



# City of Eustis

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TO: Eustis City Commission  
FROM: Tom Carrino, City Manager  
DATE: April 18, 2024  
RE: **FIRST READING**

Ordinance Number 24-19: Approving a Conditional Use Permit to allow a 10,640 square foot, Commercial Retail Store in a General Industrial Land Use District at the Eustis Commerce Park on Paradise Lane and County Road 452

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## **Introduction:**

Ordinance Number 24-19 approves a Conditional Use Permit for allowance of a commercial retail store in the General Industrial District (GI) future land use district for property located at the Eustis Commerce Park on Paradise Lane at County Road 452. (Alternate Key Number 1094682).

## **Background:**

- a. The site is undeveloped and wooded with access along Paradise Lane in the Eustis Commerce Park. The site is surrounded by adjacent undeveloped and wooded property to the north, west and south. The surrounding land uses are as follows: General Industrial (GI) to the north, south and west, and Mobile Home/Recreational Vehicle (MH/RV) to the east as Southern Palms Mobile Home/RV Park. There are also two adjacent Design Districts: Suburban District (SD) to the north, south and west including this property and Suburban Neighborhood (SN) to the east.



As part of their concern for community involvement and input, the applicant chose to hold a community meeting at City Hall on March 5, 2024. A total of 11 people were on hand to discuss the project and concerns related to it. Two members of Valensa International were present and had concerns related to the traffic on County Road 452. The applicant responded by saying that they had ordered a traffic study but that it had not been completed at the time of the hearing. One of the goals for the study was the recommendation on how to manage the traffic concerns related to this project.

The item was presented to the City Commission at their March 21, 2024 meeting; however, there was no motion or action taken. The applicant has requested that the item be considered on April 18, 2024.

**Applicant's Request:**

The applicant requests a Conditional Use Permit to allow a retail store within the Eustis Commerce Park at its entrance, located at Paradise Lane and County Road 452 in the General Industrial District (GI) future land use district.

**Analysis:**

The standards of review must show the conditional use is consistent with the City's Comprehensive Plan, Land Development Regulations and City Code. Accordingly, staff has reviewed this conditional use request with consideration of the following:

Section 109-4 (Use Regulations Table) provides a method whereby industries necessary to the area, but with inherent characteristics which could prove obnoxious or detrimental to a different type of industrial operation, may locate in the most suitable and advantageous spots to minimize inconvenience to the general public. Those uses which require conditional use permit approval in the General Industrial (GI) land use district include adult businesses, crematoriums, all schools (including vocational), outdoor shooting ranges, pharmacies, and retail sales or services.

The standards of review must show the conditional use is consistent with the City's Comprehensive Plan, Land Development Regulations, and City Codes, which are shown below.

This request for allowance of a retail store in the General Industrial District (GI) is generally consistent with the goals and objectives of the City's Comprehensive Plan.

**Additional Applicable Policies and Codes:**

Staff has reviewed this conditional use request with consideration of the following.

- (1) The Comprehensive Plan: New development within GI areas shall continue to be required to:
  - a. Provide adequate setbacks and buffering from residential areas and public roads;
  - b. Comply with all federal and state environmental regulations and local performance standards contained in the Land Development Regulations;  
and
  - c. Limit effluent discharges to the municipal sewer system to approved pretreated industrial wastes and domestic wastes only.

Section 102-30 (Conditional Uses) of the Land Development Regulations (LDRs) provides for uses that are generally compatible with the use characteristics of a future land use district, but which require individual review of:

“Location, design, intensity, configuration, and public facility impact in order to determine the appropriateness of the use of any particular site in the district and their compatibility with adjacent uses.”

The Conditional Use review allows the City Commission to attach conditions, limitations, and requirements to a conditional use permit to prevent or minimize adverse effects upon other properties in the neighborhood. These conditions can include limitations on size, intensity of use, bulk and location, landscaping, lighting, provision of adequate ingress and egress, duration of the permit, and hours of operation.

Section 109-4 (Use Regulations Table) allows a retail sales or service business as a conditional use within the GI land use district.

**Policy Implications:**

Approval or denial of this waiver request to grant approval of a conditional use to permit a retail store at Paradise Lane and CR 452 could set a precedent for the review of similar requests in the future; however, this could be an opportunity as well to show flexibility and also offer a variety of options within the GI.

**Alternatives:**

1. Approve Ordinance Number 24-19.
2. Deny Ordinance Number 24-19.

**Community Input:**

The department has properly advertised the Ordinance in the newspaper; notified surrounding properties within 500 feet, and posted the property. Additionally, the developer held a community meeting at City Hall to discuss the project with nearby residents and property owners. Concerns at that meeting, including from representatives of neighboring Valensa/Nutraceuticals and nearby residents, centered around traffic.

The matter was presented to the City Commission at their March 21, 2024; however there was no motion made or action taken to determine the outcome.

**Budget/Staff Impact:**

There would be no direct cost to the City associated with the action other than providing standard City services to the development. There would be no additional staff time beyond the normal plan review process and building inspection.

**Conclusion:**

In the past, City Commission has expressed a concern that the City of Eustis has limited opportunities for industrial development. The Eustis Commerce Park is one of the areas of the City with a General Industrial future land use designation. The other occupant of the Park, Valensa/Nutraceuticals, is industrial in nature.

The City Commission has discretion to grant, deny, or place conditions on the conditional use. The request is consistent with the City’s comprehensive plan, and if the Commission does approve the conditional use, the Development Services Department would still expect to see the applicant:

1. Submit plans for Site Plan/Final Engineering Construction Plans (FECP) to the Development Review Committee (DRC);
2. Attend a Pre-Construction Conference with the DRC to discuss details of construction;

3. Submit materials and paperwork to the Building Department for a building permit and pay associated construction and impact fees;
4. Submit plans for sign approval separately to the Building Department; and
5. Obtain a business tax receipt (btr) with the City through Development Services before the opening day for business.

**Prepared By:**

Mike Lane, AICP, Director, Development Services Department

**Attachments:**

Proposed Ordinance Number 24-19

Community Meeting Minutes from March 5, 2024