



**TAVARES CITY COUNCIL
MEETING MINUTES
JULY 20, 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
Robert Q. Williams, City Attorney
Susie Novack, City Clerk
Scott Aldrich, Community Services Director
Crissy Bublitz, Human Resources Director
Phil Clark, Utilities Director
Mike Fitzgerald, Community Development Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Sarah Coursey, Police Lieutenant
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 Mike Ellis, Umatilla Baptist Church

Pastor Mike Ellis, Umatilla Baptist Church, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Pfister asked for changes to the Agenda. Mr. Drury said the 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 150 visitors and calls in June 2022. She thanked the Council for their support.

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

Attorney Williams said there were three (3) quasi-judicial matters before the Council [Tab 4. 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.; Tab 6. Ordinance 2022-08 – Park Square Homes – Annexation & Rezoning of Approximately 3.13 Acres Located West of SR19, South of Slim Haywood Ave., North of Camp Rd.; and, Tab 8. Ordinance 2022-05 – Gorgeous Groves, Inc. – Rezoning of Approximately 220 Acres Located West of the Intersection of Woodlea Rd., and Lane Park Rd.,]. He swore in those present who wished to provide testimony.

Attorney Williams asked the Council to disclose exparte communications.

Nahas Property Annexation & Rezoning

- Council Member Gamble - none.
- Council Member Singer said he met with the applicant.
- Council Member Boggus said she met with the applicant.
- Vice Mayor Price - none.
- Mayor Pfister - none.

Park Square Homes Annexation & Rezoning

- Council Member Gamble said he received emails and a phone call from the applicant.
- Council Member Singer said he received an email and no discussions.
- Council Member Boggus said she spoke with the applicant on their plans for community development districts.
- Vice Mayor Price - none.
- Mayor Pfister - none.

Gorgeous Groves, Inc. Rezoning

- Council Member Gamble said he met with residents, developer, property owner, and engineer.
- Council Member Singer said he met with residents, developer, and engineer.
- Council Member Boggus said she met with the majority of parties involved or leader of the individual groups.
- Vice Mayor Price said he met with approximately twelve homeowners in the Peninsula on more than one occasion, developer, engineers, attorneys, and property owner.
- Mayor Pfister said she met with most everyone involved including residents, engineer, developer, and attorney.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

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

RESOLUTION NO. 2022-11

A RESOLUTION OF CITY OF TAVARES, FLORIDA; AUTHORIZING THE ACCEPTANCE OF A GRANT FROM LAKE COUNTY FLORIDA; AND THE GRANT REPRESENTS A SUBRECIPENT COMMUNITY DEVELOPMENT BLOCK GRANT-CV PROGRAM; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND 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.

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.

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.

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.

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.

VII. CONSENT AGENDA

VIII. RESOLUTIONS

Tab 3. Resolution 2022-11 – Acceptance of CDBG – CV Grant for Public Works Complex Lake Technical College Transportation Workforce Program

Ms. Houghton made the following presentation:

The City of Tavares received notice of award from the Lake County Board of County Commissioners by way of the Lake County Office of Housing & Community Services that the City of Tavares has been awarded an entitlement share of the Community Development Block Grant-CV Funding for FY 2020 allocations as a sub-recipient in the amount of \$775,497 for the Public Works Complex, Lake Technical College Transportation Workforce Program component.

The Grant provides funding in a last-in funding allocation for heavy and stationary equipment as well as fixtures needed for the Lake Technical Program Component for the Public Works Complex Operations Center as identified in Exhibit D (“Budget”) of the Grant Award Agreement.

Salient details of this grant include the following:

- The Project Title: City of Tavares Public Works Complex with Lake Technical College Transportation Workforce Program.*
- The Grant is a subrecipient award by Lake County Board of County Commissioners and awarded through the Office of Housing & Community Services.*
- The grant is identified under the Federal Catalog No. CFDA 14.218.*
- The Agreement requires Federal Grant Compliance.*
- The Agreement identifies the pass-through agency as the Lake County, Florida.*
- The City of Tavares is awarded the grant as a Sub-recipient.*
- The Grant award amount is not to exceed \$775,497 (reimbursable)*
- Grant expenditures shall be made against line item budgets specified in Exhibit D of the award agreement with LCBOCC.*
- The grant is valid upon execution of the award agreement*
- 100% of the CDBG-CV funds must be expended within six years from the date of the grant award.*

- CDBG-V funds should be expended “last in”. (see special conditions in award agreement)
- The grant is be subject to Federal and State Single Audit Requirements.
- The grant is subject to Federal Regulations identified in 2 CFR Part 200 entitled “Uniform Administrative Requirement.” Items under \$20,000 may be purchased under the Micro-purchase provisions.
- The grant requires compliance with the requirements of Title 24 of the Code of Federal Regulations, Part 570.
- The grant requires compliance with the laws of the state of Florida and with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive order 11063 and with Executive Order 1246 as amended by Executive Order 11375 and 12086.
- All Federal Cross-Cutting requirements apply including Financial Management and Procurement, Environmental Review, Federal Labor Standards, Acquisition and Relocation and Fair Housing and Non-Discrimination.

The Public Works Complex with Lake Technical Workforce Program will include additional funding to complete the project. Funding sources for the project include the following:

- \$6,000,000 – Florida Job Growth Infrastructure Grant – FL DEO
- \$4,500,000 – City Borrowing
- \$ 775,497 – CDBG-CV
- \$3,100,000 – Federal ARPA
- \$1,000,000 – Solid Waste Reserves
- \$3,500,000 – Lake County Work Force Dev (Lake Tech is Recipient – reimbursements to City of Tavares through Interlocal Agreement)

Total: \$18,875,497

Staff recommends Option 1, for the Council to approve Resolution 2022-11 authorizing the City Administrator to Execute Community Development Block Grant – CV Agreement for FY 2020 Entitlement to for the Lake Technical Workforce Program component for the Public Works Complex Project subject to final legal review.

Mr. Drury noted Governor DeSantis previously presented a \$6 million dollar Florida Job Growth Infrastructure Grant check to the Council to move the project forward.

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

MOTION

Amanda Boggus moved to approve Resolution 2022-11, seconded by Troy Singer. The motion carried unanimously 5-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Second Reading

Tab 4. 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.

Mr. Fitzgerald made the following presentation:

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 Pinecrest 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.

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

Staff recommends Option 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.

Mayor Pfister asked for comments from the Council.

Council Member Gamble inquired about signalization at the Huffstetler Drive and Mt. Homer Road intersection. Mr. Fitzgerald said staff would work with the City engineer and Lake County as Avalon Park and Tavares Manor moves forward.

Council Member Singer noted his support for the development and said it was needed in the area. He asked if it was the area with water pressure issues. Mr. Drury said the water pressure is low in the area, and a temporary booster pump is in place. The Utility Department developed a solution to design and engineer a permanent water pressure pump for the area. The plan is to have the permanent booster pump completed before permits are issued for the development. Mr. Clark confirmed.

Vice Mayor Price said there is a demand for apartments in Tavares, and the project was in an appropriate location with no infringement on single-family residential homes. He noted concern regarding the corner property at Mt. Homer Road and Burleigh Boulevard. He asked if the developer was interested in taking part of that property fronting US 441 as a small commercial out parcel.

Greg Belliveau, LPG, 1162 Camp Avenue, Mount Dora, stated commercial does not work physically due to the topography, and narrow size. They could not get traffic access off US 441 due to frontage restrictions for a curb cut, and a Mt. Homer Road curb cut would not be feasible for a tenant or that type of utilization.

Mayor Pfister asked if the project would be connected with the new booster pump that would be installed within two years. Mr. Drury and Mr. Clark confirmed.

Council Member Gamble asked if the project would be held up due to the time frame of the permanent booster pump station completion. Mr. Drury said permits would not be issued unless there was adequate pressure for the site. Mr. Beliveau noted by the time permitting, design, and approval by St. John's River Water Management District were completed, the two projects would dovetail.

MOTION

Amanda Boggus moved to approve Ordinance 2022-06, seconded by Sandy Gamble. The motion carried unanimously 5-0.

Tab 5. 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.

Mr. Fitzgerald made the following presentation:

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.

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.

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

The property is currently vacant.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service capacity available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

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

- 1. A High Density (HD) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

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

Staff recommends Option 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.

Mr. Fitzgerald noted Ordinance 2022-07 was the companion ordinance to Ordinance 2022-06, previously approved by the Council.

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

MOTION

Amanda Boggus moved to approve Ordinance 2022-07, seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 6. Ordinance 2022-08 – Park Square Homes – Annexation & Rezoning of Approximately 3.13 Acres Located West of SR19, South of Slim Haywood Ave., North of Camp Rd.

Mr. Fitzgerald made the following presentation:

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.

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

Staff recommends Option 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.

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

MOTION

Amanda Boggus moved to approve Ordinance 2022-08, seconded by Walter Price. The motion

Tab 7. Ordinance 2022-09 – Park Square Homes – Small Scale FLUM Amendment of Approximately 3.13 Acres Located West of SR19, South of Slim Haywood Ave., North of Camp Rd.

Mr. Fitzgerald made the following presentation:

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.

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

The land surrounding this property is residential in nature.

The property is currently vacant.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service capacity available for the subject parcel. The City's Concurrency Management System will

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

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

- 1. A Medium Density (MED) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

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

Staff recommends Option 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.

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

MOTION

Amanda Boggus moved to approve Ordinance 2022-09, seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 8. Ordinance 2022-05 – Gorgeous Groves, Inc. – Rezoning of Approximately 220 Acres Located West of the Intersection of Woodlea Rd., and Lane Park Rd.

Mr. Fitzgerald made the following presentation:

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.

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).

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

Mayor Pfister asked the Council if they had questions for Mr. Fitzgerald. There were none.

Mayor Pfister asked the applicant to the podium.

Tara Treadwell, Representative of Kolter Homes, Orlando, Florida, presented a PowerPoint presentation on the proposed Cresswind development, with some of the following highlights:

- 30-foot roadway easement added to the site plan to accommodate the request of the neighbors and the Planning and Zoning Board
- Kolter will be enhancing and maintaining the landscaping along Lane Park Road as well as along the new access road
- 625 age-restricted units on 221 acres (2.8 gross units/acre) will feature all detached custom homes on private streets
- Density is under the approved 3 DU/A allowed under current Suburban FLU and RSF-A zoning
- Ordinance 2022-05 provides for flexibility in site and building design, preservation of open space and scenic areas, and large landscape buffers
- RSF-A zoning has no open space requirements; the project provides a minimum 30% open space
- Amenities will include a resort/fitness pool, tennis courts, pickleball courts, bocce courts, dog park, marina, clubhouse, walking trails, et al, with an 8 to 10-acre lifestyle complex
- Voluntary concessions include a minimum 170-foot buffer from property line to homes including landscaping and fencing, an access road for Peninsula Drive at City standards on the southern property line, a revised plan to include two full lanes, and existing Peninsula gates will be moved to the new Peninsula entrance road, current signage for Peninsula Drive residents will be moved to the new Peninsula Road entrance, install a decorative fence parallel to the entire length of Peninsula Drive, 17 homeowners can control their own HOA after Kolter closes on the property, and Kolter commits to having no rentals allowed for less than six months
- Kolter will provide water and sewer to Peninsula in Phase 2 if the City has not constructed the same already; the development of the property is contingent upon the construction of and connection to City utility services

Ms. Treadwell reviewed the traffic report, a new road construction build in Phase 1, the transportation corridor linking Lane Park to Woodlea Road, PUD changes, and a basis for recommendation of approval. Ms. Treadwell requested approval.

Mayor Pfister asked for comments from the Council.

Council Member Gamble inquired about landscape maintenance. Ms. Tedrow said Kolter would maintain the landscaping for the private residents on the side adjacent to the Kolter project.

Council Member Gamble said it was his understanding that water and sewer for the residents located on the lake would be constructed during Phase 1. Mr. Fitzgerald said the access road was moved to Phase 1 and Utilities to Phase 2 and was agreed upon with the residents and Kolter during their private meeting sessions. Ms. Tedrow

confirmed. Ms. Tedrow said if the City does not commence construction of utilities within one year, Kolter will take over construction. If the City starts construction, they will finish it. Council Member Gamble noted a concern for septic tanks. Ms. Tedrow said Kolter would not put in septic tanks.

Council Member Singer thanked Ms. Tedrow for an excellent presentation and a willingness to work with the residents. He thanked and applauded the residents for their input and willingness to do what they believe is suitable for their community. He said he enjoyed the meetings on the project and hopes the main entrance and road to their residences and the concessions Kolter has made are to the resident's liking. Council Member Singer said he believes it is a great project.

Vice Mayor Price said the project is much better suited for the area when he sees what the alternative could be on the property. He thanked the residents for being involved and for their hard work. He said the developer has gone out of their way to make concessions for all concerned, and it will be a great project.

Mayor Pfister commended Ms. Tedrow and said she appreciates her willingness to work with the residents. She said the residents covered all their basis and were civil throughout the process. She noted her support for the project as the community would be one of the highest quality in the city.

Public Comment

Patrick Willis, 2121 S. Hiawasse Road, Suite 116, Orlando, said he is an attorney representing some area residents. He recommended a separate deadline stipulating that once Kolter closes on the property, an agreement regarding the HOA and road maintenance can be made.

Attorney Williams said there is a controversy between Gorgeous Groves and the Peninsula residents regarding who controls the HOA. Mr. Willis suggested that when Kolter gets approval for the road, they want that approval to be with the residents and not with the Gorgeous Grove owners. Mr. Willis confirmed and said once closing has occurred, the developer rights would include any purported control of the HOA, and then they can cooperate with the residents. Attorney Williams said the communications with Kolter have been with the residents. Mr. Willis said it makes more sense that the people who maintain the road also own the road. Mr. Fitzgerald said ownership of the access road had been clarified in the ordinance. Ms. Tedrow noted a 30-foot access easement was in place and said it would be easier to keep the road as intended, and the maintenance obligation would be codified in the access agreement.

Council Member Boggus said that instead of the six-month provision, Mr. Willis is asking for a 30-day agreement from the Kolter closing to address the HOA turnover and the residents' duties. Mr. Willis confirmed and said he would be available to discuss the language with Ms. Tedrow. Attorney Williams suggested a five minutes break to allow Mr. Willis and Ms. Tedrow to agree on language.

Rick Harrington, 11435 Lane Park Road, noted a concern that the roads are inadequate.

Beverly Bounds, 1550 Peninsula Drive, Tavares, thanked the Council and Planning and Zoning Boards and noted she is in support of homes for professionals and good schools.

Terrell Bounds, 1550 Peninsula Drive, Tavares, referenced a Lake County Public Works Engineering report reflecting Woodlea Rd was narrow and not capable of handling additional traffic, with a right of way that does not meet minimum standards. She said the report states Lane Park Road should not be utilized for side grading and construction of infrastructure as a means of ingress and egress for SR 19.

Michael Marino, 11410 Lane Park Road, commended Ms. Tedrow on her presentation. Mr. Marino noted a concern regarding road conditions, increased traffic, and traffic control. He said he believe there was a due process issue.

Rick Waddell, 1730 Peninsula Drive, Tavares, said Tavares is a nice place to live. He thanked the Council for meeting with the residents and those meetings confirmed he and his family made the right choice to move to Tavares. He thanked Ms. Tedrow and the Kolter team for meeting with the residents and for their diligence and care in listening to the resident's concerns. Mr. Waddell said the Kolter team was accommodating and demonstrated they will be good neighbors and welcome addition to Tavares.

Rick Sconyers, 1620 Peninsula Drive, Tavares, said Kolter homes did a great job addressing issues. He noted a concern regarding road issues and infrastructure needs.

Mayor Pfister welcomed Mr. Sconyers to Tavares.

Ted Wicks, Tavares Chamber of Commerce, 108 Shorewood Court, Tavares, said the Chamber Executive Board and Board of Directors believe it is a great project. He noted transportation issues need correcting. He said the Chamber offers their support and recommended approval. Mr. Wicks said many years ago Tavares was decided to be a city, and it is important to look at clusters of population as an economic benefit to the city. The Chamber appreciates what the Council, Mr. Drury, and staff continue to do for Tavares.

Keith Kramer, 1710 Peninsula Drive, Tavares, thanked the Council. He said he met with each Board member who listened attentively. He said the development is a diamond and noted he visited other Cresswind communities which provided him with confidence and believes the development will attract other upscale developers. Mr. Kramer noted a concern regarding roads.

Kathy Kramer, 1710 Peninsula Drive, Tavares, said she loves Tavares and believes Kolter would be a great addition. She noted her concern regarding the conditions of the roads; Woodlea Road and Lane Park Road. She discussed Lake County reports from 2006 and 2011 on road conditions. She asked why the roads were not upgraded in the past.

Sue Leonard, 1440 Peninsula Drive, Tavares, noted a concern the Kolter project would be jeopardized because of road conditions. Ms. Leonard thanked Ms. Tedrow.

Aggelus Haralampopoulo, 602 W. Minnesota Avenue, noted his concern regarding road conditions, and support for young professionals and entrepreneurs moving to the area.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, commended Ms. Tedrow for her professionalism. He noted his concern regarding traffic, roads, and school concurrency.

Bud Bucher, 9551 San Fernando Court, Howey in the Hills, President of the Mission Inn Resort and Club, noted his support for the development and recommended approval. He said Kolter provides a good product and homes will help pay road impact fees. Mr. Bucher said there would be no school impact fees as the development would have no impact on schools.

Mayor Pfister adjourned the meeting for five minutes at 5:49 to provide an opportunity for the attorneys to discuss a revised ordinance language.

Mayor Pfister reconvened the meeting at 5:56.

Attorney Williams said counsel for the residents and developer have met and agreed on ordinance language changes. The majority of the residents have to agree within thirty days as to the takeover of the road and maintenance. He asked Ms. Tedrow to provide a copy of the language to Mr. Fitzgerald. Attorney Williams referenced page 316, paragraph G (page 8 of 29). Ms. Tedrow said the red line would read as follows:

In the event that within 30 days of Kolter Group Acquisitions LLC, or its assigns, closes on the property, that such association, or a majority of the seventeen (17) homeowners does not confirm in writing...

Attorney Williams said it contemplates that within 30 days after the closing, Kolter and the new association or a majority of its residents have to meet and agree on who will take care of the roads and method. There is some uncertainty as to how that will happen and that is why the 'majority of the residents' was included.

Mr. Drury said there is a redlined version in the agenda package and discussed possible language for a motion.

MOTION

Amanda Boggus moved to approve Ordinance 2022-05 red lined changes version that is orally amended during the meeting, seconded by Troy Singer.

Mayor Pfister said she heard the public comments about roads, and she has been working hard to have roads upgraded and will continue to do so. She said if the development is not approved, there could be another development, and the proposed Kolter development is the best option. Mayor Pfister noted her support.

Vice Mayor Price asked Mr. Drury to discuss alternatives to address the problem regarding roads moving forward. Mr. Drury said it is a Lake County road. The City has been encouraging the County to procure the right of way for the entire corridor and meet with the currently developed properties to negotiate easements. The City has agreed that the owner must give appropriate right of way to Lake County for any future development on vacant land coming into the City. The County should then design, engineer, and rebuilding of the road. The City will encourage and meet with County Commissioners, the County Manager and Public Works Department to allocate an appropriate funding source to rebuild the road. Meetings are occurring, and plans are being developed.

Council Member Gamble asked Mr. Drury to discuss the 2011 road enhancement changes. Mr. Drury said when Lake County proposed improvements, they would add a foot or two to the side of the road. They were not rebuilding the entire road. At the time, the community had workshops on issues, including the downtown roads that were flooding. The downtown road system infrastructure built in the 1800s was subpar, and a previous Council encouraged Lake County to rebuild the Alfred Street and Caroline Street corridor. Attorney Williams noted the older system was dumping polluted water into Lake Dora. Mr. Drury said the stormwater was going into the lake, and the City and County worked together to repair stormwater systems and cracked lines and redesign the roads so they were not flooding and creating property damage. Lake County shifted some funding for the Woodlea Road widening to the project. Lake County has a road that needs to be addressed, and the City would continue discussions with them. Council Member Gamble encouraged the residents to attend County Commission meetings regarding the road.

The motion carried unanimously 5-0.

Mayor Pfister said she would like to move the Budget Meeting to be heard last to allow the audience members to leave a chance to clear the Chambers.

X. GENERAL GOVERNMENT

XII. NEW BUSINESS

XIII. OLD BUSINESS

XIV. AUDIENCE TO BE HEARD

Mayor Pfister called Sarah Classon, Fawn Stam, and Mikie Alford to the podium to speak. There was no response and the requestors were determined to have left the meeting.

Mayor Pfister asked if anyone in the audience would like to speak. There were none.

XV. REPORTS

Tab 11. City Administrator Report

Attorney Williams thanked the Council and staff for having him back for the meeting.

Tab 12. City Council Member Reports

Council Member Gamble asked for an update on Woodlea Road infrastructure. Mr. Clark said the project should go to bid by the end of July, with construction beginning in sixty days. He said the project is designed, approved, and permitted.

Council Member Singer welcomed Attorney Williams to the meeting. He commended Attorney Holt.

Council Member Singer said the Peninsula project was a great process and exercise in how a successful government works.

Council Member Boggus and Mayor Pfister said they concur with Council Member Singer's comments.

Vice Mayor Price said he is glad after all meetings and discussions the decision was unanimous and correct.

XI. BUDGET WORKSHOP

Tab 9. Budget Workshop – Present Enterprise and Special Revenue Fund Budgets, and discuss the General Fund Budget

Mr. Drury made the following presentation:

Previously, at the July 6th City Council meeting, Council was presented the General Fund budget, and staff will now deliver the Utility Fund and Special

Revenue Fund Proposed Budgets for FY 2023, after which an opportunity will be provided to discuss the previously delivered General Fund budget as well as the Utilities and Special Fund budgets.

The Utility Funds include: Water, Wastewater, Stormwater, Solid Waste, and the Seaplane Base/Marina. Special Funds include Community Redevelopment (TIF), Infrastructure Sales Tax, Grants, Debt Service, and the Pavilion Fund.

The maximum tentative millage rate will be discussed and set by the City Council later during this meeting. The Five-Year Capital Plan will be delivered, presented and discussed at the August 3, 2022 budget workshop. An additional Council budget workshop is scheduled for August 17th to discuss all budgets, followed by two Public Hearings on the budget on September 7, 2022 and September 21, 2022.

The Proposed Budget has been updated based on updates from the Lake County Property Appraiser, and State of Florida Office of Economic and Demographic Research (EDR) Department. Updates for miscellaneous payroll adjustments (staff vacancies, changes in health insurance coverage, changes in dental insurance coverage, etc.) have also been included. A list of the adjustments to the Proposed Budget is included in Exhibit A.

Mr. Houghton presented a PowerPoint presentation on the Enterprise and Special Revenue Fund Budgets.

Council Member Gamble asked for clarification regarding calculations on the first PowerPoint presentation slide and where the Freedom Flag line item was located. Mr. Drury said the Freedom Flag was shifted from the sinking fund to Parks Department. Ms. Houghton said landscaping (\$8500), travel (\$5800), and advertising (\$10,000) is the difference in the calculation on PowerPoint slide 1.

Mr. Drury said all budgets have been delivered to the Council and an opportunity is presented to ask any additional questions or move to the Setting of the Tentative Millage Rate, and then there are four more budget meetings scheduled in August and September.

Council Member Gamble said there is an increase of \$94,675 indicated by the Lake County Property Appraiser. He said the funds would normally be placed in the Reserve Account and asked the Council to consider placing that additional revenue toward improving baseball and softball fields at the Woodlea Sports Complex. He said the cost to bring the fields up to standard is 2 fields at \$75,000 each, the softball field is \$180,000, the multipurpose soccer/football field is \$175,000, and maintenance is estimated at \$43,000. The extra funds would help get the fields into better playing conditions.

Mr. Drury said the item could be brought back to Council. Council Member Boggus said she would prefer to wait to go through the process of reviewing their wish list to see what funds are remaining.

Tab 10. Budget Workshop – Setting of Maximum Tentative Millage Rate

Council Member Singer said one of the Council's main goals was to lower the millage rate. He said staff worked hard to come up with a 6.6050 millage rate and noted his support. Council Member Singer said he wished the State of Florida could lower its sales tax rate each year, and has had a 6% tax rate since 1983.

MOTION

Troy Singer moved to set the Maximum Tentative Millage Rate at 6.6950 mills, seconded by Amanda Boggus.

Council Member Boggus noted setting the Maximum Tentative Millage Rate does not prevent the Council from lowering the rate in the future, and caps the rate so it cannot be raised through the budget process moving forward. Mr. Drury confirmed.

The motion carried unanimously 5-0.

MOTION

Amanda Boggus moved to set the Maximum Tentative Voted Debt Millage Rate at .2074 mills, seconded by Troy Singer.

Vice Mayor Price asked if the debt rate had changed. Mr. Drury said the debt rate remains at 13.26%.

The motion carried unanimously 5-0.

XVI. ADJOURNMENT

There was no further business and Mayor Pfister adjourned the meeting at 6:50 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk