

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
JANUARY 18, 2024**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Deborah Murphy, Vice-Chairman
Dian Joy, Board Member
Bruce Peterman, Board Member
Brooke Matthews, Board Member - Absent
James Sweezea, Board Member
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Community Development Interim Director
Terri O’Neil, City Planner
Lindsay Holt, City Attorney
Erick Hernandez, Staff Assistant

I. 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.

Chairman Santoro added that the “Election of Officers” would be held under Other Business.

MOTION

James Sweezea moved to approve the addition of ‘Election of Officers’, seconded by Dara Treadwell. The motion carried unanimously 6-0.

MOTION

James Sweezea moved to move Other Business before Approval of Minutes. Seconded by Dara Treadwell. The motion carried unanimously 6-0.

II. OTHER BUSINESS

Chairman Santoro opened the floor for nominations for Chairman.

James Sweezea nominated Gary Santoro for the position of Chairman. There were no other nominations.

MOTION

James Sweezea moved to nominate Gary Santoro as Chairman of the Planning and Zoning Board, seconded by Bruce Peterson. The motion carried unanimously 6-0.

Chairman Santoro opened the floor for nominations for Vice-Chairman.

Dara Treadwell nominated Deborah Murphy for the position of Vice-Chair. There were no other nominations.

MOTION

Dara Treadwell moved to nominate Deborah Murphy, seconded by Bruce Peterson. The motion carried unanimously 6-0.

MOTION

Dian Joy moved to close the nomination, seconded by Dara Treadwell. The motion carried unanimously 6-0.

III. APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the September 21, 2023, Planning and Zoning Board Meeting minutes. There were none.

MOTION

James Sweezea moved to approve the minutes of the September 21, 2023 Planning and Zoning Board Meeting. Seconded by Dian Joy. The motion carried unanimously 6-0.

IV. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and wished to provide testimony.

Attorney Holt asked the Board Members if there were any ex-parte communications. There were none.

V. PUBLIC HEARING

1) Recommendation on Resolution 2024-01 – St. John Independent Free Methodist Church – Right-of-Way Vacate Located at 120 N. Bloxham Avenue

Mr. Fabre gave the following presentation:

January 18, 2024 - Planning and Zoning Board Meeting

This is a request to vacate a platted undeveloped alleyway lying between the property located at 120 N. Bloxham, Tavares, Florida 32778. The current adjacent property owner is petitioning to vacate an existing right-of-way since it is undeveloped and not practical as a future alleyway. City staff reviewed the vacate request and determined no conflicts in the vacation regarding drainage, utilities, health, safety, or welfare of the Public. As a result, this official vacation will remove the city's public interest in this land.

OPTIONS:

1. *That the Planning & Zoning Board moves to recommend approval of Resolution 2024-01 vacation of right-of-way located at 120 N. Bloxham, lying east of Lots "A", "B", and "C" in Block 52 of Tavares Improvement Company's Subdivision, as recorded in Plat Book 4, Page 39.*
2. *That the Planning & Zoning Board moves to recommend denial of Resolution 2024-01.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2024-01 vacation of an undeveloped alleyway located at 120 N. Bloxham, lying east of Lots "A", "B", "C" in Block 52 of Tavares Improvement Company's and Subdivision, as recorded in Plat Book 4, Page 39.

Chairman Santoro asked for public comment. There were none.

Board Member Treadwell asked if the undeveloped alleyway is Church Property. Mr. Fabre stated the undeveloped alleyway belongs to the City of Tavares and will be vacated.

Board Member Sweeza asked what would become of the alleyway. Mr. Fabre noted the Property Appraiser will divide the alleyway evenly between the owners of the property it sits between.

MOTION

Dara Treadwell moved to recommend approval of Resolution 2024-01, seconded by James Sweeza. The motion carried unanimously 6-0.

2) Recommendation on Ordinance 2024-01 – Idamere Crossings – Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff

Mr. Fabre gave the following presentation:

SUMMARY:

The subject property consists of approximately 19.46 acres of vacant property located at the southeast corner of SR-19 & Lane Park Cutoff Road. The property is currently zoned as Highway Commercial (C- 2), and the applicant is proposing that the property be rezoned to a mixed use Planned Development (PD).

On November 18, 2021, the Planning & Zoning Board voted unanimously to recommend approval of PD Ordinance 2021-11 which proposed a one hundred sixty-five (165) dwelling units multi-family apartment complex on the subject property. On December 15, 2021, the City Council denied the PD rezoning request as presented. In general, City Council rational of denial was to preserve existing commercial land use along SR-19.

At present, the applicant is proposing to develop the site with 1.7 acres of commercial along SR-19 and a 110 dwelling unit multi-family apartment complex. The PD will limit the density to 25 dwelling units an acre and will specifically dictate the multi-family portion of the development shall be restricted to 110 multi-family dwelling units. The commercial uses will be subject to certain Highway Commercial (C-2) uses outlined in the proposed PD Ordinance 202401.

The proposed residential use is consistent with the Comprehensive Plan by ensuring the availability, quality, and sustainability of a mix of housing types in Tavares. The subject property is approximately 0.30 miles from Tavares Middle School and is walkable for students as there is an existing sidewalk on the south side of Lane Park Cutoff. The Lake County School District has reviewed the proposed 110- unit development and determined that there are adequate school facilities to serve the approximately 29 students anticipated. The property owner is required to apply for and obtain a school capacity reservation prior to development approval.

The environmental assessment submitted by E Sciences, Inc. indicates no adverse conditions or environmental concerns with the property. Prior to any development, the property owner must comply with all Florida Fish and Wildlife Conservation Commission provisions as they pertain to threatened species.

The preliminary traffic analysis submitted by VHB does not indicate an adverse impact on the level of service for surrounding roadways. The report states that the proposed planned development (PD) zoning and land use presents a potential trip reduction from the existing commercial zoning.

Development of the property will be in accordance with the provisions of PD Ordinance 2024-01 and the City's Land Development Regulations. The proposed Planned Development (PD) zoning is compatible with the surrounding zoning, which is a mixture of residential, commercial, and Public Facilities zoning. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required. The City is concurrently processing a future land use map amendment to re-designate the property from Commercial (COM) to Mixed Use (MU) on the Future Land Use Map 2040.

OPTIONS:

1. *That the Planning & Zoning Board moves to recommend approval of Ordinance 2024-01 rezoning of approximately 19.46 acres of property located at the southeast corner of SR-19 & Lane Park Cutoff from Commercial (C-2) to Planned Development (PD).*
2. *That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-01.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2024-01 rezoning of approximately 19.46 acres of property located at the southeast corner of SR-19 & Lane Park Cutoff from Commercial (C-2) to Planned Development (PD).

Michael Rankin, Managing Member & Owner of LPG representing Harvey Haus, gave a presentation about the changes made to the proposed plan for the 19.46 acres of property located at the southeast corner of SR-19 and Lane Park Cutoff.

Chairman Santoro asked for comments from the public.

Don Kehr, 16833 Deer Island Rd, Lake County stated he disagreed with the proposed ordinance change. He noted his concern that the for-sale posting did not meet the posting requirements. Mr. Kehr stated, that if this proposal is passed by the city council, he will file a lawsuit.

Kevin Frisby, 3576 Bayshore Cir, disagreed with the proposed ordinance change and explained that in previous meetings the members of the City Council voted to not zone this property as residential. He noted his concern the project would be an eye sore for those who live near Lake Idamere.

Mike Laloun, 3724 Bayshore Cir, noted that he is new to the City of Tavares and his appreciation for the commercial appeal of the city. He disagreed with the proposed ordinance change.

Chairman Santoro closed public comment.

Chairman Santoro asked Attorney Holt if a for-sale posting needed to be placed on intersecting streets. Attorney Holt stated the single for-sale posting is sufficient if it is in a conspicuous location for the code.

Board Member Peterson asked how many times the proposed ordinance location has been rezoned and stated he disagrees with the proposed ordinance change and development plan. He stated SR-19 & Lane Park Cutoff would not be able to handle the large amount of vehicle traffic. Mr. Fabre stated that the property has never been rezoned. He clarified that the proposed residential property will only be three stories high.

Board Member Joy agreed with the proposed ordinance change. She stated that housing is needed for those who are employed in Tavares.

Board Member Treadwell asked what type of commercial buildings could be built on the property and stated that she does not oppose apartment development. Mr. Fabre noted the types of commercial properties that could be developed on that property. He stated the applicant has restricted certain commercial properties.

Board Member Sweezea stated concerns about traffic congestion on SR-19 and Lane Park Cutoff and future road widening development.

MOTION

James Sweezea moved to meet with Planning and Zoning regarding population growth, seconded by Dara Treadwell. 6-0

Vice-Chairman Murphy disagreed with the housing proposal and wants to keep SR19 zoned for commercial use only.

Board Member Peterman asked Mark Rankin about the ingress and egress easements of SR-19 and Lane Park Cutoff. Mr. Rankin stated the ingress and egress easements would be located on Lane Park Rd.

MOTION

Dian Joy moved to recommend approval of Ordinance 2024-01, seconded by Dara Treadwell. The motion failed 3-3 as follows:

**Chairman Santoro – Yes
Vice Chairman Murphy - No
Dian Joy - Yes
Bruce Peterman - No
James Sweezea - No
Dara Treadwell - Yes**

3) Recommendation on Ordinance 2024-02 – Idamere Crossings – Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff

SUMMARY:

The subject property is located at the Southeast Corner of SR-19 & Lane Park Cutoff and is approximately 19.46 acres in size. The land is presently vacant and has a land use designation of Commercial (COM). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Commercial (COM) to Mixed Use (MU).

On November 18, 2021, the Planning & Zoning Board voted unanimously to recommend approval of (PD) Ordinance 2021-12 which proposed High Density (HD) Future Land Use (FLU) on the subject property. On December 15, 2021, the City

Council denied the FLU request as presented. In general, the City Council rationale of denial was to preserve the existing commercial future land designation along SR19.

Ordinance 2024-02 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Commercial (COM) to Mixed Use (MU). The subject property is adjacent to a mixture of a mixture of residential, commercial, and public facilities land uses. An application to rezone this property to a Planned Development (PD) designation is concurrently under consideration.

Future Land Use Amendment:

The parcel is designated as Commercial (not to exceed 2.0 FAR) on the City's Future Land Use Map. The small-scale Comprehensive Plan Amendment is proposed to designate the site as Mixed Use (not to exceed 25 du/ac, 1.0 FAR). A City Mixed Use (MU) designation is compatible with surrounding property and Future Land Use designations.

Compatibility:

Land surrounding this property is residential, commercial, and public facilities in nature.

Site Conditions:

The property is currently vacant.

Impact on City Services:

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and wastewater utility service available for the subject parcel. 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 City's Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1. A Mixed Use (MU) 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.*
- 2 Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System (Comp Plan, Chapter 8 & LDR's Chapter 10).*

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2024-02, a Future Land Use Map amendment from Commercial (COM) to High Density (HD) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff. (Per error correction by Mr. Fabre, High Density will be changed to Mixed Use)*

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-02.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2024-02, a Future Land Use Map amendment from Commercial (COM U) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff.

Chairman Santoro asked for comments from the public. There were none.

MOTION

James Sweezee moved to recommend approval of Ordinance 2024-02 seconded by Dian Joy. The motion carried 6-0.

4) Recommendation on Ordinance 2024-03 – Comprehensive Plan 2040 Text Amendment of the Public Facilities Element and Conservation Element pursuant to the City’s

OBJECTIVE:

To consider approval of the transmittal to the State for review of Ordinance 202403 - Comprehensive Plan 2040 Text Amendment to the Public Facilities Element and Conservation Element pursuant to the City’s 10-Year Water Supply Facilities Work Plan and Regional Water Supply Planning Initiatives.

SUMMARY:

Local governments within a regional water supply planning area are required to develop a Water Supply Facilities Work Plan (Work Plan) in order to ensure that adequate water supplies will be available to meet future demands for a minimum 10-year planning period, pursuant to F.S. Section 163.3177(6)(c)3. In addition to the Water Supply Facilities Work Plan requirements, local governments are required to revise their Comprehensive Plan for consistency with the Work Plan and regional water supply planning initiatives.

The purpose of this Water Supply Facilities Work Plan is to identify and plan for water supply sources and associated facilities to serve City of Tavares (City) potable water customers for the 2023 through 2032 planning period. The Work Plan has been prepared in accordance with Chapter 163 F.S., which requires local governments to adopt a Work Plan and supporting comprehensive plan policies within 18 months of the approval of a regional water supply plan. The Central Springs/East Coast (CSEC) Regional Water Supply Plan was approved by the St. Johns River Water Management District (SJRWMD) on February 8, 2022.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of the transmittal to the State for review of Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment to the Public Facilities Element and Conservation Element

pursuant to the City's 10-Year Water Supply Facilities Work Plan and Regional Water Supply Planning Initiatives.

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-03.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of the transmittal to the State for review of Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment to the Public Facilities Element and Conservation Element pursuant to the City's 10 year Water Supply Facilities Work Plan and Regional Water Supply Planning Initiatives.

Sarah Whitaker, PG President, SMW GeoSciences INC., spoke about the city's 10-year water supply plan.

Chairman Santoro asked Mrs. Whitaker about possible solutions for irrigation and reclaimed water and noted his concern about not using potable water for irrigation or using wells in the future. Mrs. Whitaker stated other cities' water plans and conservation efforts regarding irrigation and having to use lake water as a supplement. She also stated the Water Management District offers funding for water supply projects and conservation.

MOTION

James Sweeza moved to recommend approval of Ordinance 2024-03 seconded by Dian Joy. The motion carried unanimously 6-0.

VI. PUBLIC COMMENT

None

VII. ADJOURNMENT

MOTION

Bruce Peterman moved to adjourn the meeting at 4:14 p.m., seconded by Deborah Murphy. The motion carried unanimously 6-0.

Respectfully submitted,

Erick Hernandez,
Staff Assistant

