



**AGENDA
TAVARES CITY COUNCIL
December 15, 2021
4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES**

(Members of the public wishing to speak on an item that is on the agenda must fill out a Request to Speak form available from the City Clerk or at the Council Meeting prior to the meeting being called to order. In addition, the Mayor will ask for comment under the agenda item titled "Audience to be Heard" for matters not on the Agenda. For further information contact the City Clerk at (352) 742-6209 or snovack@tavares.org)

I. CALL TO ORDER

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1 Pastor Mike Watkins, Friendship C.M.E. Church

III. APPROVAL OF AGENDA

IV. PROCLAMATIONS/PRESENTATIONS

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO RECORD

VII. CONSENT AGENDA

Tab 2 Approval of the December 1, 2021 City Council Regular Meeting Minutes (City Clerk)

VIII. RESOLUTIONS

IX. ORDINANCES - PUBLIC HEARING

First Reading

Second Reading

Tab 3 Ordinance 2021-11 - Idamere Crossings - Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff (Community Development)

- Tab 4 Ordinance 2021-12 - Idamere Crossings - Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff (Community Development)
- Tab 5 Ordinance 2021- 13 - Avalon Park Tavares, LLC - Annexation and Rezoning of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle (Community Development)
- Tab 6 Ordinance 2021-14 - Avalon Park Tavares, LLC - Small Scale FLUM Amendment of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle (Community Development)
- Tab 7 Ordinance 2021-17 - Lane Park Commons (Supervisor of Elections / Sheriff Site) - Rezoning of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road (Community Development)
- Tab 8 Ordinance 2021-18 - Lane Park Commons (Supervisor of Elections / Sheriff Site) - Small Scale FLUM Amendment of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road (Community Development)
- Tab 9 Ordinance 2021-19 - Land Trust Service Corporation Trustee - Annexation and Rezoning of Approximately 0.21 Acres Located at 31325 David Walker Drive (Community Development)
- Tab 10 Ordinance 2021-20 - Land Trust Service Corporation Trustee - Small Scale FLUM Amendment of Approximately 0.21 Acres Located at 31325 David Walker Drive (Community Development)

X. GENERAL GOVERNMENT

- Tab 11 Smart Growth Horizon Team (City Administrator)
- Tab 12 Tikis Lake Dora LLC Commercial Lease Agreement, Tavares Marina (Economic Development)
- Tab 13 Florida League of Cities Legislative Action Days (City Administrator)

XI. NEW BUSINESS

XII. OLD BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

- Tab 14 City Administrator Report
- Tab 15 City Council Member Reports

XV. ADJOURNMENT

F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council 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.

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) 742-6209.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 1

SUBJECT TITLE: Pastor Mike Watkins, Friendship C.M.E. Church

OBJECTIVE:

Pastor Mike Watkins, Friendship C.M.E. Church, will provide the invocation and lead those present in the Pledge of Allegiance.

SUMMARY:

Pastor Mike Watkins, Friendship C.M.E. Church, will provide the invocation and lead those present in the Pledge of Allegiance.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 2

SUBJECT TITLE: Approval of the December 1, 2021 City Council Regular Meeting Minutes (City Clerk)

OBJECTIVE:

To consider approval of the December 1, 2021 City Council Regular Meeting Minutes.

SUMMARY:

Attached are the December 1, 2021, City Council Regular Meeting Minutes as submitted by the City Clerk.

OPTIONS:

1. Move to approve the City Council meeting minutes as submitted under the Consent Agenda.
2. Move to approve the City Council meeting minutes with corrections.

STAFF RECOMMENDATION:

For Council approval.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 12-01-2021 CC Meeting

Attachments not provided are available to the public upon request to the City Clerk.



**TAVARES CITY COUNCIL
MEETING MINUTES
DECEMBER 1, 2021 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

**Lori Pfister, Mayor
Walter Price, Vice Mayor
Amanda Boggus, Council Member
Sandy Gamble, Council Member
Troy Singer, Council Member**

STAFF PRESENT

**John Drury, City Administrator
Lindsay Holt, City Attorney
Susie Novack, City Clerk
Scott Aldrich, Community Services Director
Crissy Bublitz, Human Resources Director
Phil Clark, Utilities Director
James Dillon, Public Works Director
Mike Fitzgerald, Community Development Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Stoney Lubins, Police Chief
Mark O'Keefe, Public Communications Director
Bob Tweedie, Economic Development Director**

I. CALL TO ORDER

Mayor Pfister called the meeting to order at 4:00 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Dr. Tim Burdick, Lake County Baptist Association

Dr. Tim Burdick, Lake County Baptist Association, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mr. Drury said staff would like to add one item to the Agenda; Tab 15A, Request Council Approval for Lake Frances Stormwater Improvements and Authorization to Fund Lake Frances Stormwater Improvements with American Rescue Plan Act Funding (ARPA).

MOTION

Amanda Boggus moved to approve the Agenda with changes, seconded by Walter Price. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Attorney Holt said there were no quasi-judicial matters before the Council for discussion.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following resolution and ordinances by title only:

RESOLUTION 2021-28

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE AN EASEMENT LOCATED AT 1417 SCHULT CT. TAVARES, FL 32778, LOT 728 AND THE SOUTH ½ OF LOT 727, LAKE FRANCES ESTATES – UNIT 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 26, PAGE 12, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-11

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; REZONING APPROXIMATELY 19.46 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 19 AND LANE PARK CUTOFF FROM HIGHWAY COMMERCIAL (C-2) TO PLANNED DEVELOPMENT (PD); SUBJECT TO THE RULES,

REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-12

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 19.46 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 19 AND LANE PARK CUTOFF, FROM COMMERCIAL (COM) TO HIGH DENSITY (HD); PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-13

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.631 ACRES OF PROPERTY LOCATED AT 1693 SOUTH PALM CIRCLE AND 1695 SOUTH PALM CIRCLE; REZONING THE PROPERTY FROM COUNTY URBAN RESIDENTIAL DISTRICT (R-6) TO CITY PLANNED DEVELOPMENT (PD); AMENDING CITY OF TAVARES ORDINANCE 2016-27 IN PART BY JOINING SAID 0.631 ACRES WITH THE PROPERTY SUBJECT TO ORDINANCE 2016-27 TO FORM ONE PLANNED DEVELOPMENT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-14

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.631 ACRES OF PROPERTY FROM COUNTY URBAN LOW TO CITY MEDIUM DENSITY (MED) FOR PROPERTY LOCATED AT 0.631 ACRES OF PROPERTY LOCATED AT 1693 SOUTH PALM CIRCLE AND 1695 SOUTH PALM CIRCLE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-17

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 13.19 ACRES OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 19 AND LANE PARK ROAD,

FROM RESIDENTIAL SINGLE FAMILY (RSF-2) TO PUBLIC FACILITIES DISTRICT (PFD); SUBJECT TO THE RULES, REGULATIONS, AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-18

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 13.19 ACRES OF PROPERTY FROM LOW DENSITY (LOW) TO PUBLIC FACILITY / INSTITUTIONAL (PUB) FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 19 AND LANE PARK ROAD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-19

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.21 ACRES OF PROPERTY LOCATED AT 31325 DAVID WALKER DRIVE; REZONING THE PROPERTY FROM COUNTY MOBILE HOME RENTAL PARK DISTRICT (RMRP) TO CITY RESIDENTIAL MULTI-FAMILY (RMF-3); SUBJECT TO THE RULES, REGULATIONS, AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-20

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.21 ACRES OF PROPERTY FROM COUNTY URBAN HIGH DENSITY TO CITY HIGH DENSITY (HD) FOR PROPERTY LOCATED AT 31325 DAVID WALKER DRIVE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

VII. CONSENT AGENDA

Mayor Pfister asked the Council if they wished to pull an item from the Consent Agenda for discussion.

MOTION

Amanda Boggus moved to approve the Consent Agenda [Tab 2. Approval of the November 17, 2021, City Council Regular Meeting Minutes], seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 2. Approval of the November 17, 2021 City Council Regular Meeting Minutes

Approved on the Consent Agenda.

VIII. RESOLUTIONS

Tab 3. Resolution 2021-28 – Vacate Easement Located at 1417 Schult Court – Herring Property

Mr. Fitzgerald made the following presentation:

This is a request to vacate a platted easement lying across the property located at 1417 Schult Ct. Tavares, Florida 32778. As a stipulation of the proposed sale of the property, the mortgage company issuing the buyer's mortgage is requiring the current owner of the property to petition to vacate an existing easement as it is no longer practical as a result of a lot line deviation in 2002 by Warranty Deed recorded in BK 2177, PG 1328 of the Public Records of Lake County, and the subsequent construction of the existing mobile home in 2002 that encroaches on the easement. City staff reviewed the vacate request and determined no conflicts in the vacation with regard to drainage, utilities, health, safety, or welfare of the Public. This vacate will remove the city's public interest in this land, thus allowing the applicant to eliminate any perceived exception to clear title of this property.

Mayor Pfister asked for comments from the Council. There were none.

MOTION

Sandy Gamble moved to approve, seconded by Amanda Boggus. The motion carried unanimously 5-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Mayor Pfister noted there was no discussion on ordinances at first readings.

Council Member Gamble asked the Council to have their questions and research completed prior to the second reading to avoid postponing ordinances to future meetings.

Tab 4. Ordinance 2021-11 – Rezoning of Approximately 19.46 Acres Located at the South Corner of SR19 & Lake Park Cutoff – Idamere Crossings

No discussion at First Reading.

Tab 5. Ordinance 2021-12 – Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the South Corner of SR19 & Lane Park Cutoff – Idamere Crossings

No discussion at First Reading.

Tab 6. Ordinance 2021-13 – Annexation and Rezoning of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle – Avalon Park Tavares

No discussion at First Reading.

Tab 7. Ordinance 2021-14 – Small Scale FLUM Amendment of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle – Avalon Park Tavares

No discussion at First Reading.

Tab 8. Ordinance 2021-17 – Rezoning of Approximately 13.19 Acres Located at the Northwest Corner of SR19 and Lane Park Road – Supervisor of Elections/Lake County Sheriff

No discussion at First Reading.

Tab 9. Ordinance 2021-18 – Small Scale FLUM of Approximately 13.19 Acres Located at the Northwest Corner of SR19 and Lane Park Road – Supervisor of Elections/Lake County Sheriff

No discussion at First Reading.

Tab 10. Ordinance 2021-19 – Annexation and Rezoning of Approximately 0.21 Acres Located at 31325 David Walker Drive – Land Trust Services Corporation Trustee

No discussion at First Reading.

Tab 11. Ordinance 2021-20 – Small Scale FLUM of Approximately 0.21 Acres Located at 31325 David Walker Drive – Land Trust Services Corporation Trustee

No discussion at First Reading.

Second Reading

X. GENERAL GOVERNMENT

Tab 12. Utility Department Employee Recognition Donna Christopher

Mr. Clark made the following presentation:

Ms. Donna Christopher has been the Tavares City Utilities Laboratory Manager since 1997 for permit compliance in both water and wastewater. Donna is originally from Luton, England. She attended Luton University and graduated with a Bachelor's degree in Laboratory Technology. She immigrated to the US in 1995.

Over her career, Donna has been an active member of several environmental associations. She has been a member of the Florida Society of Environmental Analysis (FSEA) since the late 1990s and Region Director from 2014-2021.

I am pleased to announce on Monday, November 22nd, Donna was recognized for this dedication and service by the Florida Society of Environmental Analysis with an award and plaque exemplifying the high standards Donna applies to the profession and the Tavares Laboratory each and every day. This is very high recognition and one of the reasons Tavares enjoys a world-class laboratory and safe drinking water for all of our citizens each and every day.

Although Donna could not join us today, as Utility Director, I thought it important to share this recognition with you as we appreciate Donna's service and dedication to the City and her profession.

Ms. Christopher received a standing ovation from those in attendance.

Tab 13. Request City Council Approval to Amend Budget for Council Member Health Insurance

Ms. Houghton made the following presentation:

Previously, the City Council Adopted the FY2022 Operating Budget which included \$15,793 for City Council Employee Health Insurance. This included health insurance for two Council Members.

On November 2, 2021, Sandy Gamble was elected as the newest City Council Member. Councilmember Gamble was sworn in on November 17, 2021.

Councilmember Gamble has elected Single Health Insurance for the FY2022 Fiscal Year. The cost is \$6,580.40. This amount was not included in the FY2022 Adopted Budget, and therefore requires an approved Budget Amendment.

Staff recommends Option 1, for Council to move to approve Budget Amendment I the amount of \$6,581 to increase City Council Health Insurance Appropriations, utilizing General Fund Reserves.

Mayor Pfister asked for comments from the Council.

Council Member Singer said he is not in support of Tavares residents paying for City Council health insurance.

MOTION

Walter Price moved to approve a budget amendment in the amount of \$6,581 for the single health insurance premium, seconded by Amanda Boggus. The motion carried 3-1, as follows with Sandy Gamble abstaining:

Lori Pfister: Yes
Walter Price: Yes
Amanda Boggus: Yes
Troy Singer: No

Council Member Gamble said abstained from voting as he is the beneficiary of the health insurance.

Tab 14. Discussion on Tavares Babe Ruth League All-Star Program

Mr. Aldrich made the following presentation:

Staff seek direction from the City Council regarding reinstituting the Tavares Babe Ruth League All-Star Program.

By way of background, Tavares does not currently have an All-Star Program as part of the Babe Ruth League. An All-Star Program is typically developed by the coaches of each Babe Ruth team from the Babe Ruth League by selecting “The Best Player” or two from their team to make up one “All-Star” team. That one All-Star team plays other All-Star teams in the region.

The City of Tavares currently administers the Tavares Babe Ruth League twice per year, with a season in the spring and a season in the fall. Previously, Tavares had both a Babe Ruth League and an All-Star Program during its spring season. During the September 6, 2019, City Council meeting, staff discussed adjusting the programs offered by the City Recreation Division, indicating staff would no longer offer an All-Star Program due to reduced number of teams, limited resources, limited staffing, time constraints, and programming costs. The Recreation Division replaced the All-Star Program with the new programs below but continued the regular Babe Ruth spring and fall programs.

New Programs:

- *Senior Bingo*
- *Senior Gamers Program*

- *Senior Enrichment Series*
- *Teen/Pre-Teen Youth Summer Camp*
- *Youth Basketball Camp*
- *Youth Basketball League*
- *Rec Rover Tour Stops*
- *Movie-in-the-Park Events*
- *Start Smart Soccer Program*
- *Wacky World of Sports Program*
- *NFL Youth Flag Football League*

In addition to these new programs offered, Tavares continued to provide:

- *Babe Ruth Baseball & Softball - spring & fall seasons (without the All-Star Program)*
- *Senior Shakedown / Karaoke*
- *Father-Daughter Dance*
- *Mother-Son Night Out Event*
- *African American Heritage Festival*
- *July 4th Celebration*
- *Youth Summer Camp*
- *Christmas Celebration*
- *BOO! Festival*
- *Adult Yoga Programs*
- *Adult Kickball League*
- *Senior Softball League*
- *Start Smart Baseball Program*

All of these programs operate with a small staff of three (3) full-time employees and a current program budget of \$58,300 excluding the community events and the youth camps, which have separate line item budgets.

The cost of reinstituting the All-Star Program, in addition to keeping the same level of service by offering the other additional programs listed, is estimated as follows:

1. *Add one Part-Time Employee to manage the Babe Ruth League: \$23,100*
2. *Add an additional \$8,000 to the Recreation Division Program Costs line item to run the All-Star Program*
Total Cost to City: \$31,100

Mayor Pfister asked for comments from the Council.

Council Member Boggus asked for the pros and cons of a parent-run all-star league versus a city-run league. Mr. Aldrich said the City of Tavares has the Babe Ruth charter for the City, and the All-Stars program could not be split. He said the City is in District

10 with 14 leagues, and Tavares is one of three cities that run the Babe Ruth program. Most area programs are parent-run organizations. Mr. Drury said the parent-run organization offers flexibility to fundraise and move quickly on their spending decisions. Government-run leagues require public meetings and Board approvals. He said having city staff solicit businesses to contribute to the program creates friction as business owners already pay taxes. Mr. Drury said parents come and go as their children age out of programs resulting in an ebb and cycle on how well the organization runs.

Council Member Boggus asked if contingency funds were available to handle the amount requested. Mr. Drury said the City has a Reserve account with 90% dedicated to natural disasters. The other 10% is available for bids that come in over budget or other issues similar to this request. He noted the budget is set a year in advance, and the City tries to predict the markets a year later. Items may come before the Board during the year that they believe is important to fund. Ms. Houghton estimated the available 10% Reserve amount at \$283,095.

Vice Mayor Price asked what was included in the \$8,000 to run the All-Star Program. Mr. Aldrich provided a detailed breakdown of costs, including uniforms, hats, patches, registration fees, et al., for an estimate of eight teams at an average of \$1,000 per team. The City instituted a travel assistance policy in 2014 where the City would give to each All-Star program, if they made it to state-level or beyond, a stipend of \$250 to go toward the families to assist with hotels and expenses. Vice Mayor Price asked for confirmation that the City's cost does not include hotel rooms, food, or transportation, and the parents would pay for those costs. Mr. Aldrich confirmed.

Council Member Gamble provided a brief history of the Babe Ruth League, teams, and All-Stars program in Tavares. He said he coached and managed the program in the past. At that time, a Booster program ran a concession stand to subsidize the costs. He said he advised parents who have recently approached him to organize a Babe Ruth Booster Program separate from the City to decrease the All-Star \$8,000 request. He noted additional staff was needed in the Recreation Department, whether an All-Star program moved forward or not. He stated his support for competitive sports and All-Star programs. He suggested the City move forward with All-Stars as parents do not have time to organize a program for spring ball. During the spring program, the parents could work toward implementing a Booster organization with the intent to take over with a parent-run organization in the fall. Council Member Gamble said he would volunteer his time to ensure the All-Star program was implemented.

Council Member Singer asked for the City's cost for the Babe Ruth League. Mr. Drury noted that the league has approximately \$26,000 in expenses and \$20,000 in annual revenues. Council Member Singer stated his support for a parent-run organization and did not wish to utilize Reserve funds for the program. He said the All-Star program previously came before the Council with the idea to serve approximately 600 more people in City programs than the All-Star program supported at that time. He noted his support to find ways to benefit the majority of the people with the least amount of money possible.

Vice Mayor Price noted the importance of the Babe Ruth program and said his son played on the All-Star team. He stated his support for a parent-run organization in the future.

Mayor Pfister stated her support for the All-Star program and competitive sports. She recommended cutting costs by providing fewer awards, except for those payers who reach milestones, including the All-Star players. She noted her support for the City to move forward with management and fields for All-Stars, with the parents taking over fundraising for equipment, hats, and uniforms.

Mayor Pfister asked for comments from the audience.

Josh Ray, 33607 Overton Drive, Leesburg, said he coached in Tavares for seven seasons. He said coaches have been requesting the return of the All-Star program as they want children to have something to strive for through competition. Mr. Ray said most organizations in the area are parent-run and do well. He said the parents might be ready to run the program by fall. Stars. He said the City's Babe Ruth league lost up to 30% of the players since he first began to coach to other cities with All-Star programs. Mr. Ray said he has no issues with a parent-run league and noted it would take more than two months to implement. Council Member Gamble asked if a Booster Club could be organized during the spring program so that when the All-Star program began, the Booster could help the City with funding for items such as uniforms. Mr. Ray confirmed.

Kyle Daughtry, 454 East Rosewood Lane, Tavares, said eight-year-old players have a competitive spirit, and parents have indicated a willingness to contribute to uniforms. He said they would be willing to do what is necessary to make an All-Star program work.

Tommy Scott 1319 Lakeshore Blvd., Tavares, noted his support for a Booster program to assist the City, not a parent-run organization. He discussed his past involvement in the Babe Ruth program, maintaining fields and dugouts. He asked the City to run the program with parents helping to offset costs.

Mayor Pfister asked for additional comments from the Council.

Mayor Pfister said she would like to reinstitute the Babe Ruth All-Stars and the parents to create a Booster program to purchase uniforms with the City managing the program. She said the City could look at parents taking over the program in the future.

A discussion was held regarding the possible make-up of the program. Mr. Drury said the Council could blend the discussed ideas by moving forward with the All-Star program, and instead of funding \$8,000, move forward with the part-time position and only fund \$4,000 and ask the parents to match, dollar for dollar, the remaining \$4,000. He said Mr. Aldrich would run the program and then provide the Boosters an opportunity to organize and take over the total of \$8,000 the following fiscal year.

MOTION

Sandy Gamble moved to take \$23,100 [for the part-time position], and \$4,000 for the All-Star program out of the Reserves, seconded by Walter Price.

Council Member Boggus asked Ms. Houghton if the City had met the Reserve supply standard. Ms. Houghton said no. Mr. Drury said the City is well above the old 5-20% standard. He noted the Reserve standards changed, and the City has doubled the older Reserve standard.

Mayor Pfister stated her support and wished to hold on to the small-town feel.

Council Member Singer said he likes more parent involvement.

Vice Mayor Price said he would like to keep the Babe Ruth and All-Star program in the most fiscally sound way.

Council Member Boggus said the Babe Ruth program was not affected when the All-Star program ended due to declining attendance. There is now more interest in the All-Star program.

Council Member Gamble said the decision to let go of the All-Star program was an internal staff decision.

The motion carried unanimously 5-0.

Tab 15. Request Council Authorization to extend payment plan for Sunset View Special Assessment Beneficiaries not previously connected to Water & Wastewater Utilities

Ms. Houghton made the following presentation:

On December 21, 2016, the City Council Adopted Resolution 2016-23 which authorized a Special Assessment for Water and Sewer Infrastructure for benefited properties in the Lake County Sunset View Subdivision and the neighboring Three Lakes Park. An assessment roll listing benefited properties was attached to the Resolution. The Assessment Roll included the following:

**Sunset View/Three Lakes Park Special Assessment
For Water and Wastewater Infrastructure & Connections**

Sunset View Properties	elected to connect	*	20
Three Lake Properties	elected to connect	*	32
Additional Miscellaneous connections	elected to connect	*	3
			55
Sunset View Properties	elected to not connect at time of assessment **		7
			7
Total - All properties benefiting from the Special Assessment Infrastructure			62

* These properties elected to connect, signed agreements, and covenant to annex. These properties were connected and assessed \$20,059.44 for each lot, and are being billed monthly for 10 years plus interest at 3.63% per annum.

** These properties elected NOT to connect at the time the infrastructure was installed, and opted to connect in the future. These properties are to be billed and pay the full amount of impact fees and assessment at the time of connection.

Each property that opted to connect to City Water & Sewer was provided the option to pay their assessment in a lump sum payment or a monthly payment over 120 monthly installments. An interest rate of 3.63% per annum was included in the installment payments. Monthly payments were set at \$199.20.

The property located at 12115 Canal Street, and identified by Alt Key #1735858 has recently been sold, and the new owner was not aware of the assessment at the time of purchase, and thus has requested to pay the assessment monthly over 120 months.

*As the option for installment payments over 120 months was not extended to the seven (7) properties that had elected **not** to connect in 2017, City Council approval is needed in order to extend a payment plan to the homeowner at 12115 Canal Street.*

Should the Council elect to extend installment payments to the seven (7) properties of Sunset View Assessment Roll not currently connected, Staff provides two options:

- *The homeowner pays \$9,144.12 (2017 through 2021), and the remainder is financed over five years with the homeowner paying monthly payments over 60 months with interest until paid.*
- *The homeowner is extended the same plan as the original connected properties and pays \$199.20 per month for 120 months or until paid in full,*

whichever occurs first. Payments include interest at 3.63% per annum. Due to current economic conditions related to the pandemic, staff recommends Sunset View properties connected in calendar year 2021 or 2022 be extended the same option provided to the original connected properties, of monthly installment payments over 120 months with 3.63% interest per annum.

Staff recommends Option 1, move to authorize the seven Sunset View Assessment Properties not previously connected to City of Tavares Water and Wastewater utilities the option to pay assessments in 120 monthly installments plus interest at 3.63% per annum if connected in calendar years 2021 or 2022.

Mayor Pfister asked for comments from the Council.

Council Member Boggus said it is a kind and equitable opportunity for new homeowners to utilize a payment plan instead of taking it out of pocket at one time. She said it is fair to extend it for one more year to provide property owners with one last opportunity.

MOTION

Amanda Boggus moved to approve Option 1, seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 15A. Request Council Approval for Lake Frances Stormwater Improvements and Authorization to Fund Lake Frances Stormwater Improvements with American Rescue Plan Act Funding (ARPA)

Ms. Houghton made the following presentation:

The American Rescue Plan Act of 2021 provides funds for municipalities, counties, states, tribal governments, and territories to respond to the COVID-19 emergency, and related public health and economic challenges. The City of Tavares was awarded \$8,889,651 in ARPA funding to be received in two tranches to be passed through from the State of Florida. The City Council approved an agreement with the State of Florida for the pass-through of the ARPA funds on 9-7-2021 via Resolution No. 2021-24.

The first tranche of two in the amount of \$4,444,825 was received by the City of Tavares from the State of Florida on October 7, 2021.

As previously discussed by the City Council, ARPA funds have several uses, many with significant restrictions which are enumerated in the Department of Treasury's 31 CFR Part 35 ruling. Cities who do not use funds consistent with the Treasury's ruling will have to pay them back.

Based on the eligible uses and restrictions identified in the Treasury's ruling, the following uses were authorized by the City Council. In addition, staff would bring back specific projects that meet the uses authorized by the City Council and compliant with the Treasury ruling.

- 1. Drinking Water Improvements*
- 2. Wastewater Improvements*
- 3. Stormwater Improvements*
- 4. Improving air quality of Public Buildings*

It was discovered during the current construction of the Lake Frances water and sewer replacement project, a significant problematic storm drainage issue at the gateway to the Lake Frances subdivision. There is only one way in and one way out of that sub-division which is cause for concern given this storm water issue.

Contractors are already mobilized under the water and sewer project that was previously bid out and therefore staff negotiated a favorable cost (no mobilization fees, new bid bonds nor performance bonds) to fix the Stormwater drainage issue with Utility Systems Construction (the current contractor that is doing the water and sewer project) in the amount of \$56,894.20.

These improvements are within the Treasury Ruling for ARPA Grant infrastructure improvements, and therefore staff recommends funding these improvements utilizing ARPA funding.

Staff Recommends Option 1, Move to Authorize Stormwater Improvements for the Lake Frances Subdivision in the amount of \$56,894.20 by the Current Lake Frances

Water/Wastewater Contractor, Utility Systems Construction, and fund the improvements from American Recovery Plan Act (ARPA) funding.

Council Member Gamble asked if the walk-on agenda item would need to be declared an emergency item as it was not on the original agenda. Attorney Holt said she believed that was correct.

Council Member Gamble inquired about the work to be completed within the project. Mr. Clark said the entrance would be raised with water sheathed into drains that will go into wetlands/retention ditch rather than the road. He said an engineer designed the project. Council Member Gamble inquired about the maintenance of the ditches. Mr. Clark said water is currently flowing sufficiently in the ditches, and staff would check to ensure the ditches on St. Claire Abrams were clean.

Council Member Gamble said it was his understanding that ARPA funds would be used for the Avalon project and asked if the funding request would affect the Avalon project. Mr. Drury said no, and a full list of ARPA projects and costs would be provided to the Council at an upcoming meeting. He said the contractor is currently mobilized and

willing to complete the project at a favorable rate. Postponing would require a new bid and payment bonds resulting in a different cost structure. Council Member Gamble said the project's details were not included in the staff report. Mr. Clark invited Council Member Gamble to tour the project.

Ms. Houghton said the contractor is already on site and is an SRF contractor, so all the requirements required of SRF loans are already in place for the requirements of the ARPA funds. That puts the City in a good position for the grant reporting requirements. Mr. Drury said staff would provide the plans.

Council Member Boggus asked if the budget provided in the agenda item breaks down the project's costs. Mr. Clark confirmed. Council Member Boggus said it appears most of the money is going into storm manholes and curb inlets to direct the water away from the road. Mr. Clark confirmed.

Mayor Pfister asked the Council if they agreed the item would be considered an emergency item.

There was a consensus from the Council that Tab 15A., Request Council Approval for Lake Frances Stormwater Improvements and Authorization to Fund Lake Frances Stormwater Improvements with American Rescue Plan Act Funding (ARPA), would be considered an emergency item.

Ronald Caskey, 1021 Belmont Circle, Tavares, said his driveway was cracked due to the project and was advised to contact his insurance company.

Mayor Pfister asked for comments from the Council.

Council Member Gamble noted his support.

MOTION

Sandy Gamble moved to approve emergency agenda item 15A, seconded by Amanda Boggus. The motion carried unanimously 5-0.

XI. NEW BUSINESS

XII. OLD BUSINESS

Mayor Pfister recognized Mrs. Betty Burleigh who attended earlier in the meeting.

XIII. AUDIENCE TO BE HEARD

Vance Jochim, 12619 Milwaukee Avenue, Lake County, thanked Mr. Tweedie for bringing O'Reilly's auto parts store to Tavares. He noted his support for public comment at first reading of ordinances and recommended the fiscal impact be included in the item title on agendas. He discussed controlling costs.

Tom Drozd, 2508 Baywater Road, Tavares, felt the City missed out on an opportunity by not leasing, maintaining, and running the golf course property in the Baytree. He said the property was split, and the Baytree Homeowners Association purchased half. He said the property is now maintained better than when it was a golf course.

Don Kehr, 16833 Deer Island Road, Lake County, provided a handout to the Council and said it reflects how a pendulum swings between pro-development and anti-development cities. He said Tavares needs to operate in the middle, following the rules and laws established by the City. Mr. Kehr said there are requests before Council for significant changes to the Comprehensive Plan and asked the Council to review the planning process.

Mike Watkins, 805 Summerall Avenue, Tavares, commend the Council for keeping the All-Star program. He said it is a great program and good for the community. He discussed the cemetery restrooms and said both projects were needed and benefited the citizens.

Belinda Rink, 216 Fern Avenue, Tavares, said she is in support of youth sports and noted her concern for subsidizing children from other cities.

XIV. REPORTS

Tab 15. City Administrator Report

Mr. Drury said the Christmas Parade was scheduled for December 4, 2021. He thanked the Council members who were scheduled to act as parade judges.

Tab 16. City Council Member Reports

Council Member Gamble

- Said contractors or subcontractors should replace any property that is damaged during their projects rather than the City.
- Said he asked Mr. Drury to share answers to questions he asks with all Council members.
- Inquired about the Golf Cart Crossing Ribbon Cutting Ceremony at US441 and St. Claire Abrams. Mr. Drury said staff is working on a ribbon cutting ceremony scheduled for December 13, 2021, at 9:30 a.m. He said the Council would receive details once completed.
- Said the Tavares High School Choir was scheduled to perform at his church on December 12, 2021, at 5:00 p.m., 112 S. Lake Avenue, Tavares.
- Said he would like to receive agendas on Wednesday afternoons.
- Wished those present a Happy Thanksgiving.
- Said he looked forward to attending the Christmas parade.
- Noted he pays a portion of his health insurance.

Council Member Singer

- Said he enjoyed the Tavares High School Choir performance prior to the Council meeting.
- Said he looked forward to attending the Christmas parade.

Council Member Boggus

- Inquired about the route of the Christmas parade. Mr. Aldrich provided the parade routing along Ruby and Main Streets.

Vice Mayor Price

- Said he looked forward to attending the Christmas parade.

Mayor Pfister

- Said the Tavares High School Jazz Ensemble would perform prior to the Council meeting on December 15, 2021.

XV. ADJOURNMENT

There was no further business and Mayor Pfister adjourned the meeting at 5:54 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 3

SUBJECT TITLE: Ordinance 2021-11 - Idamere Crossings - Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff (Community Development)

OBJECTIVE:

To consider the 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).

SUMMARY:

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

The proposed zoning of Planned Development (PD) is compatible with the surrounding zoning, which is a mixture of residential, commercial, and Public Facilities zoning. The applicant at this time envisions the construction of a residential apartment building 60 feet in height containing one hundred sixty-five (165) apartments together with recreational amenities including a clubhouse, fitness center, walking trails, and picnic tables. The Land Development Regulations currently contain a maximum height limit of 45 feet for multi-family use, and restrict the appearance of a flat roof building design. The City's Planned Development zoning regulations allow for flexibility in residential design. The applicant is proposing a pitched roof that increases the overall building height and adds architectural character in accordance with design standards outlined in the Land Development Regulations. The proposed 60 foot building height shall be determined from the highest grade elevation of the property to the highest point of the roof.

The proposed 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 165 unit development and determined that there are adequate school facilities to serve the approximately 47 students anticipated. The property owner is required to apply for and obtain 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 residential 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 Ordinance 2021-11 and 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 City is concurrently processing a future land use map amendment to re-designate the property from Commercial (COM) to High Density (HD) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2021-11 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. City Council moves to deny Ordinance 2021-11.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-11.

Staff recommends that City Council moves to approve Ordinance 2021-11 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).

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-11
2. Aerial Map
3. Zoning Map
4. Concept Plan
5. Environmental Assessment
6. Traffic Analysis
7. School Concurrency Report
8. 11-18-2021 PZ Minutes DRAFT
9. Newspaper Ad

ORDINANCE 2021-11

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; REZONING APPROXIMATELY 19.46 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 19 AND LANE PARK CUTOFF FROM HIGHWAY COMMERCIAL (C-2) TO PLANNED DEVELOPMENT (PD); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant is requesting to rezone property, legally described in **Exhibit "A"** of this ordinance, from a designation of Highway Commercial (C-2) to Planned Development (PD); and

WHEREAS, the applicant would like to develop the property as a Multi-Family Dwelling Community with a Planned Development (PD) zoning; and

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board, and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed rezoning; 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 of the City of Tavares, Florida, deems it in the best interest of the City to apply a Planned Development (PD) zoning designation to said property; therefore,

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

Section 1. Definition.

"Owner" or "Applicant" means the title holder of the Property

Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in the City of Tavares Land Development Regulations or the City Comprehensive Plan.

Section 2.1. Rezoning

The purpose of this section is to set forth basic development regulations and to generally describe the Property which is being developed as a Planned Development (PD) as specified in Chapter 8 of the Regulations and shall hereafter be referred to as “the Project”.

Development of this Project shall be governed by the contents of this Ordinance and applicable sections of the City’s Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City in effect at the time of development of the Project. Unless otherwise noted, where in conflict, the terms of this document shall take precedence over the Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.

Section 2.2. Land Uses

- A. The Conceptual Master Plan for the project is attached hereto as **Exhibit "B"** and is an integral part of this PUD document. Elements in the Conceptual Master Plan include residential acreage, recreation space, open space, and jurisdictional wetlands. The general location of each of these land uses has been established as depicted in the Conceptual Master Plan. A breakdown of uses, densities, and acreage is as follows:

Permitted Uses: All uses permitted under the RMF-3 zoning district per the City of Tavares Land Development Regulations Chapter 8.

Total Acreage: 19.46+- acres

Acreage Breakdown:

Upland: 11.06+- acres

Wetland: 3.5+- acres

Lake: 4.9+- acres

Maximum Allowable Residential Density:

The number of residential dwelling units shall be determined at the following maximum densities:

Upland acres x 25 dwelling units per acre

Wetland acres may be used for density calculations of 1 dwelling unit per acre providing a conservation easement is granted

Open Space:

Minimum Open Space required shall be 30% of the gross acreage = 5.8 ± acres.

- B. In addition to the planned elements shown on the Land Use Plan, easements and rights-of-way shall be established within or adjacent to the Property as may be necessary or desirable for the service, function or convenience of the Project. Such easements and rights-of-way, if required, shall be indicated on all site plans or recorded plats of the Property.
- C. Prior to construction, a site plan shall be submitted proposing comprehensive development of the Property regarding stormwater management, utilities, access, parking, landscaping, future location of structures, amenities and other information as required by the Regulations.

Section 2.3. Development Standards

- A. Setbacks. All setbacks shall be measured from the Property line to the foremost vertical face of the structure. Where any setbacks conflict with required easement widths, the easement widths, if larger, shall prevail. Setbacks are as follows:

Right-of-way of State Road 19	25'
Right-o-way of Lane Park Cutoff	25'
Lake Idamere (from mean high water line)	50'
Wetlands	25'
Accessory Buildings including Dumpster Enclosures	15'
Side Yard	15'
Rear Yard – same as Lake Idamere & Wetland	50' & 25'

- B. Impervious Surface Area. The maximum impervious surface area shall not exceed seventy percent (70%).
- C. Height of Structures. The height of a structure shall be determined by measuring the distance from highest grade elevation to the highest point of the roof and shall not exceed sixty feet (60').

- D. Landscape & Buffer Requirements. Landscaping shall comply with the City of Tavares Development Regulations in effect at the time of development.
1. A landscaping master plan shall be submitted concurrent with site plan submittal.
 2. All landscaped and common areas shall be properly irrigated and maintained by the management company (as described in this Ordinance) (the “Manager”).
- E. Signage. All signage shall comply with the requirements of Chapter 21 of the Land Development Regulations.
- F. Site Parking and Traffic Circulation:
1. All parking, internal roads, and access aisles shall comply with Chapter 20 of the Land Development Regulations.
 2. All parking, internal roads, access aisles, and storm water management areas shall remain private and shall be maintained by the Owner and Manager.
- G. Lighting:
1. Exterior lighting shall be designed and installed in a sensitive manner so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjacent streets and properties.
 2. Lighting shall be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual impact of the project by accenting key architectural elements and/or emphasizing landscape features. The light poles and fixtures shall be earth tones in color.
 3. Electrical wiring to all site lighting shall be provided underground.
 4. No light fixtures shall be placed in a position where existing or future tree canopy will reduce the illumination levels.

5. Lighting fixtures shall be a maximum of fifteen feet (15') high and shall be downward directed.
- (6) All lighting fixtures within parking areas and walkways shall be decorative light fixtures in accordance with Chapter 9 of the Land Development Code.

Section 2.4. Public Facilities.

- A. Impact Fees. The Developer acknowledges that the City has impact fees for water, wastewater, fire and police, while Lake County has impact fees for transportation. The Project shall be subject to such impact fees or any additional impact fees effective at the time of issuance of any building permit.
- B. Potable water. Potable water shall be provided by the City of Tavares and impact fees shall be paid by the Developer. The Developer shall extend water lines from the existing location to the development. Lines shall be extended in a manner in accordance with the City of Tavares Utility Department and Construction Specifications Manual.
- C. Wastewater. Wastewater treatment service shall be provided by the City and the Developer shall pay the impact fees. The Developer shall extend sanitary sewer lines from the existing location to the development. Lines shall be extended and improvements shall be made in accordance with specifications of the City of Tavares Utility Department and Construction Specifications Manual.
- D. Drainage. Retention pond design shall incorporate a naturalistic approach in accordance with Chapter 9 of the Land Development Regulations. Prior to receiving any development approvals, the Developer shall submit a master site drainage plan for review and approval by the City. All applicable St. John's River Water Management District permits shall be required prior to approval of any development order. The maintenance of the drainage system shall be the responsibility of the Owner and Manager.

- E. Reuse Water. The Developer shall be required to install a water reuse distribution system to serve all irrigation needs within the Property. The lines will be served by potable water until such time as reclaimed water is available for irrigation.
- F. Site Ingress/ Egress and Traffic Circulation. The project will be limited to one driveway as shown on **Exhibit “B”**. The driveway shall conform to Lake County Access Management and Spacing Standards. Subject to Lake County requirements, turn lanes may be required at the driveway intersection. Construction of said turn lanes shall be the responsibility of the developer.
- G. Sidewalks and Pedestrian Access. Sidewalks shall be connected to the internal pedestrian system allowing accessible routes to the entrances of each building on site, per federal requirements of the American with Disabilities Act. An internal pedestrian access plan shall be submitted concurrent with site plan submittal providing for connectivity among the rights-of-way, structures and amenities. The maintenance of internal sidewalks shall be the responsibility of the Owner and Manager.

Section 2.5. Platting

All plats shall be filed in accordance with all applicable rules and regulations of the City. All conditions to platting within this ordinance must be satisfied prior to acceptance of any final plat for public hearing by the City Council. Any required analyses shall be submitted prior to plat acceptance, including but not limited to transportation analysis and environmental assessment.

Section 2.6. Timing

- A. The Developer shall submit for site plan approval within twenty-four (24) months from the effective date of this Ordinance and such plan shall be developed in conformance with the requirements of the Regulations and other applicable local or state regulations in effect at the time of application for any development order. If the City Council finds, on the basis of substantial competent evidence, that there has been failure to comply with the terms of this Ordinance, the Ordinance may be revoked or modified by the City

through action of the City Council after notification to the Developer and the opportunity to be heard.

- B. Concurrency tests shall be required for a development order (site plan) and shall be conducted pursuant to Chapter 10 of the Regulations. Future rights to develop the Property are subject to such concurrency tests and no vested rights have been or will be granted to the Applicant until concurrency tests are complete and a final development order issued for the portion of the Property for which the concurrency tests were required.

Section 2.7. Covenants, Conditions and Restrictions

Submitted and approved with a final plat, Covenants, Conditions and Restrictions shall be adopted and recorded and an established structure shall be designated whereby the Manager of the Project selected by the title holder of the dominant parcel within the Project will oversee and maintain any open space, water retention area, required buffer and any other component of the overall Project.

Section 2.8. Permits

Prior to platting or construction, the Developer shall obtain all necessary permits from the applicable local, regional, state and federal agencies. Copies of all permits shall be furnished to the Community Development Director of the City.

Section 3. Effective Date

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

PASSED AND ORDAINED this _____ day of _____, 2022, by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

Exhibit "A"

THE WEST 1/2 OF THE SW 1/4, SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LESS THE RIGHT OF WAY OF STATE ROAD NO. 19 AND THAT PORTION LYING WITHIN 35 FEET SOUTH OF THE NORTH LINE OF THE SW 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

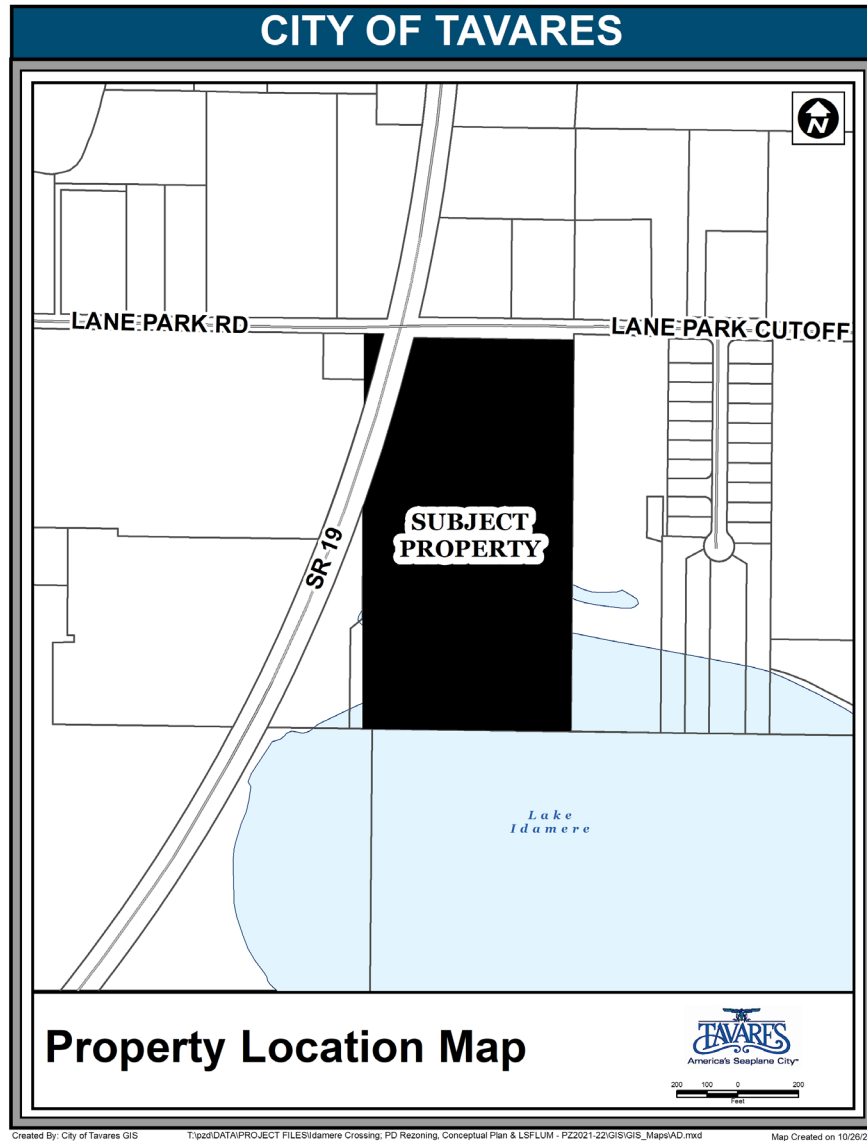
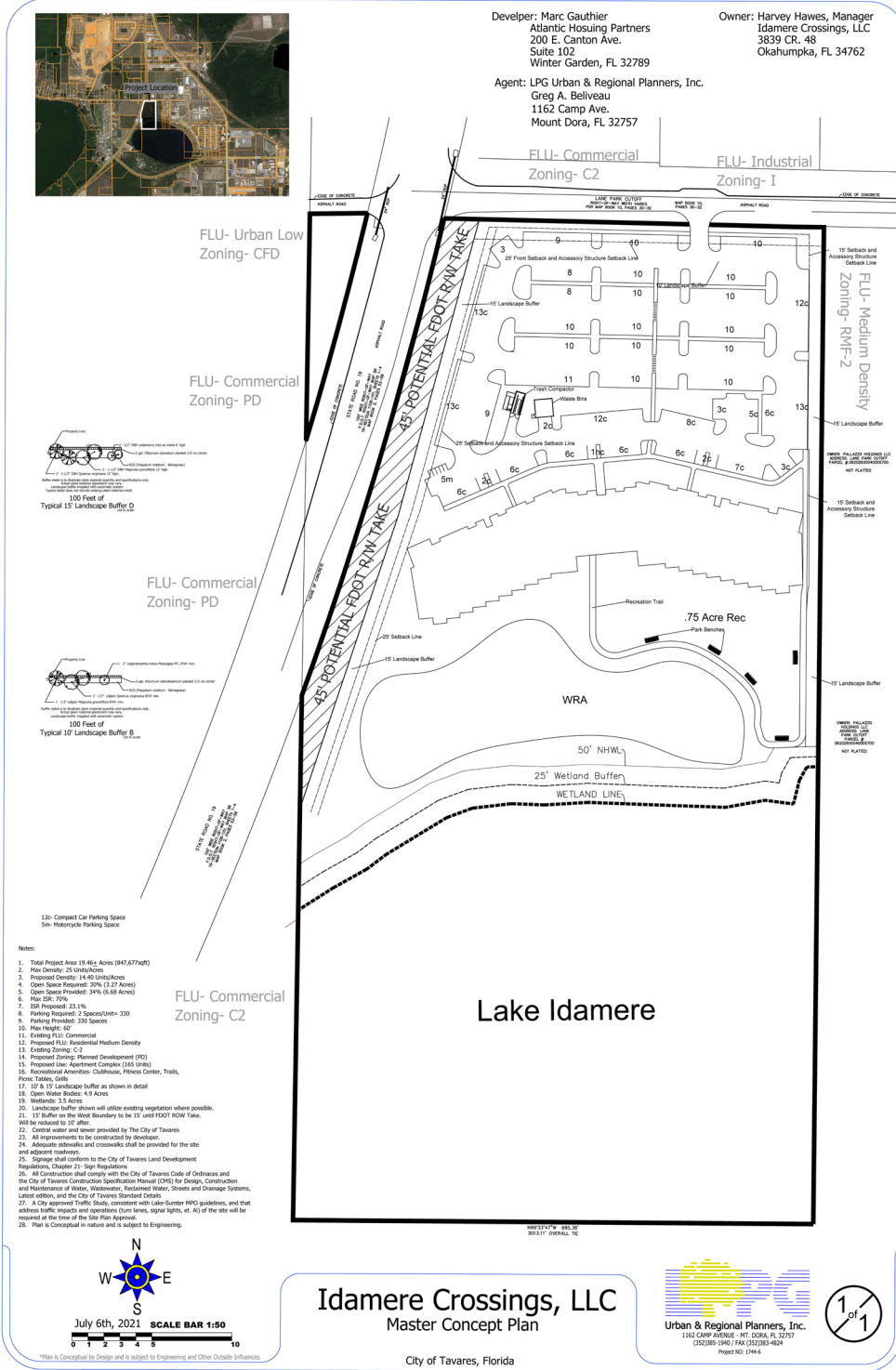


Exhibit "B" Conceptual plan



**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
NOVEMBER 18, 2021**

BOARD MEMBERS PRESENT

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

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Mike Fitzgerald, Community Development Director
Lindsay Holt, City Attorney
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 August 18, 2021 Planning and Zoning Board Meeting minutes. There were none.

MOTION

James Sweezea moved to approve the minutes of the August 18, 2021 Planning and Zoning Board Meeting, seconded by Brooke Matthews. The motion carried unanimously 6-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and stated exparte communications should be disclosed by the Board Members. There were none.

PUBLIC HEARING

1) Recommendation on Resolution 2021-28 – Herring Property – Vacate Easement Located at 1417 Schult Court

Mr. Fitzgerald provided the following staff report:

This is a request to vacate a platted easement lying across the property located at 1417 Schult Ct. Tavares, Florida 32778. As a stipulation of the proposed sale of the property, the mortgage company issuing the buyer's mortgage is requiring the current owner of the property to petition to vacate an existing easement as it is no longer practical as a result of a lot line deviation in 2002 by Warranty Deed recorded in BK 2177, PG 1328 of the Public Records of Lake County, and the subsequent construction of the existing mobile home in 2002 that encroaches on the easement. City staff reviewed the vacate request and determined no conflicts in the vacation with regard to drainage, utilities, health, safety, or welfare of the Public. This vacate will remove the city's public interest in this land, thus allowing the applicant to eliminate any perceived exception to clear title of this property.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Resolution 2021-28 vacation of an easement located at 1417 Schult Ct, Lot 728 and the south 1/2 of Lot 727, Lake Frances Estates-Unit 5, as recorded in Plat Book 26, Page 12.
2. That the Planning & Zoning Board moves to recommend denial of Resolution 2021-28.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2021-28 vacation of an easement located at 1417 Schult Ct, Lot 728 and the south 1/2 of Lot 727, Lake Frances Estates-Unit 5, as recorded in Plat Book 26, Page 12.

Mr. Fitzgerald stated that at the time that Resolution 2021-28 was published it had a different sketch and legal description. The Planning & Zoning Board has been given the updated legal description and sketch and will be voting on the amended Resolution.

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

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

MOTION

James Sweezea moved to recommend approval of Resolution 2021-28 as amended, seconded by Brooke Matthews. The motion carried unanimously 6-0.

2) Recommendation on Ordinance 2021-11 – Idamere Crossings – Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff

Mr. Fitzgerald provided the following staff report:

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

The proposed zoning of Planned Development (PD) is compatible with the surrounding zoning, which is a mixture of residential, commercial, and Public Facilities zoning. The applicant at this time envisions the construction of one hundred sixty-five (165) residential

apartments together with recreational amenities including a clubhouse, fitness center, walking trails, and picnic tables. The proposed 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 property owner is required to obtain 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 residential 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 Ordinance 2021-11 and 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 City is concurrently processing a future land use map amendment to re-designate the property from Commercial (COM) to High Density (HD) on the Future Land Use Map 2040.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-11 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 2021-11.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-11 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).

Chairman Santoro asked for comments from the audience.

Michael Rankin, LPG, 1162 Camp Ave, Mount Dora, stated he is seeking approval to rezone the property.

Geoff Nicholson, Progressive Aerodyne, 3801 S.R. 19, Tavares stated that Lake Idamere is a FAA airport and should be taken into consideration.

Vance Jochim, 12619 Milwaukie Ave, Lake County - stated his concern about the volume of traffic on S.R 19 if developed, validity of traffic reports and studies and noted that attachments that are not ADA compliant should be included in the online agenda.

Chairman Santoro asked for comments from the Board.

Board Member Murphy stated her support of the development, providing housing and adding to the tax base and noted her concern of traffic.

Board Member Sweeza noted his concern of traffic near C.R. 561, S.R. 19 and Lane Park Road. He asked for conformation of widening S.R. 19. Mr. Fitzgerald confirmed the State has plans to widen S.R. 19 to four lanes but did not have a timeline of the project.

Mr. Fitzgerald stated the agenda packet did include a traffic study for Idamere Crossings and included table 1, a trip comparison between a shopping center and multi-family housing development. He said the agenda included the data that was claimed to be missing. He noted a meeting was held with the Public Works Director, Department of Transportation and Lake county and are programming C.R. 561 and S.R 19 to become a become a lighted intersection.

Chairman Santoro stated his concern is when they widen S.R. 19 and the layout of the property. Mr. Fitzgerald said the developer put a 45-foot potential FDOT Right of Way.

MOTION

Dian Joy moved to recommend approval of Ordinance 2021-11, seconded by James Sweeza. The motion carried unanimously 6-0.

3) Recommendation on Ordinance 2021-12 – Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the Souteast Corner of SR-19 & Lane Park Cutoff

Mr. Fitzgerald provided the following staff report:

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 High Density (HD).

Ordinance 2021-12 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Commercial (COM) to High Density (HD).

The subject property is adjacent to a mixture of a mixture of residential, commercial, and public facilities uses. An application to rezone this property to a Planned Development (PD) 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 Commercial (COM). A City High Density (HD) designation is compatible with surrounding property and County Future Land Use.

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 waste water 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1. A High Density (HD) 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)*

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-12, 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.*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-12.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-12, 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.

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

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

MOTION

Dian Joy moved to recommend approval of Ordinance 2021-12, seconded by James Sweeza. The motion carried unanimously 6-0.

4) Recommendation on Ordinance 2021-13 – Avalon Park Tavares, LLC – Annexation and Rezoning of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle

Mr. Fitzgerald provided the following staff report:

The subject property is located at 1693 & 1695 South Palm Circle, approximately 0.63 acres in size, and contiguous to the City boundary. The land is presently zoned as County Urban Residential (R-6), and the applicant is proposing that the property be annexed and rezoned to Planned Development (PD), and incorporated into the Avalon Park Planned Development that is subject to the provisions

contained in Ordinance 2016-27 approved by City Council on October 19, 2016. Two (2) single family homes are located on the subject parcels, and it is the intention of the owner, Avalon Park LLC, to demolish the existing homes, and have the property become part of a future phase of the Avalon Park development.

This property is in close proximity to a mixture of single family and commercial uses. The proposed zoning of Planned Development (PD) is compatible with surrounding 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 on the City. The City of Tavares has municipal water and waste water utility capacity available for the subject parcels. The Avalon Park developer shall be responsible for extending municipal utility services to the subject property upon development.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low Density to City of Tavares Medium Density (MED) on the Future Land Use Map 2040.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-13 annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle.*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-13.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance Page 30 of 72 2021-13 annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle.

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

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

MOTION

Dian Joy moved to recommend approval of Ordinance 2021-13, seconded by Brooke Matthews. The motion carried unanimously 6-0.

5) Recommendation on Ordinance 2021-14 – Avalon Park Tavares, LLC – Small Scale FLUM Amendment of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle

Mr. Fitzgerald provided the following staff report:

The subject property is located at 1693 & 1695 South Palm Circle, and is approximately 0.63 acres in size. The land presently has a land use designation of

County Urban Low Density, and 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 Lake County Urban Low to City Medium Density (MED).

Ordinance 2021-14 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban Low to City Medium Density (MED).

The subject property is adjacent to a mixture of residential and commercial uses. An application to annex and rezone this property to a Planned Development (PD) 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 Low Density. A City Medium Density (MED) designation is most compatible with surrounding property and County Future Land Use.

Compatibility

The land surrounding this property is residential and commercial in nature.

Site Conditions

The property currently contains single family homes.

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 waste water utility service capacity 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 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.*
- 2. Impacts of the proposed development 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 2021-14, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-14.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-14, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle.

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

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

MOTION

James Sweezee moved to recommend approval of Ordinance 2021-14, seconded by Dian Joy. The motion carried unanimously 6-0.

6) Recommendation on Ordinance 2021-17 – Lane Park Commons (Supervisor of Elections / Sheriff Site) – Rezoning of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road

Mr. Fitzgerald provided the following staff report:

The subject property consists of approximately 13.19 acres of vacant property located at the northwest corner of SR-19 & Lane Park Road. The property is currently zoned as Residential Single Family (RSF-2), and the applicant, Lake County, is proposing that the property be rezoned to Public Facilities District (PFD).

The proposed zoning of Public Facilities District (PFD) is compatible with Lake County's proposal to construct government facilities on the subject property. The surrounding zoning is a mixture of residential and commercial zoning. Lake County at this time envisions the construction of a fifty-thousand (50,000) square foot building to house operations for the Supervisor of Elections, and an eighty-thousand (80,000) square foot building for the Lake County Sheriff's office. The proposed use is consistent with the Comprehensive Plan by ensuring intergovernmental coordination between the City of Tavares and Lake County.

The environmental assessment submitted by Kleinfelder, Inc. states that no conditions were visually and/or physically observed on the property that would suggest the presence of conditions representative of environmental concerns that could impact the property. The assessment recommends soil sampling to confirm or dismiss the presence of residual agricultural products on 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.

Lake County submitted a statement to City staff regarding traffic impact that the Supervisor of Elections will not require a traffic study as the trips will meet the Lake-Sumter MPO de minimis requirement with a very low number of staffed employees. Lake County is requesting that the traffic study for the Sheriff's office be deferred until the time of site plan submittal.

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 City is concurrently processing a future land use map amendment to re-designate the property from Low Density (LOW) to Public Facility / Institutional (PUB) on the Future Land Use Map 2040.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-17 rezoning of approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-17.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-17 rezoning of approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).

Chairman Santoro asked for comments from the audience.

Melanie Marsh, Lake County Attorney, 315 W. Main Street, Tavares, stated, on behalf of Board of County Commissioners and the Supervisor of Elections, they are seeking approval.

Chairman Santoro asked for comments from the Board.

Board Member Sweeza asked how the development would impact the tax base and if the City could do a trade to get other county properties that would provide the city tax dollars in order to supplement since county and government buildings do not pay taxes. He also asked if the properties the Sheriff and Supervisor of Elections (SEO) are currently in if they will remain a government property or be placed back on the tax roll. Mr. Fitzgerald stated he is unsure of the fiscal impact and the questions would be forwarded to the City Administrator.

Attorney Marsh said there has been no discussion by the Board of County Commissioners about taking the existing sheriffs building and placing it on the market.

Board Member Murphy asked why soil samples are being requested. Mr. Fitzgerald said there are no concerns. Kleinfelder, Inc. is recommending the sample due to agricultural use since the 1940's.

Board Member Treadwell asked for confirmation if the subject property was previously approved for residential and what actions will be taken for the current SOE space on US HWY 441. Mr. Fitzgerald confirmed that the property was previously called Lane Park Commons and was approved for residential single-family subdivision. The developer chose to not move forward and placed the property for sale. He said the current SOE leased space is zoned for commercial use.

Board Member Joy asked how many properties the county currently has that would be available once property is developed and if the new property will be sufficient for all parties. Attorney Marsh stated she is unsure of the total amount of properties and stated the Sheriff and the SOE

have both outgrown their current spaces and the leased facility for the SOE will be vacated. She said the Sheriff indicated the facility would be sufficient.

Board Member Treadwell asked if the entrance to the property on Lane Park. Mr. Fitzgerald stated there are two entrances, one on S.R 19 and one on Lane Park Road.

Board Member Sweeza asked how much larger the new space would be for the SEO. Attorney Marsh stated the current leased facility is approximately 20,000 square feet and noted during the last presidential election the SOE needed more room for training, election workers and storing equipment.

John McDaniel, Lane Park Road, noted he lives in close proximity to the property and would prefer the Sheriffs office and the SOE than Walmart to be on the subject property.

Chairman Santoro asked if this property is city land and if the property will be annexed back into the county. Mr. Fitzgerald confirmed that the property is within city limits and will remain within city limits. Mr. Fitzgerald stated that the City of Tavares has an interlocal agreement with Lake County. Property within the city limits of Tavares that the County owns, Community Development oversee the site plan review, infrastructure plan review and rezoning. He said when the County constructs the buildings, the County Building Department will complete the building review and the inspections.

Chairman Santoro noted his concern of the county having other properties on C.R. 561 and the property off the tax base. Attorney Marsh said the SOE must have the main facility within city limits of the county seat. The SOE noted his preference of the subject property because it does have traffic light access. Other property the County owns in the area is the County Landfill which has monitoring and the property that holds the Renaissance Faire which has monitoring wells.

MOTION

Dian Joy moved to recommend approval of Ordinance 2021-17, seconded by Deborah Murphy.

Chairman Santoro asked Attorney Holt for clarification if the motion was denied. Attorney Holt confirmed.

The motion carried 3-3.

The motion denied as follows:

**Chairman Santoro – No
Dian Joy – Yes
Brooke Matthews - No
Deborah Murphy – Yes
James Sweeza – No
Dara Treadwell - Yes**

7) Recommendation on Ordinance 2021-18 – Lane Park Commons (Supervisor of Elections / Sheriff Site) – Small Scale FLUM Amendment of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road

Mr. Fitzgerald provided the following staff report:

The subject property is located at the Northwest Corner of SR-19 & Lane Park Road, and is approximately 13.19 acres in size. The land is presently vacant and has a land use designation of Low Density (LOW). 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 Low Density (LOW) to Public Facility / Institutional (PUB).

Ordinance 2021-18 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Low Density (LOW) to Public Facility / Institutional (PUB).

The subject property is adjacent to a mixture of residential and commercial uses. An application to rezone this property to Public Facilities District (PFD) 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 Low Density (LOW). A City Public Facility / Institutional (PUB) designation is compatible with surrounding property and County Future Land Use.

Compatibility

The land surrounding this property is residential and commercial 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 waste water 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1. A Public Facility / Institutional (PUB) 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, and Intergovernmental Coordination policy 7-2.3.*
- 2. Impacts of the proposed development 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 2021-18, a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.*

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-18.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-18, a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.

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

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

MOTION

Deborah Murphy moved to recommend denial of Ordinance 2021-18, seconded by James Sweeza. The motion carried unanimously 6-0.

8) Recommendation on Ordinance 2021-19 – Land Trust Services Corporation Trustee – Annexation and Rezoning of Approximately 0.21 Acres Located at 31325 David Walker Drive

Mr. Fitzgerald provided the following staff report:

The subject property is located at 31325 David Walker Drive, approximately 0.21 acres in size, and contiguous to the City boundary. The land is presently zoned as County Mobile Home Rental Park District (RMRP), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-3).

This property is in close proximity to a mixture of single family, multi-family, and commercial uses. The proposed zoning of Residential Multi-Family (RMF-3) is compatible with surrounding property. There is an existing mobile home located on the property, and the use of the property for a mobile home residence may continue until the time that the property is developed for multi-family purposes.

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 on the City. The City of Tavares has municipal water and waste water utility services available for the subject parcel.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban High Density to City of Tavares High Density (HD) on the Future Land Use Map 2040.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-19 annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 0.21 acres of property located at 31325 David Walker Drive.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-19.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-19 annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 0.21 acres of property located at 31325 David Walker Drive.

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

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

MOTION

Dian Joy moved to recommend approval of Ordinance 2021-19, seconded by Brooke Matthews. The motion carried unanimously 6-0.

9) Recommendation on Ordinance 2021-20 – Land Trust Service Corporation Trustee – Small Scale FLUM Amendment of Approximately 0.21 Acres Located at 31325 David Walker Drive

Mr. Fitzgerald provided the following staff report:

The subject property is located at 31325 David Walker Drive, and is approximately 0.21 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 2040 to change the designation of said property from Lake County Urban High Density to City High Density (HD).

Ordinance 2021-20 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban High Density to City High Density (HD).

The subject property is adjacent to a mixture of residential and commercial uses. An application to annex and rezone this property to Residential Multi-Family (RMF-3) 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 High Density (HD) designation is most compatible with surrounding property and the existing County Future Land Use.

Compatibility

The land surrounding this property is residential and commercial in nature.

Site Conditions

The property currently contains one mobile home.

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 waste water utility services 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1. A High Density (HD) 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)*

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-20, a Future Land Use Map amendment from County Urban High Density to City High Density for 0.21 acres of property located at 31325 David Walker Drive.*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-20.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-20, a Future Land Use Map amendment from County Urban High Density to City High Density for 0.21 acres of property located at 31325 David Walker Drive.

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

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

MOTION

Deborah Murphy moved to recommend approval of Ordinance 2021-20, seconded by Dian Joy. The motion carried unanimously 6-0.

OTHER BUSINESS

Attorney Holt stated the concern that was brought up regarding the agenda being ADA compliant, she stated anything that is posted to the website must be a PDF readable version so the document is ADA compliant. She noted the agenda is posted in advance and items that are not on the website can be requested ahead of time by contacting the City Clerk or Mr. Fitzgerald.

PUBLIC COMMENT

Vance Jochim 12619 Milwaukie, Lake County - noted his support for asking questions regarding the tax base for the Supervisor of Elections property.

Doug Hower, 444 Bellissimo Place, Howey-In-The-Hills - noted he works part time at the Supervisor of Elections and said the number of voters in Lake County has grown significantly and the larger space is needed.. He noted that rent is over \$20,000 per month.

ADJOURNMENT

MOTION

James Sweeza moved to adjourn the meeting at 3:59 PM, seconded by Dian Joy. The motion carried unanimously 6-0.

Respectfully submitted,

Jillian Roberts,
Deputy City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 4

SUBJECT TITLE: Ordinance 2021-12 - Idamere Crossings - Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff (Community Development)

OBJECTIVE:

To consider 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.

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 High Density (HD).

Ordinance 2021-12 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Commercial (COM) to High Density (HD).

The subject property is adjacent to a mixture of a mixture of residential, commercial, and public facilities uses. An application to rezone this property to a Planned Development (PD) 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 Commercial (COM). A City High Density (HD) designation is compatible with surrounding property and County Future Land Use.

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 waste water 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A High Density (HD) 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)

OPTIONS:

1. City Council moves to approve Ordinance 2021-12, 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.
2. City Council moves to deny Ordinance 2021-12.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-12.

Staff recommends that City Council moves to approve Ordinance 2021-12, 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.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-12
2. FLU Map
3. PZ Minutes - Ordinance 2021-12
4. Newspaper Ad

ORDINANCE 2021-12

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 19.46 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 19 AND LANE PARK CUTOFF, FROM COMMERCIAL (COM) TO HIGH DENSITY (HD); PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in **Exhibit “A”** has voluntarily petitioned to change the future land use designation from Commercial (COM) to High Density (HD); and

WHEREAS, the property consists of less than fifty acres; and

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 ensure the availability of attainable housing opportunities and a mix of housing types in the City; and

WHEREAS, a High 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 Commercial (COM) to High Density (HD) 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 _____, 2021 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

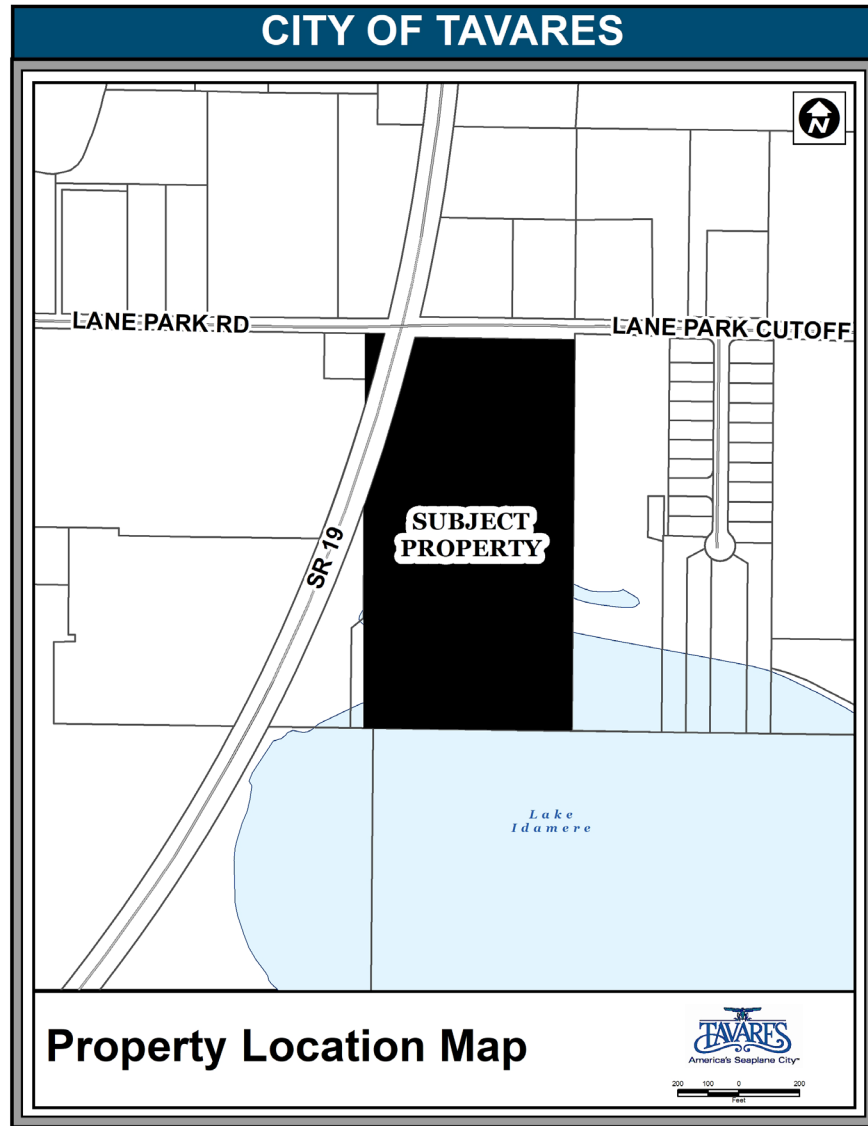
Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

THE WEST 1/2 OF THE SW 1/4, SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LESS THE RIGHT OF WAY OF STATE ROAD NO. 19 AND THAT PORTION LYING WITHIN 35 FEET SOUTH OF THE NORTH LINE OF THE SW 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.



**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 5

SUBJECT TITLE: Ordinance 2021- 13 - Avalon Park Tavares, LLC - Annexation and Rezoning of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle

SUMMARY:

The subject property is located at 1693 & 1695 South Palm Circle, approximately 0.63 acres in size, and contiguous to the City boundary. The land is presently zoned as County Urban Residential (R-6), and the applicant is proposing that the property be annexed and rezoned to Planned Development (PD), and incorporated into the Avalon Park Planned Development that is subject to the provisions contained in Ordinance 2016-27 approved by City Council on October 19, 2016. Two (2) single family homes are located on the subject parcels, and it is the intention of the owner, Avalon Park LLC, to demolish the existing homes, and have the property become part of a future phase of the Avalon Park development.

This property is in close proximity to a mixture of single family and commercial uses. The proposed zoning of Planned Development (PD) is compatible with surrounding 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 on the City. The City of Tavares has municipal water and waste water utility capacity available for the subject parcels. The Avalon Park developer shall be responsible for extending municipal utility services to the subject property upon development.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low Density to City of Tavares Medium Density (MED) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2021-13 annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle.
2. City Council moves to deny Ordinance 2021-13.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-13.

Staff recommends that City Council moves approve Ordinance 2021-13 annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-13
2. Aerial Map
3. Zoning Map
4. PZ Minutes - Ordinance 2021-13
5. Newspaper Ad 11-7-21
6. Newspaper Ad 11-14-21

ORDINANCE 2021-13

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.631 ACRES OF PROPERTY LOCATED AT 1693 SOUTH PALM CIRCLE AND 1695 SOUTH PALM CIRCLE; REZONING THE PROPERTY FROM COUNTY URBAN RESIDENTIAL DISTRICT (R-6) TO CITY PLANNED DEVELOPMENT (PD); AMENDING CITY OF TAVARES ORDINANCE 2016-27 IN PART BY JOINING SAID 0.631 ACRES WITH THE PROPERTY SUBJECT TO ORDINANCE 2016-27 TO FORM ONE PLANNED DEVELOPMENT; 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 applicant would like to combine and develop property legally defined in **Exhibit “A”** and the property subject to Ordinance 2016-27 as a unified Planned Development (PD) zoning; and

WHEREAS, the property is currently zoned Lake County Urban Residential District (R-6) and the applicant has requested that said property be rezoned to a City designation of Planned Development (PD); and,

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board, and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed rezoning; 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 is concurrently processing a small scale future land use map amendment to re-designate the property from Lake County Urban Low Density to a City of Tavares Medium Density (MED) 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 Urban Residential District (R-6) to City of Tavares Planned Development (PD) and shall be subject to the provisions contained within Ordinance 2016-27 and the Land Development Regulations.

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 _____, 2021, by the City Council
of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

Parcel per commitment # 1069433

Lots 21, 22, 23, Block 30, EUSTIS HEIGHTS, according to the plat thereof as recorded in Plat Book 6, Page 84, Public Records of Lake County, Florida, ALSO that part of South Palm Circle described as follows: Begin at the Southwest corner of Lot 21, Block 30, run Westerly on a line that extends to the center line of South Palm Circle, thence Northerly along said center line to a point 10 feet Northerly of the Westerly extension of the South line of Lot 23, Block 30, thence Easterly along said parallel line to the Westerly line of said Lot 23, thence Southerly along Westerly lines of Lots 23, 22 and 21 to Point of Beginning.

LESS:

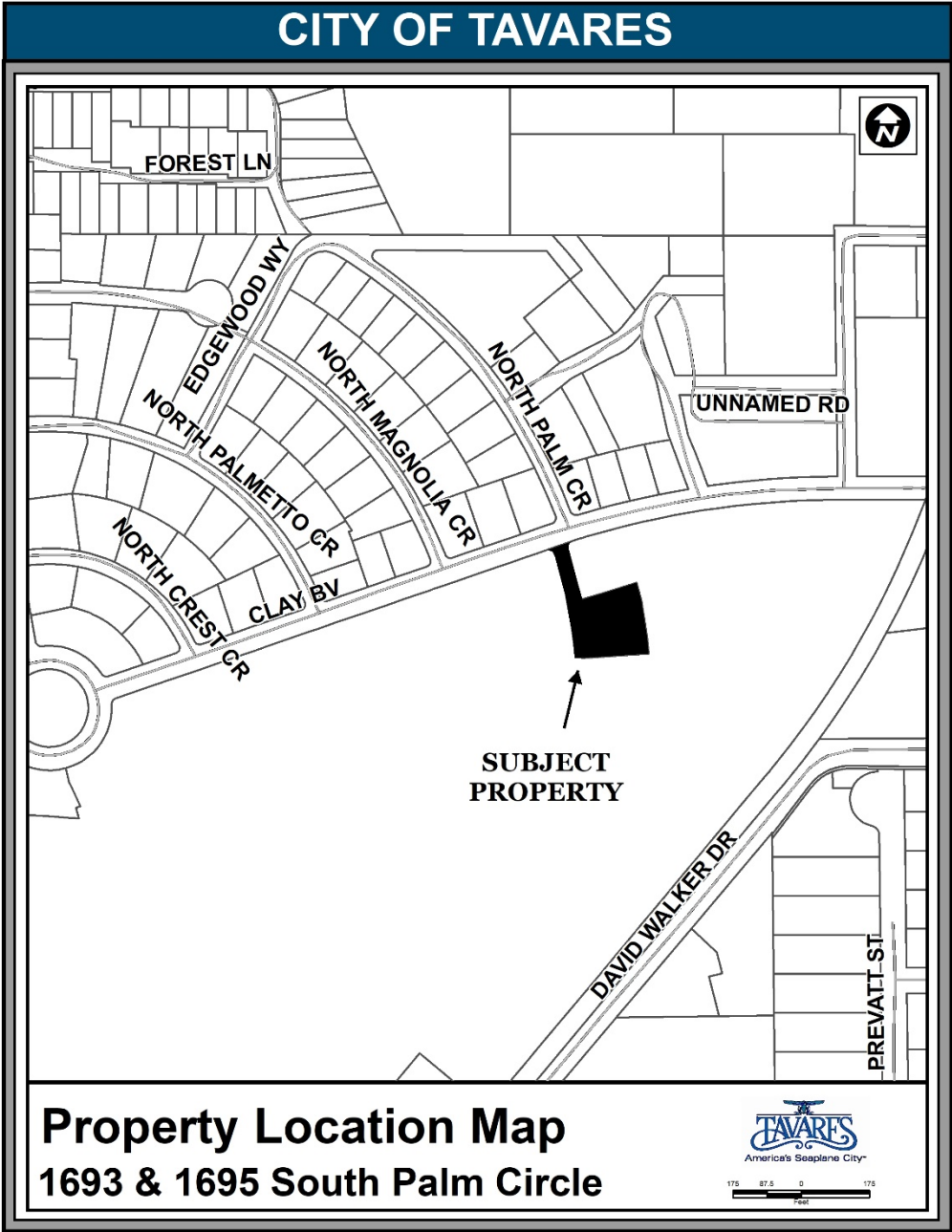
A part of Lot 23, Block 30 of Eustis Heights Subdivision according to the plat thereof as recorded in Plat Book 6, Page 84, Public Records of Lake County, Florida, described as follows: Begin at the NW corner of Lot 23 and run Southerly along the Westerly line of Lot 23 a distance of 40.0 ft.; thence Easterly in a straight line to the SE corner of said Lot 23, thence Northerly along the Easterly line of Lot 23 a distance of 65.0 ft. to the NE corner of Lot 23; thence Southwesterly along the northerly line of Lot 23 a distance of 147.0 ft. to the P.O.B.

Parcel per commitment # 1069459

A part of Lot 23, Block 30 of Eustis Heights Subdivision according to the plat thereof as recorded in Plat Book 6, Page 84, Public Records of Lake County, Florida, described as follows: Begin at the NW corner of Lot 23 and run Southerly along the Westerly line of Lot 23 a distance of 40.0 ft.; thence Easterly in a straight line to the SE corner of said Lot 23, thence Northerly along the Easterly line of Lot 23 a distance of 65.0 ft. to the NE corner of Lot 23; thence Southwesterly along the northerly line of Lot 23 a distance of 147.0 ft. to the P.O.B, ALSO that part of South Palm Circle described as follows: Begin at the NW corner of Lot 23; run thence Southerly along the Westerly line of Lot 23 a distance of 40.0 ft.; thence Westerly on an extension of a line running from the SE corner of Lot 23 to the center of South Palm Circle; thence Northerly along the centerline of said South Palm Circle to the intersection of the Northerly line of Lot 23 extended Westerly; thence Easterly along said extension of the North line of Lot 23 to the Point of Beginning.

-and-

Remainder of South Palm Circle 40' Wide Public R/W per P.B. 6, Pg. 84 and vacated by Resolution recorded in O.R. 289, Pg. 177



Created By: City of Tavares GIS

T:\pzd\DATA\PROJECT FILES\Palm Circle Properties; Annexation, Rezoning & SSFLUM - PZ2021-24\GIS\GIS_Maps\AD.mxd

Map Created on 10/27/21

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 6

**SUBJECT TITLE: Ordinance 2021-14 - Avalon Park Tavares, LLC - Small Scale FLUM
Amendment of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle (Community
Development)**

OBJECTIVE:

To consider a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle

SUMMARY:

The subject property is located at 1693 & 1695 South Palm Circle, and is approximately 0.63 acres in size. The land presently has a land use designation of County Urban Low Density, and 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 Lake County Urban Low to City Medium Density (MED).

Ordinance 2021-14 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban Low to City Medium Density (MED).

The subject property is adjacent to a mixture of residential and commercial uses. An application to annex and rezone this property to a Planned Development (PD) 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 Low Density. A City Medium Density (MED) designation is most compatible with surrounding property and County Future Land Use.

Compatibility

The land surrounding this property is residential and commercial in nature.

Site Conditions

The property currently contains single family homes.

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 waste water utility service capacity 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 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.
2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS:

1. City Council moves to approve Ordinance 2021-14, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle.
2. City Council moves to deny Ordinance 2021-14.

STAFF RECOMMENDATION:

At their November 18th meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-14.

Staff recommends that City Council moves to approve Ordinance 2021-14, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-14
2. FLU Map
3. PZ Minutes - Ordinance 2021-14
4. Newspaper Ad 11-7-21
5. Newspaper Ad 11-14-21

ORDINANCE 2021-14

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.631 ACRES OF PROPERTY FROM COUNTY URBAN LOW TO CITY MEDIUM DENSITY (MED) FOR PROPERTY LOCATED AT 0.631 ACRES OF PROPERTY LOCATED AT 1693 SOUTH PALM CIRCLE AND 1695 SOUTH PALM CIRCLE; PROVIDING FOR SEVERABILITY AND CONFLICTS; 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 fifty acres; and

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, 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 Low 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 _____, 2021 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

Parcel per commitment # 1069433

Lots 21, 22, 23, Block 30, EUSTIS HEIGHTS, according to the plat thereof as recorded in Plat Book 6, Page 84, Public Records of Lake County, Florida, ALSO that part of South Palm Circle described as follows: Begin at the Southwest corner of Lot 21, Block 30, run Westerly on a line that extends to the center line of South Palm Circle, thence Northerly along said center line to a point 10 feet Northerly of the Westerly extension of the South line of Lot 23, Block 30, thence Easterly along said parallel line to the Westerly line of said Lot 23, thence Southerly along Westerly lines of Lots 23, 22 and 21 to Point of Beginning.

LESS:

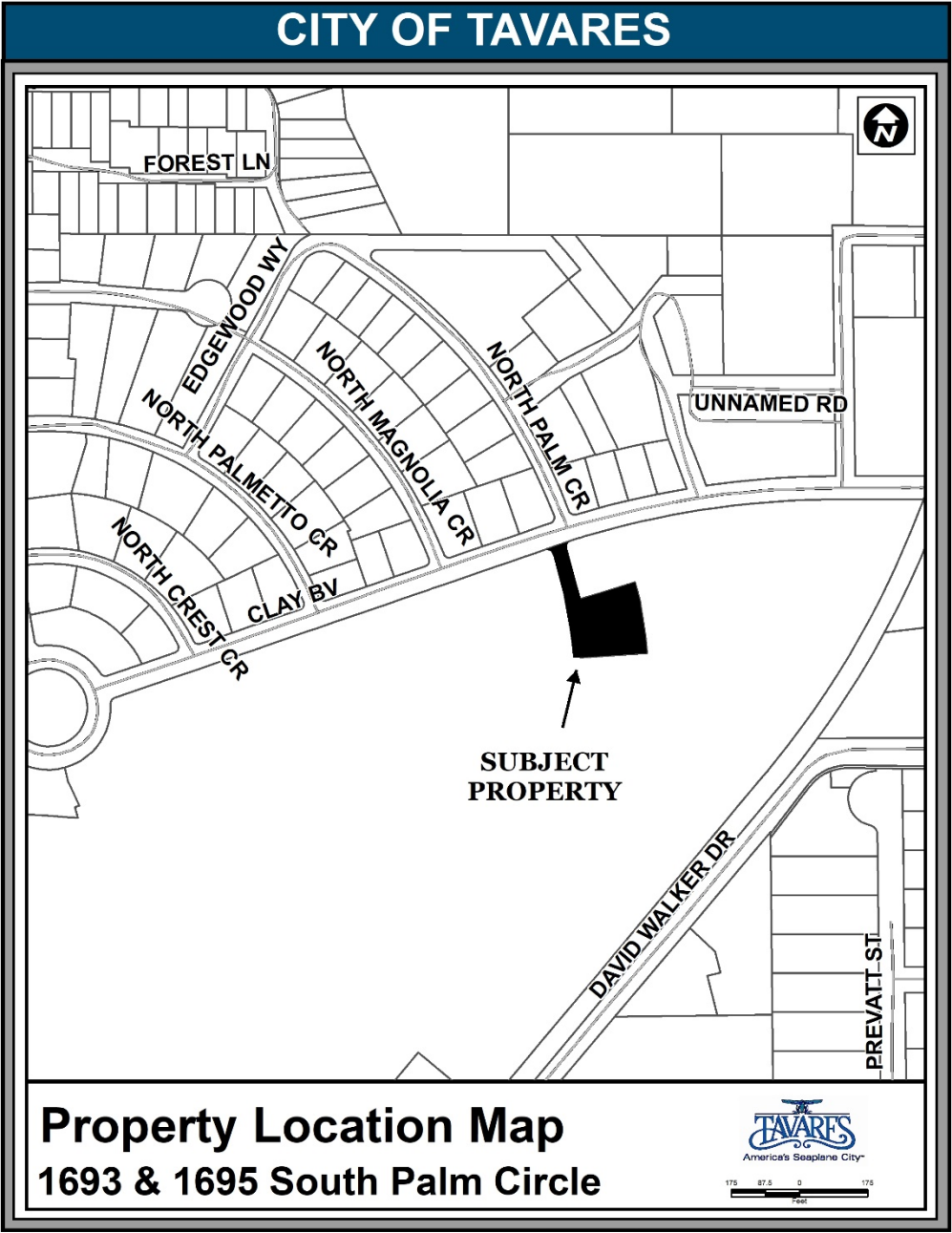
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Parcel per commitment # 1069459

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-and-

Remainder of South Palm Circle 40' Wide Public R/W per P.B. 6, Pg. 84 and vacated by Resolution recorded in O.R. 289, Pg. 177



**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 7

SUBJECT TITLE: Ordinance 2021-17 - Lane Park Commons (Supervisor of Elections / Sheriff Site) - Rezoning of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road (Community Development)

OBJECTIVE:

To consider the rezoning of approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).

SUMMARY:

The subject property consists of approximately 13.19 acres of vacant property located at the northwest corner of SR-19 & Lane Park Road. The property is currently zoned as Residential Single Family (RSF-2), and the applicant, Lake County, is proposing that the property be rezoned to Public Facilities District (PFD).

The proposed zoning of Public Facilities District (PFD) is compatible with Lake County's proposal to construct government facilities on the subject property. The surrounding zoning is a mixture of residential and commercial zoning. Lake County at this time envisions the construction of a fifty-thousand (50,000) square foot building to house operations for the Supervisor of Elections, and an eighty-thousand (80,000) square foot building for the Lake County Sheriff's office. The proposed use is consistent with the Comprehensive Plan by ensuring intergovernmental coordination between the City of Tavares and Lake County.

The environmental assessment submitted by Kleinfelder, Inc. states that no conditions were visually and/or physically observed on the property that would suggest the presence of conditions representative of environmental concerns that could impact the property. The assessment recommends soil sampling to confirm or dismiss the presence of residual agricultural products on 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.

Lake County submitted a statement to City staff regarding traffic impact that the Supervisor of Elections will not require a traffic study as the trips will meet the Lake-Sumter MPO de minimis requirement with a very low number of staffed employees. Lake County is requesting that the traffic study for the Sheriff's office be deferred until the time of site plan submittal.

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 City is concurrently processing a future land use map amendment to re-designate the property from Low Density (LOW) to Public Facility / Institutional (PUB) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2021-17 rezoning approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).
2. City Council moves to recommend denial of Ordinance 2021-17.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted 3-3 on the motion to recommend approval of Ordinance 2021-17, and as a result of the split vote the motion failed.

Staff recommends that City Council moves to approve Ordinance 2021-17 rezoning approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-17
2. Aerial Map
3. Concept Plan
4. Zoning Map
5. Environmental Assessment
6. Environmental Assessment - Threatened Species
7. PZ Minutes - Ordinance 2021-17
8. PZ Minutes - Public Comment
9. Newspaper Ad 11-7-21
10. Newspaper Ad 11-14-21

ORDINANCE 2021-17

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 13.19 ACRES OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 19 AND LANE PARK ROAD, FROM RESIDENTIAL SINGLE FAMILY (RSF-2) TO PUBLIC FACILITIES DISTRICT (PFD); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the property legally described in “**Exhibit A**” of this Ordinance have applied for the rezoning of this land from Residential Single-Family (RSF-2) to Public Facilities District (PFD); and

WHEREAS, the City is concurrently processing an amendment to the City’s Comprehensive Plan to re-designate the property from Low Density (LOW) to Public Facility / Institutional (PUB) on the Future Land Use Map 2040; and

WHEREAS, the City of Tavares held these duly noticed public hearings before the Planning and Zoning Board and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed amended zoning; and

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

WHEREAS, the City Council finds this amendment in compliance with the City of Tavares’ Land Development Regulations and Comprehensive Plan; now therefore

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

Section 1. Rezoning

The said properties, as legally defined in **Exhibit “A”**, attached hereto and made a part herewith, are hereby rezoned from Residential Single-Family (RSF-2) to Public Facilities District (PFD).

Section 2. 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 3. Effective Date.

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

PASSED AND ORDAINED this _____ of _____, 2021, by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

Exhibit "A"

PARCEL 1:

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LYING WEST OF THE RIGHT-OF-WAY OF STATE ROAD 19, LESS RIGHT OF WAY FOR LANE PARK ROAD, LAKE COUNTY, FLORIDA.

AND

PARCEL 2:

BEGIN 30 FEET NORTH AND 276 YARDS EAST OF THE SOUTHWEST CORNER OF THE NORTH 1/2 OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 143 YARDS, NORTH 265 YARDS, WEST 142 YARDS, SOUTH 265 YARDS TO BEGINNING, LESS THE SOUTH 53.6 FEET OF THE NORTH 555 FEET OF EAST 360 FEET OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; ALSO LESS THAT PORTION IF ANY WHICH LIES WITHIN THE PARCEL DESCRIBED IN THAT QUIT CLAIM DEED FROM WARREN GLOVER TO REGINALD C. WALKER, RECORDED IN OFFICIAL RECORDS BOOK 1476, PAGE 1571, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

PARCEL 3:

BEGIN 30 FEET NORTH AND 1257 FEET EAST OF THE SOUTHWEST CORNER OF NORTH 1/2 OF LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 63 FEET, NORTH 735, WEST 63 FEET, SOUTH 735 FEET TO POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

AND

PARCEL 4:

BEGIN 462 FEET NORTH AND 348 FEET EAST OF THE SOUTHWEST CORNER OF NORTH 1/2 OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 480 FEET, THENCE NORTH 306 FEET, THENCE WEST 270 FEET, THENCE SOUTHWEST TO POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

} SEE SPECIAL BOUNDARY NOTE #2
REGARDING THIS "CALL". SEE ALSO
DEED BOOK 26, PAGE 103.

AND

PARCEL 5:

BEGIN 30.00 FEET NORTH AND 1320.00 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTH 1/2 OF LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, RUN EAST TO A POINT ON THE EAST LINE OF THE SAID NORTH 1/2 OF GOVERNMENT LOT 9; THENCE NORTH ALONG SAID EAST LINE OF THE NORTH 1/2 OF GOVERNMENT LOT 9 A DISTANCE OF 737.84 FEET TO A POINT 555.00 FEET SOUTH OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES THERETO, THE EAST-WEST MID SECTION LINE OF SAID SECTION 6; THENCE SOUTH 89 DEGREES 28 MINUTES 59 SECONDS WEST ALONG SAID PARALLEL LINE TO A POINT ON A LINE, SAID LINE HAVING A BEARING OF NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID LINE 737.77 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND POINT OF TERMINUS.

Exhibit "A" Continued

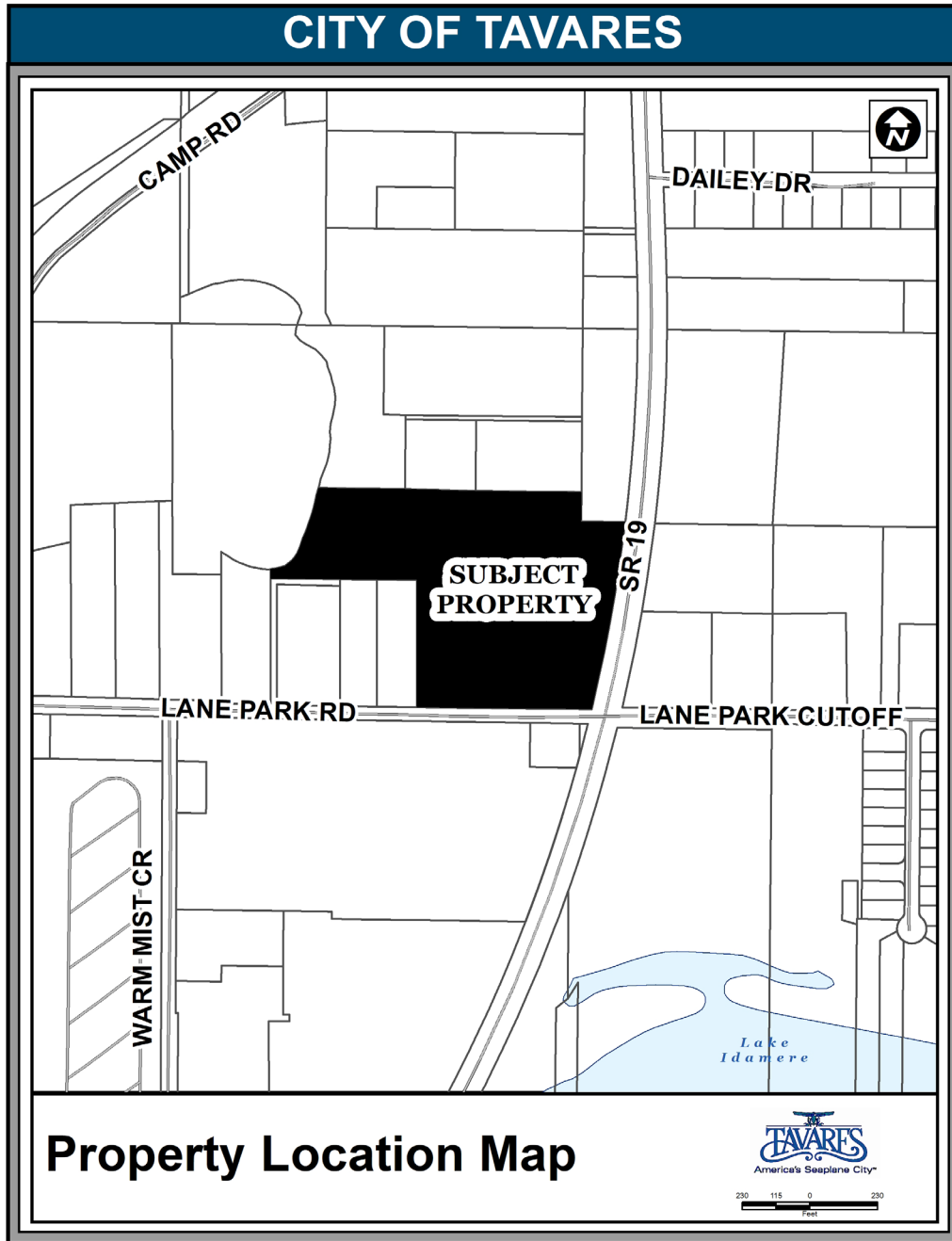
SPECIAL BOUNDARY NOTE #2:

THE WEST BOUNDARY OF PARCEL #4 AS DESCRIBED IN SCHEDULE "A" SHOWN HEREON IS CALLED AS BEING "SOUTHWEST TO THE POINT OF BEGINNING". IT IS UNCLEAR FROM THIS WORDING IF THE SCRIVENER MEANT FOR THE LINE TO BE A STRAIGHT LINE. UPON FURTHER RESEARCH, AN EARLIER DESCRIPTION OF PARCEL 4 CONTAINED IN DEED BOOK 26, PAGE 103, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA WAS OBTAINED AND IN THIS EARLY DESCRIPTION THE WEST BOUNDARY LIMITS ARE CALLED AS BEING "THENCE ALONG HIGH WATER MARK TO POINT OF BEGINNING IN A SOUTHWESTERLY DIRECTION". THIS CALL INDICATES A DEFINITION FOR THE WEST BOUNDARY AND IS NOT A STRAIGHT LINE. ANOTHER DEED FROM THIS SAME TIME PERIOD AND ADJACENT PROXIMITY RECORDED IN DEED BOOK 107, PAGE 52, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA CALLS OUT "ALONG THE MARGIN OF LAKE".

IT IS APPARENT FROM EARLY DEEDS THAT THE GENERAL OUTLINE OF LAKE MARQUIS WAS BEING FOLLOWED. THE HIGH WATER MARK IN FLORIDA IS GENERALLY DEFINED AS THE ORDINARY HIGH WATER LINE (OHWL). THE ORDINARY HIGH WATER LINE IS DEFINED AS THE BOUNDARY BETWEEN STATE OWNED LANDS AND PRIVATE UPLAND OWNERSHIP. LAKE MARQUIS WAS SOLD AS A PART OF GOVERNMENT LOT 9 ACCORDING TO DEED NO. 779 BOARD OF EDUCATION OF FLORIDA (GRANTOR) TO GOULD H. NORTON (GRANTEE) DATED 1882.

THE CLIENT MAY WANT TO EMPLOY THE SERVICES OF AN ENVIRONMENTAL PROFESSIONAL THAT CAN ASCERTAIN THE APPROXIMATE POSITION OF THE ORDINARY HIGH WATER LINE AND/OR A SAFE UPLAND BOUNDARY.

WITH THE CURRENT EVIDENCE AVAILABLE TO THIS SURVEYOR, AN AVERAGED DISTANCE BASED ON DEED BOOK 26, PAGE 103 WILL BE USED TO ESTABLISH THE WEST BOUNDARY OF PARCEL #4. LANDS LYING WEST OF THIS BOUNDARY MAY STILL BE TITLED TO THE ORIGINAL PATENT HOLDER LISTED ABOVE.



**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 8

SUBJECT TITLE: Ordinance 2021-18 - Lane Park Commons (Supervisor of Elections / Sheriff Site) - Small Scale FLUM Amendment of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road (Community Development)

OBJECTIVE:

To consider a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional (PUB) for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.

SUMMARY:

The subject property is located at the Northwest Corner of SR-19 & Lane Park Road, and is approximately 13.19 acres in size. The land is presently vacant and has a land use designation of Low Density (LOW). 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 Low Density (LOW) to Public Facility / Institutional (PUB).

Ordinance 2021-18 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Low Density (LOW) to Public Facility / Institutional (PUB).

The subject property is adjacent to a mixture of residential and commercial uses. An application to rezone this property to Public Facilities District (PFD) 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 Low Density (LOW). A City Public Facility / Institutional (PUB) designation is compatible with surrounding property and County Future Land Use.

Compatibility

The land surrounding this property is residential and commercial 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 waste water 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Public Facility / Institutional (PUB) 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, and Intergovernmental Coordination policy 7-2.3.

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

OPTIONS:

1. City Council moves to approve Ordinance 2021-18, a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional (PUB) for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.

2. City Council moves to deny Ordinance 2021-18.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend denial of Ordinance 2021-18.

Staff recommends that City Council moves to approve Ordinance 2021-18, a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional (PUB) for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-18
2. FLU Map
3. PZ Minutes - Ordinance 2021-18
4. PZ Minutes - Public Comment
5. Newspaper Ad 11-7-21
6. Newspaper Ad 11-14-21

ORDINANCE 2021-18

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 13.19 ACRES OF PROPERTY FROM LOW DENSITY (LOW) TO PUBLIC FACILITY / INSTITUTIONAL (PUB) FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 19 AND LANE PARK ROAD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property described in Exhibit "A" attached hereto, is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Low Density (LOW) to Public Facility / Institutional (PUB); and

WHEREAS, the property consists of less than fifty acres; and

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, a Public Facility / Institutional 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 Low Density (LOW) to Public Facility / Institutional (PUB) 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 _____, 2021 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

PARCEL 1:

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LYING WEST OF THE RIGHT-OF-WAY OF STATE ROAD 19, LESS RIGHT OF WAY FOR LANE PARK ROAD, LAKE COUNTY, FLORIDA.

AND

PARCEL 2:

BEGIN 30 FEET NORTH AND 276 YARDS EAST OF THE SOUTHWEST CORNER OF THE NORTH 1/2 OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 143 YARDS, NORTH 265 YARDS, WEST 142 YARDS, SOUTH 265 YARDS TO BEGINNING, LESS THE SOUTH 53.6 FEET OF THE NORTH 555 FEET OF EAST 360 FEET OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; ALSO LESS THAT PORTION IF ANY WHICH LIES WITHIN THE PARCEL DESCRIBED IN THAT QUIT CLAIM DEED FROM WARREN GLOVER TO REGINALD C. WALKER, RECORDED IN OFFICIAL RECORDS BOOK 1476, PAGE 1571, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

PARCEL 3:

BEGIN 30 FEET NORTH AND 1257 FEET EAST OF THE SOUTHWEST CORNER OF NORTH 1/2 OF LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 63 FEET, NORTH 735, WEST 63 FEET, SOUTH 735 FEET TO POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

AND

PARCEL 4:

BEGIN 462 FEET NORTH AND 348 FEET EAST OF THE SOUTHWEST CORNER OF NORTH 1/2 OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 480 FEET, THENCE NORTH 306 FEET, THENCE WEST 270 FEET, THENCE SOUTHWEST TO POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

} SEE SPECIAL BOUNDARY NOTE #2
REGARDING THIS "CALL". SEE ALSO
DEED BOOK 26, PAGE 103.

AND

PARCEL 5:

BEGIN 30.00 FEET NORTH AND 1320.00 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTH 1/2 OF LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, RUN EAST TO A POINT ON THE EAST LINE OF THE SAID NORTH 1/2 OF GOVERNMENT LOT 9; THENCE NORTH ALONG SAID EAST LINE OF THE NORTH 1/2 OF GOVERNMENT LOT 9 A DISTANCE OF 737.84 FEET TO A POINT 555.00 FEET SOUTH OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES THERETO, THE EAST-WEST MID SECTION LINE OF SAID SECTION 6; THENCE SOUTH 89 DEGREES 28 MINUTES 59 SECONDS WEST ALONG SAID PARALLEL LINE TO A POINT ON A LINE, SAID LINE HAVING A BEARING OF NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID LINE 737.77 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND POINT OF TERMINUS.

Exhibit "A" Continued

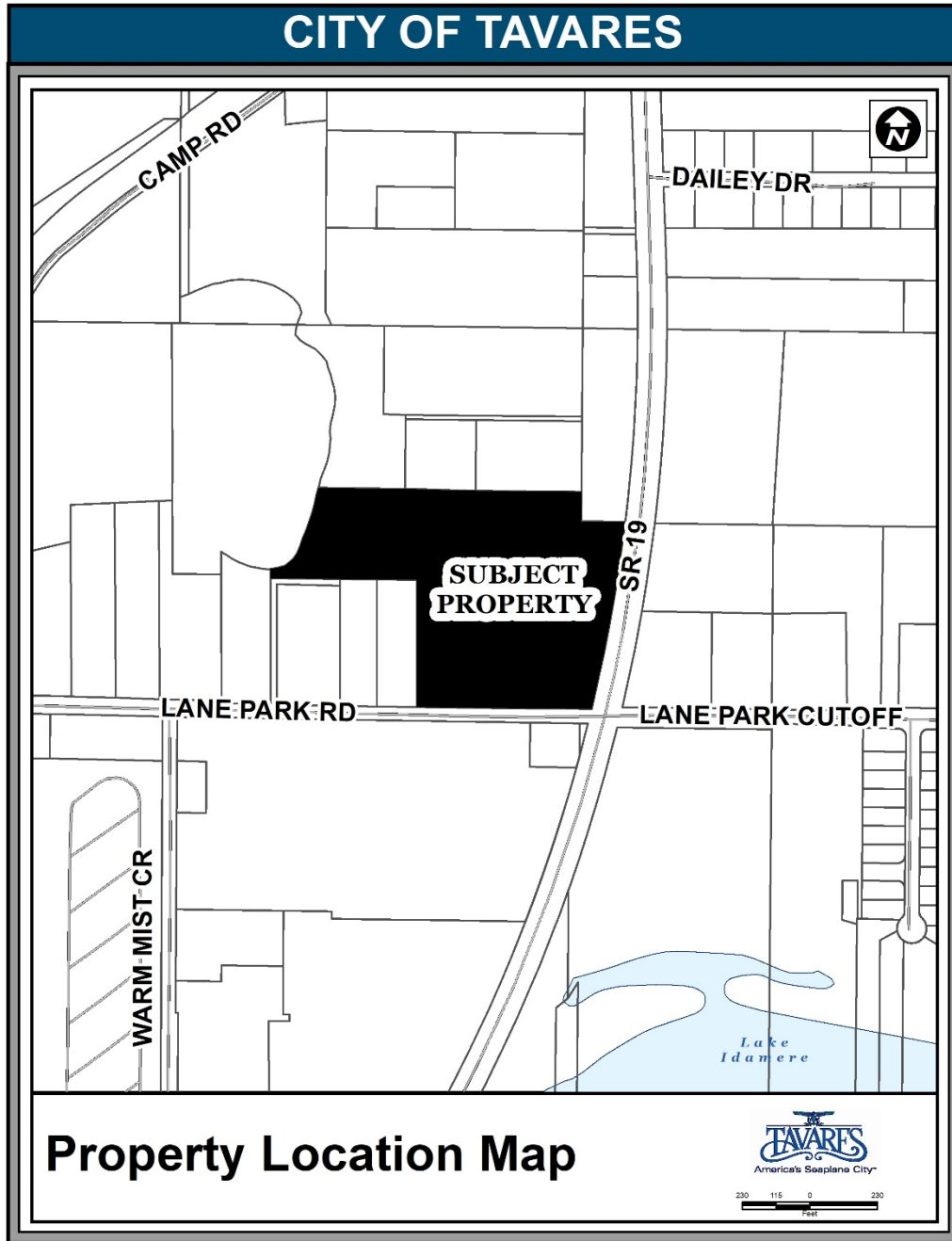
SPECIAL BOUNDARY NOTE #2:

THE WEST BOUNDARY OF PARCEL #4 AS DESCRIBED IN SCHEDULE "A" SHOWN HEREON IS CALLED AS BEING "SOUTHWEST TO THE POINT OF BEGINNING". IT IS UNCLEAR FROM THIS WORDING IF THE SCRIVENER MEANT FOR THE LINE TO BE A STRAIGHT LINE. UPON FURTHER RESEARCH, AN EARLIER DESCRIPTION OF PARCEL 4 CONTAINED IN DEED BOOK 26, PAGE 103, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA WAS OBTAINED AND IN THIS EARLY DESCRIPTION THE WEST BOUNDARY LIMITS ARE CALLED AS BEING "THENCE ALONG HIGH WATER MARK TO POINT OF BEGINNING IN A SOUTHWESTERLY DIRECTION". THIS CALL INDICATES A DEFINITION FOR THE WEST BOUNDARY AND IS NOT A STRAIGHT LINE. ANOTHER DEED FROM THIS SAME TIME PERIOD AND ADJACENT PROXIMITY RECORDED IN DEED BOOK 107, PAGE 52, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA CALLS OUT "ALONG THE MARGIN OF LAKE".

IT IS APPARENT FROM EARLY DEEDS THAT THE GENERAL OUTLINE OF LAKE MARQUIS WAS BEING FOLLOWED. THE HIGH WATER MARK IN FLORIDA IS GENERALLY DEFINED AS THE ORDINARY HIGH WATER LINE (OHWL). THE ORDINARY HIGH WATER LINE IS DEFINED AS THE BOUNDARY BETWEEN STATE OWNED LANDS AND PRIVATE UPLAND OWNERSHIP. LAKE MARQUIS WAS SOLD AS A PART OF GOVERNMENT LOT 9 ACCORDING TO DEED NO. 779 BOARD OF EDUCATION OF FLORIDA (GRANTOR) TO GOULD H. NORTON (GRANTEE) DATED 1882.

THE CLIENT MAY WANT TO EMPLOY THE SERVICES OF AN ENVIRONMENTAL PROFESSIONAL THAT CAN ASCERTAIN THE APPROXIMATE POSITION OF THE ORDINARY HIGH WATER LINE AND/OR A SAFE UPLAND BOUNDARY.

WITH THE CURRENT EVIDENCE AVAILABLE TO THIS SURVEYOR, AN AVERAGED DISTANCE BASED ON DEED BOOK 26, PAGE 103 WILL BE USED TO ESTABLISH THE WEST BOUNDARY OF PARCEL #4. LANDS LYING WEST OF THIS BOUNDARY MAY STILL BE TITLED TO THE ORIGINAL PATENT HOLDER LISTED ABOVE.



**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 9

SUBJECT TITLE: Ordinance 2021-19 - Land Trust Service Corporation Trustee - Annexation and Rezoning of Approximately 0.21 Acres Located at 31325 David Walker Drive (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 0.21 acres of property located at 31325 David Walker Drive.

SUMMARY:

The subject property is located at 31325 David Walker Drive, approximately 0.21 acres in size, and contiguous to the City boundary. The land is presently zoned as County Mobile Home Rental Park District (RMRP), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-3).

This property is in close proximity to a mixture of single family, multi-family, and commercial uses. The proposed zoning of Residential Multi-Family (RMF-3) is compatible with surrounding property. There is an existing mobile home located on the property, and the use of the property for a mobile home residence may continue until the time that the property is developed for multi-family purposes.

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 on the City. The City of Tavares has municipal water and waste water utility services available for the subject parcel.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban High Density to City of Tavares High Density (HD) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2021-19 annexation and rezoning to Residential Multi-Family (RMF-3) of approximately 0.21 acres of property located at 31325 David Walker Drive.
2. City Council moves to deny Ordinance 2021-19.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-19.

Staff recommends that City Council moves to approve Ordinance 2021-19 annexation and rezoning to Residential Multi-Family (RMF-3) of approximately 0.21 acres of property located at 31325 David Walker

Drive.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-19
2. Aerial Map
3. Zoning Map
4. PZ Minutes - Ordinance 2021-19
5. Newspaper Ad 11-7-21
6. Newspaper Ad 11-14-21

ORDINANCE 2021-19

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.21 ACRES OF PROPERTY LOCATED AT 31325 DAVID WALKER DRIVE; REZONING THE PROPERTY FROM COUNTY MOBILE HOME RENTAL PARK DISTRICT (RMRP) TO CITY RESIDENTIAL MULTI-FAMILY (RMF-3); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; 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 Mobile Home Rental Park District (RMRP) and the applicant has requested that said property be rezoned to a City designation of Residential Multi-Family (RMF-3); 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 High Density (HD) 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 Mobile Home Rental Park District (RMRP) to City of Tavares Residential Multi-Family (RMF-3) 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 _____, 2021, by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

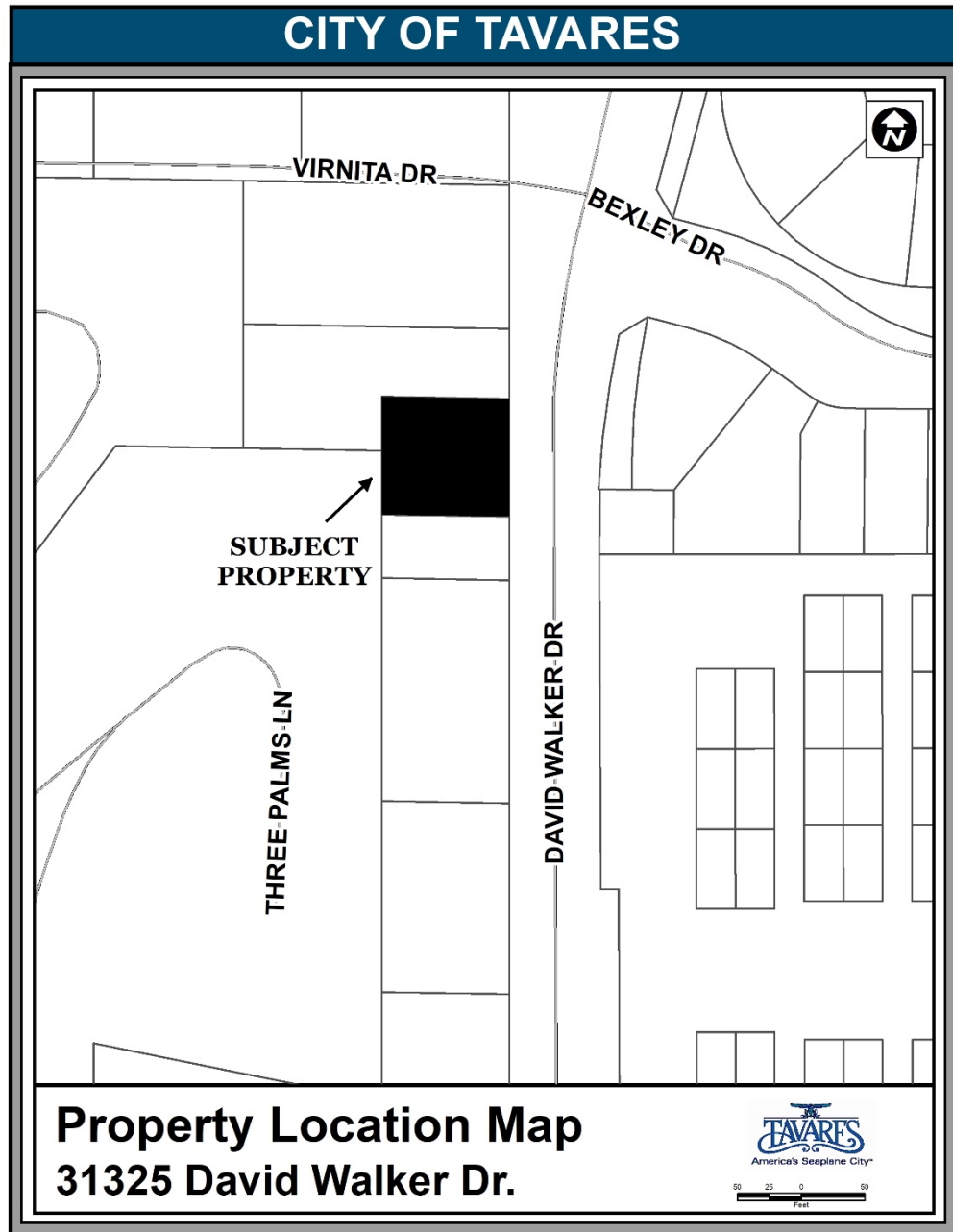
That part of Lot 9, Plat of Land of James M. Conner, according to the plat thereof, as recorded in Plat Book 1, Page 32, of the Public Records of Lake County, Florida, being more particularly described as follows:

From the Northwest corner of Southwest 1/4, said Section 27, run thence South 0°08' East along the West line of said Southwest 1/4 a distance of 377.6 feet, thence South 89°33' East 447.47 feet, thence South 0°08' East 210 feet, thence South 89°33' East 100 feet to Point of Beginning; thence North 0°08' West 42.5 feet, thence South 89°33' East 108.7 feet, thence South 0°08' East 42.5 feet, thence North 89°33' West 108.7 feet to Point of Beginning.

Also

The North 1/2 of the following described tract of land:

From the West 1/4 corner of Section 27, Township 19 South, Range 26 East, run South 89°33' East along the North line of Lots 13 and 14 of S.B. Hewitt's Land, according to the plat thereof, as recorded in Plat Book 1, Page 52, of the Public Records of Lake County, Florida, a distance of 672.67 feet, thence South 0°08' East parallel to the West line of said Lot 13 and along the East line of Lot 9, Plat of Land of James M. Conner, according to the plat thereof, as recorded in Plat Book 1, Page 32, of the Public Records of Lake County, Florida, a distance of 588.46 feet to Point of Beginning; run thence South 0°08' East along the East line of said Lot 9, 100 feet, thence North 89°33' West parallel to the North line of said Lot 13 of S.B. Hewitt's Land, a distance of 116.5 feet, thence North 0°08' West parallel to the East line of said Lot 9, Plat of Land of James M. Conner, a distance of 100 feet, thence South 89°33' East parallel to the North line of said Lot 13 of S.B. Hewitt's Land, a distance of 116.5 feet to Point of Beginning, less the East 16.5 feet thereof.



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Map Created on 10/28/21

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 10

SUBJECT TITLE: Ordinance 2021-20 - Land Trust Service Corporation Trustee - Small Scale FLUM Amendment of Approximately 0.21 Acres Located at 31325 David Walker Drive (Community Development)

OBJECTIVE:

To consider a Future Land Use Map amendment from County Urban High Density to City High Density (HD) for 0.21 Acres Located at 31325 David Walker Drive.

SUMMARY:

The subject property is located at 31325 David Walker Drive, and is approximately 0.21 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 2040 to change the designation of said property from Lake County Urban High Density to City High Density (HD).

Ordinance 2021-20 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban High Density to City High Density (HD).

The subject property is adjacent to a mixture of residential and commercial uses. An application to annex and rezone this property to Residential Multi-Family (RMF-3) 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 High Density (HD) designation is most compatible with surrounding property and the existing County Future Land Use.

Compatibility

The land surrounding this property is residential and commercial in nature.

Site Conditions

The property currently contains one mobile home.

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 waste water utility services 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A High Density (HD) 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)

OPTIONS:

1. City Council moves to approve Ordinance 2021-20, a Future Land Use Map amendment from County Urban High Density to City High Density for 0.21 acres of property located at 31325 David Walker Drive.
2. City Council moves to deny Ordinance 2021-20.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-20.

Staff recommends that City Council moves to approve Ordinance 2021-20, a Future Land Use Map amendment from County Urban High Density to City High Density for 0.21 acres of property located at 31325 David Walker Drive.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-20
2. FLU Map
3. PZ Minutes - Ordinance 2021-20
4. PZ Minutes - Ordinance 2021-20
5. Newspaper Ad 11-7-21
6. Newspaper Ad 11-14-21

ORDINANCE 2021-20

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.21 ACRES OF PROPERTY FROM COUNTY URBAN HIGH DENSITY TO CITY HIGH DENSITY (HD) FOR PROPERTY LOCATED AT 31325 DAVID WALKER DRIVE; PROVIDING FOR SEVERABILITY AND CONFLICTS; 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 fifty acres; and

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, a High 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 High Density (HD) 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 _____, 2021 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

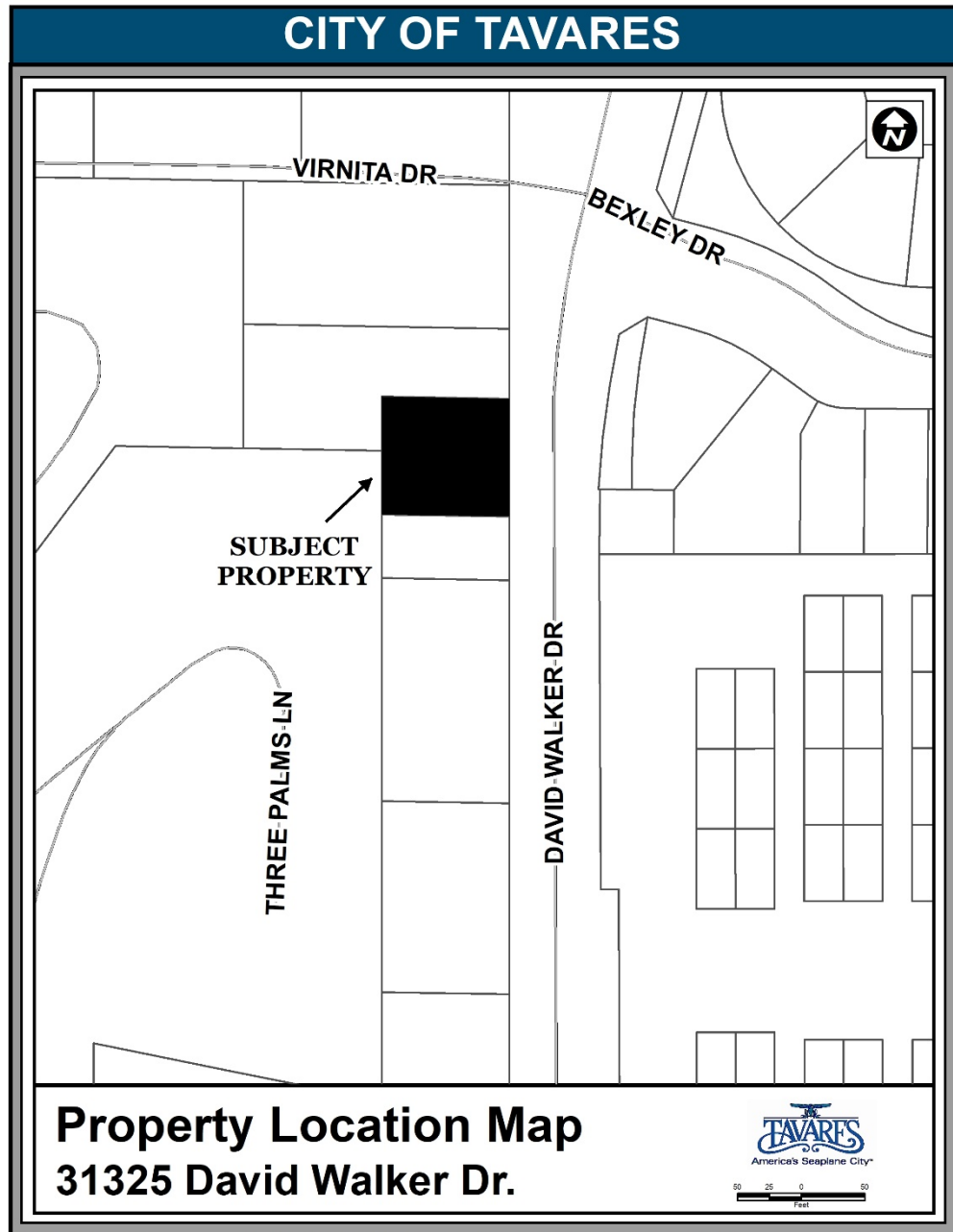
That part of Lot 9, Plat of Land of James M. Conner, according to the plat thereof, as recorded in Plat Book 1, Page 32, of the Public Records of Lake County, Florida, being more particularly described as follows:

From the Northwest corner of Southwest 1/4, said Section 27, run thence South 0°08' East along the West line of said Southwest 1/4 a distance of 377.6 feet, thence South 89°33' East 447.47 feet, thence South 0°08' East 210 feet, thence South 89°33' East 100 feet to Point of Beginning; thence North 0°08' West 42.5 feet, thence South 89°33' East 108.7 feet, thence South 0°08' East 42.5 feet, thence North 89°33' West 108.7 feet to Point of Beginning.

Also

The North 1/2 of the following described tract of land:

From the West 1/4 corner of Section 27, Township 19 South, Range 26 East, run South 89°33' East along the North line of Lots 13 and 14 of S.B. Hewitt's Land, according to the plat thereof, as recorded in Plat Book 1, Page 52, of the Public Records of Lake County, Florida, a distance of 672.67 feet, thence South 0°08' East parallel to the West line of said Lot 13 and along the East line of Lot 9, Plat of Land of James M. Conner, according to the plat thereof, as recorded in Plat Book 1, Page 32, of the Public Records of Lake County, Florida, a distance of 588.46 feet to Point of Beginning; run thence South 0°08' East along the East line of said Lot 9, 100 feet, thence North 89°33' West parallel to the North line of said Lot 13 of S.B. Hewitt's Land, a distance of 116.5 feet, thence North 0°08' West parallel to the East line of said Lot 9, Plat of Land of James M. Conner, a distance of 100 feet, thence South 89°33' East parallel to the North line of said Lot 13 of S.B. Hewitt's Land, a distance of 116.5 feet to Point of Beginning, less the East 16.5 feet thereof.



Created By: City of Tavares GIS

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Map Created on 10/28/21

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 11

SUBJECT TITLE: Smart Growth Horizon Team (City Administrator)

OBJECTIVE:

To appoint a City Council member to the Smart Growth Horizon Team

SUMMARY:

The City has completed and adopted a 20-year Comprehensive Plan, manages an Interlocal Service Boundary Agreement between six (6) cities and Lake County, maintains and is updating its Land Development Codes. Recently adopted the Bert Harris Act Amendment, (HB 421 & HB 1101), making it easier for property owners to challenge local government regulation that burdens, restricts, or limits their property and right to develop it. The City also has property owners of large tracks of land who have plans for development and re-development. The City Administrator has developed a Horizon Team made up of the Community Development Director, City Planner, Economic Development Director and City Administrator to review all of these local and state regulations and provide summaries to the City Council at periodic workshops on where future development is occurring in the city and how these regulations apply to the development in an effort to maintain smart growth decisions.

OPTIONS:

1. Appoint a Council member to the Horizon Team
2. Do not appoint a member to the Horizon Team

STAFF RECOMMENDATION:

Appoint a Council member to the Horizon Team

FISCAL IMPACT:

None

LEGAL SUFFICIENCY:

yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 12

SUBJECT TITLE: Tikis Lake Dora LLC Commercial Lease Agreement, Tavares Marina (Economic Development)

OBJECTIVE:

For Council to approve the attached lease agreement between the City and Tikis Lake Dora LLC

SUMMARY:

Previously the City Council approved the Tavares Seaplane Base & Marina Facility Leasing Policy (attached) which includes, among other provisions a rate and fee schedule for commercial and non-commercial marina tenants. In accordance with that policy, commercial leases and lease rates are to be approved by Council on a case by case basis.

Tikis Lake Dora LLC wishes to enter into a commercial agreement with the City in order to provide boat excursion services to the public from the newly reconstructed marina. Salient points for this lease are:

- A 1-year initial term with 5 additional 1-year optional renewal terms.
- A monthly linear dockage lease fee payment of \$410.40 per month to the City for 57 linear feet of dock space. (57ft x \$7.20/ft=\$410.40)
- A 4% increase in lease rate per year for each renewal period throughout the term of the lease

*The rate and lease term for this lease agreement is consistent with all other previously approved marina commercial leases for the Tavares Marina.

OPTIONS:

1. For Council to approve the attached lease agreement between the City of Tavares and Tikis Lake Dora.
2. For Council to not approve the attached lease agreement between the City of Tavares and Tikis Lake Dora.

STAFF RECOMMENDATION:

Staff recommends that Council moves to approve option 1.

FISCAL IMPACT:

Year one of this agreement will generate additional revenues of \$4924.80 in lease revenue fees for the

Seaplane Base/Marina Enterprise fund, increasing to \$5,121.79 for year two with an additional 4% increase each additional year thereafter.

LEGAL SUFFICIENCY:

Legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Draft Contract ins adjust - Tiki (Legal Review 11-29-21)
2. Tikis Lake Dora Business Plan

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 13

SUBJECT TITLE: Florida League of Cities Legislative Action Days (City Administrator)

OBJECTIVE:

To provide the Council an opportunity to discuss Council representation at the Florida League of Cities Legislative Action Days in Tallahassee from February 8 through 9, 2022.

SUMMARY:

The Florida League of Cities is holding the 2022 Legislative Action Days on February 8-9 in Tallahassee. Legislative Action Days is a valuable opportunity for city officials from across the state to get to know their legislators, discuss the important issues facing cities and view the legislature at work firsthand. The Florida League of Mayors will also be holding its events during this time.

Additionally, on Monday, February 7, 2022, the League is offering a four-hour ethics workshop that meets the state requirements for continuing education in ethics. There is no cost to League members for this Ethics workshop.

Lake County Days will not be held in 2022. The next Lake County Days is anticipated to be held in February 2023.

Council is provided an opportunity to discuss Council representation at the upcoming Florida League of Cities Legislative Action Days in Tallahassee.

OPTIONS:

1. Discuss Council representation at the Florida League of Cities Legislative Action Days in Tallahassee.
2. Do not discuss.

STAFF RECOMMENDATION:

For Council consideration.

FISCAL IMPACT:

Travel expenses including hotel costs and per diem per Florida statute.

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 14

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

The City Administrator will inform the Council on city-related items.

SUMMARY:

The City Administrator will provide a summary at the meeting.

UPCOMING MEETINGS:

City Council Meeting	January 15, 2022, 4:00 p.m., City Council Chambers
Planning & Zoning Board Meeting	January 20, 2022, 3:00 p.m., City Council Chambers
Library Board Meeting	January 19, 2022, 2:30 p.m., Library Conference Room
Code Enforcement Special Magistrate Hearing	January 25, 2022, 5:00 p.m., City Council Chambers

OUTSIDE AGENCY MEETINGS:

Lake County League of Cities	January 14, 2022, 11:30 a.m., Mount Dora Golf Course
Lake Sumpter MPO Executive Board Meeting	February 23, 2022, 2:00 p.m., 1300 Citizens Blvd., Leesburg
Tavares Chamber of Commerce Business Luncheon	January 26, 2022, 11:30 a.m., Tavares Pavilion on the Lake

****CITY EVENTS - The current 2022 City Event calendar is attached.**

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Image of 2022 Permitted Events Calendar Revised 12.9.2021

Attachments not provided are available to the public upon request to the City Clerk.

City of Tavares 2022 Permitted Events

JANUARY	FEBRUARY	MARCH
8 Rhythm on Ruby - Street Party (City Event) 15 Arbor Day (City Event - Public Works - Wooton Park) 15 Cornhole Tournament* (Tavares Square)	5 African American Heritage Festival* (Wooton Park) 12 Tavares Craft & Vendor Event (Wooton Park)	12 Kayakathon* 19-20 FL Vintage Race Boat Spring Regatta* 24-27 Sunnyland Antique Boat Show*
APRIL	MAY	JUNE
1-2 Planes, Tunes & BBQ featuring Seaplane-A-Palooza (City Event) 4-8 Harris Chain of Lakes Steamboat Meet* 23-24 Hydro Drag Nationals (Wooton West)	6-7 Hardrock Charlie Ranger Parade & Reunion*	
JULY	AUGUST	SEPTEMBER
4 4th of July Celebration (City Event)	1 Red for Ed*	11 9/11 Memorial Event (City Event - Fire & PD) 17 Coastal Cleanup* (City Event—Public Works)
OCTOBER	NOVEMBER	DECEMBER
8 Rocktoberfest featuring the Monster Splash Fly-In (City Event) 28 Boo Fest (City Event)	5-6 Lady of the Lakes Renaissance Faire* 5 Camp Boggy Creek Challenge Ride* 5-6 Hydro Drag World Championships* 12-13 Lady of the Lakes Renaissance Faire* 12-13 FL Vintage Race Boat Fall Regatta* 24 YMCA Turkey Trot 5k*	3 Santa Shuffle* 3 Christmas Parade & Celebration (City Event)

Cheri Moan | Operations Coordinator

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Revised: 12.9.2021

*Pending Permit

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/15/2021**

AGENDA TAB NO.: 15

SUBJECT TITLE: City Council Member Reports

OBJECTIVE:

To inform the Council on city-related items.

SUMMARY:

The Council will be offered an opportunity to provide a report at the meeting.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.