

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
JUNE 16, 2022**

BOARD MEMBERS PRESENT

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

1) Approval of the May 19, 2022, Planning and Zoning Board Meeting Minutes

Chairman Santoro asked if there are any additions or corrections for May 19, 2022 Planning and Zoning Board Meeting minutes. There were none.

MOTION

James Sweezea moved to approve the minutes of the May 19, 2022 Planning and Zoning Board Meeting, seconded by Bruce Peterman. The motion carried unanimously 6-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and wished to provide testimony.

Attorney Holt asked the Board Members if there were any ex-parte communications. There were none.

1) Sunshine and Ethics Law Update

Attorney Holt gave a Sunshine and Ethics Law update to the Board. She gave a broad overview of Ethics Law prohibited situations:

- Gifts to influence vote or action
- Unauthorized compensation to influence a vote or action
- Misuse public position
- Conflicts of interest:
 - Doing business with one's own agency
 - Cannot accept employment if conflict of interest

She noted to err on the side of caution and if questions arise, contact the City Attorney or Commission on Ethics, and gave contact information for both.

Attorney Holt gave an overview of the Sunshine Law and its guidelines.

PUBLIC HEARING

1) Recommendation on 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 provided the following staff report:

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 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 is required to obtain school capacity reservation prior to development approval.

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 the Planning & Zoning Board moves to recommend approval of 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 the Planning & Zoning Board moves to recommend denial of Ordinance 2022-06.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of 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.

Chairman Santoro asked for comments from the audience.

Greg Beliveau, LPG Urban & Regional Planners, Inc. 1162 Camp Rd, Mount Dora, Developer gave a presentation and overview of the project.

- Class A Multifamily.

- Provides 300 apartments.
- 10 3-story garden-style buildings surrounding a lake.
- Emergency access.
- Pedestrian gates.
- Sidewalk access.
- Amenities
 - Clubhouse
 - Gated access
 - Car charging station
 - Oversized dog park
 - Fitness area
- Enhanced landscaping
- Close to Hospital

Mr. Beliveau noted he is available for questions.

Board Member Peterman noted that housing is needed and asked if there is a fence around the perimeter and if there are turn lanes into the property off of Mt. Homer. Mr. Beliveau confirmed that there is fencing around the perimeter of the property and noted that turn lanes will be determined when the traffic study is completed.

Vice-Chairman Murphy noted her support.

Board Member Sweeza noted his support for the development.

Chairman Santoro asked who the target resident is. Mr. Beliveau noted that working professionals is the target resident.

Chairman Santoro asked for public comment.

Lou Buigas, Tavares, noted her support of the development.

MOTION

Deborah Murphy moved to recommend approval of Ordinance 2022-06, seconded by Dian Joy. The motion carried unanimously 6-0.

2) Recommendation on Ordinance 2022-07 – Nahas Property – Small Scale FLUM Amendment of Approximately 19.81 Acres Located at the Northwest Corner of Mr. Homer Rd. and East Burleigh Blvd.

Mr. Fitzgerald gave the following presentation:

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 the Planning & Zoning Board moves to recommend approval of 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 the Planning & Zoning Board moves to recommend denial of Ordinance 2022-07.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of 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.

Chairman Santoro asked for questions or comments. There was none.

MOTION

Dian Joy moved to recommend approval for Ordinance 2022-07, seconded by James Sweeza. The motion carried unanimously 6-0.

3) Recommendation on 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.

Mr. Fitzgerald gave the following presentation:

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 stormwater 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 the Planning & Zoning Board moves to recommend approval of 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 the Planning & Zoning Board moves to recommend denial of Ordinance 2022-08.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of 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.

Chairman Santoro asked for confirmation that the area is a retention area and asked if it is a requirement for the subdivision. Mr. Fitzgerald confirmed that it will be used as a retention area and act as a storm run-off area for Camp Rd.

MOTION

Dara Treadwell moved to recommend approval of Ordinance 2022-08, seconded by James Sweeza. The motion carried unanimously 6-0.

4) Recommendation on 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

Mr. Fitzgerald gave the following presentation:

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 the Planning & Zoning Board moves to recommend approval of 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 the Planning & Zoning Board moves to recommend denial of Ordinance 2022-09.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of 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.

Chairman Santoro asked for questions or comments. There was none.

MOTION

Deborah Murphy moved to recommend approval of Ordinance 2022-09, seconded by Dara Treadwell. The motion carried unanimously 6-0.

OTHER BUSINESS

Mr. Fitzgerald noted that City Council voted to continue the Gorgeous Groves property item was continued to the second reading for July 15th.

Chairman Santoro announced that Board Member Matthews, Board Member Peterman, Board Member Treadwell, and Board Member Sweezea have all been reappointed to the Planning & Zoning Board.

PUBLIC COMMENT

None.

ADJOURNMENT

MOTION

Dara Treadwell moved to approve adjournment, seconded by Bruce Peterman. The motion carried unanimously 6-0.

Respectfully submitted,

Jillian Roberts,
Deputy City Clerk