



**TAVARES CITY COUNCIL
MEETING MINUTES
DECEMBER 15, 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 - *Absent*
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. Pastor Mike Watkins, Friendship C.M.E. Church

Pastor Mike Watkins, Friendship C.M.E. Church, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Pfister asked if there were any changes to the Agenda. Mr. Drury said staff had no changes.

MOTION

Troy Singe moved to approve the Agenda, seconded by Sandy Gamble. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

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

Attorney Holt swore in those who wished to provide testimony on quasi-judicial matters at second reading; Tabs 3 through 10 [Tab 3. Ordinance 2021-11 – Rezoning of Approximately 19.46 Acres Located at the South Corner of SR19 & Lake Park Cutoff – Idamere Crossings; Tab 4. Ordinance 2021-12 – Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the South Corner of SR19 & Lane Park Cutoff – Idamere Crossings; Tab 5. Ordinance 2021-13 – Annexation and Rezoning of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle – Avalon Park Tavares; Tab 6. Ordinance 2021-14 – Small Scale FLUM Amendment of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle – Avalon Park Tavares; Tab 7. 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; Tab 8. 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; Tab 9. Ordinance 2021-19 – Annexation and Rezoning of Approximately 0.21 Acres Located at 31325 David Walker Drive – Land Trust Services Corporation Trustee; Tab 10. Ordinance 2021-20 – Small Scale FLUM of Approximately 0.21 Acres Located at 31325 David Walker Drive – Land Trust Services Corporation Trustee].

Attorney Holt asked the Council if they had any exparte communications to disclose.

The following disclosures were made:

- Council Member Gamble said he spoke with LPG representatives on Tabs 3 and 4, and Supervisor of Elections Alan Hays on Tabs 7 and 8.
- Council Member Singer said he received an email for the applicant on Tabs 3 and 4, and spoke with Supervisor of Elections Alan Hays on Tabs 7 and 8.

- Vice Mayor Price said he spoke with Greg Bellevue and Don Kehr on Tabs 3 and 4, and Supervisor of Elections Alan Hays and Lake County Sheriff Peyton Grinnell on Tabs 7 and 8.
- Mayor Pfister said she spoke with Don Kehr on Tabs 3 and 4, and Supervisor of Elections Alan Hays on Tabs 7 and 8.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following ordinances by title only:

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 if Council wished to pull an item from the Consent Agenda for discussion.

MOTION

Walter Price moved to approve the Consent Agenda [Tab 2. Approval of the December 1, 2021 City Council Regular Meeting Minutes], seconded by Sandy Gamble. The motion carried unanimously 4-0.

Tab 2. Approval of the December 1, 2021 City Council Regular Meeting Minutes

Approved on the Consent Agenda.

VIII. RESOLUTIONS

IX. ORDINANCES – PUBLIC HEARING

First Reading

Second Reading

Tab 3. Ordinance 2021-11 – Rezoning of Approximately 19.46 Acres Located at the South Corner of SR19 & Lake Park Cutoff – Idamere Crossings

Mr. Fitzgerald made the following presentation:

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.

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

Staff recommends Option 1, 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).

Mayor Pfister asked for comments from the applicant's representative.

Greg Beliveau, LPG Urban & Regional Planners, Inc., 1162 Camp Avenue, Mount Dora, provided a PowerPoint presentation and made the following highlights:

- Multi-story facility and a multi-family project
- Main facility amenities will be internalized with a clubhouse, exercise rooms, patio, balconies
- Concept devised after all environmental assessments were received
- Site constraints exist including high topography allowing Lane Park falling toward Lake Idamere
- Site development will have retention ponds and amenities toward Lake Idamere
- Market rate project with varied floor plans from 438 square feet to 1791 square feet
- Anticipated rent structures are \$1,000 to \$2,229
- Project is not subsidized housing

Mr. Beliveau said the applicant would agree to a PUD condition not to allow financed or subsidized funding to ensure the project would remain at a market rate. He said the location is close to many amenities and employment centers, including a fire station, daycare center, retail shopping, recreation areas (Lake Idamere Park and Hickory Point), schools, and the industrial complex.

Mr. Beliveau said the site has been commercial for over 17 years and has not sold and noted constraints at the location, including typography and acreage limitations at eleven (11) usable acres. He said class A offices and retail stores are not marketable due to an increase in a remote workforce. A gas station would be costly due to the lakeside location. Mr. Beliveau said the project would pose no negative impacts on City services.

Mayor Pfister asked for comments from the Council. Mr. Bellevue said he would like to reserve the right to readdress the Council.

Council Member Gamble said he supports commercial zoning in the corridor.

Council Member Singer acknowledged a need for workforce housing and noted a concern for changing commercial zoning to residential and sixty (60) foot building heights.

Vice Mayor Price noted his desire for more commercial due to the higher cost of services for residential property. He said the site is a good location for commercial due to the future widening of SR 19, and residential zoning is not an appropriate use for the City's commercial land. Vice Mayor Price e said he does not support changing the zoning or future land use.

Mayor Pfister acknowledged the need for workforce housing and said she does not support the project at the proposed location.

Don Kehr, 16833 Deer Island Road, Lake County, provided a history of the property included sale prices from 2005 to current. He said the proposed development violates the Comprehensive Plan, Future Land Use Map, and City Zoning codes and does not recommend approval.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, said any development that generates traffic needs to be placed on hold until roads are upgraded. He discussed traffic issues throughout Lake County.

Mayor Pfister asked Mr. Beliveau to the podium.

Mr. Beliveau thanked the Council for their consideration and wished those present a Merry Christmas.

Council Member Gamble said the development is needed and does not believe the proposed location is the right area as it is zoned commercial.

MOTION

Sandy Gamble moved to deny Ordinance 2021-11, seconded by Walter Price. The motion carried unanimously 4-0.

Tab 4. Ordinance 2021-12 – Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the South Corner of SR19 & Lane Park Cutoff – Idamere Crossings

Mr. Fitzgerald made the following presentation:

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.

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.

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

The property is currently vacant.

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.

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)*

Mayor Pfister asked the applicant for comments. Mr. Beliveau said he had no further comment.

Jan Halbrook, 594 Juniper Way, Tavares, noted her support for the Council's denial of Ordinance 2021-11.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, commended Mr. Beliveau and said he hopes another location is identified for the project.

Tom Drozd, 2508 Baywater Road, Tavares, said he does not support changing commercial to high-density residential.

Geoffrey Yonk, 3600 Bayshore Circle, Tavares, stated he concurs with Mr. Drozd.

Kevin Frisby, 3576 Bayshore Circle, noted a concern that the height of the building would impede on existing businesses, including Progressive Aerodyne.

Paul Hutchings, 3564 Bayshore Circle, Tavares, said he concurs with previous public comments.

Don Kehr, 16833 Deer Island Road, Lake County, said many people were concerned the development would become affordable housing as the developer is the largest developer of affordable housing in the state.

MOTION

Walter Price moved to deny Ordinance 2021-12, seconded by Sandy Gamble. The motion carried unanimously 4-0.

Tab 5. Ordinance 2021-13 – Annexation and Rezoning of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle – Avalon Park Tavares

Mr. Fitzgerald made the following presentation:

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.

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

Staff recommends approval of Option 1, 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.

Mayor Pfister asked for comments from the Council.

Council Member Singer noted the property recently became available for Avalon Park to purchase. He asked when the City annexed the adjacent Avalon Park property. Mr. Fitzgerald said the first phase of the property was annexed in 1994, and the remaining property was annexed in 2006. Council Member Singer asked if the subject property would have been annexed at the same time if Avalon Park had purchased the property earlier. Mr. Drury confirmed.

Vice Mayor Price said he understands why the need to annex and rezone the property exists.

Mayor Pfister asked for confirmation there would be no unforeseen water pressure issues if approved. Mr. Clark confirmed.

MOTION

Troy Singer moved to approve Ordinance 2021-13, seconded by Walter Price. The motion carried unanimously 4-0.

Tab 6. Ordinance 2021-14 – Small Scale FLUM Amendment of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle – Avalon Park Tavares

Mr. Fitzgerald made the following presentation:

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.

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.

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

The property currently contains single family homes.

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.

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)*

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

Staff recommends Option 1, 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.

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

MOTION

Walter Price moved to approve Ordinance 2021-14, seconded by Troy Singer. The motion carried unanimously 4-0.

Tab 7. 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

Mr. Fitzgerald made the following presentation:

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.

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).

Mayor Pfister asked for comments from the applicant.

McGregor Love, N. 215 North Eola Drive, Orlando, said the 3.19-acre vacant property, located at the northwest corner intersection of SR19 and Lane Park Road, is currently zoned residential single-family (RSF-2). He said the request is to rezone as Public Facilities District. The current concept plan anticipates a 50,000 square foot building for the Supervisor of Elections and an 80,000 square foot building for the Lake County Sheriff's Office. In 2007 the property was annexed into the City as a commercial PD (Ordinance 2007-01). The intent at the time was to develop a large commercial project with entitlements for 140,000 square feet of commercial uses at 45 feet in height. The ordinance required site plan submittal within 24 months, which never occurred. In 2019 the property was rezoned to RSF-2 (Ordinance 2018-22) to develop 46 single-family homes. In 2021 the applicant was approached by Lake County, resulting in the rezoning request before the Council. Mr. Love provided a PowerPoint present including the concept plan.

Mr. Love said the surrounding area is existing residential and commercial. Concurrent with the rezoning request is a Future Land Use amendment from low density to public facility institutional and is compatible with the zoning request. He said the project is the most appropriate land use for the subject property as it had been on the market for a considerable time as commercial. Following the rezoning to RSF-2 in 2019, the applicant obtained construction plan approval and realized the contours of the land made single-family residential infeasible. Lake County approached the property owner regarding the property's potential uses, which resulted in this rezoning and FLUM request. He said the applicant requests approval of Ordinance 2021-17 to permit a rezoning to Public Facilities District.

Mayor Pfister asked for comments from the Supervisor of Elections, Alan Hays.

Alan Hays, Lake County Supervisor of Elections, 1819 E. Burleigh Boulevard, Tavares, said it is a joy to work with the City staff and City Administrator. He commended the leadership of Mr. Drury and the attitude of professionalism he has cultivated in the City. Mr. Hays said the Council had expressed a desire for commercial in the area, and the Supervisor of Elections office would fit in with a commercial designation. He said the State Constitution, Article VIII, Section 1, requires the Supervisor of Elections office to reside within the county seat, and there is no option to move out of Tavares. The building will be an aesthetically pleasing gateway to the City, and the location will assist the Supervisor of Elections in serving the residents of south Lake County conveniently. He said his current facility is overflowing as over 44,000 new registered voters have been added to the county since 2016. The Department of Transportation indicated it would be 8-10 years before SR19 is widened between the City of Tavares and Howey in the Hills. The Supervisor of Elections office has 20 full-time staff members with a de minimis impact on traffic on SR19. He discussed the positive economic impact of the Supervisor of Elections and Sheriff's offices on the area. All taxpayers of Lake County will experience savings as the cost to rent is \$21,000 per month for their current location on U.S. Hwy 441. City services, including water and wastewater, would continue. Mr.

Hays asked for other options if the Council does not desire the proposed use for the site.

Mayor Pfister asked for comments from the Council.

Council Member Singer asked for the City's revenue from the property and the amount projected for 46 homes at the current zoning. Mr. Drury said the property currently has an agriculture use with no revenues derived from the property. Forty-six (46) homes at an average price of \$300,000, the City would have a one-time infusion of approximately \$300,000 for impact fees. He said the City would receive the same impact fees from the Supervisor of Elections offices. There would be \$290,000 in property taxes for the homes and recurring water and sewer purchases at approximately \$70,000. The Supervisor of Elections would also pay for water and sewer on the property. Council Member Singer said having the facility at the proposed location would draw more commercial in the area.

Council Member Gamble said the Supervisor of Election has to be in Tavares and felt the corridor could handle the service. He said his only concern is the impact of the Sheriff Department employees. The ingress/egress design does not appear to create an issue on SR19 or Lane Park. He suggested the county place footers and foundation for a potential second story for the Supervisor of Elections and a third story for the Sheriff's Office. He noted his support for the City to move forward with approval.

Vice Mayor Price said he understands the Supervisor of Elections and Sheriff's Office are outgrowing their current facilities. He noted a concern for the loss of future ad valorem tax revenue. He said the City begins each budget year in a deficit due to the government and religious buildings that do not pay property taxes. Vice Mayor Price said he identified a 41 acres parcel in the county as an alternative site.

Mayor Pfister noted there is currently no revenue from the property. She said she is excited about the economic driver with the Supervisor of Elections and Sheriff's offices generating the necessary commercial growth and felt the request is the best use of the property.

Don Kehr, 16833 Deer Island Road, Lake County, said he does not believe the proposed location is the right site for the Supervisor of Elections and Sheriff's offices and recommended tabling the request and looking for alternate locations.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, said the big issue is lost revenue due to the requirement of locating the Supervisor of Elections office in the county seat. He challenged the County Attorney, City Attorney, and Council to change the law so the Supervisor of Election offices could relocate to unincorporated Lake County. Mr. Jochim said the proposal would have a minimal impact on traffic and recommended deferring to look for an alternate site and make the lot's front area available for commercial retail development.

Mayor Pfister asked for comments from the Council.

Council Member Singer inquired about the alternate site identified by Vice Mayor Price. Council Member Gamble said the property was designated as the future fairgrounds site. Mr. Hays said the County leased the property to the Lake County Fairgrounds for a term of 50 years.

Mayor Pfister said the Supervisor of Elections has been looking at properties for some time. Mr. Hays confirmed.

Council Member Singer asked what more could be done in the search if tabled. Mr. Hays said he does not know of any other property that would be reasonable or is for sale and noted a change to the law of location would require a constitutional amendment as Article VIII, Section 1, stipulates the county seat location.

Melanie Marsh, County Attorney, Lake County Government, said she represents the County and Supervisor of Elections. She said the Supervisor of Elections would like to have the building ready for the 2024 elections and the County was in the selection process for the design consultant. Postponing a decision would delay the selection of a consultant and hamper purchasing time constraints for due diligence. She said the County respectfully requests approval.

MOTION

Sandy Gamble moved to approve Ordinance 2021-17, seconded by Troy Singer. The motion carried unanimously 4-0.

Tab 8. 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

Mr. Fitzgerald made the following presentation:

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.

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.

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

The property is currently vacant.

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.

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)*

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 Option 1, approving 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.

Mr. Hays thanked the Council on behalf of the Supervisor of Election staff and election workers.

Mr. Love said he agrees with the staff's interpretation that the request is compatible with the City's Comprehensive Plan and requested approval.

MOTION

Troy Singer moved to approve Ordinance 2021-18, seconded by Walter Price. The motion carried unanimously 4-0.

Mr. Drury recognized Lake County Commissioner Kirby Smith, District 3. He thanked Commissioner Smith for his work on behalf of the City of Tavares and Lake County.

Tab 9. Ordinance 2021-19 – Annexation and Rezoning of Approximately 0.21 Acres Located at 31325 David Walker Drive – Land Trust Services Corporation Trustee

Mr. Fitzgerald made the following presentation:

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.

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.

Mayor Pfister asked for comments from the Council.

Vice Mayor Price asked for the intended use for the site. Mr. Fitzgerald said the site would be approved for multi-family use and confirmed a triplex or above could be placed on the property if approved. He noted the current use may continue indefinitely until the

redevelopment of the property. If the existing mobile home moved off the site for less than a year, the City would honor the current zoning.

Mayor Pfister noted the current zoning is for a mobile home.

Council Member Gamble asked inquired about a triplex. Mr. Drury said a triplex would include three units. The property may also sell to the adjacent neighbor with mobile homes. Mr. Fitzgerald said Three Palms is zoned RMF-3 High-Density Residential and confirmed the proposed zoning would be compatible with the surrounding property. He said it is for the future projected redevelopment in the area as multi-family.

Vice Mayor Price asked if the current mobile home park wished to place an apartment complex on the site would the subject property provide ingress/egress for the development. Mr. Fitzgerald confirmed and said the parcel would be available to purchase as ingress/egress as part of the master development.

MOTION

Sandy Gamble moved to approve Ordinance 2021-19, seconded by Walter Price. The motion carried unanimously 4-0.

Tab 10. Ordinance 2021-20 – Small Scale FLUM of Approximately 0.21 Acres Located at 31325 David Walker Drive – Land Trust Services Corporation Trustee

Mr. Fitzgerald made the following presentation:

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.

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.

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

The property currently contains one mobile home.

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.

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)*

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 Option 1, approving 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.

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

MOTION

Walter Price moved to approve Ordinance 2021-20, seconded by Sandy Gamble. The motion carried unanimously 4-0.

X. GENERAL GOVERNMENT

Tab 11. Smart Growth Horizon Team

Mr. Drury made the following presentation:

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.

Staff recommends Option 1, for Council to appoint a Council member to the Horizon Team.

Mayor Pfister volunteered to serve on the Smart Growth Horizon Team.

Council Member Singer noted his support for the Horizon Team including workshops.

Vice Mayor Price said he would be happy to assist Mayor Pfister.

Council Member Gamble inquired about community involvement on the Horizon Team. Mr. Drury said Horizon Teams consist of staff and one Council member who conducts research and brings its findings back to the Council during public meetings and workshops. The process allows for public input and involvement.

There was a consensus from the Council to appoint Lori Pfister to the Smart Growth Horizon Team, with Walter Price as the Alternate member.

Tab 12. Tikis Lake Dora LLC Commercial Lease Agreement, Tavares Marina

Mr. Tweedie made the following presentation:

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.*

Staff recommends approval of Option 1, for Council to approve the lease agreement between the City of Tavares and Tikis Lake Dora.

Mayor Pfister asked for comments from the Council.

Council Member Gamble said he watched the delivery of the tiki boat and met the applicants. He noted his support.

Council Member Singer said the tiki boat fits perfectly in the entertainment district and the new docks. He asked if the boats were wheelchair accessible.

Deanne Squire, Business Owner, said the boat is somewhat wheelchair accessible and noted they would be willing to improve accessibility.

Vice Mayor Price asked if the agreement would fill all commercial slots. Mr. Tweedie said the commercial slots are full, and the tiki boat would be stationed on linear space along the side of the dock.

MOTION

Troy Singer moved to accept the lease agreement as presented, seconded by Sandy Gamble. The motion carried unanimously 4-0.

Tab 13. Florida League of Cities Legislative Action Days

Mr. Drury made the following presentation:

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 are anticipated to be held in February 2023.

Staff recommends Option 1, for Council discuss Council representation at the Florida League of Cities Legislative Action Days in Tallahassee.

Council Member Singer said the Mayor should have the first right of refusal.

Mayor Pfister said she would prefer to attend the Florida Association of Counties Legislative Days in Tallahassee January 18 through 21, 2022.

Commissioner Kirby Smith, Lake County, District 3, said he will be attending the Florida Association of Counties Legislative Days. He confirmed the dates.

Mr. Drury said it would be appropriate to send the Mayor to the Florida Association of Counties Legislative Days and have another Council Member or Vice Mayor attend the Florida League of Cities legislative event in February. Mr. Drury said having the City represented in Tallahassee is important and positive, and noted the City received a \$6 million dollar grant for a new Public Works Facility partnering with Lake Tech from the State due to staff working behind the scenes as well as the Council going to Tallahassee to meet with individuals such as the Secretary of Transportation, Secretary of Environmental Protection, Senators, and Representatives to advocate projects.

There was a consensus for Lori Pfister to attend the Florida Association of Counties Legislative Days in Tallahassee January 18 through 21, 2022; and Walter Price to attend the Florida League of Cities Legislative Action Days in Tallahassee February 8 through 9, 2022.

XI. NEW BUSINESS

XII. OLD BUSINESS

XIII. AUDIENCE TO BE HEARD

Vance Jochim, 12619 Milwaukee Avenue, Lake County, commended the Council for voting against ordinances 2021-11 and 2021-12.

XIV. REPORTS

Tab 14. City Administrator Report

Mr. Drury said he recently had the opportunity to provide the State of the City address at the Chamber of Commerce business luncheon. He thanked those Council members who attended. Mr. Drury said during the meeting, the tiki boat owners provided a presentation and said they chose Tavares because their families visit and enjoy the Tavares Splash Park and Wootton Park. He noted the business owners resided in Apopka and said the Splash Park attracts people to invest in the City.

Ms. Novack noted the next City Council meeting was scheduled January 19, 2022.

Mr. Tweedie noted December 19 is National Cupcake Day.

Mayor Pfister noted the Library Ribbon Cutting is scheduled for January 6, 2022. She asked those present to attend.

Tab 15. City Council Member Reports

Council Member Gamble

- Commended the Tavares High School jazz band for their performance prior to the Council meeting.
- Thanked Carrie Petroski, Pavilion Manager, for decorating the lobby and Council Chambers with a Christmas tree and holiday decorations.

Council Member Singer

- Commended the Tavares High School jazz band for their performance prior to the Council meeting, as well as the Tavares High School choir prior to the December 1, 2021 City Council meeting.
- Thanked Carrie Petroski, Pavilion Manager, for decorating the lobby and Council Chambers with a Christmas tree and holiday decorations.
- Said staff did a wonderful job on the Christmas parade. He said it is a team effort and impressive how quickly the downtown is cleaned after the parade.

Mr. Drury noted the Christmas parade consisted of 800 walkers, 220 vehicles for over 1,000 people participating in the parade. He commended Mr. Aldrich and Debby Blais, Administrative Coordinator.

Vice Mayor Price

- Wished Mayor Pfister a happy birthday.
- Said the Christmas parade was wonderful and the staff did a great job.

Mayor Pfister

- Said the parade was great. She said it takes everyone from each department to put it together. She said the entire city is involved and Team Tavares is phenomenal.

Council Member Gamble suggested distributing City of Tavares bags at the 2022 Christmas parade.

The Council and staff wished those present a Merry Christmas.

XV. ADJOURNMENT

There was no further business and Mayor Pfister adjourned the meeting at 5:53 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk