



City of Tavares Planning and Zoning Board

November 21, 2019 -- 3 P.M.

Tavares Council Chambers

- I. **Call to Order**
- II. **Pledge of Allegiance**
- III. **Approval of Minutes**
Approval of August 15, 2019 Planning & Zoning Board Minutes
- IV. **Swearing in by City Attorney and Disclosure of Exparte Contacts**
- V. **Public Hearings**
 - 1. **15219 & 15221 Old US Hwy 441** - Annexing and Rezoning of approximately 0.35 acres; from Lake County Light Industrial District (LM) to City of Tavares Residential Multi-Family (RMF-2).
Recommendation on Ordinance 2019-19
 - 2. **15219 & 15221 Old US Hwy 441** – Small Scale FLUM of approximately 0.35 acres; from County Urban High Density to City Medium Density (MED).
Recommendation on Ordinance 2019-20
- VI. **Other Business**
- VII. **Audience to be heard**
- VIII. **Adjournment**

F.S.286.0105 states that if a person decides to appeal any decision or recommendation made by the Planning & Zoning Board, or the Tavares City Council with respect to any matter considered at this meeting, that for such purpose 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.

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
August 15, 2019**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Lou Buigas, Board Member, Vice-Chairman
Gary Koerner, Board Member
Deborah Murphy, Board Member - Absent
Morris Osborn, Board Member - Absent
William Stomp, Board Member
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Bob Williams, City Attorney
Mike Fitzgerald, Community Development Director
Antonio Fabre, Planning Coordinator
Jillian Roberts, Deputy City Clerk

CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. and asked those present to silence their cell phones. He led those present in the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections for the July 18, 2019 Planning and Zoning Board Meeting minutes. Lou Buigas said that she would like [page 5; paragraph 7] to reflect the following: Ms. Buigas thanked Mr. and Mrs. Kehr for being involved in city meetings even though they are not residents of the City of Tavares.

MOTION

William Stomp moved to approve the minutes [with corrections] of the July 18, 2019 Planning and Zoning Board Meeting, seconded by Lou Buigas. The motion carried unanimously 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Attorney Williams gave the oath to those who wished to provide testimony.

PUBLIC HEARING

1) Recommendation on Ordinance 2019-17 – Amsdell Storage Ventures, LLC – Rezoning approximately 11.55 acres of property generally located East of State Road 19, West of County Road 561, approximately 140 feet north of Dailey Drive from Planned Development (PD) to Industrial (I).

Mr. Fitzgerald provided the following staff report;

The subject property consists of approximately 11.55 acres located east of SR-19, west of CR-561, approximately 140 feet north of Dailey Drive. The property is currently owned by Amsdell Storage Ventures XXXIV, LLC and contains (1) commercial building, nine (9) self-storage mini warehouse buildings, and approximately three (3) acres of vacant land. The property is zoned as Planned Industrial Development (PD) per Ordinance 1998-10, amended by Ordinances 2004-18 & 2017-19 allowing a mixture of commercial uses and industrial storage uses. The owner of the property wishes to eliminate the commercial portion and convert the building to additional personal storage capacity. In addition, the owner is proposing to construct new mini-warehouse storage buildings and RV & boat parking areas on the vacant parcels. The applicant is requesting a rezoning from Planned Development (PD) to Industrial (I) as a result of eliminating the commercial aspect and proposing increased industrial storage use that is limited under the current Planned Development. The property is surrounded by a mixture of industrial, commercial and residential property.

Any development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required.

The underlying Future Land Use designation of Industrial (IND) does not change and is compatible with the requested Industrial (I) zoning district.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2019-17 rezoning of approximately 11.55 acres of property located east of SR-19, west of CR-561, approximately 140 feet north of Dailey Dr. from Planned Development (PD) to Industrial (I).

Chairman Santoro asked who is representing the applicant.

Rick Hartenstein, Wicks Engineering Services, Planning Project Manager, stated the applicant is requesting to rezone the property to an industrial zoning to expand

units, include RV, boat and industrial storage with the mini warehouses. He said the mini warehouses portion will include large enclosed air conditioned storage.

Chairman Santoro asked for comments or questions from the Board.

Ms. Treadwell asked what was adjacent to the property. Mr. Hartenstein stated it is mostly industrial to the north by Camp Road. Mr. Fitzgerald stated there is some residential abutting SR-19 and to the south of Dailey Drive.

Mr. Stomp asked if the subject property is city property. Mr. Fitzgerald confirmed.

Ms. Buigas asked for the status of a property to the right of the subject property. Mr. Fitzgerald stated the Hamlets of Tavares was developed with infrastructure, roads, water and sewer. City staff is currently working with LGI Homes who is interested in developing the property as approved in 2006 as single story, multi-family townhomes.

Chairman Santoro asked for the status of the current occupants. Tim Moran of Amsdell stated the occupants are currently in the process of vacating leased space upon expiration. The space will then be converted into storage.

MOTION

Lou Buigas moved to recommend approval of Ordinance 2019-17, Seconded by Gary Koerner. The motion carried unanimously 5-0.

OTHER BUSINESS

Ms. Buigas inquired about Planning and Zoning Board members providing input at City Council meetings upon request of a City Council Member. Attorney Williams stated the Planning and Zoning Board comments are reflected in the record and meeting minutes and no comment is recommended regarding personal opinions on business that has come before previously the Planning and Zoning Board.

PUBLIC COMMENT

There was none.

ADJOURNMENT

Lou Buigas moved to approve to adjourn the meeting at 3:14 p.m., seconded by Dara Treadwell. The motion carried unanimously 5-0.

Respectfully submitted,

Jillian Roberts,
Deputy City Clerk

**AGENDA SUMMARY
TAVARES PLANNING & ZONING BOARD
NOVEMBER 21, 2019**

SUBJECT TITLE: Ordinance 2019-19
Annexation & Rezoning –15219 & 15221 Old US-Hwy 441

OBJECTIVE:

To consider the annexation and rezoning to Residential Multi-Family (RMF-2) of approximately 0.35 acres of property located at 15219 & 15221 Old US-Hwy 441, Tavares, FL.

SUMMARY:

The subject property is located at 15219 & 15221 Old US-Hwy 441 and is approximately 0.35 acres in size. The land is presently zoned as County Light Industrial District (LM), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-2).

The proposed zoning of Residential Multi-Family (RMF-2) is compatible with the surrounding zoning and the existing multi-family use of the property.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be properly serviced by the City without undue hardship or significant negative fiscal impact to the City.

The owner is concurrently seeking a Future Land Use Map amendment to Medium Density (MED). Medium Density (MED) land use is compatible with the proposed RMF-2 zoning.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2019-19, the annexation and rezoning to Residential Multi-Family (RMF-2) of approximately 0.35 acres of property located at 15219 & 15221 Old US-Hwy 441, Tavares, FL.
2. That the Planning & Zoning Board moves to deny the proposed annexation and rezoning.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2019-19, the annexation and rezoning to Residential Multi-Family (RMF-2) of approximately 0.35 acres of property located at 15219 & 15221 Old US-Hwy 441, Tavares, FL.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2019-19

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 0.35 ACRES OF LAND LOCATED AT 15219 & 15221 OLD US-HWY 441, REZONING SAID PROPERTY FROM LAKE COUNTY LIGHT INDUSTRIAL DISTRICT (LM) TO CITY OF TAVARES RESIDENTIAL MULTI-FAMILY (RMF-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in **Exhibit “A”** has voluntarily petitioned to annex into the City of Tavares, and

WHEREAS, the property legally defined in **Exhibit “A”** is contiguous with the corporate limits of the City of Tavares and the annexation of said property will not result in the creation of any enclave; and

WHEREAS, the City of Tavares, Florida, is in a position to provide municipal services to the property described herein; and,

WHEREAS, the City Council of the City of Tavares, Florida, deems it in the best interest of the City to accept said petition and to annex said property; and,

WHEREAS, the property is currently zoned Lake County Light Industrial District (LM) and the applicant has requested that said property be rezoned to a City designation of Residential Multi-Family (RMF-2); and,

WHEREAS, the City is concurrently processing a small scale future land use map amendment to re-designate the property from Lake County Urban High Density to a City of Tavares Medium Density on the Future Land Use Map; therefore

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Annexation

The property legally defined as and depicted in **Exhibit “A”** attached hereto, situated in Lake County, Florida, is hereby incorporated into and made a part of the City

of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes.

Section 2. Rezoning

The property described in **Exhibit "A"** shall hereby be rezoned from Lake County Light Industrial District (LM) to City of Tavares Residential Multi-Family (RMF-2) and shall be subject to the provisions contained within the Land Development Regulations for this zoning designation.

Section 3. Severability.

Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 4. Effective Date.

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ORDAINED this _____ of _____, 2019, by the City Council of the City of Tavares, Florida.

Troy Singer, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

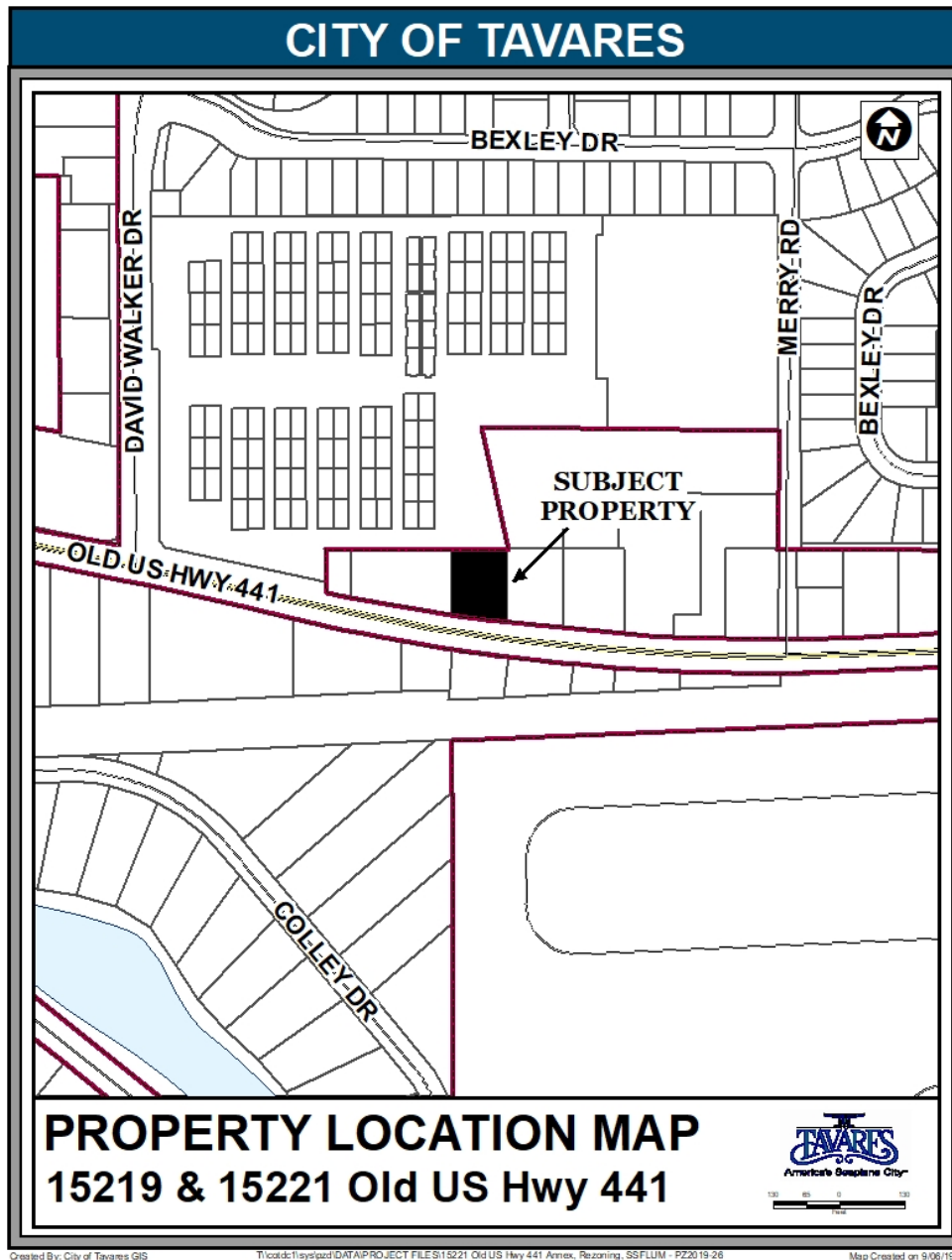
Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Robert Q. Williams, City Attorney

EXHIBIT A

The West 110 feet of Lot "U" lying North of right of way of State Road #2 (U.S. Highway 441) according to the Map of Virginia Land Corporation, recorded in Plat Book 2, page 29, Public Records of Lake County, Florida.



**AGENDA SUMMARY
TAVARES PLANNING & ZONING BOARD
NOVEMBER 21, 2019**

AGENDA TAB NO.

SUBJECT TITLE: Ordinance 2019-20 Small Scale FLUM Amendment – 15219 & 15221 Old US Hwy 441

OBJECTIVE:

To consider a Small Scale Future Land Use Map amendment from County Urban High Density to City Medium Density (MED) for 0.35 acres of property located at 15219 & 15221 Old US Hwy 441, Tavares, FL.

SUMMARY:

The subject property is located at 15219 & 15221 Old US Hwy 441, and is approximately 0.35 acres in size. The land presently has a land use designation of County Urban High Density, and the property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said property from Lake County Urban High Density to City of Tavares Medium Density (MED).

Ordinance 2019-20 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan from County Urban High Density to City Medium Density (MED).

The subject property is adjacent to residential and commercial uses. An application to annex and rezone this property to a Residential Multi-Family (RMF-2) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Urban High Density. A City Medium Density (MED) designation is compatible with surrounding property and the existing County Future Land Use.

Compatibility

Lands surrounding this property are residential and commercial in nature.

Site Conditions

A multi-family duplex home is currently on the property.

Impact on City Services

The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Medium Density (MED) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2019-20, a Small Scale Future Land Use Map amendment from County Urban High Density to City Medium Density (MED) for 0.35 acres of property located at 15219 & 15221 Old US Hwy 441, Tavares, FL.
2. That the Planning & Zoning Board moves to deny the proposed Small Scale Comprehensive Plan Amendment.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2019-20, a Small Scale Future Land Use Map amendment from County Urban High Density to City Medium Density (MED) for 0.35 acres of property located at 15219 & 15221 Old US Hwy 441, Tavares, FL.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2019-20

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.35 ACRES OF LAND LOCATED AT 15219 & 15221 OLD US HWY 441; FROM COUNTY URBAN HIGH DENSITY TO CITY MEDIUM DENSITY (MED); PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in **Exhibit “A”** has voluntarily petitioned to annex into the City of Tavares, and

WHEREAS, the City of Tavares is concurrently processing the annexation of this property; and

WHEREAS, the property consists of less than ten acres;

WHEREAS, the City of Tavares has advertised as required by law for two public hearings prior to adoption of this ordinance; and

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

WHEREAS, the City desires to encourage mixed uses in this particular area of the City, and

WHEREAS, a Medium Density Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency, and City Council held duly noticed public hearings providing opportunity for individuals to hear and be heard regarding the adoption of the proposed map amendment; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares.

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

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Lake County Urban High Density to City of Tavares Medium Density (MED) on certain real property as legally described in Exhibit "A". All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the State of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on

the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____ day of _____, 2019 by the City Council of the City of Tavares, Florida.

Troy Singer, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

Robert Q. Williams, City Attorney

EXHIBIT "A"

The West 110 feet of Lot "U" lying North of right of way of State Road #2 (U.S. Highway 441) according to the Map of Virginia Land Corporation, recorded in Plat Book 2, page 29, Public Records of Lake County, Florida.

