THE DESIGNATION OF MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL (MF-8) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY AVENUE REAL ESTATE HOLDINGS, LLC LOCATED NORTH OF LONE STAR STREET AND EAST OF SR 19; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY AND SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Green Consulting Group, Inc. as applicant on behalf of the Owner, Avenue Real Estate Holdings, LLC, to rezone approximately 0.694 acres of land from Neighborhood Commercial (C-1) to Multi-family Medium Density Residential (MF-8);

WHEREAS, the Petition bears the signature of all required parties; and

WHEREAS, the required notice of the proposed rezoning has been properly published;

WHEREAS, the City Council reviewed said petition, the recommendations of staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

WHEREAS, upon review, certain terms pertaining to the development of the above-described property have been duly approved, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Umatilla, Florida, as follows:

Section 1: Purpose and Intent.

That the zoning classification of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be designated as Multi-family Medium Density Residential (MF-8) as defined in the Umatilla Land Development Regulations and as depicted on the map attached hereto as Exhibit “A” and incorporated herein by reference.

LEGAL DESCRIPTION: See Exhibit “B”.

Alternate Key # 1211573

Section 2: Zoning Classification.

That the property shall be designated as MF-8, Multi-family Medium Density Residential, in accordance with Chapter 6, Section 2(e) of the Land Development Regulations of the City of Umatilla, Florida.

Section 3: The City Manager, or designee, is hereby directed to amend, alter, and implement the official zoning map of the City of Umatilla, Florida, to include said designation consistent with this Ordinance.

49 **Section 4: Severability.**

50 If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be
51 void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance
52 shall remain in full force and effect.

53
54 **Section 5: Scrivener’s Errors.**

55 Scrivener’s errors in the legal description may be corrected without a public hearing or at public
56 meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the
57 correct legal description.

58
59 **Section 6: Effective Date.**

60 This Ordinance shall become effective immediately upon passage by the City Council of the City of
61 Umatilla.

62
63 **PASSED AND ORDAINED** in regular session of the City Council of the City of Umatilla, Lake County,
64 Florida, this _____ day of _____, 2023.

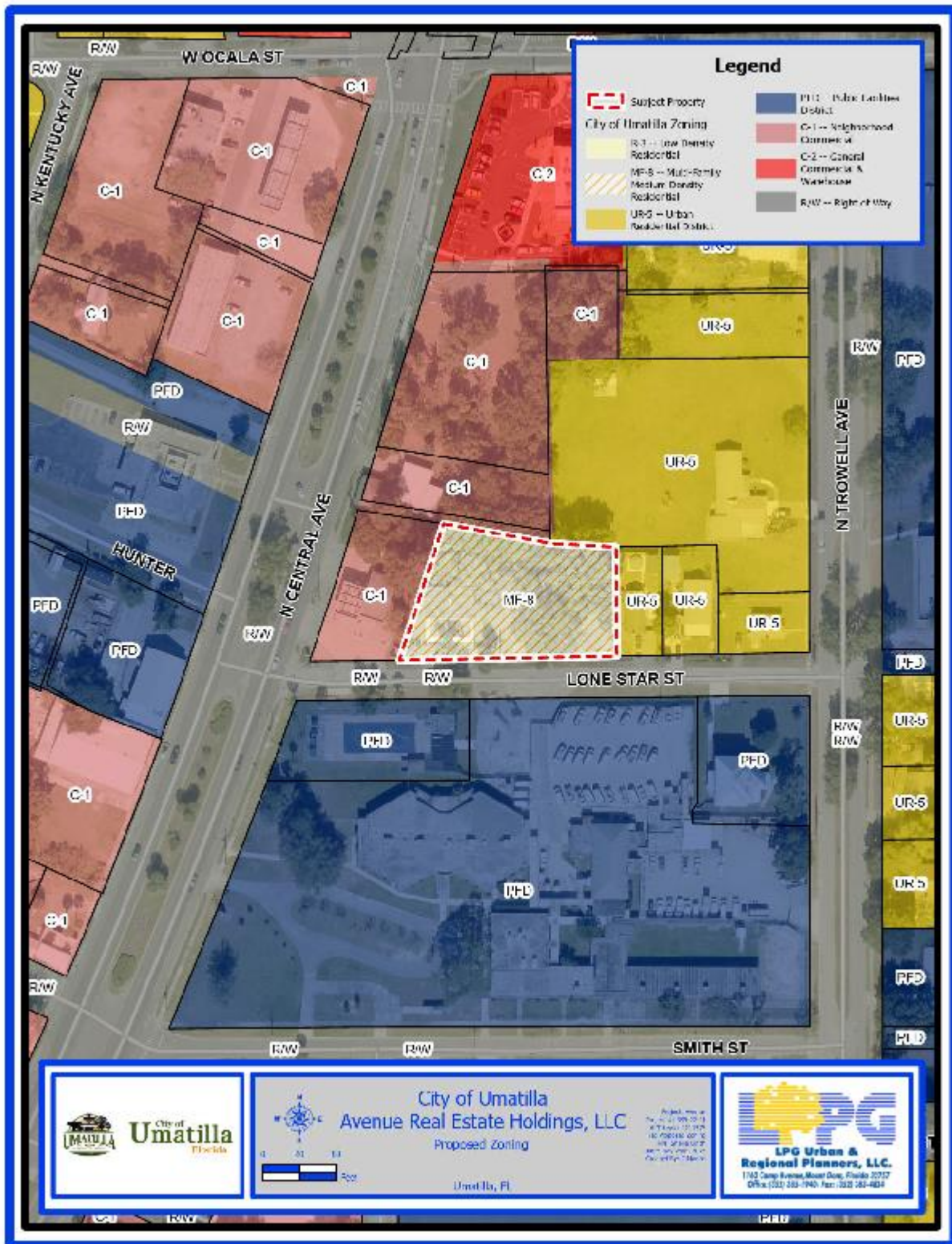
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67 _____
68 Kent Adcock, Mayor
69 City of Umatilla, Florida

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72 ATTEST: Approved as to Form:
73
74
75 _____
76 Jessica Burnham Kevin Stone
77 City Clerk City Attorney

78
79
80 Passed First Reading _____
81 Passed Second Reading _____
82 (SEAL)
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EXHIBIT "A"



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EXHIBIT "B"

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