

**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 Hiawasse 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.

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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