



**AGENDA
TAVARES CITY COUNCIL
July 6, 2022
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 agendized 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 Brooks Braswell, Umatilla Baptist Church

III. APPROVAL OF AGENDA

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2 Proclamation - Notice of Election (Mayor)

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

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO RECORD

VII. CONSENT AGENDA

Tab 3 Approval of the June 15, 2022, City Council Regular Meeting Minutes (City Clerk)

Tab 4 Extension to the Interlocal Agreement with Lake County for the provision of Library Services (Community Services)

Tab 5 Vac Truck Trade-In (Utilities)

VIII. RESOLUTIONS

IX. ORDINANCES - PUBLIC HEARING

First Reading

- Tab 6 **Ordinance 2022-06 - Nahas Property - Annexation & Rezoning of Approximately 19.81 Acres Located at the Northwest Corner of Mt Homer Rd. and East Burleigh Blvd. (Community Development)**
- Tab 7 **Ordinance 2022-07 - Nahas Property - Small Scale FLUM Amendment of Approximately 19.81 Acres Located at the Northwest Corner of Mt Homer Rd. and East Burleigh Blvd. (Community Development)**
- Tab 8 **Ordinance 2022-08 - Park Square Homes - Annexation & Rezoning of Approximately 03.13 Acres Located West of SR-19, South of Slim Haywood Ave., North of Camp Rd. (Community Development)**
- Tab 9 **Ordinance 2022-09 - Park Square Homes - Small Scale FLUM Amendment of Approximately 03.13 Acres Located West of SR-19, South of Slim Haywood Ave., North of Camp Rd. (Community Development)**

Second Reading

- Tab 10 **Ordinance 2022-05 - Gorgeous Groves, Inc. - Rezoning of Approximately 220 Acres Located West of the Intersection of Woodlea Rd. and Lane Park Rd. (Community Development)**

X. GENERAL GOVERNMENT

- Tab 11 **Award of Bid # 2022-0012 to Sand Court Experts for Sand Volleyball Court & Lighting (Economic Development)**
- Tab 12 **Discussion of Downtown/Waterfront Entertainment District Events (Mayor)**
- Tab 13 **School Resource Officer Agreement With Lake County School Board (Police)**
- Tab 14 **Award of Design-Build Contract for ARPA Funded Air Quality Improvements to City Hall and Civic Center (Public Works)**

XI. BUDGET WORKSHOP

- Tab 15 **Budget Workshop - General Fund Presentation (City Administrator)**

XII. NEW BUSINESS

XIII. OLD BUSINESS

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

- Tab 16 **City Administrator Report**

XVI. 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
7/6/2022**

AGENDA TAB NO.: 1

SUBJECT TITLE: Pastor Brooks Braswell, Umatilla Baptist Church

OBJECTIVE:

Pastor Brooks Braswell, Umatilla Baptist Church, will provide the invocation and lead those present in the Pledge of Allegiance.

SUMMARY:

Pastor Brooks Braswell, Umatilla Baptist 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
7/6/2022**

AGENDA TAB NO.: 2

SUBJECT TITLE: Proclamation - Notice of Election (Mayor)

OBJECTIVE:

The Mayor will read a Proclamation for the November 8, 2022 Notice of Election.

SUMMARY:

The 2022 Tavares Municipal Election will be held on November 8, 2022, for Seat 1, Seat 3, and Seat 5, to serve at large for the two-year term 2022-2024.

Nominations shall be by petition, signed by at least twenty-five (25) qualified electors of the City of Tavares, and must name the individual and the specific Council seat sought. A candidate may qualify for only one seat. The petition, along with all other required election documents, must be filed with the City of Tavares City Clerk within the qualifying period beginning August 1, 2022, at 12:00 noon and ending August 15, 2022, at 12:00 noon. Election packets may be obtained from the City Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday, Tavares City Hall, 201 E. Main Street, Tavares.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 2022 Election Proclamation

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



***PROCLAMATION
BY ORDER OF THE MAYOR OF THE CITY OF TAVARES***

NOTICE OF ELECTION

The 2022 City of Tavares Municipal Election will be held on Tuesday, November 8, 2022, at the Tavares Civic Center (Precinct 360), First United Methodist Church (Precinct 345), Lake County Agriculture Center (Precinct 365), Lake Frances Estates Clubhouse (Precinct 350), Imperial Terrace (Precinct 340), and Royal Harbor Social Hall (Precinct 370), for the purpose of electing three non-partisan Councilmembers to Seat 1, Seat 3, and Seat 5 to serve at large for the term 2022-2024.

Voters must be registered with the Lake County Supervisor of Elections on or prior to October 11, 2022, at 5:00 p.m.

Nominations to Seat 1, Seat 3, and Seat 5 shall be by petition, signed by at least twenty-five (25) qualified electors of the City of Tavares, and must name the individual and the specific Council seat sought. A candidate may qualify for only one seat. The petition, along with all other required election documents, must be filed with the City of Tavares City Clerk within the period beginning August 1, 2022, at 12:00 noon and ending August 15, 2022, at 12:00 noon. If August 15th should fall on a weekend day or holiday the deadline will be extended to the next business day at 12:00 noon. Election packets may be obtained from the City Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday, Tavares City Hall, 201 E. Main Street, Tavares.

Dated this 6th day of July 2022.

Lori A. Pfister, Mayor

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 3

SUBJECT TITLE: Approval of the June 15, 2022, City Council Regular Meeting Minutes (City Clerk)

OBJECTIVE:

To consider approval of the June 15, 2022, City Council Regular Meeting minutes.

SUMMARY:

Attached are the June 15, 2022, 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. 06-15-2022 CC Minutes

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



**TAVARES CITY COUNCIL
MEETING MINUTES
JUNE 15, 2022 – 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
Phil Clark, Utilities 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. She asked those who wished to speak on an agenda item to complete and submit a Request to Speak form.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Pastor John Carter, First Baptist Church of Tavares

Pastor John Carter, First Baptist Church, provided the invocation and led those present in the Pledge of Allegiance.

Mayor Pfister recognized Bud Bucher in the audience and welcomed him to the meeting.

III. APPROVAL OF AGENDA

Mayor Pfister asked for changes to the Agenda. Mr. Drury said staff had no changes.

MOTION

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

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2. Tavares Chamber of Commerce Update

Erika Buigas, President/CEO of the Tavares Chamber of Commerce, provided an update on Chamber activities. Said the Chamber welcomed 145 visitors and calls in May 2022, reflecting interest in events, recreation programs, and the Splash Park.

Tab 3. GFOA Award – Excellence in Financial Reporting

Mayor Pfister made the following presentation:

The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the City of Tavares by the Government Finance Officers' Association of the United States and Canada (GFOA) for its Annual Comprehensive Financial Report (ACFR) for the fiscal year ended September 30, 2020.

The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting.

Mayor Pfister presented the Certificate of Achievement to Ms. Houghton and the Finance Team.

Ms. Houghton thanked the Mayor, Council, City Administrator, and staff for their support.

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

Attorney Holt said one (1) quasi-judicial matter was before the Council; Tab 8, Ordinance 2022-03 [Conner Property – Rezoning of Approximately 2 Acres Located

South of Dora Avenue, West of Dillard Road], and swore in those who wished to provide testimony.

Attorney Holt asked the Council to disclose any exparte communications. Council Member Gamble said he met with Mr. Wicks, Wicks Engineering, regarding plans. No other disclosures were made.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following Resolutions and Ordinances by title only:

RESOLUTION 2022-10

A RESOLUTION OF CITY OF TAVARES, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; AUTHORIZING A SECOND AMENDMENT TO SRF LOAN AGREEMENT DW350951 FOR THE LIFT STATION 49/LAKE FRANCES SEWER IMPROVEMENTS PROJECT; SETS PROJECT COMPLETION DATE AND SETS COMMENCEMENT DATE FOR LOAN REPAYMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

RESOLUTION 2022-11

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, RELATING TO THE STATE REVOLVING FUND (SRF) LOAN PROGRAM; AUTHORIZING SRF LOAN AGREEMENT DW350961 FOR THE LAKE FRANCES WATER DISTRIBUTION AND PIPING REPLACEMENT PROJECT; APPROVES AMENDMENT NUMBER 2 OF THE LOAN, EXTENDING THE PROJECT TIMELINE; EXTENDING DATE FOR FIRST SEMI-ANNUAL LOAN REPAYMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

ORDINANCE 2022-03

AN ORDINANCE OF THE CITY OF TAVARES AMENDING ORDINANCES 2000-19 AND 2003-47 OF THE CITY OF TAVARES FOR APPROXIMATELY 02.00 ACRES LOCATED SOUTH OF DORA AVENUE, WEST OF DILLARD ROAD, SUPERCEDING ALL SAID ORDINANCES WITH A NEWLY STATED PLANNED DEVELOPMENT (PD) ORDINANCE; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2022-04

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA PROVIDING FOR AN ECONOMIC DEVELOPMENT INCENTIVE PROGRAM FOR THE

COMMUNITY REDEVELOPMENT AREA; SUSPENDING CERTAIN CITY WATER, SEWER, POLICE, FIRE AND PARK IMPACT FEES FOR A SPECIFIED PERIOD OF TIME; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2022-05

AN ORDINANCE OF THE CITY OF TAVARES REZONING APPROXIMATELY 220 ACRES OF PROPERTY LOCATED AT THE WESTERLY END OF WOODLEA ROAD FROM RSF-A (RESIDENTIAL SINGLE FAMILY) TO PLANNED DEVELOPMENT (PD) WITH CERTAIN CONDITIONS THAT WOULD ALLOW AND PROVIDE GOVERNING REGULATIONS FOR THE DEVELOPMENT OF A 55 PLUS AGE RESTRICTED, ACTIVE ADULT COMMUNITY; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

VII. CONSENT AGENDA

Mayor Pfister asked if anyone wished to pull an item from the Consent Agenda for discussion. There were no requests.

MOTION

Amanda Boggus moved to approve the Consent Agenda [Tab 4 – Approval of the June 1, 2022, City Council Regular Meeting Minutes], seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 4. Approval of the June 1, 2022, City Council Regular Meeting Minutes

Approved on the Consent Agenda.

VIII. RESOLUTIONS

Tab 5. Resolution 2022-10 – SRF Loan 350951 Amendment to Extend Term for Completion of Project (Lift Station 49/Lake Frances Sewer), and Change the Date for First Simi-Annual Loan Repayment

Ms. Houghton provided the following presentation:

Previously, the City Council Adopted Resolution 2018-24 authorizing the application, acceptance, and execution of loan agreement for State Revolving Loan Project DW350951 for Lift Station 49/Lake Frances Sewer Improvement Project. The original loan document was executed on November 6, 2018.

On November 1, 2020, the City Council adopted Resolution 2020-14 approving Amendment One (1) to the Loan which finalized the disburseable amount at \$6,624,350.

*This amendment, Amendment Two (2) extends the project completion date for the project, and changes the date for the first semi-annual loan repayment from November 15, 2022 to February 15, 2023. (Changes are shown in italics.)
Loan disburseable amount is \$6,624,350*

- *Loan disburseable amount is \$6,624,350*
- *Capitalized interest (non-disburseable) amount is \$29,100*
- *Estimated loan service fee is \$132,487*
- *Establish the Loan Debt Service Account and begin Monthly Deposits no later than ~~May 15, 2020~~ August 15, 2022*
- *Semi-annual loan payments are estimated at \$179,743*
- *The first semi-annual loan payment is due ~~July 15, 2022~~ February 15, 2023*
- *Loan term is Ten (20) years*
- *Annual loan interest rate is .57%*
- *Project Completion is estimated at ~~January 15, 2022~~ August 15, 2022*

Staff recommends Option 1, for the Council to move to approve Resolution 2022-10 which authorizes the Mayor to execute SRF Loan DW350951 Amendment Two (2) changing the loan project completion date, and changing the date for the first semi-annual loan repayment date for the loan to February 15, 2023.

Mayor Pfister asked for comments from the Council.

Council Member Singer asked for confirmation that the date was the only change made, and there were no cost or interest charge changes. Ms. Houghton confirmed.

MOTION

Amanda Boggus moved to approve [Resolution 2022-10], seconded by Sandy Gamble. The motion carried unanimously 5-0.

Tab 6. Resolution 2022-11 – SRF Loan 350961 Amendment to Extend Completion of Project (Lake Francis Water)

Ms. Houghton made the following presentation:

Previously, the City Council Adopted Resolution 2018-28 on December 19, 2018 authorizing the application, acceptance, and execution of loan agreement for State Revolving Loan Project DW350961 for Lake Frances Water Piping Improvement Project.

On August 5, 2020, the City Council adopted Resolution 2020-18 approving Amendment One (1) to the Loan which finalized the disbursable amount at \$864,532.

This amendment, Amendment Two (2), extends the project completion date for the project, and changes the date for the first semi-annual loan repayment from August 15, 2022 to February 15, 2023. (Changes are shown in italics.)

- *Loan disbursable amount is \$864,532*
- *Capitalized interest (non-disbursable) amount is \$13,300*
- *Estimated loan service fee is \$17,291*
- *Establish the Loan Debt Service Account and begin Monthly Deposits no later than August 15, 2022*
- *Semi-annual loan payments are estimated at \$24,770*
- *The first semi-annual loan payment is due February 15, 2023*
- *Loan term is Twenty (20) years*
- *Annual loan interest rate is 1.01%*
- *Project Completion is estimated at August 15, 2022*

Staff recommends Option 1, for the Council to move to approve Resolution 2022-11 which authorizes the Mayor to execute SRF Loan DW350961 Amendment Two (2) changing the loan project completion date, and changing the date for the first semi-annual loan repayment date for the loan to February 15, 2023.

Mayor Pfister asked for comments from the Council.

Council Member Singer asked for confirmation that the date is the only change with no additional finance charges. Ms. Houghton confirmed and said there were no other changes to the loan.

MOTION

Amanda Boggus moved to approve [Resolution 2022-11], seconded by Sandy Gamble. The motion carried unanimously 5-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Tab 7. Ordinance 2022-05 – Gorgeous Groves, Inc. – Rezoning of Approximately 220 Acres Located west of the Intersection of Woodlea Road and Lane Park Road

No discussion at First Reading.

Second Reading

Tab 8. Ordinance 2022-03 – Conner Property – Rezoning of Approximately 2 Acres Located South of Dora Avenue, West of Dillard Road

Mr. Fitzgerald made the following presentation:

The subject property consists of approximately 02.00 acres of vacant property located south of Dora Avenue, west of Dillard Road. The property is currently zoned as Planned Development (PD), and the applicant is proposing that the property be rezoned to a newly stated Planned Development (PD) that includes an adult-age restricted provision.

The proposed zoning of Planned Development (PD) is compatible with the surrounding zoning, which is a mixture of residential and commercial zoning. The property contains one (1) single family residence, and the applicant at this time envisions the construction of two (2) additional detached residential single family homes and eight (8) attached duplex units. The duplex units shall be adult-age restricted per the zoning provisions contained in Ordinance 2022-03. 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 property owner is applying for school impact exemption for the age-restricted duplex portion of the development. The two additional single family homes will not be age restricted and have a negligible impact on school capacity.

The environmental assessment submitted by Wicks Engineering Services, 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 traffic generated by the proposed development will have a minimal impact on surrounding roadways and is exempt from a Tier 1 traffic study per the City's Engineer.

Development of the property will be in accordance with the provisions of Ordinance 2022-03 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 future land use designation of the property is Low Density with an allowance of 5.6 dwelling units per acre, and this designation is not affected by the rezoning.

At their May 19th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2022-03.

Staff recommends that City Council moves to approve Ordinance 2022-03 rezoning approximately 02.00 acres of property located south of Dora Ave., west of Dillard Rd. to a newly stated Planned Development (PD).

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

MOTION

Troy Singer moved to approve Ordinance 2022-03, seconded by Amanda Boggus. The motion carried unanimously 5-0.

Mayor Pfister thanked the Planning and Zoning Department for their hard work and dedication.

Tab 9. Ordinance 2022-04 – City Impact Fee Waiver for Property Located Within the Community redevelopment Area (CRA)

Mr. Fitzgerald made the following presentation:

The City of Tavares established a Community Redevelopment Area (CRA) in 1995 with subsequent boundary expansions in 2006 and 2013. The City of Tavares recognizes the significance of the CRA as an area for tourism, professional offices, retail, dining, mixed housing choices, seaplane base operations, institutional, and cultural activity. The CRA is identified as a focus area for economic development through the adopted Community Redevelopment Plan, the Downtown Master Plan, and the Economic Development Strategy. The City's Comprehensive Plan promotes the implementation of incentives to encourage redevelopment and to attract business and industry. Promoting infill development within the CRA as a smart growth initiative serves to direct development towards the existing downtown core, utilizes existing infrastructure, and makes use of economically viable property. Quality infill projects can lead to neighborhood revitalization and a potential increase in property value, which are primary goals of the CRA. Within the boundary of the CRA there are approximately thirty (30) acres of vacant property with a mixture of land use and zoning classifications.

The City of Tavares is experiencing an influx of growth, as many communities in Florida are experiencing. However, there is limited development interest within the CRA boundary. Investment in an infill project can present some challenges for developers, including assembly of fragmented property, potential environmental cleanup, limited financing options, demolition cost, higher construction costs for commercial and multi-story buildings, and impact fees. In accordance with the Comprehensive Plan, the City of Tavares has the opportunity to consider an incentive program designed to encourage redevelopment within the CRA boundary. Ordinance 2022-04 proposes an incentive program that waives city impact fees for water, sewer, police, fire, and

parcs for building permits issued to properties located in the CRA for a period not to exceed June 7, 2025.

At their May 19th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2022-04.

Staff recommends that City Council moves to approve Ordinance 2022-04, a temporary City impact fee waiver for property located within the Community Redevelopment Area (CRA).

Mayor Pfister asked for comments from the Council.

Vice Mayor Price asked if developers had approached the City regarding development and impact fee waivers for properties within the Community Redevelopment Area (CRA). Mr. Fitzgerald said no and stated the request was City initiated.

Council Member Boggus asked if most of the applicable properties within the CRA were commercial or residential. Mr. Fitzgerald presented a PowerPoint image of a pie chart reflecting property available within the CRA. He said more than half of the property was potentially commercial development, including Mixed Use, Downtown Commercial, and Industrial.

Council Member Boggus asked if the waiver would incentivize residents to improve their homes. Mr. Fitzgerald said if improvements to property trigger the requirement for an impact fee, then there would be a benefit. The waiver would not apply to maintenance or repair permits.

Council Member Singer asked for confirmation that many properties are blighted areas. Mr. Fitzgerald confirmed and said the CRA was created to eliminate blight.

Council Member Boggus inquired about the Façade Grant Program. Mr. Drury said the program continued and was working well.

MOTION

Amanda Boggus moved to approve Ordinance 2022-04, seconded by Troy Singer. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 10. Award Contract for the Construction of Wooton Wonderland and Splash Park Rehabilitation

Mr. Drury noted the Public Works Director was on emergency leave. He said Traci Anderson, Parks Operations Manager, would deliver the presentation for Wooton Wonderland. He thanked Ms. Anderson.

Ms. Anderson made the following presentation:

In January 2020, a Request for Proposal was advertised for the redesign of Wooton Wonderland Playground for an inclusive multi-generational playground that will provide a rich play experience as well as address the physical, sensory and social needs of all children and their caregivers. The "Design Element Guidelines & Play System Specifications" expectations specifically outline accessibility and inclusiveness, "Quality of equipment components, quality of design, play value, ADA accessibility, inclusiveness, universal integrity, cost and appropriateness to location.

DRMP, Inc. was awarded the contract for professional design services related to the improvements to Wooton Wonderland and they included the sub-consultant services of Manley Design, LLC to ensure the design complies with all applicable regulations, rules, and laws. The theme for the conceptual design is the imagination of adults and children will take flight with barrier-free accessibility. On May 19, 2021, representatives from DRMP and Manley Design presented to the Council the design concept for Wooton Wonderland and Council approved the schematic design and authorized the project for finalize design, bid construction documents, and advertisement for bids. An Invitation to Bid for the construction of Wooton Wonderland and the Rehabilitation of the Splash Pad (RFP No. 2022-0001) was opened on January 23rd, 2022, and closed on April 28th, 2022, resulting in the receipt of two (2) bids.

Ms. Anderson noted two slight changes to the staff report provided to the Council. She said the first change was the available budget for construction at \$953,160.86.

The bids are as follows:

1st Bid

Marbeck Construction Base Bid Total: \$955,800

Ms. Anderson said the second change to the staff report is the bid coming in slightly over budget by \$2,640.00.

Marbeck Construction Total Additive Alternates: \$284,865.70

2nd Bid

*S.A. Casey Construction Base Bid Total: \$1,155,000 *Over Budget
S.A. Casey Construction Total Additive Alternates: \$245,000*

It is recommended that Marbeck Construction Company be awarded the contract for the Wooton Wonderland Playground Construction and Splash Pad

Rehabilitation based on price and qualifications.

Staff recommends Option 1. Council moves to:

a) Award the Wooton Wonderland and Splash Pad construction contract to Marbek Construction Company in the amount of \$955,800 authorizing the City Administrator to enter into all related contracts and

b) Discuss what alternates, if any, the Council would like to add to the project and identify its funding source.

The available budget for construction is \$953,160.86, over budget by \$2,640.00. There are sufficient funds in the amount of \$16,000 in contingency to cover the \$2,640.00 cost. The bid reference sheet provided to the Council would also need to be changed to reflect the reference changes as well as the \$16,000 contingency amount and not the original 10% reflecting \$95,580.00.

Mr. Drury recommended the Council first discuss and determine the base bid award, including using \$2,640.00 out of Reserves for the project. The Architect could then review each alternate equipment option for Council's consideration. Should the Council choose any alternates, information was provided to the Council, including the most appropriate funding sources; savings from the Wayfinding Signs, History Museum, Police Vehicle Purchases, Bocce Ball Courts, Pickle Ball Courts, Cost of Issuance Debt, and Contingency. He said the total amount available for alternate equipment options was \$157,547.

Mr. Drury noted that the Bocce Ball and Pickle Ball courts were on hold until the YMCA agreement was determined as Lake County may include the courts as a component of the regional park. Mr. Drury recognized Commissioner Kirby Smith in the audience. He thanked Commissioner Smith for attending the meeting and for his support and advocacy for the City and regional park at the YMCA.

Mayor Pfister asked for comments from the Council.

MOTION

Amanda Boggus moved approve the Marbek Construction Company base bid [Option 1, Award the Wooton Wonderland and Splash Pad construction contract to Marbek Construction Company in the amount of \$955,800 authorizing the City Administrator to enter into all related contracts], seconded by Walter Price.

Council Member Singer stated his appreciation the project came in close to budget and noted the City received a \$500,000 grant for the playground. He expressed excitement for the project to move forward.

Mayor Pfister asked Mr. Drury how long the City worked on the project. Mr. Drury said three (3) years.

The motion carried unanimously 5-0.

Elizabeth Manly, Principal, Manly Design LLC, Architect, provided a PowerPoint presentation of Wooton Wonderland alternate design feature options including the following elements:

- Alternate 4: Music Play Equipment
- Alternate 16: Upgrade of Splash Pad Surfacing Design
- Alternate 2: Game Table Seating Area
- Alternate 10: Replacement of Splash Pad Equipment – Replace Existing with ‘Circle Time 12’
- Alternate 15: Replacement of Splash Pad Litter Receptacles
- Alternate 6: Replacement of Splash Pad Equipment – Replace Existing with ‘Gus the Gator’
- Alternate 7; Replacement of Splash Pad Equipment – Replace Existing with ‘Snappy the Turtle’
- Alternate 11: Replacement of Splash Pad Equipment – Replace Existing with ‘Mr. Tarter’
- Alternate 12: Replacement of Splash Pad Equipment – Replace Existing with ‘Jeremiah the Bullfrog’
- Alternate 14: Replacement of Splash Pad Benches
- Alternate 8: Replacement of Splash Pad Equipment – Replace Existing with ‘Tumble Bucket, L-Series, 2 Bucket’
- Alternate 3: group Spinner Play Equipment
- Alternate 5: Toddler Panel Play Equipment
- Alternate 13: Replacement of Splash Pad Equipment – Replace Existing with ‘Buoy Geyser’
- Alternate 1: Storyboard Sign
- Alternate 9: Replacement of Splash pad Equipment – Replace Existing with ‘Cool Tail’

Ms. Manly reviewed each alternate equipment option item with the Council. There was a consensus from the Council to refurbish existing playground elements as wear and tear would not impact the life of the equipment nor reduce the need for maintenance.

A discussion was held regarding a Story Board sign. Mr. Drury noted a Story Board could feature the history of seaplanes and would be an inspiration for children and future pilots. Council Member Singer said he would like a Story Board to recognize and honor the community and citizens who were instrumental in creating Wooton Wonderland. Ms. Manly said a Story Board would serve Wooton Park overall with a central walk location. The Council was in favor of developing a storyline and bidding out at a later date to save costs.

A discussion was held and the Council was in favor of moving forward with the following alternate equipment elements:

- Xylophone - \$6,357.00
- Game Tables - \$9,462.20
- Large Spinner - \$19,454.00
- Splash Pad Trash Receptacles - \$10,318.00
- Toddler Play Panels - \$19,745.50

MOTION

Amanda Boggus moved to approve alternate options 2, 3, 4, 5, and 15, seconded by Sandy Gamble. The motion carried unanimously 5-0.

XI. NEW BUSINESS

Mayor Pfister said she received comments from citizens who felt the number of events downtown impacted residents from enjoying the parks and downtown due to park and street closures. She noted a concern regarding adding more events and asked the Council to discuss the option of capping events to the existing number. Mayor Pfister asked how many events the City currently holds. Mr. Tweedie said 28; 17 private events and 11 City and County events. He said the only event gated with a fee is the Sunnyland Antique Boat Show, and patrons can visit all other events at no charge or different sections of the park during those events.

Mr. Drury said a waiting list could be implemented.

Mayor Pfister asked Ms. Rinck to the podium for comments.

Bylinda Rinck, 216 Fern Avenue, Tavares, said her family visits Wooton Park daily and recently had difficulty traveling from one side of the lakefront to the other side due to a boat ramp closure during an event. She said a recent event allowed scooters and golf carts to traverse walkways which impeded foot traffic. She said events should be reviewed closely, monitored, and inclusive to those who live in the City year-round.

Council Member Gamble asked if Sunnyland Antique Boat Show paid a fee to the City. Mr. Drury said no, and noted the event was an economic driver to the downtown, filling restaurants and hotels.

Mayor Pfister noted a concern for staffing and costs during events. She said the City is lean on the number of City employees, and overtime budgets were tight.

Council Member Gamble said he received complaints regarding charges to attend an event.

Council Member Boggus noted Sunnyland Antique Boat Show was a three (3) day event and Wooton Wonderland was open to the public.

Vice Mayor Price noted a concern about limiting events as Tavares is an event City, and events were an economic driver. He said the only citizen comment he received was regarding one event's entrance fee.

Council Member Singer said he received comments regarding street closures and access to restaurants.

Council Member Boggus asked to place a discussion regarding events on a future agenda to provide an opportunity for the Chamber of Commerce and local businesses to weigh in.

There was a consensus from the Council to agendaize discussion regarding events in the downtown.

XII. OLD BUSINESS

XIII. AUDIENCE TO BE HEARD

Bylinda Rinck, 216 Fern Avenue, Tavares, stated safety concerns for golf carts turning right at the Circle K at Dead River Road. Ms. Rinck asked when the Splash Park construction upgrades would begin. Mr. Drury said construction should start in October or November 2022. The contractor has thirty (30) days to provide a schedule. After a schedule was provided, sixty (60) days to mobilize, and after mobilization, ninety (90) days before demolition begins. Ms. Rinck said she was not in support of CRA impact fee waivers.

Kristie Furman, 204 North Rockingham Avenue, Tavares, noted a new market event implemented within outdoor seating areas on Ruby Street at the Key West Resort. She said vendors and local businesses were hoping to attract foot traffic in the area and invited the Council to attend when they had an opportunity. She said the events were held the last Sunday of each month from 2:00 p.m. to 6:00 p.m. Mr. Drury said he recently attended the outdoor market while downtown on a Sunday afternoon, which was a pleasant pop-up surprise.

XIV. REPORTS

Tab 11. City Administrator Report

Mr. Drury stated a recent Smart Growth Workshop to update the Land Development Regulations was held with many audience and Council members in attendance. He said the process for approving Land Development Regulations (LDRs) began three (3) years ago when the Council hired a professional planning consultant to develop the Comprehensive Plan. A committee of community stakeholders from Lake County and the City of Tavares businesses and residents held public meetings. The Planning and Zoning Board and City Council approved the Comprehensive Plan during public meetings with public input. The Comprehensive Plan took tremendous work to develop and would determine how Tavares will grow over the next twenty (20) years. The

Council decided to implement Smart Growth Workshops to update the LDRs. He said during the recent Smart Growth Workshop, most of the attendees were happy with the direction of the City and City Council. Comments received during the Workshop would be incorporated by the Planning and Zoning Department to create the LDRs for the next five (5) to ten (10) years. He said the City Council is transparent and has provided significant public input, and the people are deciding the future of Tavares through the processes the Council put in place. Mr. Drury commended the Council.

Mr. Aldrich noted the July 4th Celebration Parade would begin on July 4, 2022, at 5:00 p.m. He said one more judge is needed and asked the Council to contact him if they would be interested in participating.

Mr. Adlrich provided an update on recreation activities, including the Youth Basketball Camp with thirty-three (33) participants. He said the Babe Ruth Baseball 10/under won a district tournament game and was invited to participate in a State tournament in Lake City.

Tab 12. City Council Member Reports

Council Member Gamble

- Said he would like the City to look at a left-hand turn at Dead River Road. Mr. Drury noted discussions were held between Lake County and engineers regarding safety and backup issues at the intersection. He said he would provide information on those discussions to the Council.
- Said he attended an event on Sunday, June 12, 2022, with Pastor Michael Watkins. He noted Lake County recently passed a Proclamation on Race Amity and thanked Pastor Watkins for his efforts.
- Said he recently attended an Institute for Elected Officials (IEMO) training. He said the training sessions were informative and appreciated how well the Tavares City Council works together.

Council Member Singer

- Said he recently attended the Lake Technical College graduation ceremony with Mr. Dillon and Chief Keith. He accepted an award on behalf of the City for Business Partner of the Year that was presented to the City from Lake Tech on the new Public Works training facility. Council Member Singer said it was an honor and presented the plaque to the Council and Mr. Drury. He noted the partnership and program were the first of their kind in the country.
- Said he attended the Smart Growth Workshop. He thanked Mr. Fitzgerald and said the Workshop was well received.
- Thanked Ms. Bublitz for hosting the Employee Appreciation Picnic. He noted his appreciation for the City staff.

Council Member Boggus

- Said she was unable to attend the Lake Tech graduation ceremony and thanked Council Member Singer for attending on behalf of the Council. She said she and Mr. Dillon worked hard on Public Works projects and asked that her thanks be passed along to Mr. Dillon as well.

Vice Mayor Price

- Said he attended the Smart Growth Workshop and the attendees agreed on the future of Tavares. He said it was a good workshop.
- Said he looks forward to the Wooton Wonderland project moving forward.

XV. ADJOURNMENT

There was no further business and Mayor Pfister adjourned the meeting at 5:51 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 4

SUBJECT TITLE: Extension to the Interlocal Agreement with Lake County for the provision of Library Services (Community Services)

OBJECTIVE:

To extend the existing Interlocal Agreement with Lake County, FL for the provision of library services at the Tavares Public Library.

SUMMARY:

On September 10, 2019, the City of Tavares entered into an Interlocal Agreement with Lake County, FL for the provision of library services to join other communities in providing equal access to public library services, without charge, for all residents of Lake County. Tavares is one of sixteen libraries in the Lake County Library System that provides coordinated library services throughout the county, and offers consistent plans, programs, policies, and procedures in the operation, maintenance, and development of library services throughout the area.

The existing agreement with the county is a three-year term, set to expire on September 30, 2022.

County officials are requesting to extend the existing agreement for one more year while they review the funding metrics of their annual appropriations. Staff is seeking approval to extend this agreement for another year. A copy of the agreement is included in your agenda packet.

OPTIONS:

1. Move to approve and extend the Interlocal Agreement with Lake County, FL for the provision of Library Services
2. Do not approve to extend the Interlocal Agreement

STAFF RECOMMENDATION:

Move to approve and extend the Interlocal Agreement with Lake County, FL for the provision of Library Services

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. City_of_Tavares_2019-2022_Interlocal_Agreement_FULLY_EXECUTED
2. Amendment_Library_Services_Tavares

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

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 5

SUBJECT TITLE: Vac Truck Trade-In (Utilities)

OBJECTIVE:

To approve the trade-in of the Wastewater Vac truck.

SUMMARY:

Council previously approved the purchase of a new Vac truck in 2021 for \$444,300 to replace a 15-year-old vac truck that is past its useful life. A trade-in value for the old unit was negotiated for \$43,895. The Fleet Manager and Utilities Director determined this was the best value for the City. Used units are retailing between 30 - 60K; After trade-in, the purchase price will be \$400,405.

OPTIONS:

1. APPROVE the trade-in of the vac truck.
2. NOT APPROVE the trade-in of the vac truck.

STAFF RECOMMENDATION:

Option 1, approve the trade-in of the vac truck.

FISCAL IMPACT:

The Original Budget was \$445,000 and the bid came in at \$444,300. The realized trade in value of \$43,895 will be placed in reserves.

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
7/6/2022**

AGENDA TAB NO.: 6

SUBJECT TITLE: Ordinance 2022-06 - Nahas Property - Annexation & Rezoning of Approximately 19.81 Acres Located at the Northwest Corner of Mt Homer Rd. and East Burleigh Blvd. (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 19.81 acres of property located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

SUMMARY:

The subject property is approximately 19.81 acres located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd., and is contiguous to the City boundary. The land is presently zoned as County Planned Commercial District (CP), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-3).

The proposed zoning of Residential Multi-Family (RMF-3) 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 ten (10) three-story buildings containing thirty (30) units each totaling three hundred (300) residential apartments, together with recreational amenities including a clubhouse and swimming pool. The subject property is in close proximity to AdventHealth Waterman hospital, the Tavares medical village, the Eustis Village shopping center, and many other commercial businesses located on US-441. 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 proposed use will meet the increasing demand for the availability of attainable housing for individuals employed by businesses that the community relies upon to remain economically viable.

The property is adjacent to Pincrest Academy Charter School (grades K-8), and per the Lake County Schools Growth Planning Department, the public schools impacted are Eustis Heights Elementary, Eustis Middle, and Eustis High School. The owner has obtained school capacity reservation from the Lake County Schools Growth Planning Department.

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 environmental assessment submitted by Zev Cohen & Associates 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 traffic study submitted by VHB provides a summary conclusion regarding the level of service for

surrounding roadways, and finds that the surrounding roadway network will not be negatively impacted by the anticipated traffic increases generated by the proposed development. The study contains a recommendation for future improvements to the intersection of Huffstetler Drive and Mt Homer Road for conversion from a two-way stop condition to a signalized intersection. City staff notes this recommendation and will coordinate with developers, Lake County, and the City's Engineer to apply it to development proposals in this area.

Development of the property will be in accordance with the provisions of 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 Lake County Urban Low Density to City of Tavares High Density (HD) on the Future Land Use Map 2040.

OPTIONS:

1. That City Council moves to approve Ordinance 2022-06 annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 19.81 acres of property located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

2. That City Council moves to deny Ordinance 2022-06.

STAFF RECOMMENDATION:

At their June 16th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2022-06.

Staff recommends that City Council moves to approve Ordinance 2022-06 annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 19.81 acres of property located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

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 2022-06
2. Aerial Map
3. Zoning Map
4. Concept Plan
5. School Capacity Reservation
6. Environmental Assessment

7. Traffic Study
8. Newspaper Ad 6-5-22

ORDINANCE 2022-06

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 19.81 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF MT HOMER ROAD AND EAST BURLEIGH BOULEVARD; REZONING THE PROPERTY FROM COUNTY PLANNED COMMERCIAL DISTRICT (CP) TO CITY RESIDENTIAL MULTI-FAMILY (RMF-3); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

WHEREAS, the property is currently zoned Lake County Planned Commercial District (CP), 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 Low 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 Planned Commercial District (CP) 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 _____, 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:

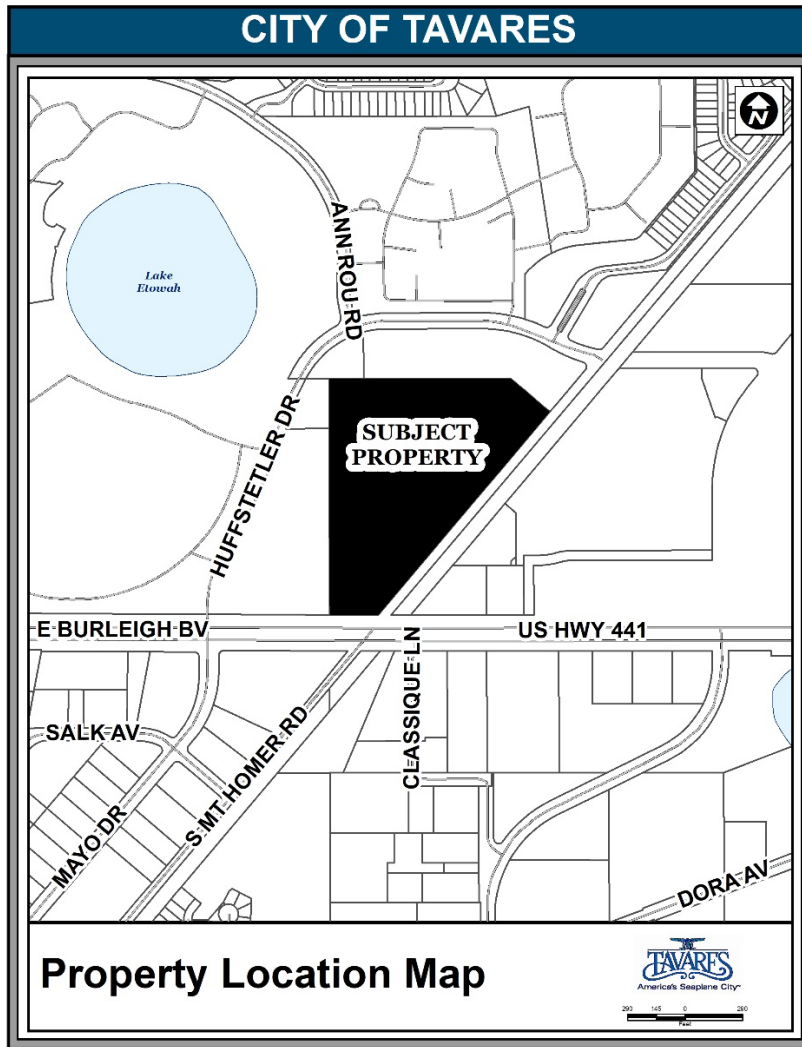
Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION: OFFICIAL RECORDS BOOK 862, PAGE 2478

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, RUN THENCE SOUTH 0°27'22" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 1191.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 441, THENCE NORTH 89°38'00" EAST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 247.24 FEET TO A POINT ON THE NORTHWEST RIGHT OF WAY LINE OF MOUNT HOMER ROAD, THENCE NORTH 39°45'40" EAST ALONG THE SAID NORTHWEST RIGHT OF WAY LINE A DISTANCE OF 1332.97 FEET TO A POINT ON A LINE, SAID LINE BEING 208.00 FEET SOUTHWEST OF AND PARALLEL WITH THE SOUTHWEST RIGHT OF WAY LINE OF THE UN-NAMED AND UNIMPROVED STREET BETWEEN BLOCK 9 AND BLOCK 10, ACCORDING TO THE PLAT OF MOUNT HOMER SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 29, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE NORTH 50°14'20" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 268.18 FEET, TO A POINT ON THE NORTH LINE OF THE AFORESAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, THENCE SOUTH 89°34'01" WEST ALONG THE SAID NORTH LINE A DISTANCE OF 903.14 FEET TO THE POINT OF BEGINNING AND POINT OF TERMINUS.



**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 7

SUBJECT TITLE: Ordinance 2022-07 - Nahas Property - Small Scale FLUM Amendment of Approximately 19.81 Acres Located at the Northwest Corner of Mt Homer Rd. and East Burleigh Blvd. (Community Development)

OBJECTIVE:

To consider a Future Land Use Map amendment from County Urban Low Density to City High Density for 19.81 acres located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

SUMMARY:

The subject property is located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd., and is approximately 19.81 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 High Density (HD).

Ordinance 2022-07 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban Low to City High Density (HD).

The subject property is adjacent to a mix of residential, commercial, and public facilities uses. An application to annex and rezone this property to a 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 Low Density. A City High Density (HD) 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 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 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 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 City Council moves to approve Ordinance 2022-07, a Future Land Use Map amendment from County Urban Low Density to City High Density for 19.81 acres located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

2. That City Council moves to deny Ordinance 2022-07.

STAFF RECOMMENDATION:

At their June 16th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2022-07.

Staff recommends that City Council moves to approve Ordinance 2022-07, a Future Land Use Map amendment from County Urban Low Density to City High Density for 19.81 acres located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

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 2022-07
2. FLU Map

ORDINANCE 2022-07

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 19.81 ACRES OF PROPERTY FROM COUNTY URBAN LOW DENSITY TO CITY HIGH DENSITY (HD) FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF MT HOMER ROAD AND EAST BURLEIGH BOULEVARD; 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 Low 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 _____, 2022 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:

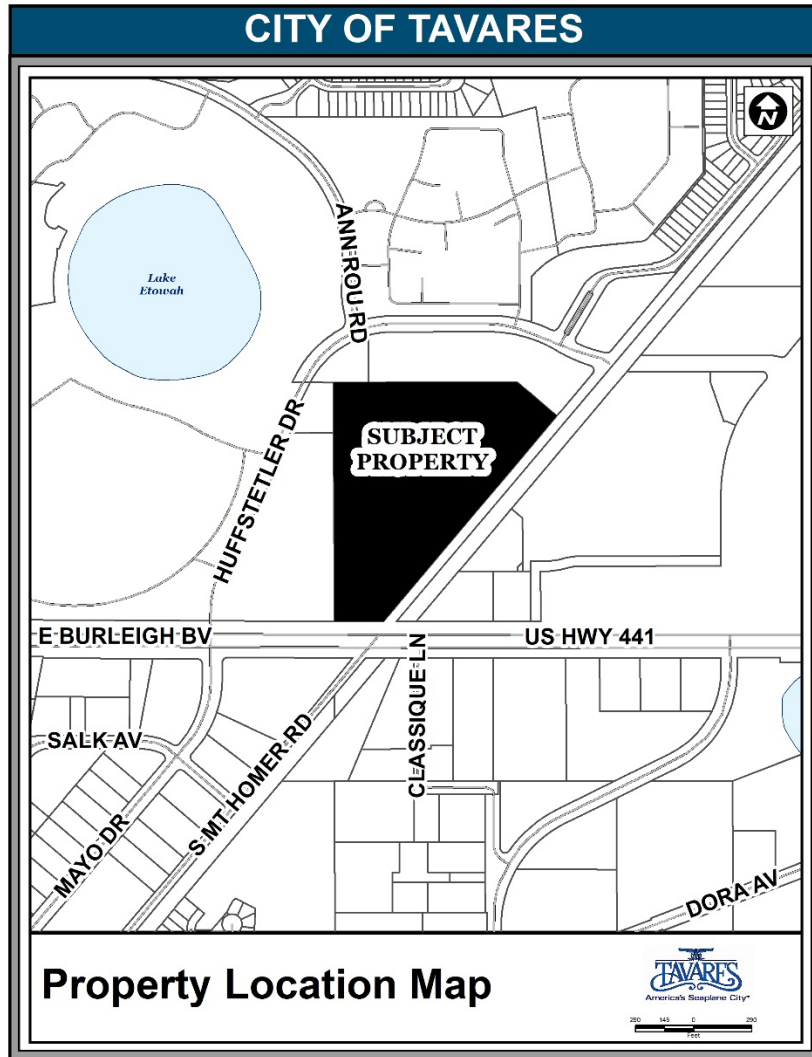
Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION: OFFICIAL RECORDS BOOK 862, PAGE 2478

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 8

SUBJECT TITLE: Ordinance 2022-08 - Park Square Homes - Annexation & Rezoning of Approximately 03.13 Acres Located West of SR-19, South of Slim Haywood Ave., North of Camp Rd. (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Residential Multi-Family (RMF-2), of approximately 03.13 acres of property located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

SUMMARY:

The subject property is approximately 03.13 acres in size, located west of SR-19, south of Slim Haywood Ave., north of Camp Rd., and is contiguous to the City boundary. The land is presently zoned as County Agriculture (A), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-2). The property abuts Camp Rd. on the north side and the annexation of the property will eliminate a separation between the existing City boundary and the Camp Road right-of-way. Park Square Homes is proposing a residential development known as Leela Reserve that will incorporate the 03.13 acre subject property to be used primarily for landscape buffering and storm water retention. The Leela Reserve subdivision is under preliminary review by City staff, and is already a permitted use under RMF-2 zoning per Ordinance 2022-02 approved by City Council on March 16, 2022.

This property is adjacent to residential land use. The proposed zoning of Residential Multi-Family (RMF-2) 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 developer shall be responsible for extending municipal utility services to the subject property upon development.

The environmental assessment submitted by Austin Environmental Consultants, 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 design of the Park Square Homes residential project (Leela Reserve) indicates that the 03.13 acre subject property will be used primarily for landscape buffering and storm water retention, and therefore will result in no additional traffic impact.

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 City Council moves to approve Ordinance 2022-08 annexation and rezoning to Residential Multi-Family (RMF-2), of approximately 03.13 acres of property located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.
2. That City Council moves to deny Ordinance 2022-08.

STAFF RECOMMENDATION:

At their June 16th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2022-08.

Staff recommends that City Council moves to approve Ordinance 2022-08 annexation and rezoning to Residential Multi-Family (RMF-2), of approximately 03.13 acres of property located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

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 2022-08
2. Aerial Map
3. Zoning Map
4. Newspaper Ad 6-5-22

ORDINANCE 2022-08

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 03.13 ACRES OF PROPERTY LOCATED WEST OF SR-19, SOUTH OF SLIM HAYWOOD AVENUE, NORTH OF CAMP ROAD; REZONING THE PROPERTY FROM COUNTY AGRICULTURE (A) TO CITY RESIDENTIAL MULTI-FAMILY (RMF-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

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

WHEREAS, the City is concurrently processing a small-scale future land use map amendment to re-designate the property from Lake County Urban 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 Agriculture (A) to City of Tavares Residential Multi-Family (RMF-2) and shall be subject to the provisions contained within the Land Development Regulations for this zoning designation.

Section 3. Severability.

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

Section 4. Effective Date.

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

PASSED AND ORDAINED this _____ of _____, 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"

THAT PORTION OF THE FORMER ATLANTIC COAST LINE RAILROAD LYING IN SAID GOVERNMENT LOT 10, ALL BEING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST AND SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

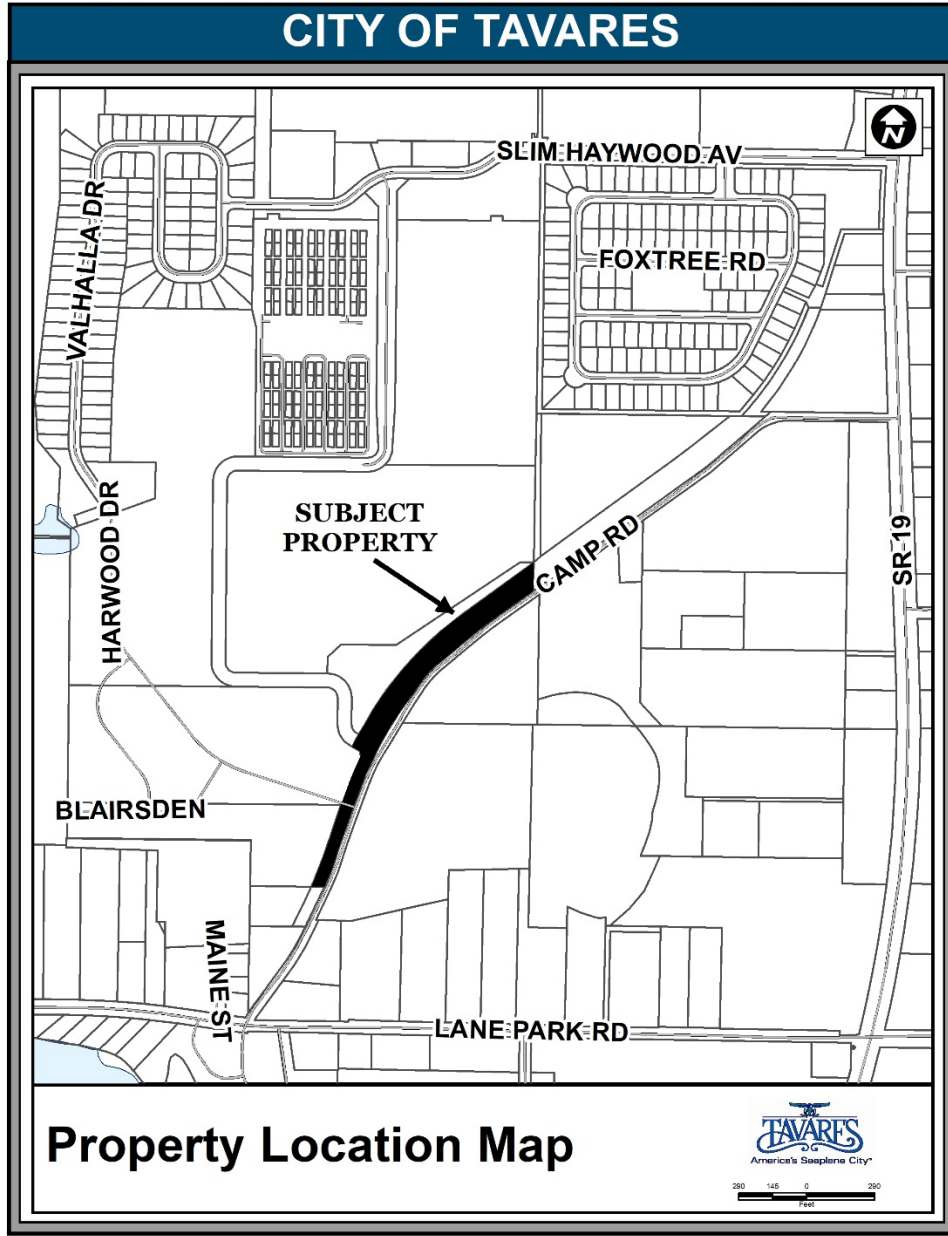
COMMENCE AT THE EAST 1/4 CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, ALONG THE EAST LINE OF SAID SECTION 1, ALSO BEING THE WEST LINE OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, SOUTH 00°59'22" WEST A DISTANCE OF 1105.03 FEET TO THE NORTH LINE OF GOVERNMENT LOT 10 OF SAID SECTION 6; THENCE RUN SOUTH 89°17'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 433.18 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", AND BEING ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LINE SOUTH 89°17'00" EAST A DISTANCE OF 115.69 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID FORMER ATLANTIC COAST LINE RAILROAD; SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS NORTH 57°54'43" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°24'12", AN ARC DISTANCE OF 178.66 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE WITH THE WESTERLY RIGHT OF WAY LINE OF MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 881.20 FEET, TO WHICH A RADIAL LINE BEARS NORTH 62°01'10" WEST; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE OF MAINTENANCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°06'50", AN ARC DISTANCE OF 140.17 FEET TO A NON-TANGENT POINT; (2) THENCE RUN SOUTH 19°56'21" WEST A DISTANCE OF 181.79 FEET; (3) THENCE RUN SOUTH 19°05'05" WEST A DISTANCE OF 87.95 FEET TO A POINT SITUATED ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1190.34 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 73°30'54" EAST; (4) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°19'14", AN ARC DISTANCE OF 172.87 FEET TO THE NORTH BOUNDARY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4716, PAGE 1121, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN NORTH 89°17'00" WEST ALONG SAID NORTH LINE A DISTANCE OF 56.26 FEET TO A POINT ON THE EASTERLY LINE OF LANDS DESCRIBED IN EXHIBIT 'A' OF THE CITY OF TAVARES ORDINANCE 2004-06 PASSED AND ORDAINED ON MAY 5, 2004, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2,306.26 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 66°23'59" EAST, THENCE RUN ALONG SAID EASTERLY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°44'14" AN ARC DISTANCE OF 190.69 FEET TO A POINT OF TANGENCY; (2) THENCE RUN NORTH 18°51'41" EAST A DISTANCE OF 242.52 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,231.30 FEET; (3) THENCE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°44'04" AN ARC DISTANCE OF 166.21 TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AN ACCESS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 4732, PAGES 1956 THROUGH 1965, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY LINE RUN NORTH 14°53'05" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 20.11 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 59°53'05" WEST A DISTANCE OF 33.00 FEET TO A POINT ON THE AFORESAID WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1482.69 FEET, TO WHICH A RADIAL LINE BEARS NORTH 64°50'18" WEST; THENCE RUN NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°35'55", AN ARC DISTANCE OF 119.00 FEET TO THE POINT OF BEGINNING.

AND

THAT PORTION OF THE FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", THAT IS ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA, AND BEING THAT PORTION BETWEEN STATIONS 466+35.11 TO 475+50.53 AS SHOWN ON SAID ATLANTIC COAST LINE RAILROAD RIGHT OF WAY AND TRACK MAP, IN GOVERNMENT LOT FIVE (5) OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA:

COMMENCE AT THE EAST 1/4 SECTION CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST LAKE COUNTY, FLORIDA, THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, S 00°59'22"W ALONG THE WEST LINE OF GOVERNMENT LOT FIVE (5) OF SAID SECTION SIX (6) A DISTANCE OF 1105.03 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID WEST LINE RUN S 89°17'00"E ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT FIVE (5) A DISTANCE OF 483.18 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT ON THE WESTERLY RIGHT OF WAY LINE OF AFORESAID FORMER ATLANTIC COAST LINE RAILROAD, AND BEING SITUATED ON A CHORD DEFINED CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1482.68 FEET, TO WHICH A RADIAL LINE BEARS N 60°14'23"W; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE AND ARC OF SAID CURVE, NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 24°15'10" AN ARC DISTANCE OF 627.61 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT OF WAY LINE N 54°00'47"E A DISTANCE OF 374.63 FEET TO A POINT THAT IS 15.00 FEET WEST WHEN MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN S 01°03'31"W PARALLEL TO SAID EAST LINE A DISTANCE OF 122.53 FEET TO THE WESTERLY RIGHT OF WAY LINE BY MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) S 55°04'18"W A DISTANCE OF 152.04 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 2297.94 FEET, TO WHICH A RADIAL LINE BEARS N 34°50'57"W; (2) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°41'14" AN ARC DISTANCE OF 147.88 FEET; (3) THENCE RUN S 50°17'27"W A DISTANCE OF 233.39 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 503.60 FEET, TO WHICH A RADIAL LINE BEARS N 43°20'58"W; (4) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°48'05" AN ARC DISTANCE OF 130.10 FEET; (5) THENCE RUN S 32°50'28"W A DISTANCE OF 18.73 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF AFORESAID FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CHORD DEFINED CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS N 51°43'03"W; THENCE LEAVING SAID "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP", RUN ALONG SAID EASTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°11'40" AN ARC DISTANCE OF 149.49 FEET TO THE AFORESAID SOUTH LINE OF GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN N 89°17'00"W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT FIVE (5) A DISTANCE OF 115.69 FEET TO THE POINT OF BEGINNING.

CITY OF TAVARES



Property Location Map

Created By: City of Tavares GIS

T:\pzd\DATA\PROJECT FILES\damere Crossing, PD Rezoning, Conceptual Plan & LSFLUM - PZ2021-22\GIS\GIS_Maps\AD.mxd

Map Created on 10/28/21

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 9

SUBJECT TITLE: Ordinance 2022-09 - Park Square Homes - Small Scale FLUM Amendment of Approximately 03.13 Acres Located West of SR-19, South of Slim Haywood Ave., North of Camp Rd. (Community Development)

OBJECTIVE:

To consider a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 03.13 acres located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

SUMMARY:

The subject property is located west of SR-19, south of Slim Haywood Ave., north of Camp Rd., and is approximately 03.13 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 2022-09 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 residential uses. An application to annex and rezone this property to a Residential Multi-Family (RMF-2) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Urban 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 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 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 City Council moves to approve Ordinance 2022-09, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 03.13 acres located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.
2. That City Council moves to deny Ordinance 2022-09.

STAFF RECOMMENDATION:

At their June 16th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2022-09.

Staff recommends that City Council moves to approve Ordinance 2022-09, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 03.13 acres located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

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 2022-09
2. FLU Map

ORDINANCE 2022-09

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 03.13 ACRES OF PROPERTY FROM COUNTY URBAN LOW DENSITY TO CITY MEDIUM DENSITY (MED) FOR PROPERTY LOCATED WEST OF SR-19, SOUTH OF SLIM HAYWOOD AVENUE, NORTH OF CAMP ROAD; 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 _____, 2022 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 PORTION OF THE FORMER ATLANTIC COAST LINE RAILROAD LYING IN SAID GOVERNMENT LOT 10, ALL BEING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST AND SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

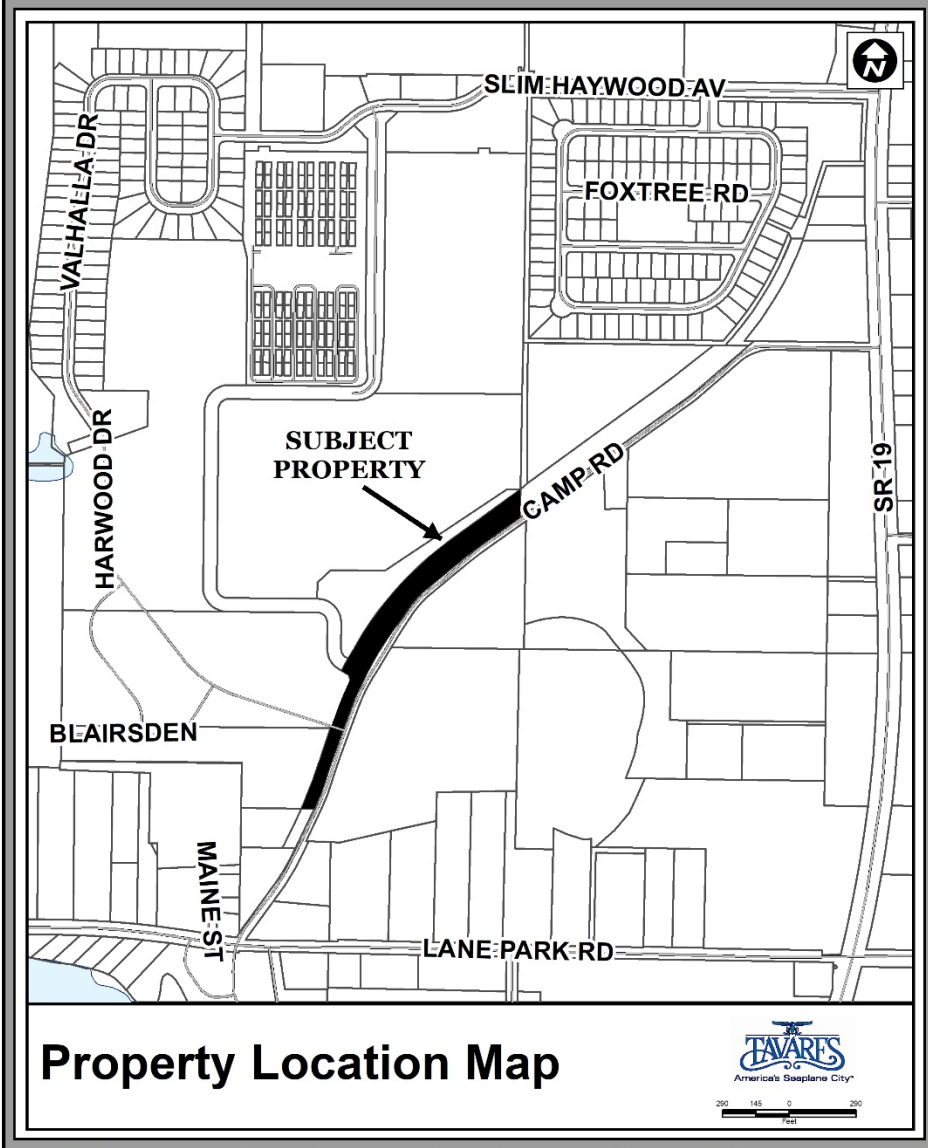
COMMENCE AT THE EAST 1/4 CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, ALONG THE EAST LINE OF SAID SECTION 1, ALSO BEING THE WEST LINE OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, SOUTH 00°59'22" WEST A DISTANCE OF 1105.03 FEET TO THE NORTH LINE OF GOVERNMENT LOT 10 OF SAID SECTION 6; THENCE RUN SOUTH 89°17'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 433.18 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", AND BEING ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LINE SOUTH 89°17'00" EAST A DISTANCE OF 115.69 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID FORMER ATLANTIC COAST LINE RAILROAD; SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS NORTH 57°54'43" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°24'12", AN ARC DISTANCE OF 178.66 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE WITH THE WESTERLY RIGHT OF WAY LINE OF MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 881.20 FEET, TO WHICH A RADIAL LINE BEARS NORTH 62°01'10" WEST; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE OF MAINTENANCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°06'50", AN ARC DISTANCE OF 140.17 FEET TO A NON-TANGENT POINT; (2) THENCE RUN SOUTH 19°56'21" WEST A DISTANCE OF 181.79 FEET; (3) THENCE RUN SOUTH 19°05'05" WEST A DISTANCE OF 87.95 FEET TO A POINT SITUATED ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1190.34 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 73°30'54" EAST; (4) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°19'14", AN ARC DISTANCE OF 172.87 FEET TO THE NORTH BOUNDARY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4716, PAGE 1121, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN NORTH 89°17'00" WEST ALONG SAID NORTH LINE A DISTANCE OF 56.26 FEET TO A POINT ON THE EASTERLY LINE OF LANDS DESCRIBED IN EXHIBIT 'A' OF THE CITY OF TAVARES ORDINANCE 2004-06 PASSED AND ORDAINED ON MAY 5, 2004, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2,306.26 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 66°23'59" EAST, THENCE RUN ALONG SAID EASTERLY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°44'14" AN ARC DISTANCE OF 190.69 FEET TO A POINT OF TANGENCY; (2) THENCE RUN NORTH 18°51'41" EAST A DISTANCE OF 242.52 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,231.30 FEET; (3) THENCE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°44'04" AN ARC DISTANCE OF 166.21 TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AN ACCESS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 4732, PAGES 1956 THROUGH 1965, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY LINE RUN NORTH 14°53'05" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 20.11 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 59°53'05" WEST A DISTANCE OF 33.00 FEET TO A POINT ON THE AFORESAID WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1482.69 FEET, TO WHICH A RADIAL LINE BEARS NORTH 64°50'18" WEST; THENCE RUN NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°35'55", AN ARC DISTANCE OF 119.00 FEET TO THE POINT OF BEGINNING.

AND

THAT PORTION OF THE FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", THAT IS ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA, AND BEING THAT PORTION BETWEEN STATIONS 466+35.11 TO 475+50.53 AS SHOWN ON SAID ATLANTIC COAST LINE RAILROAD RIGHT OF WAY AND TRACK MAP, IN GOVERNMENT LOT FIVE (5) OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA:

COMMENCE AT THE EAST 1/4 SECTION CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST LAKE COUNTY, FLORIDA, THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, S 00°59'22"W ALONG THE WEST LINE OF GOVERNMENT LOT FIVE (5) OF SAID SECTION SIX (6) A DISTANCE OF 1105.03 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID WEST LINE RUN S 89°17'00"E ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT FIVE (5) A DISTANCE OF 483.18 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT ON THE WESTERLY RIGHT OF WAY LINE OF AFORESAID FORMER ATLANTIC COAST LINE RAILROAD, AND BEING SITUATED ON A CHORD DEFINED CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1482.68 FEET, TO WHICH A RADIAL LINE BEARS N 60°14'23"W; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE AND ARC OF SAID CURVE, NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 24°15'10" AN ARC DISTANCE OF 627.61 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT OF WAY LINE N 54°00'47"E A DISTANCE OF 374.63 FEET TO A POINT THAT IS 15.00 FEET WEST WHEN MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN S 01°03'31"W PARALLEL TO SAID EAST LINE A DISTANCE OF 122.53 FEET TO THE WESTERLY RIGHT OF WAY LINE BY MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) S 55°04'18"W A DISTANCE OF 152.04 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 2297.94 FEET, TO WHICH A RADIAL LINE BEARS N 34°50'57"W; (2) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°41'14" AN ARC DISTANCE OF 147.88 FEET; (3) THENCE RUN S 50°17'27"W A DISTANCE OF 233.39 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 503.60 FEET, TO WHICH A RADIAL LINE BEARS N 43°20'58"W; (4) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°48'05" AN ARC DISTANCE OF 130.10 FEET; (5) THENCE RUN S 32°50'28"W A DISTANCE OF 18.73 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF AFORESAID FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CHORD DEFINED CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS N 51°43'03"W; THENCE LEAVING SAID "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP", RUN ALONG SAID EASTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°11'40" AN ARC DISTANCE OF 149.49 FEET TO THE AFORESAID SOUTH LINE OF GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN N 89°17'00"W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT FIVE (5) A DISTANCE OF 115.69 FEET TO THE POINT OF BEGINNING.

CITY OF TAVARES



Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\damere Crossing; PD Rezoning; Conceptual Plan & LSFLUM - PZ2021-22\GIS\GIS_Maps\AD.mxd Map Created on 10/28/21

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 10

SUBJECT TITLE: Ordinance 2022-05 - Gorgeous Groves, Inc. - Rezoning of Approximately 220 Acres Located West of the Intersection of Woodlea Rd. and Lane Park Rd. (Community Development)

OBJECTIVE:

To consider the rezoning of approximately 220 acres of property located west of the intersection of Woodlea Rd. and Lane Park Rd. from Residential Single Family (RSF-A) to Planned Development (PD).

SUMMARY:

The subject property consists of approximately 220 acres of vacant property located west of the intersection of Woodlea Road and Lane Park Road. The property is currently zoned as Residential Single Family (RSF-A), and the applicant is proposing that the property be rezoned to a Planned Development (PD) that includes an adult-age restricted provision.

The proposed zoning of Planned Development (PD) is compatible with the surrounding zoning, which is a mixture of residential and County agricultural zoning. The applicant at this time envisions the construction of a master-planned age-restricted community consisting of 625 single-family dwelling units and active adult amenities including a club house, community pool, tennis & pickle ball courts, and a community marina. The proposed development will be a private gated community with private roads. Ordinance 2022-05 provides for flexibility in site and building design with a range of lot sizes from forty feet (40') to sixty feet (60') in width, preservation of open space and scenic areas, and large landscape buffers. The proposed use is consistent with the Comprehensive Plan by ensuring the availability, quality, and sustainability of a mix of housing types in Tavares. In accordance with the Comprehensive Plan, the proposed development implements urban design principles promoting a livable community, preserves the character of existing homes by providing a 170' wide landscape buffer, and takes into consideration the historical context of previous City Council approval as a private master-planned community.

The property owner shall apply to Lake County for school impact exemption for an age-restricted community.

The environmental assessment submitted by Bio-Tech Consulting, 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 and U.S. Fish and Wildlife Service provisions as they pertain to threatened and protected species.

The traffic analysis submitted by Luke Transportation Engineering Consultants assesses the impact of all phases of the proposed Cresswind development. The study does not indicate an adverse impact on the level of service for surrounding roadways except for State Road 19. The City of Tavares maintains an initiative per the 2017 Peninsula Area Roadway Corridor Study to provide residents with a

safe transportation corridor that is a north-south alternative route to State Road 19, and improve local mobility and circulation west of State Road 19 from Dead River Road to Lane Park Road. The Cresswind developer is working with the City of Tavares and Lake County regarding a proportionate share of traffic mitigation and will propose a Developer's Agreement for the design, funding, and construction of improvements necessary for a portion of the Captain Haynes Road extension from Woodlea Road extending south approximately 1300 feet. This segment of Captain Haynes Road will also serve as ingress / egress for the future Lake County school site located south of Woodlea Road, and the School Board has agreed to dedicate a 1/2 acre of School Board property as right-of-way for this purpose. A Developer's Agreement regarding such traffic mitigation improvements will be presented for City Council consideration at a later date, and will include a request for dedication of a certain amount of City-owned property as right-of-way for Captain Haynes Road. The entrance to the development shall be designed in such a way as to ensure safe ingress / egress for the community. Any additional required improvements to Woodlea Road shall be at the discretion of Lake County Public Works, City of Tavares staff, and the City Engineer during the site plan review process.

The developer acknowledges that city utility services for potable water and waste water are currently not available for the site, and that development of the subject property is contingent upon the construction of and connection to city utility services. The City of Tavares has initiated extending capital utility lines to the Peninsula area through the approval of Resolution 2021-23 on September 8, 2021.

Development of the property will be in accordance with the provisions of Ordinance 2022-05 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 future land use designation of the property is Suburban Density with an allowance of 3 dwelling units per acre, and this designation is not affected by the rezoning.

It is important to note that at their May 19th Planning & Zoning Board meeting the Board voted unanimously to recommend approval of Ordinance 2022-05 subject to the developer committing to presenting City Council with an alternative road access plan for the residents of the Peninsula subdivision. Per the Planning & Zoning Board's recommendation, the developer has submitted a redesign of the conceptual plan showing dedicated road access for the residents on Peninsula Drive. Ordinance 2022-05 has been amended to include the revised conceptual plan showing the requested access road. Changes to some of the language of Ordinance 2022-05 as it pertains to subdivision layout and road ownership and maintenance responsibility have been made to account for the Planning & Zoning Board's recommendation to add an access road for Peninsula Drive.

OPTIONS:

1. That City Council moves to approve Ordinance 2022-05 rezoning approximately 220 acres of property located west of the intersection of Woodlea Rd. and Lane Park Rd. from Residential Single Family (RSF-A) to Planned Development (PD).

2. That City Council moves to deny Ordinance 2022-05.

STAFF RECOMMENDATION:

At their May 19th meeting, the Planning & Zoning Board voted unanimously to recommend approval of

Ordinance 2022-05 subject to the developer committing to presenting City Council an alternative road access plan for the residents of the Peninsula subdivision.

Staff recommends that City Council moves to approve Ordinance 2022-05 rezoning approximately 220 acres of property located west of the intersection of Woodlea Rd. and Lane Park Rd. from Residential Single Family (RSF-A) 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 2022-05
2. Aerial Map
3. Zoning Map
4. FLU Map
5. Environmental Assessment
6. Environmental - Sand Skink Report
7. Traffic Study
8. Lake County Comments
9. Engineer Responses to Lake County Comments
10. Resident Objection Letters
11. Peninsula Drive Access Road
12. 05-19-2022 PZ Board Meeting Minutes
13. Newspaper Ad 05-08-22

ORDINANCE 2022-05

AN ORDINANCE OF THE CITY OF TAVARES REZONING APPROXIMATELY 220 ACRES OF PROPERTY LOCATED AT THE WESTERLY END OF WOODLEA ROAD FROM RSF-A (RESIDENTIAL SINGLE FAMILY) TO PLANNED DEVELOPMENT (PD) WITH CERTAIN CONDITIONS THAT WOULD ALLOW AND PROVIDE GOVERNING REGULATIONS FOR THE DEVELOPMENT OF A 55 PLUS AGE RESTRICTED, ACTIVE ADULT COMMUNITY; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; 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-A) to Planned Development (PD); and

WHEREAS, City Water and Wastewater utility services are not currently available to the property; and

WHEREAS, development of the property is subject to City utility availability; and

WHEREAS, the City of Tavares, Florida, is in a position to plan to extend municipal services to the property described herein under Resolution 2021-23, as adopted; 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 accept said petition and to amend the zoning on said property; and

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

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

Section 1. Rezoning

Said property, as legally defined in Exhibit “A”, attached hereto and made a part herewith, is hereby rezoned to City of Tavares Planned Development (PD), under the specific provisions as established by the City of Tavares Land Development Regulations.

The purpose of this ordinance is to set forth basic development regulations and entitlements for the property with a new planned development agreement known as Cresswind Lake Harris PD planned development, herein referred to as a “PD”, as specified in Chapter 8 of the Land Development Regulations of the City of Tavares, Florida. The development of the property is intended for the housing of persons 55 years of age and older and to be consistent with the Housing for Older Persons Act of 1995. As such, all dwelling units shall be subject to deed restrictions attached to all sale contracts and acknowledged by signature and date by seller and purchaser. Such deed restrictions shall be recorded and be irrevocable for a period of thirty years. The property shall be developed as a private, gated community substantially in accordance with the Conceptual Development Plan. One or more Associations (as hereinafter defined) will be established to serve residents of the Cresswind Lake Harris PD and perform the ongoing duties set forth herein.

Development of this project shall be governed by the contents of this document and applicable sections of the City of Tavares 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. Where in conflict,

the terms of this document shall take precedence over the City of Tavares Land Development Regulations and Code of Ordinances, and all other applicable rules, regulations and ordinances of the City, unless otherwise noted.

Section 2 Definitions

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 of Tavares Comprehensive Plan.

Section 3 Land Uses

The Conceptual Development Plan for the project prepared by Halff bearing a final revision date of April 22, 2022 is attached hereto and made a part herewith as Exhibit "B". Elements in the Conceptual Development Plan include, but are not limited to, residential (single-family) acreage, a clubhouse, marina, amenities (including supportive and ancillary food and beer/wine services for residents), open space, and jurisdictional wetlands. The general location of each of these land uses has been established as depicted in the Conceptual Development Plan. Out of the 220-acre site, the approximate acreage devoted to each land use shall be as follows:

A. The breakdown for the project and its individual phases is as follows:

TOTAL PROJECT

Total Area:

220 +/- Acres

Permitted Uses:

Single-Family Residential

Acreage:

Uplands	202.96 Acres
Wetlands	17.13 Ac Acres

Total Acreage	220.09 Acres
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Maximum Allowable Residential Density:

The total number of residential dwelling units permitted for all Phases shall be determined at the following maximum densities:

Upland acres x 3 dwelling units per acre: $202.96 \times 3 = 608.88$

Wetland acres x 1 dwelling unit per acre: $17.13 \times 1 = 17.13$

Maximum number of dwelling units: 625

Open Space:

Minimum Open Space required shall be 30% of the gross acreage or 66.03 acres.

Recreation Area:

Minimum Recreation Area required shall be 5% of the gross acreage or 11.05 acres.

Maximum Density Proposed

Total Number of Single-Family Dwelling Units: 625 dwelling units

Gross Density: 2.84 du / acre

Net Upland Density 3.08 du /acre

B. The jurisdictional wetlands may include an elevated boardwalk, dock and marina access, picnic area and trail system subject to permitting requirements of the St. Johns River Water Management District (SJRWMD) and/or the Florida Department of Environmental Protection. In lieu of a jurisdictional wetlands area recreational amenity approved by City Council at platting, the overall development must meet the active recreational area requirements of five percent (5%) of the gross acreage, or approximately 11.05 acres of designated active recreational space upon upland acreage.

C. In addition to the planned elements shown on the Conceptual Development Plan, such easements and rights-of-way shall be established within or adjacent to the project site as may be necessary or desirable for the service, function or convenience of the project, said easements and rights of way to be determined and indicated on recorded plats of the property or any portion thereof.

- D. The overall development consists of single-family residential units and supportive amenities.

Section 4. Development Standards

Lot sizes shall be a proposed mix of 60-foot-wide lots, 50-foot-wide lots and 40-foot-wide lots. 60 and 50-foot-wide lots may comprise seventy-five percent (75%) of the overall project (i.e. 469 of the total 625 lots); provided, however, the final numbers of such total 60 and 50 foot lots may vary based on market conditions. 40-foot-wide lots shall not comprise more than twenty-five percent (25%) of the overall project (i.e. 156 of the total 625 lots). In accordance with Ordinance 2015-16, any lot fronting on the east side of Peninsula Drive shall be a minimum of 140 feet wide and 170 feet in depth and shall have a minimum 3,000 square feet of living area. In lieu of providing larger lots along the east side of Peninsula Drive, the developer may provide an equivalent depth of open space measured from the east right of way line of Peninsula Drive. Should the equivalent open space be utilized, a Type “C” Landscape Buffer shall be installed adjacent to the east right of way line of Peninsula Drive or adjacent to the existing retention areas serving the Peninsula Drive lots.

- 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.

- 1. Single-Family Dwelling Units:

Front setback	22' (front facing garage*)
Front setback	15' (side facing garage, living area or porch)
Rear setback	10'
Side setback	5'
Side adjacent to ROW	15'
From Jurisdictional Wetlands Line	25'

*Minimum 25 feet from back of sidewalk to face of front facing garage. (See lot details on Exhibit “B” Sheet 3)

From natural body of water (MHWL)	50'
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2. Accessory Structures, Pools and Screen Enclosures. All accessory structures, pools and screen enclosures shall be located in the rear yard. Pool, deck, and screen enclosures with screen roof shall meet a minimum 5' rear setback requirement. Screen enclosures with a hard roof shall comply with setbacks of the principal structure. Sheds shall not be permitted on any property.

Rear setback	5' pool
Rear setback	5' Screen enclosure with screen roof or deck
Side setback (internal)	same as principal structure
Side adjacent to ROW	same as principal structure
From Jurisdictional Wetlands Line	25'

3. Fences (Lots)

Front setback	Not Permitted
Rear setback	0'
Side setback	0'
Side adjacent to ROW	10'
Maximum Height	6'

B. Lot Requirements

1. Minimum Lot Widths and Areas. The minimum lot size for single-family residences shall be no less than five-thousand (5,000) square feet with minimum lot width of forty feet (40'). No more than 25% of the overall project shall be 40-foot lots.
2. Corner Lots. Corner lots shall be five percent (5%) larger in area and width than as required above.
3. Maximum lot coverage and impervious surfaces. Maximum lot coverage by impervious surfaces shall not exceed seventy-five percent (75%) of the total lot area. Impervious surfaces shall not exceed fifty percent (50%) of any front yard. Maximum project impervious surfaces shall not exceed fifty percent (50%)

4. Individual homes may utilize a side or front garage access design concept to reduce the physical prominence of garages within the development. Garages must incorporate architectural treatments at the same level of detail and quality as the primary façade.
- C. Height of Structures. The height of a structure shall be determined by measuring the distance from mean grade elevation to the highest point of the roof and shall not exceed thirty-five feet (35') for residential single-family homes and shall not exceed forty-five (45') feet for nonresidential clubhouse and guardhouse architectural elements.
- D. Lighting. At a minimum, street lighting shall be installed by the developer at each intersection in accordance with the minimum standards as set forth by the local power provider. Lighting shall be at least fifteen feet (15') in height and no more than thirty feet (30') in height, with lighting focused in a downward direction. All street lighting shall be maintained solely by any HOA or POA.
- E. Landscaping and Buffer Requirements.
1. Plant material specifications and approved species shall meet the requirements of Chapter 11 of the City of Tavares Land Development Regulations in effect at the time of development.
 2. All landscaped common areas and buffers shall be in a self-contained tract or easement that is maintained by the Association or by the developer.
 3. Landscape Buffers. Minimum thirty-foot (30') perimeter buffer along all boundaries of the project. Existing wetlands, existing lakes and proposed storm water management areas shall be included as uses

allowed within buffer areas. If right-of-way dedications are required by Lake County, the landscape buffers will be measured from the new right-of-way line. Existing vegetation within the buffers will be preserved to the extent practical, however changing the grade within the proposed landscape buffer will be permitted, provided that the graded area will be replanted. The project boundary landscape buffer shall include but not be limited to:

- a continuous shrub hedge, thirty-six inches (36") high at the time of planting and thirty-six inches (36") on center.
 - one (1) canopy tree per forty (40) lineal feet, (2.5") DBH, fifteen feet (15') in height.
4. Common areas. Water retention areas or common areas shall be buffered by inclusion of landscaping elements, irrigated and maintained, per, at a minimum consisting of a naturalistic design including clusters of shrubs, no less than seven (7) shrubs per cluster; and a palm, canopy or an understory tree, per each forty lineal feet (40').
5. The development shall otherwise comply with Chapter 11 of the City's Land Development Regulations.
6. All landscaped buffers and common areas, including irrigation, shall be in place at time of final plat approval unless a surety bond equal to 110 percent (110%) of the costs of any uncompleted areas has been provided to the City.

7. The Association shall be responsible for community wide landscape, fertilizing and irrigation, and maintenance, including on the individual lots within the project. The Association shall require that any maintenance company contracted to perform fertilizer applications as part of said community maintenance shall have a license from the Florida Department of Agricultural and Consumer Services (FDACS) and each person responsible for application of fertilizers shall hold a valid certificate of completion from the University of Florida Institute of Food and Agricultural Science (UFIFAS) for Green Industry Best Management Practices. In addition, the following restrictions shall be observed as part of the Association's community wide maintenance, the fertilizer application within the project shall be consistent with Florida-Friendly Best Management Practices for Protection of Water Resources and shall include the following specific restrictions:
From June 1 through September 30 of any calendar year, do not apply fertilizers containing nitrogen or phosphorus to lawn or landscape buffer areas. Nitrogen fertilizer must contain at least 50 percent (50%) slow-release nitrogen (SRN) and no more than four (4) pounds of nitrogen per one thousand (1,000) square feet may be applied to turf or landscape plants each year. No fertilizer may be applied to impervious surfaces and any spillage or overcasting must be removed. Only one annual application of phosphorous not exceeding 0.25 pounds per one thousand (1,000) square feet per one thousand (1,000) square feet shall be permitted only if soil analysis demonstrates a need for the application of supplemental phosphorous to ensure plant health. No fertilizers containing nitrogen or phosphorus shall be applied within a fifty (50) foot-wide area adjacent to wetland, or Lake Harris shoreline.

F. Signage. The location and size of entrance signage and monumentation at the project's entry as well as temporary marketing signage along the project's eastern property line and internal private roads shall be consistent with the approved Sheet 4 of Exhibit "B", otherwise signage shall conform to the City of Tavares Land Development Regulations regarding subdivision signage. Signage and monumentation may be placed within private rights-of-way provided they meet FDOT and City standards for setbacks and sight lines. Any temporary or permanent signage located within a public right-of-way shall require a permit and maintenance agreement. Temporary signage is intended to be used for the duration of the project development and shall be allowed to remain in place until the last single-family home permit has been issued by the City, but in no event longer than ten (10) years.

G. Entry Features. Development entry features (not including Guardhouse elements) may incorporate architectural variations between 4 feet to 16 feet as measured vertically from the finished grade at the base of the structure for architectural columns or walls. The design for all entry features and walls shall be substantially similar to the elevations as shown on Sheet 4 of Exhibit "B", Signage Plan and Details of Sheet 4 of Exhibit "B" attached. All other fences or walls surrounding the subdivision but not located at the project entry locations may not exceed six (6) feet. A separate thirty (30) foot wide permanent private easement (comprised of two (2), twelve (12) foot drive aisles with a two (2) foot gutter on each side) providing access to the seventeen (17) Peninsula Drive lot owners (the "Peninsula Access Road"). The Peninsula Access Road shall be completed no later than Phase Two. The Developer shall relocate the existing entry gate for the Peninsula Homeowners (the "Peninsula Gate") to the intersection of the private easement and Peninsula Drive and shall relocate the existing Peninsula Homeowners' directional sign (which reads

“The Peninsula”)(the “Peninsula Signage”) at the entry of the intersection of the Peninsula Access Road and Lane Park Road. As will be provided on the plat or via separate written agreement between the Developer and the seventeen (17) homeowners of the Peninsula Drive residences (the “Peninsula Homeowners”), the Peninsula Homeowners shall have their own separate homeowner’s association responsible for (i) the maintenance of the Peninsula Access Road, (ii) the maintenance, repair or replacement of the Peninsula Signage, and (iii) the maintenance, repair or replacement of the Peninsula Gate (collectively, the “Peninsula Homeowners’ Responsibilities”). The construction of the Peninsula Access Road shall not commence until such Peninsula Drive homeowner’s association confirms in writing their acceptance of the Peninsula Homeowners’ Responsibilities. In the event such association does not confirm in writing the acceptance of the Peninsula Homeowners’ Responsibilities, the Developer shall not be required to commence construction of the Peninsula Access Road and those Peninsula Homeowners will utilize the internal access road that the Developer has constructed internal to the project. The Developer shall have the right to access the Peninsula Access Road for purposes of maintenance of any Developer landscaping and fencing.

H. Phases of Development. Development of the project can be accomplished in up to five (5) phases, with required easements for development and infrastructure servicing the phase, including shared facilities such as stormwater systems and internal driveways, being constructed as required for each phase. Mass grading and associated clearing of any phase shall be reviewed and approved by the City at time of Subdivision Construction Plan Approval. Mass graded areas will be stabilized with vegetative cover. Subdivision Construction Plan approval shall be required for each phase and the restrictions of this Ordinance shall apply to each phase of development.

- I. Recreation Area. Five percent (5%) of the total site acreage is required to be designated with an active recreational element. Prior to issuance of any permits for construction of the approved amenity site (“Amenity Site”), including clearing and landfill not otherwise approved per Section H of this Ordinance, a Final Site Plan for the Amenity Site, as shown on Sheet 2 of Exhibit “B”, shall be prepared and submitted for review and approval in the manner required by the City of Tavares, Land Development Regulations. Uses and structures of an accessory nature to the residential uses of the development include but are not limited to: parks, clubhouse, fitness center, pool, sports courts, indoor / outdoor social gathering areas, fire pit, stage area, food and beverage service, marina and on-site parking for vehicles and golf carts. Operation of any outdoor sports court lighting, outdoor events and use of a-stage for any events shall be discontinued at 11:00 PM and shall comply with the City of Tavares noise ordinance. Site plan shall be similar in concept to the plan shown on Sheet 2 of Exhibit “B”. Development of the Amenity Site shall occur concurrent with the buildout of Phase 1.

- J. Fences. Open style decorative aluminum rail fencing shall be permitted along rear single family lot property lines to encourage visibility of water features, conservation areas and open spaces; however, this allowance shall not apply to those lots that share a common rear property boundary with another lot. One or more property Associations shall be responsible for determination and enforcement of fencing requirements within the development. A 6-foot aluminum rail fence may be used within the development’s perimeter landscape. Fencing around City owned lift stations shall be in accordance with City utility department standards and may be screened with landscape hedge material.

K. Sales Center. Applicant intends to develop a central sales center area, upon recording of a Final Plat, to be used during the life of the project. The sales center shall consist of the following temporary facilities to be located within homes to be built on 1 or more platted lots:

- Sales Office (converted model home)
- Design Center (converted model home)
- Up to 18 Model Homes
- Temporary Parking Lot
- Temporary Construction Trailer(s) (may be converted model home)

The sales center hours of operation shall be:

Monday Through Friday	9:00 AM to 6 PM
Saturday and Sunday	9:00 AM to 6 PM

Special Marketing and after-hours Events shall be permitted including installation of temporary tents and restroom facilities. In addition to the above temporary uses, the Sales Center and model area are intended to have a trap fence.

Sales Center trap fencing shall be allowed to be placed across private roadways provided emergency vehicle access gates are included with Knox lock system suitable to the City's fire and police departments. Sales Center, Design Center, Model Homes and Construction Trailers may commence construction upon approval of the Subdivision Construction Plans and issuance of a Site Development Permit. and completion of a stabilized access to the Sales Center area for emergency vehicles. Any temporary structurally supported covered entry to either the Sales Office or Design Center or Construction Trailer to facilitate entry into the side of either building shall not be subject to side yard setbacks provided the adjoining area is a vacant lot, right-of-way or temporary parking lot. Unless otherwise approved by the City of Tavares, once the Sales Center and Design Center are done being used; the Applicant shall remove all

temporary structures and convert the remaining model to comply with the requirements of this Ordinance and the City building code.

- L. Tree Preservation. As part of any Preliminary Subdivision Plan or Subdivision Construction Plan submittal, a tree survey shall be required. The stands of existing planted palms and oaks shall only be required to be counted as a cluster and not individually located.
 - 1. Unless otherwise permitted / approved for removal, no tree, regardless of size or species, shall be removed from any designated wetland or conservation easements.
 - 2. Trees proposed to be maintained on site shall be protected during site construction by placing a tree protection barrier at the drip line of each tree or clusters of trees. No construction activity, equipment or material shall be permitted inside the tree protection barrier.

Section 5. Public Facilities.

- A. Impact Fees. The Developer acknowledges that the City of Tavares has impact fees for water, wastewater, fire, police, and parks & recreation, while Lake County has impact fees for schools and 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. School impact fees are not required for developments determined to be intended primarily for the housing of persons 55 years of age and older and to be consistent with the Housing for Older Persons Act of 1995. As such, all dwelling units shall be subject to deed restrictions attached to all sale

contracts and acknowledged by signature and date by seller and purchaser.

- B. Potable water. Potable water is not currently available to the site. In accordance with The City of Tavares Resolution 2021-23, as adopted, the City plans on extending off-site capital utility water lines from their existing location to the Peninsula Area (i.e. the development's proposed entrance or the existing Peninsula's private drive entrance). The Developer shall pay impact fees and connection charges and shall construct and turn over to the City, all on-site water lines. Together with construction of Phase Two, on-site water lines shall include installation of an 8" watermain, associated valves and fire hydrants along the east side of Peninsula Drive and providing individual water services to the seventeen (17) existing lots along the west side of Peninsula Drive. Requests for water meters and conversion of the existing homes from wells to potable water shall be by the individual homeowner. Lines shall be extended and improvements made in a manner in accordance with the City of Tavares construction specifications. The City has plans for extension of water and sewer lines to the serve the project; provided, however, that in the event the City does not extend such lines within one (1) year of the Effective Date of this Ordinance, then the Developer shall be responsible for all major expansions to the existing utility systems required to serve the development, which may be impact fee creditable and would be subject to the execution of a separate developer's agreement with the City at such time. The Developer shall be responsible for all major on-site expansions to the existing utility systems required to serve the development. Capital utility line extensions required to serve the development may be installed by the City, and the City makes no time commitment as to when those lines will be constructed.

- C. Wastewater. Wastewater treatment service is not currently available to the site. In accordance with The City of Tavares Resolution 2021-23, as adopted, the City plans on extending off-site capital utility sanitary sewer lines from their existing location to the Peninsula Area (i.e. the development's proposed entrance or the existing Peninsula's private drive entrance). Developer shall pay impact fees and connection charges and construct and turn over to the City, all on-site sewer lines and lift stations. Together with construction of Phase Two, on-site sewer lines shall include installation of a low pressure forcemain and associated valves the east side of Peninsula Drive and providing individual low-pressure services to the seventeen (17) existing lots along the west side of Peninsula Drive. Conversion of the existing homes from septic to public sewer shall be by the individual homeowner. Lines shall be extended and improvements shall be made in accordance with City of Tavares construction specifications. The City has plans for extension of water and sewer lines to the serve the project; provided, however, that in the event the City does not extend such lines within one (1) year of the Effective Date of this Ordinance, then the Developer shall be responsible for all major expansions to the existing utility systems required to serve the development, which may be impact fee creditable and would be subject to the execution of a separate developer's agreement with the City at such time. The Developer shall be responsible for all major_on-site expansions to the existing utility systems required to serve the development. Capital utility line extensions required to serve the development may be installed by the City, and the City makes no time commitment as to when those lines will be constructed.
- D. Drainage. Provision for stormwater retention shall be in accordance with the City's Land Development Regulations and SJRWMD requirements. The maintenance of the drainage system shall be the responsibility of the Association (as hereinafter defined). The City of Tavares shall have no

maintenance responsibilities whatsoever with respect to the stormwater system on the property. The City is, however, hereby granted an irrevocable license to enter upon the property to conduct any work which is required to maintain the stormwater system which has not been performed by the Association, and the Association shall be liable for any costs incurred by the City in connection therewith. To the extent possible the storm water management ponds shall be designed as a dry detention facility to promote increased infiltration to groundwater and additional water quality protection to Lake Harris. Where practical, runoff from the rear of lots shall be directed to planned open space areas to promote increased infiltration to groundwater prior to entering stormwater management system.

- E. Reuse Water. The Developer shall be required to install a water reuse distribution system to serve all irrigation needs within the development. The lines will be served by potable water until such time as reclaimed water is available for irrigation. At the Developer's or Association's expense, the irrigation system for the PD shall connect to the City's reuse system once the City has extended lines to the development's entrance.

- F. Ingress and Egress. One (1) private, gated access road connection shall be provided from Woodlea Road to the development as shown on Exhibit "B", Sheet 1.

- G. Transportation. System improvements will be provided as required by permitting agencies having jurisdiction thereof. All roads, streets, and sidewalks constructed on property under the City of Tavares jurisdiction shall be constructed according to the standards of the City of Tavares. The developer shall enter into a separate transportation developer's agreement(s) ("Transportation DA") with Lake County and the City regarding necessary construction of traffic improvements to support the

development. Any initial commitments for easements or right of way dedication from the Lake County School Board can be handled in a memorandum of understanding or similar instrument from the Lake County School Board. Such Transportation DA shall also contemplate the eligibility for impact fee credits for the developer's construction of certain transportation improvements that exceed those required by law. Approval of and execution by all parties to such separate Transportation DA is contingent upon approval of this Ordinance and the Transportation DA will not hold up issuance of site or building permits, rather, the City shall not issue more than 250 certificates of occupancy unless the main segment of Captain Haynes Road is already designed, permitted and under construction by the Developer.

1. At the time of Preliminary Subdivision Plan and Construction Plan or Site Plan approval, the developer shall dedicate sufficient right-of-way along Woodlea Road and Lane Park Road per the requirements of Lake County Public Works. Concurrent with the timing of the Captain Haynes Road extensions, the developer shall install additional left turn queue storage on Woodlea Road and SR 19.
2. Concurrent with the timing of the Captain Haynes Road extension, the developer shall restripe the existing east bound lanes at the intersection of Woodlea Road and SR 19 to create additional left turn queue storage on Woodlea Road.
3. Other than the Peninsula Access Road, the roads as shown on Exhibit "B", Sheet 1, shall be a minimum sixty-foot (60') wide right of way with twenty-four feet (24') of pavement and four-foot (4') sidewalks on both sides of the road. All onsite roads within the development shall be private and dedicated to and maintained by the Association. The Peninsula Access Road shall be private and

dedicated to and maintained by the Peninsula Homeowners Association.

4. Minimum four-foot-wide (4') concrete sidewalks shall be required along both sides of all neighborhood streets. A minimum five-foot wide (5') sidewalk shall be required on the north side of Lane Park Road abutting the perimeter of the property. The foregoing provisions shall not apply to the Peninsula Access Road. Required sidewalks shall be constructed at the time each dwelling unit is constructed, as a condition of Certificate of Occupancy. A surety instrument, such as a bond or letter of credit, shall be provided to the City to ensure the completion of all required sidewalks. All required sidewalks in each phase shall be completed within two (2) years of the issuance of the first building permit for that phase, regardless of development status of each lot. Failure to complete all required sidewalks for each phase within the two-year period shall result in the City invoking the surety instrument to cover construction costs to construct the required sidewalks.
 5. In addition to the above rights-of-way, but only to the extent necessary, the developer shall also dedicate any easements needed for utilities and drainage.
 6. Paved access to the existing Peninsula Drive lot owners shall be maintained until the Peninsula Access Road is completed. However, stabilized temporary roads are allowed during ongoing phase of construction while the permanent road network as shown on Exhibit "B" is being constructed within Phase 1 of development. Access through any existing, temporary or relocated gates shall be provided to the existing Peninsula Homeowners.
- H. Underground Electric Utilities. Utility lines for electric power shall be installed underground per the provisions of the City and the power provider.

- I. **Parking.** Unless otherwise defined herein, parking shall be provided in accordance with the City Land Development Regulations. On-street parking shall be permitted within designated parking spaces on site only. The general locations of on street parking have been shown on Exhibit "B" Sheet 2. The final locations of on street parking spaces shall be determined at subdivision approval. On-street overnight parking shall not be permitted in undesignated areas and the Association for the development shall be responsible for enforcing parking restrictions.

All single-family dwelling, guest, and code required parking within an individual phase shall be provided by a driveway to accommodate a minimum of two (2) standard size vehicles (parked cars, pick-up truck or SUV) and single-family garages designed with adequate space to park at least two (2) standard size vehicles. The developer or Association, whichever controls the subdivision common areas at the time, shall ensure that an individual lot owner seeking building permits shall demonstrate compliance with this paragraph as part of the construction permit submittal for a lot.

Section 6. Environmental

- A. A conservation easement shall be shown over the entire jurisdictional wetlands area on the preliminary and construction plans submitted for the initial phase of development and the conservation easement shall be recorded over the entire jurisdictional wetlands area as part of the recording of the Final Plat. The conservation easement shall be in a format approved by the SJRWMD as part of the permitting process for the property.

- B. All environmental permitting and mitigation shall serve as prerequisites of any phase of development and shall be administered by the appropriate local or state jurisdiction.
- C. Any permitted improvements in the wetland areas shall be maintained per the criteria of the SJRWMD.

Section 7. 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 school impact analysis, transportation analysis, and environmental assessment.

Section 8. Timing

The City Council may rezone the project in the event a Final Plat is not recorded for any phase of development on or before five (5) years from the effective date of this Ordinance, if necessary or appropriate to protect adjoining properties or the public health, safety and welfare, unless the City Council, for good cause shown, extends the time period indicated in this paragraph.

Provided developer has commenced development of the project within the five (5)-year time frame from the effective date and continues to actively develop ongoing phases as demonstrated by issuance of development permits and building permits, then no rezoning by the City shall occur unless otherwise requested by then owner.

Section 9. Property Owners’ or Homeowners’ Association and Covenants, Conditions, and Restrictions

Developer shall create one or more Property Owners Associations (POA) or Homeowner Associations (HOA), recorded in the official records of Lake County and registered with the Secretary of the State of Florida. Covenants, Conditions and Restrictions shall be submitted and approved with the first Final Plat or site plan. The established Homeowners'/ Property Owners' Association ("Association") shall be designated to oversee and maintain any open space, water retention area, required buffer, private street, and any other component of the overall development so dedicated to said association. Until such time that the Association becomes effective, the developer shall maintain all common areas.

Section 10. Permits.

Prior to platting or construction, the property owner 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 11. 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 12. Effective Date.

This Ordinance shall take effect immediately upon its final adoption by the 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

Passed First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsey C. T. Holt, City Attorney

EXHIBIT "A"

PARCEL 1:

GOVERNMENT LOTS 1, 2, AND 3 AND THE NORTH 1/2 OF GOVERNMENT LOT 4 AND THE NORTH 571 FEET OF GOVERNMENT LOT 6, TOGETHER WITH LOTS 1 THROUGH 9, INCLUSIVE, OF WEBLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 22, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, ALL LYING WITHIN SECTION 35, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. ALSO, LOTS 10 THROUGH 13, INCLUSIVE, OF WEBLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 22, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; AND THE SOUTH 1/2 OF GOVERNMENT LOT 5, LESS THE ROAD RIGHT-OF-WAY; AND GOVERNMENT LOT 4 AND THE NORTH 1/4 OF GOVERNMENT LOT 5; AND GOVERNMENT LOT 6, LYING SOUTH OF ROAD, ALL LYING IN SECTION 36, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

LESS:

THAT PART LYING WITHIN A REPLAT OF THE PENINSULA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 36, PAGES 32 THROUGH 34, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA,

AND LESS:

THAT PART CONVEYED IN OFFICIAL RECORDS BOOK 2730, PAGE 1287, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THAT PORTION OF GOVERNMENT LOT NO. 2, IN SECTION 35, TOWNSHIP 19 SOUTH, RANGE 25 EAST, CITY OF TAVARES, LAKE COUNTY, FLORIDA, LYING 75.00 FEET NORTH OF, WHEN MEASURED AT RIGHT ANGLES AND PARALLEL WITH, THE NORTH LINE OF LOT 18 OF A REPLAT OF THE PENINSULA, AS RECORDED IN PLAT BOOK 36, PAGES 32 THROUGH 34, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING BOUNDED ON THE WEST BY THE WATERS OF LAKE HARRIS AND ON THE EAST BY THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 18.

AND,

PARCEL 2:

THE NORTH 1/2 OF GOVERNMENT LOTS 2 AND 3, LYING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, TOGETHER WITH AN INGRESS/EGRESS GRANTED IN DEED BOOK 295, PAGE 233, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS AND EXCEPT THOSE CERTAIN ENCROACHMENTS OF THE IMPROVEMENTS RELATIVE TO THE SUBDIVISION COMMONLY KNOWN AS THE "PENINSULA" ON THE ABOVE IDENTIFIED PROPERTY, AS SUCH ENCROACHMENTS ARE MORE PARTICULARLY DEPICTED ON THE "EXISTING SURVEY" OR "NEW SURVEY", AS THOSE TERMS ARE DEFINED IN THE AGREEMENT FOR SALE AND PURCHASE OF REAL PROPERTY DATED SEPTEMBER 6, 2005.

MORE PARTICULARLY DESCRIBED AS:

PARCEL A:

THAT PORTION OF SECTIONS 35 AND 36 TOWNSHIP 19 SOUTH, RANGE 25 EAST, AND THAT PORTION OF WEBLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 22, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, ALL LYING WITHIN LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE RUN N00°39'25"E ALONG THE EAST LINE OF SAID SECTION 35 A DISTANCE OF 409.00 FEET; THENCE DEPARTING SAID EAST LINE RUN N89°10'45"W A DISTANCE OF 10.18 FEET TO THE WESTERLY AND NORTHERLY RIGHT OF WAY OF LANE PARK/WOODLEA ROAD PER MAINTENANCE MAP DATED SEPTEMBER 15, 2004 AS RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 89 THROUGH 94, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE N89°10'45"W A DISTANCE OF 2321.90 FEET TO THE SOUTHEAST CORNER OF A REPLAT OF THE PENINSULA AS RECORDED IN PLAT BOOK 36, PAGES 32 THROUGH 34, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG THE EASTERLY LINE OF SAID PLAT THE FOLLOWING EIGHT COURSES: THENCE N10°55'01"W A DISTANCE OF 75.30 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 50.00 FEET TO WHICH A RADIAL LINE BEARS S10°53'01"E; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 160°31'44" AN ARC DISTANCE OF 140.09 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°31'44" AN ARC DISTANCE OF 30.77 FEET; THENCE RUN N10°55'01"W A DISTANCE OF 50.08 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 775.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°46'39" AN ARC DISTANCE OF 226.94 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 725.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°31'04" AN ARC DISTANCE OF 19.21 FEET; THENCE RUN N86°23'51"E A DISTANCE OF 125.00 FEET; THENCE RUN N18°21'38"W A DISTANCE OF 30.43 FEET; THENCE DEPARTING SAID EAST LINE RUN N82°45'10"E A DISTANCE OF 40.17 FEET; THENCE RUN N12°57'32"W A DISTANCE OF 140.84 FEET; THENCE RUN N89°45'43"W A DISTANCE OF 55.58 FEET TO THE AFORESAID EAST LINE OF SUBDIVISION; THENCE RUN ALONG SAID EAST LINE THE FOLLOWING SEVEN COURSES: N18°21'38"W A DISTANCE OF 24.50 FEET; THENCE RUN N89°50'46"W A DISTANCE OF 125.00 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO WHICH A RADIAL LINE BEARS S80°43'04"W AND HAVING A RADIUS OF 725.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°00'25" AN ARC DISTANCE OF 88.66 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 775.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°07'27" AN ARC DISTANCE OF 136.94 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 975.00 FEET; THENCE RUN NORTHERLY THROUGH A CENTRAL ANGLE OF 16°14'03" AN ARC DISTANCE OF 276.26 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1025.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°48'01" AN ARC DISTANCE OF 282.66 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 975.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°36'37" AN ARC DISTANCE OF 248.62 FEET; THENCE DEPARTING SAID EAST LINE RUN N88°04'51"E A DISTANCE OF 87.56 FEET; THENCE RUN N00°15'24"E A DISTANCE OF 216.63 FEET; THENCE RUN N02°04'11"W A DISTANCE OF 221.93 FEET; THENCE RUN N88°24'11"W A DISTANCE OF 86.55 FEET TO THE AFORESAID EAST LINE OF SUBDIVISION, SAID POINT BEING ON A NON-TANGENT CURVE TO WHICH A RADIAL LINE BEARS N87°51'04"W AND HAVING A RADIUS OF 725.00 FEET; THENCE RUN ALONG SAID EAST BOUNDARY THE FOLLOWING FIVE COURSES: NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°04'46" AN ARC DISTANCE OF 64.27 FEET; THENCE RUN N07°13'44"E A DISTANCE OF 117.22 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°31'44" AN ARC DISTANCE OF 30.77 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 50.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°31'44" AN ARC DISTANCE OF 61.55 FEET; THENCE RUN N07°13'44"E A DISTANCE OF 24.69 FEET; THENCE DEPARTING SAID EAST LINE RUN S71°57'15"E A DISTANCE OF 57.01 FEET; THENCE RUN N23°09'55"E A DISTANCE OF 113.13 FEET; THENCE RUN N70°24'13"W A DISTANCE OF 191.79 FEET; THENCE RUN N06°46'44"E A DISTANCE OF 39.32 FEET; THENCE RUN N89°10'45"W A DISTANCE OF 282.00 FEET, MORE OR LESS TO THE WATER'S EDGE OF LAKE HARRIS AND HAVING A TIE WITNESS MONUMENT N89°10'45"W AT A DISTANCE OF 239.78 FEET THAT IS 42± FEET EASTERLY OF LAKE'S EDGE; THENCE RUN NORTHERLY AND EASTERLY ALONG SAID LAKE'S EDGE AND HAVING A TIE LINE FOR THE FOLLOWING 15 COURSES: THENCE RUN FROM SAID TIE WITNESS MONUMENT N03°26'08"E A DISTANCE OF 175.63 FEET; THENCE RUN N23°30'38"E A DISTANCE OF 307.44 FEET; THENCE RUN N29°42'44"E A DISTANCE OF 358.39 FEET; THENCE RUN N72°42'02"E A DISTANCE OF 493.09 FEET; THENCE RUN N82°31'03"E A DISTANCE OF 426.79 FEET; THENCE RUN N83°10'35"E A DISTANCE OF 516.10 FEET; THENCE RUN S57°52'37"E A DISTANCE OF 899.04 FEET; THENCE RUN S47°58'40"E A DISTANCE OF 550.80 FEET; THENCE RUN S86°38'10"E A DISTANCE OF 306.43 FEET; THENCE RUN S44°33'38"E A DISTANCE OF 271.29 FEET; THENCE RUN S78°28'04"E A DISTANCE OF 145.76 FEET; THENCE RUN S44°10'51"E A DISTANCE OF 445.79 FEET; THENCE RUN S20°26'30"E A DISTANCE OF 305.25 FEET; THENCE RUN S07°18'18"E A DISTANCE OF 420.42 FEET; THENCE RUN S42°49'15"E A DISTANCE OF 280.70 FEET TO A TIE WITNESS MONUMENT THAT IS 1034 FEET, MORE OR LESS, S00°39'44"W OF THE EDGE OF LAKE; THENCE RUN FROM THE EDGE OF LAKE S00°39'34"W A DISTANCE OF 1538 FEET, MORE OR LESS, AND HAVING A TIE OF S00°39'37"W A DISTANCE OF 506.84 FEET FROM THE TIE WITNESS MONUMENT TO THE AFORESAID NORTHERLY RIGHT OF WAY OF WOODLEA/LANE PARK ROAD SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY TO WHICH A RADIAL LINE BEARS N17°08'20"E AND HAVING A RADIUS OF 959.28 FEET; THENCE RUN ALONG THE NORTHERLY AND WESTERLY RIGHT OF WAY LINE OF SAID WOODLEA/LANE PARK ROAD THE FOLLOWING 14 COURSES: NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°58'36" AN ARC DISTANCE OF 250.75 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 21.28 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 2.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 298.62 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 1.00 FEET; THENCE RUN N88°27'21"W 237.39 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 7.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 118.94 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 6.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 105.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 248.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44°45'32" AN ARC DISTANCE OF 193.74 FEET; THENCE RUN S46°47'07"W A DISTANCE OF 20.81 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 352.21 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°09'07" AN ARC DISTANCE OF 283.71 FEET; THENCE RUN S00°38'00"W A DISTANCE OF 577.95 FEET TO THE POINT OF BEGINNING.

PARCEL B:

THAT PORTION OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 25 EAST, AND SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE RUN S89°10'49"E ALONG THE SOUTH LINE OF SAID SECTION 36 A DISTANCE OF 30.00 FEET TO THE EASTERLY AND SOUTHERLY RIGHT OF WAY LINE OF LANE PARK/WOODLEA ROAD PER MAINTENANCE MAP DATED SEPTEMBER 15, 2004 AS RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 89 THROUGH 94, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH LINE RUN ALONG SAID EASTERLY AND SOUTHERLY RIGHT OF WAY THE FOLLOWING 19 COURSES: N00°38'00"E A DISTANCE OF 987.04 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 312.21 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°17'52" AN ARC DISTANCE OF 159.65 FEET; THENCE RUN N60°04'08"W A DISTANCE OF 9.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY TO WHICH A RADIAL LINE BEARS N60°04'08"W AND HAVING A RADIUS OF 321.21 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°51'15" AN ARC DISTANCE OF 94.49 FEET; THENCE RUN N46°47'07"E A DISTANCE OF 20.81 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 217.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44°45'32" AN ARC DISTANCE OF 169.52 FEET; THENCE RUN S88°27'21"E A DISTANCE OF 105.45 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 5.00 FEET; THENCE RUN S88°27'21"E A DISTANCE OF 118.94 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 3.00 FEET; THENCE RUN S88°27'21"E A DISTANCE OF 237.39 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 1.00 FEET; THENCE RUN S88°27'21"E A DISTANCE OF 298.62 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 2.00 FEET; THENCE RUN S88°27'21"E A DISTANCE OF 21.28 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 921.25 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°54'02" AN ARC DISTANCE OF 529.00 FEET; THENCE RUN S55°33'10"E A DISTANCE OF 573.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 3534.05 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°46'26" AN ARC DISTANCE OF 171.09 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 588.68 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°03'45" AN ARC DISTANCE OF 462.99 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE DEPARTING SAID RIGHT OF WAY LINE RUN S00°39'53"W ALONG SAID EAST LINE A DISTANCE OF 645.32 FEET TO THE SOUTH 1/4 SECTION CORNER OF SAID SECTION 36; THENCE RUN S89°10'55"E ALONG THE SOUTH LINE OF SAID SECTION 36 A DISTANCE OF 1317.90 FEET TO THE NORTHEAST CORNER OF GOVERNMENT LOT 2 OF SAID SECTION 1; THENCE DEPARTING SAID SOUTH LINE RUN S00°57'57"W ALONG THE EAST LINE OF SAID GOVERNMENT LOT 2 A DISTANCE OF 1319.63 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF SAID GOVERNMENT LOT 2; THENCE RUN N89°10'19"W ALONG SAID SOUTH LINE AND THE SOUTH LINE OF GOVERNMENT LOT 3 OF SAID SECTION 1 A DISTANCE OF 2632.64 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 3; THENCE RUN N00°51'18"E ALONG SAID WEST LINE A DISTANCE OF 1319.20 FEET TO THE SOUTH LINE OF THE AFORESAID SECTION 36; THENCE RUN N89°10'49"W ALONG SAID SOUTH LINE A DISTANCE OF 1287.27 FEET TO THE POINT OF BEGINNING.

LESS THAT PORTION DESCRIBED AS FOLLOWS:

NORTHERLY PARCEL

THAT PORTION OF SECTION 36 TOWNSHIP 19 SOUTH, RANGE 25 EAST, AND THAT PORTION OF WEBLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 22, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, ALL LYING WITHIN LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE RUN N00°39'25"E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36 A DISTANCE OF 1506.84 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE N00°39'25"E ALONG SAID WEST LINE A DISTANCE OF 1132.13 FEET TO THE WEST 1/4 SECTION CORNER OF SAID SECTION 36; THENCE CONTINUE N00°39'25"E ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 36 A DISTANCE OF 207.51 FEET; THENCE DEPARTING SAID WEST LINE RUN S83°07'31"E A DISTANCE OF 131.38 FEET; THENCE RUN S47°59'34"E A DISTANCE OF 229.39 FEET; THENCE RUN S72°37'08"E A DISTANCE OF 1059.40 FEET TO THE EAST LINE OF GOVERNMENT LOT 5 OF SAID SECTION 36; THENCE RUN S00°39'34"W A DISTANCE OF 1101.70 FEET TO THE NORTHERLY RIGHT OF WAY OF WOODLEA/LANE PARK ROAD PER MAINTENANCE MAP DATED SEPTEMBER 15, 2004 AS RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 89 THROUGH 94, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY TO WHICH A RADIAL LINE BEARS N16°29'28"E AND HAVING A RADIUS OF 961.18 FEET; THENCE RUN ALONG THE NORTHERLY AND WESTERLY RIGHT OF WAY LINE OF SAID WOODLEA/LANE PARK ROAD THE FOLLOWING 11 COURSES: NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°56'49" AN ARC DISTANCE OF 250.74 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 21.28 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 2.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 298.62 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 1.00 FOOT; THENCE RUN N88°27'21"W A DISTANCE OF 237.39 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 7.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 118.94 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 6.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 105.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 248.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°13'39" AN ARC DISTANCE OF 74.57 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE RUN N47°31'04"W A DISTANCE OF 288.25 FEET TO THE POINT OF BEGINNING.

ALSO LESS THAT PORTION DESCRIBED AS FOLLOWS:

SOUTHERLY PARCEL

THAT PORTION OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE RUN S89°10'49"E ALONG THE SOUTH LINE OF SAID SECTION 36 A DISTANCE OF 30.00 FEET TO THE EASTERLY AND SOUTHERLY RIGHT OF WAY LINE OF LANE PARK/WOODLEA ROAD PER MAINTENANCE MAP DATED SEPTEMBER 15, 2004 AS RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 89 THROUGH 94, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH LINE RUN ALONG SAID EASTERLY AND SOUTHERLY RIGHT OF WAY THE FOLLOWING 19 COURSES: N00°38'00"E A DISTANCE OF 987.04 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 312.21 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°17'52" AN ARC DISTANCE OF 159.65 FEET; THENCE RUN N60°04'08"W A DISTANCE OF 9.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY TO WHICH A RADIAL LINE BEARS N60°04'08"W AND HAVING A RADIUS OF 321.21 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°51'15" AN ARC DISTANCE OF 94.49 FEET; THENCE RUN N46°47'07"E A DISTANCE OF 20.81 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 217.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44°45'32" AN ARC DISTANCE OF 169.52 FEET; THENCE RUN S88°27'21"E A DISTANCE OF 105.45 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 5.00 FEET; THENCE RUN S88°27'21"E A DISTANCE OF 118.94 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 3.00 FEET; THENCE RUN S88°27'21"E A DISTANCE OF 237.39 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 1.00 FOOT; THENCE RUN S88°27'21"E A DISTANCE OF 298.62 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 2.00 FEET; THENCE RUN S88°27'21"E A DISTANCE OF 21.28 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 921.18 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°54'11" AN ARC DISTANCE OF 529.00 FEET; THENCE RUN S55°33'10"E A DISTANCE OF 573.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 3534.30 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°46'25" AN ARC DISTANCE OF 171.09 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 588.69 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°03'41" AN ARC DISTANCE OF 462.99 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE DEPARTING SAID RIGHT OF WAY LINE RUN S00°39'53"W ALONG SAID EAST LINE A DISTANCE OF 645.32 FEET TO THE SOUTH 1/4 SECTION CORNER OF SAID SECTION 36; THENCE RUN N89°10'49"W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36 A DISTANCE OF 2604.57 FEET TO THE POINT OF BEGINNING.

LESS THAT PORTION DESCRIBED AS FOLLOWS:

THE NORTH 1/2 OF GOVERNMENT LOTS 2 AND 3, SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

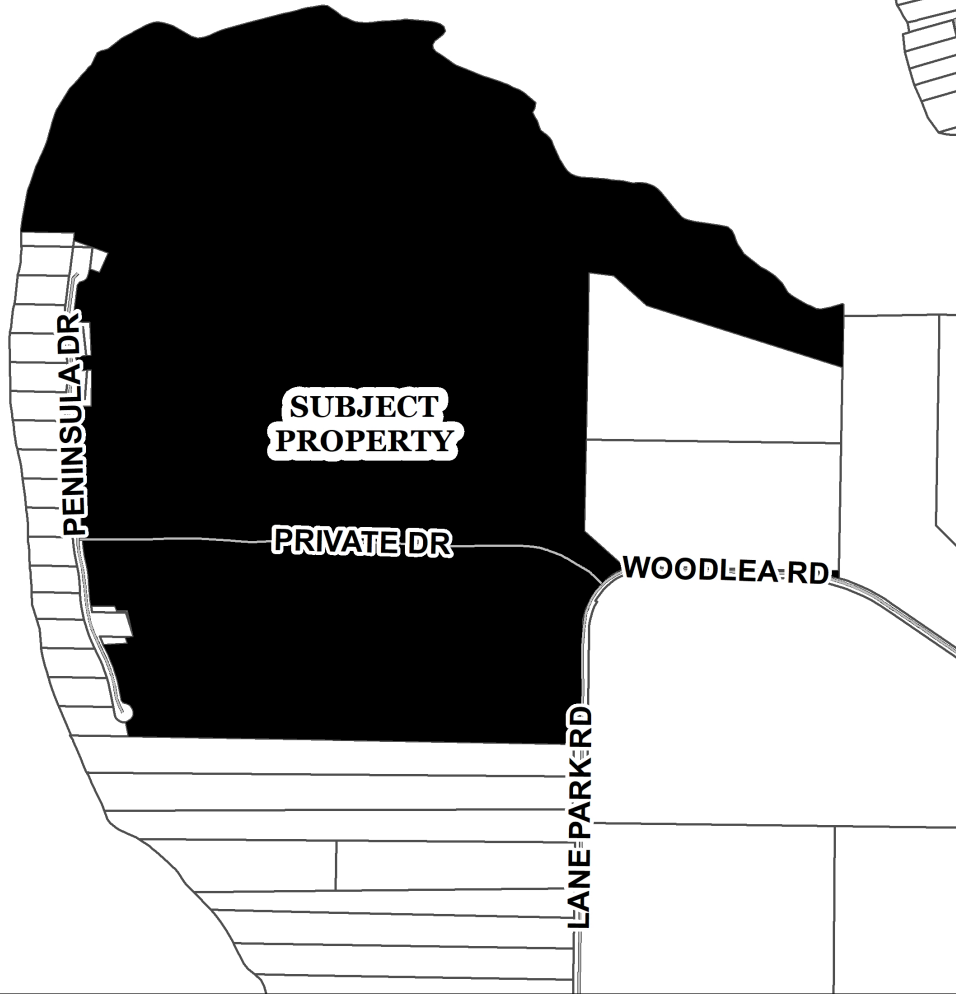
TOGETHER WITH EASEMENT INTEREST FOR INGRESS AND EGRESS BEING DESCRIBED AS FOLLOWS:

AN EASEMENT 50 FEET IN WIDTH FOR INGRESS AND EGRESS LYING 25 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCE AT THE SOUTHEAST CORNER OF THE S.E. 1/4 OF SECTION 35, TOWNSHIP 19 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, AND RUN N.00°08'33"E., ALONG THE EAST LINE OF THE S.E. 1/4 A DISTANCE OF 409.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 409 FEET OF THE S.E. 1/4 OF SAID SECTION 35; THENCE N.89°41'37"W., ALONG THE NORTH LINE OF THE SOUTH 409 FEET OF THE S.E. 1/4 A DISTANCE OF 2332.08 FEET; THENCE N.00°18'23"E., 1504.64 FEET TO THE POINT OF BEGINNING OF THIS CENTERLINE DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN N.89°38'22"E., 244.42 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 196.47 FEET; THENCE SOUTHEASTERLY ALONG AND WITH SAID CENTERLINE THROUGH A CENTRAL ANGLE OF AN ARC LENGTH OF 280.28 FEET TO THE END OF SAID CURVE; THENCE S.08°37'28"E., 494.21 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 366.98 FEET; THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 135°37'59" AN ARC LENGTH OF 868.73 FEET TO THE END OF SAID CURVE; THENCE N.35°44'33"E., 390.91 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°07'15" AN ARC LENGTH OF 26.81 FEET TO THE END OF SAID CURVE; THENCE N.30°37'18"E., 175.06 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 279.13 FEET AND A RADIAL BEARING OF S.30°37'18"W.; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46° 16'47" AN ARC LENGTH OF 225.46 FEET TO THE END OF SAID CURVE; THENCE N.74°20'30"E., 214.14 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 272.70 FEET; THENCE EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°37'34", AN ARC LENGTH OF 274.27 FEET TO THE END OF SAID CURVE; THENCE S.48°01'56"E., 296.94 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 200.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°21'56" AN ARC LENGTH OF 43.16 FEET TO THE END OF SAID CURVE; THENCE S.35°40'00"E., 97.91 FEET, MORE OR LESS, TO THE CENTERLINE OF WOODLEA ROAD (COUNTY ROAD NO. 3-3840); RETURN TO THE POINT OF BEGINNING AND RUN S.89°38'22"W., 318.09 FEET TO A POINT ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1000.00 FEET AND A RADIAL BEARING OF S.80°47'03"W.; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°56'31" AN ARC LENGTH OF 278.24 FEET TO THE END OF SAID CURVE AND BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 750.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°29'10" AN ARC LENGTH OF 215.80 FEET TO THE END OF SAID CURVE AND BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 750.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°28'27", AN ARC LENGTH OF 215.65 FEET AND THE END OF SAID CURVE; THENCE N.06°42'52"E., 187.93 FEET; THENCE S.83°17'08"E., 25.00 FEET TO THE END OF THIS CENTERLINE DESCRIPTION.

LESS AND EXCEPT, ANY RIGHTS-OF-WAYS AS SHOWN ON THE PLAT OF THE PENINSULA, AS RECORDED IN PLAT BOOK 36, PAGES 1 THROUGH 3, INCLUSIVE AND A REPLAT OF THE PENINSULA AS RECORDED IN PLAT BOOK 36, PAGES 32 THROUGH 34, INCLUSIVE, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CITY OF TAVARES

Lake Harris



Property Location Map



EXHIBIT "B"

LAND USE:
 GROSS LAND AREA = 220.09 ACRES
 NET LANDS = 171.13 ACRES
 NET LANDS PER ACRE = 1.71
 UPLAND DENSITY = 0.66/22.66 = 9.00
 WATER DENSITY = 1.7/1.71 = 1.7
 OVERALL DENSITY = 0.66/22.66 + 1.7/1.71 = 2.94
 52 AND 60 LOTS = 469 LOTS (75%)
 FLUM = LOW DENSITY
 ZONING = PD

PROPOSED IMPROVEMENT:
 170 MINIMUM BUFFER WHICH INCLUDES
 170 MINIMUM BUFFER WHICH INCLUDES
 PENNSYLVANIA DRIVE

LANDSCAPE BUFFERS:
 ADJACENT TO THE LAKE JUST THE 25' AVERAGE WIDTH BUFFER
 SOUTH TYPE C
 EAST TYPE C
 ALONG WOODLEA AND LAKE PARK TYPED

NOTES:

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE DUE TO ENGINEERING AND MARKET CONSIDERATIONS.
2. LANDSCAPE BUFFERS SHALL BE IN ACCORDANCE WITH THE CITY OF TAMARIS.
3. THE ROADS TO BE PRIVATE.
4. ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF TAMARIS CODE OF ORDINANCES AND THE CITY OF TAMARIS CONSTRUCTION SPECIFICATION MANUAL (CSM) FOR DESIGN CONSTRUCTION AND MAINTENANCE OF WATER WASTEWATER AND RECLAIMED WATER STREETS AND DRAINAGE SYSTEMS OR OTHERWISE SPECIFIED ON THE PD CHANGE.
5. ALL UTILITIES SHALL MEET CITY'S LATEST EDITION OF THE CSM.
6. PROPERTY SHALL BE DEVELOPED AS AN ACTIVE ADULT COMMUNITY.
7. PER POLICY 3.4 THERE WILL BE AN AVERAGE OF 20 UP AND BUFFERS ENGINEER.
8. AMENITIES SHALL INCLUDE BUT NOT LIMITED TO MARINA, CLUB HOUSE, SWIMMING POOL, TENNIS COURTS, TRAILS, DOG PARK, PICKLE BALL, AND OTHER PASSIVE ACTIVE RECREATIONS.
9. PROJECT WILL MEET ALL STORMWATER RULES FOR THE CITY OF TAMARIS AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.
10. SIGNAGE SHALL CONFORM TO THE APPROVED PD BY THE CITY OF TAMARIS.
11. WATER AND SEWER IS NOT CURRENTLY AVAILABLE TO THE SITE IN ACCORDANCE WITH THE CITY OF TAMARIS RESOLUTION 2021-23 THE CITY PLANS ON EXPANDING OR SILE CAPITAL UTILITIES.
12. THE DEVELOPER SHALL BE RESPONSIBLE FOR ALL MAJOR EXPANSIONS TO THE EXISTING UTILITY SYSTEMS REQUIRED TO SERVE THE DEVELOPMENT.
13. CAPITAL UTILITY LINE EXPANSIONS REQUIRED TO SERVE THE DEVELOPMENT MAY BE INSTALLED BY THE CITY, AND THE CITY MAKES NO THE COMMITMENT AS TO WHEN THE LINES WILL BE CONSTRUCTED.

LANDSCAPE BUFFERS:
 ADJACENT TO THE LAKE JUST THE 25' AVERAGE WIDTH BUFFER
 SOUTH TYPE C
 EAST TYPE C
 ALONG WOODLEA AND LAKE PARK TYPED

NOTES:

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE DUE TO ENGINEERING AND MARKET CONSIDERATIONS.
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7. PER POLICY 3.4 THERE WILL BE AN AVERAGE OF 20 UP AND BUFFERS ENGINEER.
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11. WATER AND SEWER IS NOT CURRENTLY AVAILABLE TO THE SITE IN ACCORDANCE WITH THE CITY OF TAMARIS RESOLUTION 2021-23 THE CITY PLANS ON EXPANDING OR SILE CAPITAL UTILITIES.
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13. CAPITAL UTILITY LINE EXPANSIONS REQUIRED TO SERVE THE DEVELOPMENT MAY BE INSTALLED BY THE CITY, AND THE CITY MAKES NO THE COMMITMENT AS TO WHEN THE LINES WILL BE CONSTRUCTED.

DATE: 4/23/22
DESIGNED BY: COWI & S
CHECKED BY: COWI & S
DATE: 05/04/2022
FILE NAME: 220000000
PROJECT: CRESSWIND

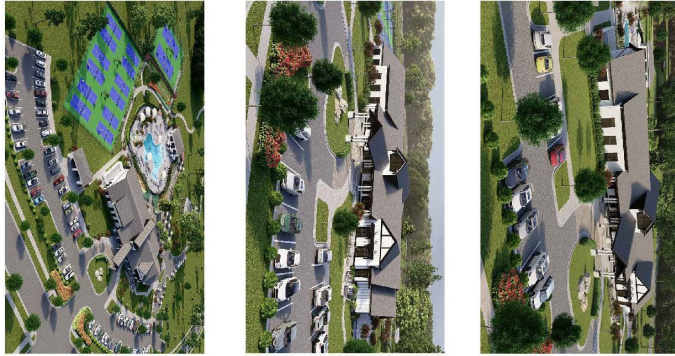
SHEET 1

CRESSWIND AT LAKE HARRIS EXHIBIT B CONCEPTUAL PLAN

HALFF
 922 North Stock Ave. Office 562-343-4481
 Tampa, Florida 33628 Fax 813-282-3448
 Certificate of Authorization Number: 33380

DATE: _____
 REVISION: _____
 SCALE: 1" = 200'
 0 100 200

NOTES:
 1. RECREATION / AMENITY IS AN EXAMPLE REPRESENTATION OF THE FACILITIES TO BE PROPOSED FOR CRESSWIND LAKE HARRIS. THE FACILITIES WILL BE DETERMINED BY THE CITY AND SUBJECT TO SITE PLAN / LANDSCAPE APPROVAL BY THE CITY.



DATE	4/28/22
DRAWN BY	OSWALD
CHECKED BY	OSWALD
DESIGNED BY	OSWALD
FILE NAME	20220507
SHEET 2	

HALFF
 100 North Chesley Ave.
 Tallahassee, Florida 32310
 Office: 904.343.6481
 Fax: 904.343.6486
 Certificate of Authorization Number: 32380

**CRESSWIND AT
 LAKE HARRIS
 EXHIBIT B
 EXAMPLE AMENITY**

DATE	PROVISION
10/20/21	PROPOSED BUS/SHUTTLE PICK UP/DROPOFF AND PARKING



Club Coming Soon Sign Example 2

Model Park, Welcome Center and Design Gallery

Coming Soon Sign Example 1

Example 1



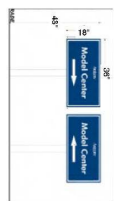
Example 2



Burma shaves or Banners pending light posts



Directional Signs



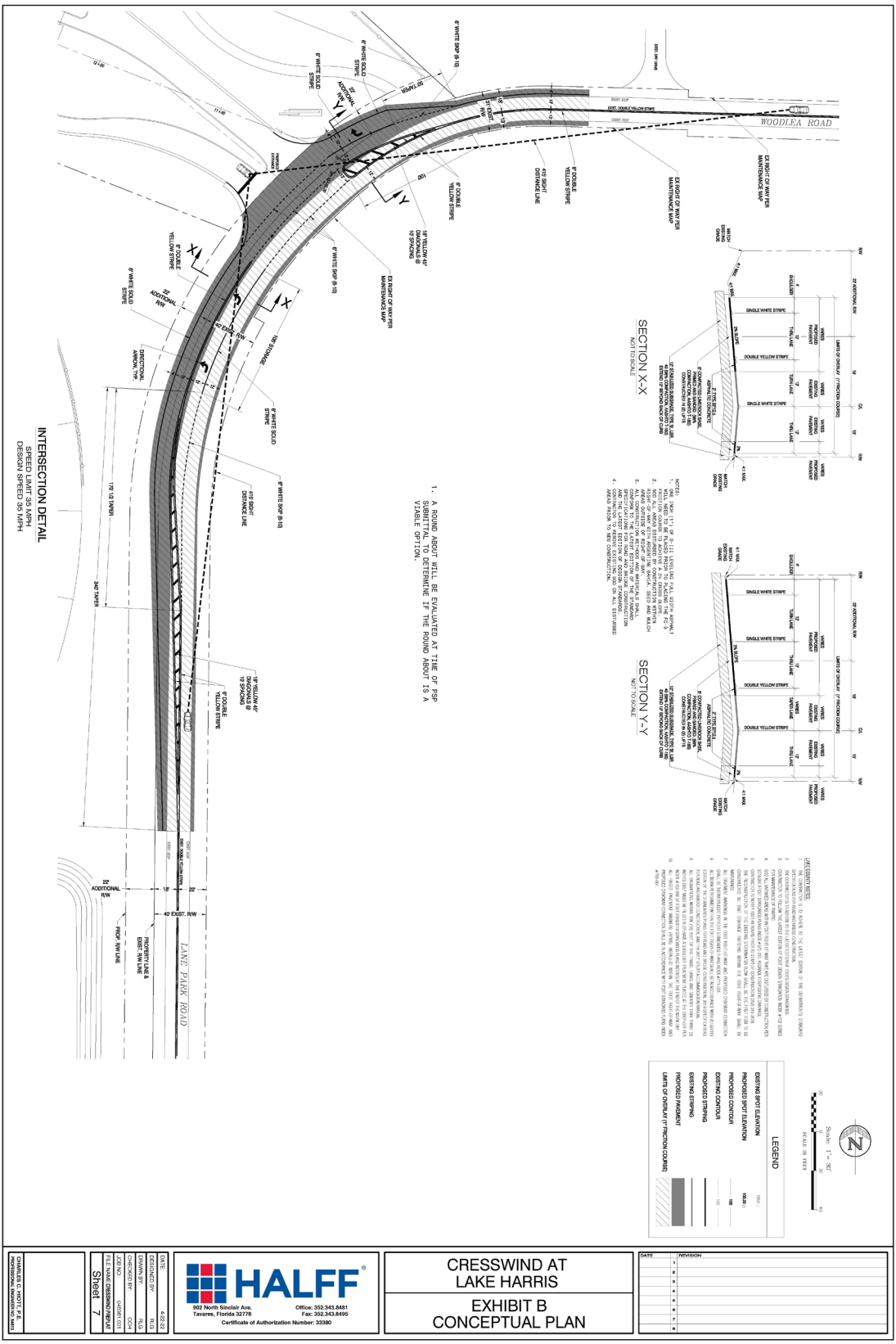
DATE	REVISION

CRESSWIND AT LAKE HARRIS EXHIBIT B SIGNAGE

202 North Sinder Ave.
Troy, Florida 32711
Office: 352.343.8661
Fax: 352.343.8660
Certificate of Authorization Number: 33882

DATE	4-23-22
DESIGNED BY	CROSSWIND
DRAWN BY	CROSSWIND
CHECKED BY	CROSSWIND
DATE	4-23-22
CHECKED BY	CROSSWIND
DATE	4-23-22
CHECKED BY	CROSSWIND

CROSSWIND AT LAKE HARRIS
PHASE I, II, III, IV
SIGNAGE



1. A ROUND ABOUT WILL BE EVALUATED AT THE OF POS SUBMITTAL TO DETERMINE IF THE ROUND ABOUT IS A VIABLE OPTION.

INTERSECTION DETAIL
DESIGN SPEED 30 MPH

EXISTING SPOT ELEVATION	PROPOSED SPOT ELEVATION
(Symbol)	(Symbol)
EXISTING CONTROL	PROPOSED CONTROL
(Symbol)	(Symbol)
EXISTING STRIPING	PROPOSED STRIPING
(Symbol)	(Symbol)
EXISTING PAVEMENT	PROPOSED PAVEMENT
(Symbol)	(Symbol)
LIMIT OF CONTROLLY PAVEMENT CORNER	(Symbol)

- LIST OF NOTES:
1. THE DESIGN SPEED IS 30 MPH.
 2. THE DESIGN SPEED IS 30 MPH.
 3. THE DESIGN SPEED IS 30 MPH.
 4. THE DESIGN SPEED IS 30 MPH.
 5. THE DESIGN SPEED IS 30 MPH.
 6. THE DESIGN SPEED IS 30 MPH.
 7. THE DESIGN SPEED IS 30 MPH.
 8. THE DESIGN SPEED IS 30 MPH.
 9. THE DESIGN SPEED IS 30 MPH.
 10. THE DESIGN SPEED IS 30 MPH.

SECTION X-X
NOT TO SCALE

SECTION Y-Y
NOT TO SCALE

DATE	4-28-23
DESIGNED BY	NLS
DRAWN BY	NLS
CHECKED BY	CDC
DATE	4-28-23
SHEET	7

HALFF
 500 North Haskell Ave.
 Tavares, Florida 32778
 Office: 352.343.8811
 Fax: 352.343.8495
 Certificate of Authorization Number: 33390

CRESSWIND AT LAKE HARRIS
EXHIBIT B
CONCEPTUAL PLAN

DATE	REVISION

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
May 19, 2022**

BOARD MEMBERS PRESENT

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

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Planning Coordinator
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 to the February 17, 2022 Planning and Zoning Board Meeting minutes. There were none.

MOTION

Bruce Peterman moved to approve the minutes of the February 17, 2022 Planning and Zoning Board Meeting, seconded by Brooke Matthews. The motion carried unanimously 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Mr. Fitzgerald asked the Board Members if there were any ex parte communications.

Board Member Peterman stated he was contacted via e-mail by three people and did not respond.

Board Member Treadwell stated she was contacted via e-mail by three people and replied to one person and suggested they attend the board meeting.

Chairman Santoro stated he was contacted by three people.

Vice-Chairman Murphy stated she was contacted by three people.

PUBLIC HEARING

Recommendation on Ordinance 2022-03 – Conner Property – Rezoning of Approximately 2 Acres Located South of Dora Ave., West of Dillard Rd.

Mr. Fitzgerald gave the following presentation:

SUMMARY:

The subject property consists of approximately 02.00 acres of vacant property located south of Dora Avenue, west of Dillard Road. The property is currently zoned as Planned Development (PD), and the applicant is proposing that the property be rezoned to a newly stated Planned Development (PD) that includes an adult-age restricted provision.

The proposed zoning of Planned Development (PD) is compatible with the surrounding zoning, which is a mixture of residential and commercial zoning. The property contains one (1) single family residence, and the applicant at this time envisions the construction of two (2) additional detached residential single family homes and eight (8) attached duplex units. The duplex units shall be adult age restricted per the zoning provisions contained in Ordinance 2022-03. 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 property owner is applying for school impact exemption for the age-restricted duplex portion of the development. The two additional single family homes will not be age restricted and have a negligible impact on school capacity.

The environmental assessment submitted by Wicks Engineering Services, 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 traffic generated by the proposed development will have a minimal impact on surrounding roadways and is exempt from a Tier 1 traffic study per the City's Engineer.

Development of the property will be in accordance with the provisions of Ordinance 2022-03 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 future land use designation of the property is Low Density with an allowance of 5.6 dwelling units per acre, and this designation is not affected by the rezoning.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2022-03 rezoning of approximately 02.00 acres of property located south of Dora Ave., west of Dillard Rd. to a newly stated Planned Development (PD).

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-03

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-03 rezoning of approximately 02.00 acres of property located south of Dora Ave., west of Dillard Rd. to a newly stated Planned Development (PD).

Ed Holder, 11312 Dead River Rd, Tavares noted it would not have negative impacts on the schools or roads.

Ms. Roberts swore those in that were present.

Ted Wicks, Wicks Engineering, Tavares, applicant noted he is present for questions.

Board Member Treadwell asked for clarification if the existing home will remain and where the access will be located.

Mr. Wicks stated the existing home and duplex will use the existing driveway to access their homes.

MOTION

Deborah Murphy moved to recommend approval [Option 1] of Ordinance 2022-03, seconded by Bruce Peterman. The motion carried unanimously 5-0

2) Recommendation on Ordinance 2022-05 – Gorgeous Groves, Inc. – Rezoning of Approximately 220 Acres Located West of the Intersection of Woodlea Rd. and Lane Park Rd.

SUMMARY:

The subject property consists of approximately 220 acres of vacant property located west of the intersection of Woodlea Road and Lane Park Road. The property is currently

zoned as Residential Single Family (RSF-A), and the applicant is proposing that the property be rezoned to a Planned Development (PD) that includes an adult-age restricted provision.

The proposed zoning of Planned Development (PD) is compatible with the surrounding zoning, which is a mixture of residential and County agricultural zoning. The applicant at this time envisions the construction of a master-planned age-restricted community consisting of 625 single-family dwelling units and active adult amenities including a club house, community pool, tennis & pickle ball courts, and a community marina. The proposed development will be a private gated community with private roads. Ordinance 2022-05 provides for flexibility in site and building design with a range of lot sizes from forty feet (40') to sixty feet (60') in width, preservation of open space and scenic areas, and large landscape buffers. The proposed use is consistent with the Comprehensive Plan by ensuring the availability, quality, and sustainability of a mix of housing types in Tavares. In accordance with the Comprehensive Plan, the proposed development implements urban design principles promoting a livable community, preserves the character of existing homes by providing a 170' wide landscape buffer, and takes into consideration the historical context of previous City Council approval as a private master-planned community.

The property owner shall apply to Lake County for school impact exemption for an age-restricted community.

The environmental assessment submitted by Bio-Tech Consulting, 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 and U.S. Fish and Wildlife Service provisions as they pertain to threatened and protected species.

The traffic analysis submitted by Luke Transportation Engineering Consultants assesses the impact of all phases of the proposed Cresswind development. The study does not indicate an adverse impact on the level of service for surrounding roadways except for State Road 19. The City of Tavares maintains an initiative per the 2017 Peninsula Area Roadway Corridor Study to provide residents with a safe transportation corridor that is a north-south alternative route to State Road 19, and improve local mobility and circulation west of State Road 19 from Dead River Road to Lane Park Road. The Cresswind developer is working with the City of Tavares and Lake County regarding a proportionate share of traffic mitigation and will propose a Developer's Agreement for the design, funding, and construction of improvements necessary for a portion of the Captain Haynes Road extension from Woodlea Road extending south approximately 1300 feet. This segment of Captain Haynes Road will also serve as ingress / egress for the future Lake County school site located south of Woodlea Road, and the School Board has agreed to dedicate a 1/2 acre of School Board property as right-of-way for this purpose. A Developer's Agreement regarding such traffic mitigation improvements will be presented for City Council consideration at a later date, and will include a request for dedication of a certain amount of City-owned property as right of-way for Captain Haynes Road. The entrance to the development shall be designed in such a way as to ensure safe ingress / egress for the community. Any additional required improvements to Woodlea Road shall be at the discretion of Lake County Public Works, City of Tavares staff, and the City Engineer during the site plan review process.

The developer acknowledges that city utility services for potable water and waste water are currently not available for the site, and that development of the subject property is contingent upon the construction of and connection to city utility services. The City of Tavares has initiated extending capital utility lines to the Peninsula area through the approval of Resolution 2021-23 on September 8, 2021.

Development of the property will be in accordance with the provisions of Ordinance 2022-05 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 future land use designation of the property is Suburban Density with an allowance of 3 dwelling units per acre, and this designation is not affected by the rezoning.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2022-05 rezoning of approximately 220 acres of property located west of the intersection of Woodlea Rd. and Lane Park Rd. from Residential Single Family (RSF-A) to Planned Development (PD).*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-05.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-05 rezoning of approximately 220 acres of property located west of the intersection of Woodlea Rd. and Lane Park Rd. from Residential Single Family (RSF-A) to Planned Development (PD)

Tara Tedrow – Lowndes Law, 215 N Eola Dr, Orlando, Representative for the Applicant

Ms. Tedrow provided presentation a PowerPoint presentation with some of the following highlights (*the following presentation is on file in the City Clerk's office and is available by request*):

- 30% open space on the property
- Not changing allowable density on the property
- Age-Restricted gated resort community.
- Forever homes customized with smaller backyards.
- Under approved future land use and zoning density.
- HOA provided maintenance, design, and esthetics standards.
- 30% open space plus an eleven-acre amenities center.
- 4-foot-wide sidewalks on both sides of the private street.
- 17 acres of undisturbed wetlands on the property.
- Lifestyle director on-site with Fitness Center.
- Not a starter home community.
- Meets Comprehensive Plan standards.

- Compatible with surrounding zoning.
- High-end homes – the entire community is HOA maintained, homes are fee simple ownership
- Voluntary community meetings were held to engage with residences – voluntary concessions:
 - Kolter agreed to provide fencing between the properties, as the residents had requested.
 - Agreed to provide open aluminum rail fencing on the property line of the Peninsula.
 - Large 170-foot buffer from property line to The Peninsula property.
 - Agreed to revise our plan to include two full lanes entering and exiting.
 - Agreed to have a private gate for The Peninsula homeowners and another gate for Cresswind.
 - Separate HOA.
 - Kolter agreed to not have rentals for less than 6 months.
 - Kolter will agree to commit to providing water and sewer to the Peninsula in Phase 2.

Traffic Analysis

- Study analyzed a 1-mile area of influence.
- Project would generate approximately 138 a.m. peak hour trips and 188 p.m. peak hour trips.
- Kolter will:
 - Donate right of way for Woodlea Road and Lane Park Improvements.
 - As suggested, 12-foot-wide lanes with 4-foot-wide shoulders along project frontage.

Transportation development Agreement

- Kolter will connect Captain Haynes Roadway segments.
- The Peninsula Area Roadway Corridor Study was performed in 2017.

Comprehensive Plan

- Cresswind is compatible with surrounding zoning.
- Use is consistent with the Comprehensive Plan.
- Future Land Use Designation allows exact density requested.

Chairman Santoro asked the public for comment.

Edd Holder, 11312 Dead River Road, Tavares – Stated it was a beautiful project and noted concerns about the Comprehensive Plan, overcrowded schools, traffic on SR 19, HWY 441, and increased development.

Rick Waddell, 1730 Peninsula Drive, Tavares– noted his concern about the compliance of Ordinance 1993-37, Comprehensive Plan 2040, and access road use.

Keith Kramer, 1710 Peninsula Drive, Tavares – noted the concern of compliance with Comprehensive Plan 2040 policy 1-6.1, 1-6.2 and the desire for a private road and entrance.

Ian Crawford, 1530 Peninsula Drive, Tavares - noted his concern about density and preserving the peninsula and natural surroundings.

Dennis Schlimgen, 1600 Peninsula Drive, Tavares – noted his concern about density and loss of investment.

Jim Hall, HDSi, Orlando - noted his concerns about the Peninsulas private access road and compliance with the Comprehensive Plan 1-6.1.

Terrell Bounds, 1550 Peninsula Dr, Tavares – noted his concerns about the City obtaining a Performance Bond due to the state of the current economy.

Sue Lennard, 1440 Peninsula Drive, Tavares – noted the concern of Land Use in the Comprehensive Plan 2040, preservation of the peninsula, and passing through Kolter Homes Community to reach the Peninsula homes.

Agelos Haralampopoulos, Lot 17, Peninsula Drive, Tavares - noted his concern about preserving the property, property values, and enhancing the surrounding area.

Beverly Bounds 1550 Peninsula Drive, Tavares – noted her concern about the preserving beauty of the estate community and the property.

Tom Heerschap, 1240 Peninsula Drive, Tavares - noted concern and preference of having their own entrance.

Vance Jochim, 12619 Milwaukie Ave, Lake County – Noted his concern about a dedicated road for the peninsula and traffic. He commended Ms. Tedrow for meeting with and addressing the concerns of the residents.

Patrick Willis, 2121 S Hiawassee Rd, Orlando – the attorney representing homeowners, noted his concern regarding the shared access road for the Peninsula, HOA, and proposed ordinance.

Edwin Drew, 955 Mansfield Road, Tavares - noted the concern about HOA Regulations, traffic, and wildlife.

Kathy Kramer, 1710 Peninsula Drive, Tavares - noted her concern about increased development, and traffic on Woodlea Rd, Captain Haynes Rd, and Lane Park Rd.

Rick Harrington, 11435 Peninsula Dr, Tavares – commended Ms. Tedrow for a job well done and noted the concern of Amendment 1 to the declaration to the ingress/egress and utilities was filed and consistency with Comprehensive Plan 2040 and Land Development Regulations (LDR) and quid pro quo about roads being completed for approval.

Chairman Santoro closed Public Comment.

May 19, 2022 - Planning and Zoning Board Meeting

Board Member Peterman asked about the possibility of having an additional entrance to the development and noted that they should each have their separate entrances.

Ms. Tedrow stated the underlying ingress/egress easement dates back to 1994. She noted in Section 4 of the easement states “the relocation of the easement can happen at any time at the sole discretion of the declarant at its sole cost and expense”. She stated Kolter Homes can make it a condition of approval that the Peninsula HOA will not be obligated to pay for any of Kolters’ improvements on their site. She noted the engineer is available for questions.

Board Member Matthews asked about the possibility of a redesign of the community to accommodate an additional road.

Brett Tomais, 902 N. Sinclair Ave, Tavares, HALFF Associates, Civil Engineer, addressed the roadway that is proposed along the southern border of the proposed development. The roadway must make accommodations for emergency vehicles as well as stormwater retainers for the roadway, buffers, grading requirements, and drainage. He noted he does not believe 30 feet is enough space.

Chairman Santoro asked how wide the easement is. Mr. Tomias stated the existing easement is 30 feet.

Scott Morton, Senior Vice President, Planning and Entitlement, Kolter Homes, stated when planning 100 feet right of way is allocated to accommodate two lanes in each direction, center median, call box, security, and means of entry at the entrance.

Chairman Santoro asked if the existing easement has to be relocated. Ms. Tedrow confirmed the access road must be relocated and replaced.

Mr. Morton said the originally recorded easement is serpentine throughout the project. The recoded replacement easement places the easement over the existing road.

Board Member Treadwell noted the concern of maintenance of homes, development, and a need for a separate road for the Peninsula.

Ms. Tedrow asked if the main concern is a need for a separate access road to the Peninsula and requested a recess. Chairman Santoro confirmed.

There was a recess from 5:09 p.m. to 5:36 p.m.

Ms. Tedrow asked for a recommendation of approval conditioned upon the applicants submitting plans, prior to City Council, that provides an access route to Peninsula Drive residents that does not go through our community for access and provide flexibility to the developer with buffer setbacks on the current plan.

Chairman Santoro asked Attorney Holt if the recommendation has her approval. Attorney Holt confirmed and stated Kolter is asking for a recommendation to City Council with that stipulation

and said the Planning and Zoning Board can approve it as originally presented or make a motion to approve it as amended.

Mr. Fitzgerald clarified Ms. Tedrow brought up setbacks and the consideration that is being presented and some flexibility on the buffer of 170 feet between the Peninsula and Cresswind Community.

Chairman Santoro asked Ms. Tedrow regarding the quid pro quo. Ms. Treadwell clarified there is not a quid pro quo and City staff created a solution to a problem that has been identified by the Lake Sumter MPO as a top priority. Ms. Tedrow confirmed Kolter Homes is pleased to work with Lake County, Lake County School Board, and the City to be part of the regional solution in fixing the North-South connector road.

Chairman Santoro asked Kolter Homes if recreational vehicles such as boats and motorhomes are permitted. Mr. Morton stated recreational vehicles are not allowed in Cresswind Communities and would need to find a self-storage off-site.

Board Member Treadwell asked who will provide maintenance to the access road leading to the Peninsula and the road within the community. Ms. Tedrow stated interior roads will be maintained by Kolter Homes as stated in the Developers Agreement. Pertaining the private access road to the Peninsula would be maintained by The Peninsula HOA.

MOTION

Deborah Murphy moved to recommend approval [Option 1] of Ordinance 2022-05 as amended per the discussion above, seconded by Bruce Peterman. The motion carried unanimously 5-0.

3) Recommendation on Ordinance 2022-04 – City Impact Fee Waiver for Property Located Within the Community Redevelopment Area (CRA)

Mr. Fitzgerald gave the following presentation:

SUMMARY:

The City of Tavares established a Community Redevelopment Area (CRA) in 1995 with subsequent boundary expansions in 2006 and 2013. The City of Tavares recognizes the significance of the CRA as an area for tourism, professional offices, retail, dining, mixed housing choices, seaplane base operations, institutional, and cultural activity. The CRA is identified as a focus area for economic development through the adopted Community Redevelopment Plan, the Downtown Master Plan, and the Economic Development Strategy. The City's Comprehensive Plan promotes the implementation of incentives to encourage redevelopment and to attract business and industry. Promoting infill development within the CRA as a smart growth initiative serves to direct development towards the existing downtown core, utilizes existing infrastructure, and makes use of economically viable property. Quality infill projects can lead to neighborhood revitalization and a potential increase in property value, which are primary goals of the

CRA. Within the boundary of the CRA there are approximately thirty (30) acres of vacant property with a mixture of land use and zoning classifications.

The City of Tavares is experiencing an influx of growth, as many communities in Florida are experiencing. However, there is limited development interest within the CRA boundary. Investment in an infill project can present some challenges for developers, including assembly of fragmented property, potential environmental cleanup, limited financing options, demolition cost, higher construction costs for commercial and multi-story buildings, and impact fees. In accordance with the Comprehensive Plan, the City of Tavares has the opportunity to consider an incentive program designed to encourage redevelopment within the CRA boundary. Ordinance 2022-04 proposes an incentive program that waives city impact fees for water, sewer, police, fire, and parks for building permits issued to properties located in the CRA for a period not to exceed June 7, 2025.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2022-04, a temporary City impact fee waiver for property located within the Community Redevelopment Area (CRA).*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-04.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-04, a temporary City impact fee waiver for property located within the Community Redevelopment Area (CRA).

FISCAL IMPACT:

City impact fees are not collected for CRA development.

MOTION

Brooke Matthews moved to recommend approval [Option 1] of Ordinance 2022-04, seconded by Dara Treadwell. The motion carried unanimously 5-0.

OTHER BUSINESS

Mr. Fitzgerald said the Smart Growth Workshop will be held on Monday, June 13, 2022, from 6 PM-8 PM in the City Council Chambers.

Chairman Santoro inquired about moving the Planning and Zoning Board Meeting to be before the City Council Meeting. Mr. Fitzgerald confirmed the Planning and Zoning Board would like to move the Board Meeting to the 2nd Thursday of the month. Chairman Santoro confirmed.

Attorney Holt stated Council can watch the Planning and Zoning Board Meeting and suggested to place moving the meeting on the agenda.

PUBLIC COMMENT

Vance Jochim, 121619 Milwaukee Ave, Lake County, noted the concern of signs for hearings and increased development.

ADJOURNMENT

MOTION

Dara Treadwell moved to adjourn the meeting at 6:06 p.m., seconded by Brooke Matthews. The motion carried unanimously 5-0.

Respectfully submitted,

Jillian Roberts,
Deputy City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 11

SUBJECT TITLE: Award of Bid # 2022-0012 to Sand Court Experts for Sand Volleyball Court & Lighting (Economic Development)

OBJECTIVE:

For Council to award Bid # 2022-0012, Request for Proposal for a new volleyball court and lighting for existing courts in Tavares, in the amount of \$125,500 to Sand Court Experts and authorize the re-allocation of \$18,000 in reserve funds from the Council Authorized American Rescue Plan (ARPA) spend plan to cover a project budget shortfall in that amount.

SUMMARY:

On February 16, 2022, the City Council approved a project spending plan for the \$8,889,651 allocated Federal American Rescue Plan Act (ARPA) funding. The plan identifies and allocates funding to specific, ARPA-eligible City projects in various areas throughout the City. Among these projects is the allocation of \$32,500 for the construction of a third sand volleyball court to enhance existing outdoor recreational facilities at Wooton West, as well as an allocation of \$75,000 to add lighting to this new court and the existing two courts to enhance public health and safety in this area. The courts and lighting projects were combined into one Request for Proposal (Bid # 2022-0012). The project was publicly solicited and advertised consistent with City and Federal procurement policies for 30 days from May 8th, 2022, closing on June 9th 2022.

One bid was received from Sand Court Experts Inc. of Eustis, FL for \$137, 869, which exceeds the total project budget combined allocation of \$107,500 by \$30,369 (\$137,869 bid - \$107,500 budget allocation).

The staff has worked with Sand Court Experts to value engineer the scope of the project down to a lower bid price of \$125,500 (see revised proposal attached) while preserving all of the significant elements of the project including:

- One (1) complete new sand volleyball court adjacent to and integrated with the two existing courts.
- Concrete border
- Decorative court wall for all 3 courts
- Electrical and lighting installation for all three (3) courts.

This leaves a budget shortfall of \$18,000 in the currently available and council-approved ARPA Spend Plan budget for this item. However, in anticipation of projects coming over budget in this current construction market, the Council did budget \$787,812 in ARPA project reserves to cover issues like this..

OPTIONS:

1. For the Council to award Bid # 2022-0012, Request for Proposal for a new volleyball court and lighting for existing courts in Tavares, in the amount of \$125,500 to Sand Court Experts and authorize the re-allocation of \$18,000 in reserve funds from the Council Authorized American Rescue Plan (ARPA) spend plan to cover a project budget shortfall in that amount.
2. For the Council to not award Bid # 2022-0012,

STAFF RECOMMENDATION:

Staff recommends that Council moves to approve option 1.

FISCAL IMPACT:

Project funding in the amount of \$107,500 (\$75,000 for lighting and \$32,500 for the construction of a third sand volleyball court) has been allocated and is available under the Council-approved ARPA spend plan. The additional \$18,000 required to fund this project is available within the ARPA project reserve allocation of \$787,812.

LEGAL SUFFICIENCY:

Legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 2022-0012 RFP VB Court and Lighting Final (002)
2. Bid2022-0012Results
3. SandCourtExpertsRevisedProposal

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

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 12

SUBJECT TITLE: Discussion of Downtown/Waterfront Entertainment District Events (Mayor)

OBJECTIVE:

For the City Council to discuss the current special event policy (attached) as it relates to the number of special events permitted in the Waterfront Entertainment District on an annual basis and direct staff accordingly.

SUMMARY:

At the previous City Council meeting, under "New Business", the Mayor introduced an item of concern expressed by some City residents and business owners regarding the number and frequency of permitted special events taking place in the Downtown Waterfront Entertainment District. After some discussion on the matter, Council decided by consensus that the item should be agendaized and brought back for formal discussion and public comment at the next Council meeting. Attached are both the current City of Tavares Special Events Policy and the current 2022 calendar of events.

OPTIONS:

1. Move to limit the number of special events to the current number of approved events for the current year and direct staff to make the appropriate policy change to reflect this change.
2. Do not move to limit the number of special events to the current number of approved events for the current year and direct staff to make the appropriate policy change to reflect this change.

STAFF RECOMMENDATION:

Council initiated item, no staff recommendation.

FISCAL IMPACT:

No fiscal impact.

LEGAL SUFFICIENCY:

Legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Policy 16 - Special Events_Policy
2. Tavares_2022EventCalendar_6.24.2022

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

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 13

SUBJECT TITLE: School Resource Officer Agreement With Lake County School Board (Police)

OBJECTIVE:

To obtain approval to enter into an agreement for a school resource officer at Tavares Elementary school between the City of Tavares and Lake County School Board.

SUMMARY:

The Lake County School Board (LCSB) provides funding for a police officer to be at Tavares Elementary for security and safety during the school year. This will be the fifth year in which the LCSB and City have entered into this agreement. During the times when there is no school, SRO will be available for duties within the department.

OPTIONS:

1. Approve the agreement between the City of Tavares and LCSB to provide a police officer at Tavares Elementary
2. Do not approve the agreement

STAFF RECOMMENDATION:

Staff recommends Option 1

FISCAL IMPACT:

The LCSB will pay the City of Tavares \$65,787.00 for a police officer during the school year. This amount has been budgeted in the proposed FY22-23 budget. The cost of the currently assigned officer to the City is \$81,041.42 including benefits. The funding provided by the LCSB covers the nine months for the SRO. If any overtime is incurred as a result of being an SRO, the LCSB will reimburse for the overtime.

LEGAL SUFFICIENCY:

Yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. City of Tavares SY22-23

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

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 14

SUBJECT TITLE: Award of Design-Build Contract for ARPA Funded Air Quality Improvements to City Hall and Civic Center (Public Works)

OBJECTIVE:

Council to award the Design-Build contract to AMSCO for the Air Quality improvements to City Hall and Civic Center as identified in City of Tavares ARPA Funded Bid 2022-0010.

SUMMARY:

On February 16, 2022, the City of Tavares City Council Adopted Resolution 2022-02, which authorized the election of the Standard Option for funds awarded to the City of Tavares from the American Rescue Plan Act of 2021 (ARPA). The Resolution provided a Spend Plan that included Air Quality improvements to City Hall and the Civic Center.

In response to the approval of the City of Tavares ARPA Spend Plan, A Request For Qualifications (RFQ) solicitation was issued and advertised on March 27th, 2022 for a Design Build contract for City Hall and Civic Center Air Quality Improvements.

RFQ's were received and opened on May 5th, 2022 with two professional design-build firms responding. The two responding firms and their respective proposals are depicted below:

- **Air Mechanical & Service Corp. (AMSCO)**

4311 W. Ida Street
Tampa, FL 33614

- **DCL Engineering**

800 Highland Avenue, Suite 102
Orlando, FL 32803

On June 22, City Public Works Professionals, including the Public Works Director, Facilities Manager and Streets Supervisor staff evaluated the proposals based on the criteria of the Request For Qualifications (RFQ). The committee member's evaluation results recommend Air Mechanical & Service Corp. (AMSCO) be awarded the contract based on their successful government design-build experience.

If approved, staff will negotiate a contract to design and build the HVAC air quality improvement needed for these two public buildings within the budget allocated for these projects.

OPTIONS:

1. Council moves to award the Design-Build contract to AMSCO for the HVAC Design/Build and Construction improvements to City Hall and the Civic Center and authorize the City Administrator to execute all related contract documents within the allocated budgets for these projects.
2. The council does not award the contract.

STAFF RECOMMENDATION:

Option 1 – Council moves to award the Design-Build contract to AMSCO for the HVAC Design/Build and Construction improvements to City Hall and the Civic Center and authorize the City Administrator to execute all related contract documents within the allocated budgets for these projects.

FISCAL IMPACT:

Approved ARPA Spend Plan amount for City Hall Air Quality Improvements \$970,000
Approved ARPA Spend Plan amount for Civic Center Air Quality Improvements \$430,000

LEGAL SUFFICIENCY:

YES

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. RFQ 2022-0010 City Hall AC Design Build_
2. Orlando Sentinel Advertisement
3. Bid opening 2022-0010 City hall AC
4. Score Sheets 2022-0010
5. Minutes Selection 2022-0010

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

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 15

SUBJECT TITLE: Budget Workshop - General Fund Presentation (City Administrator)

OBJECTIVE:

To deliver, present, and discuss the General Fund Budget for the Fiscal Year 2023 (October 1, 2022, through September 30, 2023).

SUMMARY:

The City operates and oversees several enterprises including:

1. **General Government:** Police, Fire, Emergency Management, Recreational Parks, Multiple Nature Parks, Two Sport Complexes, City-Wide Beautification America-In-Bloom Program, Public Library, Street Paving & Sidewalk Program, Street Lighting, Traffic Intersection Signalizations, Golf Cart street friendly Program, Street Addressing and City Gateway & Directional Signage Program, Street Corridor Landscaping Program, City Vehicle Fleet Maintenance Program, Public Works, Governmental Administration, Finance, Reporting, Contract Management, Budgeting & Procurement, Information Technology, Building Permitting, Building Inspections, Code Enforcement, City Planning Services, Public Records Retention, Public Meeting Minutes Notation and Recording, Human Resources Management, Employee benefits and Recruitment Program, Public Communications, City Council Meetings, City Meeting Live Streaming Productions, Website and Social Media Program, Historical Museum, Economic Development, Marina, Seaplane Base, Local Community Grant Program, Public Infrastructure Insurance and Risk Management, Workers Compensation, Auto and General Property Liability Program, Federal, State & County Grant Management Programs, Two (2) Sister City Programs, Debt Service Program, Pavilion on The Lake Special Events and Wedding Facility, Two Community Civic Centers, Senior Service Programming, adult and Youth Recreation Programs, Youth Summer Camp Program, Splash Park, Play Grounds and exercise stations, Volleyball courts, boat ramps, Community Parades, Fireworks and Special Events, Planning and Zoning etc.
2. **Utilities:** Sewer Plant, Water Plant, Reclaimed Water Plant, water distribution system, sewer collection system, a reclaimed water distribution system and a utility bill collections department, and a fully certified NELAC Laboratory water quality and public health.
3. **Stormwater:** A stormwater retention, detention, collection, maintenance system, right of way mowing and tree trimming maintenance department.
4. **Garbage & Recycling collection system:** A residential garbage collection program, recycling program, and a commercial garbage collection program.
5. **Capital Program:** A five (5) year capital program utilizing grants and other sources of funds to replace and build public infrastructure.

At this first budget workshop, the Finance Department will present the General Fund Proposed Budget (#1 above), and the remaining enterprises #2-#5 will be presented at the next budget workshop.

The City Council developed broad budget priorities for the City Administrator to use as guiding principles in developing next year's FY 23 proposed budget, which included lowering the tax rate and maintaining a similar level of service for all of the above referenced City Governmental services rendered (See attached list of budget goals – **Exhibit A**).

The City Administrator and Finance Budget Department have worked with Department Director's to develop budgets to achieve the Council's broad budget goals. To achieve these goals, in addition to developing a comprehensive budget, a comprehensive "FY 2023 Cut List" list was prepared too (See attached City Administrator FY23 proposed cut list **Exhibit**

B). As in previous years, the cut list is organized into several categories:

1. "**Reduction**" means the item is still in the proposed FY 23 budget and the City Administrator has reduced the amount that was requested by the Department Director.
2. "**Cut**" means the City Administrator has removed the entire item from the budget.
3. "**Similar**" means the item was provided for in the prior year.
4. "**Enhanced**" means the item is a higher level of service than in the prior year.
5. "**Personal Services**" means a new position
6. "**Operating Expenses**" means general operating and maintenance expenses
7. "**Capital Equipment**" means operating and maintenance equipment over \$5,000 in value and more than a three-year life-span.
8. "**Capital Projects**": Over \$5,000 in value and generally requires designing, engineering, bidding, construction or fabrication and project oversight during the procurement, construction and installation process.
9. "**Debt Service**" The annual cost of the repayment toward a loan for a capital item.

It is recommended that the Council review the Cut List closely. Items on the Cut List were identified by the City's professional Department Directors as needed items to increase efficiency and productivity, but were cut by the City Administrator in order to balance the budget and meet the City Council's goal of reducing the millage rate, and maintaining a similar level of service.

Highlights of the proposed FY 23 budget are:

1. A Similar Level of Service is achieved and presented as directed by Council. (Note: New and enhanced levels of service were not included – **See Exhibit B cut "Enhanced" items**)
2. The FY 23 budget is increased by 5.13% over the current year's FY 22 Adopted Budget to maintain a similar level of service while keeping up with increases in cost including, health insurance (estimated at a 9% increase), property insurance (estimated at 10% increase), workers compensation (estimated at 10% increase), and general liability insurance (estimated at 10% increase).
3. The General Fund millage property tax rate is decreased.
4. The Debt Service millage property tax rate is decreased.
5. The Reserve appropriations is increased with a \$163,431 contribution in FY 23
6. The Fire Assessment is level funded (no rate increase).
7. Employee raises are established at the Council approved rate of 5.38% (The same amount approved for all state workers by the Governor, Florida Senate and House)
8. The 9% Increased healthcare costs is shared by employee and employer.
9. City-wide street paving is established at \$430,000 having just appropriated in FY 22 an

additional \$1,295,000 for street paving from ARPA funds.

10. The Christmas lighting program is level funded.

11. Expanded programs are cut except for: ballfield maintenance contract (\$100,000), LEAD partnership support (\$19,600), and electronic employee timekeeping software (\$20,000).

Proposed decreased property tax millage rate with a balanced budget This proposed budget is balanced and reflects a property tax millage rate decrease which is lowered from 6.7579 mills down to 6.6950 mills and a proposed debt service rate decrease that is lowered from .2391 mills down to .2234 mills. At the proposed lower millage rates, homeowners with a house valued at \$150,000 and standard homestead exemption would pay \$691.84 per year or \$57.65 per month in City Ad Valorem Property Taxes for the budget that is before Council for FY 2023.

This first budget workshop is on July 6, 2022 to deliver, present and discuss the General Fund budget. The second budget workshop on July 20, 2022 is to deliver, present, and discuss the enterprise funds (Water, Wastewater, Reclamation, Stormwater, Solid Waste, Seaplane Base/Marina, Pavilion on the Lake) and discuss this General Fund Budget. A high-level overview of Special Revenue Fund budgets will also be presented.

The maximum tentative millage rate will be set at the second budget workshop on July 20, 2022, after the budget presentation is delivered. A fourth and fifth Council budget workshop is scheduled for August 3, 2022 and August 17, 2022 to discuss all budgets followed by two Public Hearings on the budget on September 7, 2022 and September 21, 2022. The Five (5) Year Capital Plan will be delivered, presented, and discussed at the August 3, 2022 budget workshop.

Current estimates are expected to change over the next couple of weeks for State Shared revenues, general liability insurance, and workers' compensation insurance. As new estimates become available, staff will update the budget, and provide a listing of updated estimates and the effect to the proposed budget to the City Council.

It is recommended the Finance Director present details of the General Fund budget to the Council, department by department.

OPTIONS:

1. Receive the General Fund Budget
2. Do not receive the General Fund Budget

STAFF RECOMMENDATION:

It is recommended the Finance Director present the General Fund budget (expenses and revenues) department by department during which and/or after which the Council can ask pertinent questions or make pertinent comments related to the budget or the current budget cuts or reductions.

FISCAL IMPACT:

Property Tax rates are reduced and the budget is balanced as presented.

LEGAL SUFFICIENCY:

Yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Exhibit A - FY 2023 City Council Member Broad Budget Goals
2. Exhibit B - FY 2023 Proposed Budget Cut List

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

Exhibit A

City Council Member Broad Budget Goals

Mayor Lori Pfister

1. Quality of life and recreation initiatives.
2. Wooton park.
3. Fix docks.
4. YMCA.
5. Volleyball courts lights.
6. Safety initiatives, including downtown lighting.
7. Same level of service.
8. Paving.
9. Employee compensation.
10. Rolled-back rate or reduction.
11. Advance technology wise for ease of business and efficiency.

Vice Mayor Walter Price

1. Rolled-back rate if possible or continue to lower is rolled-back rate isn't possible.
2. Accelerate or continue debt payment.
3. Same level of service.
4. No new services.
5. Continue to pursue grants.
6. Increase reserves.

7. West Main St. gateway.
8. Leave blue and white Christmas lights up year-round at Chris Daniels memorial fountain.

Council Member Amanda Boggus

1. Continue working on projects including: Public Works Facility, Wooton Wonderland, benchmarking, police accreditation, fire paramedic program, street paving, Neptune 360 & base read.
2. Same level of service.
3. Lower taxes.
4. Staff raises.
5. Pursue grants.
6. Tavares Nature Park Dock.

Council Member Sandy Gamble

1. Maintain level of service.
2. Compensate employees.
3. No, or very few, new non-self-sufficient programs.
4. Continue and finish capital projects.
5. Sidewalks along Lake Shore Dr.
6. Continue working on the following: Wooton Park and Splash Park project, police accreditation, paramedic.
7. Provide services we are doing now and keep that up.
8. No new debt for new projects.

Council Member Troy Singer

1. Lower millage rate.
2. Same level of service.
3. Road paving.
4. Grants.
5. Employee support and compensation.
6. Continue working on capital projects and finish them.

Goals Shared by At Least Three Council Members

1. Continue and finish projects in progress. *(Boggus, Gamble, Singer)*
2. Same level of service. *(Boggus, Gamble, Pfister, Price, Singer)*
3. Reduce millage rate. *(Boggus, Pfister, Price, Singer)*
4. Employee compensation. *(Boggus, Gamble, Pfister, Singer)*
5. Continue to pursue grants. *(Boggus, Gamble, Singer)*

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 16

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform the Council on city-related matters.

SUMMARY:

The City Administrator will provide a summary at the meeting.

UPCOMING MEETINGS:

City Council Meeting and Budget Workshop	July 20, 2022, 4:00 p.m., Tavares City Council Chambers (<i>Proposed Budget Presentation - Enterprise Funds & Special Funds, Discuss General Fund, Set) Tentative Maximum Millage Rate)</i>
Planning and Zoning Board Meeting	July 21, 2022, 3:00 p.m., Tavares City Council Chambers
Library Board Meeting	July 20, 2022, 2:30 p.m., Tavares Library Conference Room
Code Enforcement Special Magistrate Hearing	July 26, 2022, 5:00 p.m., Tavares City Council Chambers

OUTSIDE AGENCY MEETINGS:

Lake County League of Cities	July 8, 2022, 12:00 noon, Mount Dora Golf Course
Lake Sumter MPO Executive Board Meeting	August 24, 2022, 2:00 p.m., 1300 Citizens Boulevard, Leesburg
Tavares Chamber of Commerce Business Luncheon	July 27, 2022, 11:30 a.m., Tavares Civic Center

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. Tavares_2022EventCalendar_6.24.2022

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

**AGENDA SUMMARY
TAVARES CITY COUNCIL
7/6/2022**

AGENDA TAB NO.: 17

SUBJECT TITLE: City Council Member Reports

OBJECTIVE:

To inform the Council on city-related matters.

SUMMARY:

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.