AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 15, 2016

AGENDA TAB NO. 8 **SECOND READING**
SUBJECT TITLE: **Ordinance 2016-14**
Small Scale FLUM Amendment- Whitaker Family Partnership
Northwest Intersection S.R. 19 & Slim Haywood

OBJECTIVE:

To consider an application for a Future Land Use Map amendment from Lake County Urban Medium to City Commercial for 5.28 acres of property generally located on the northwest intersection of S.R. 19 and Slim Haywood Avenue.

SUMMARY:

Ordinance 2016-14 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Numbers 1027071 & 1097647) is 5.28 acres in size, located approximately 120 feet west of the northwest intersection of S.R. 19 and Slim Haywood Avenue. This ordinance would amend the current Future Land Use Designation from Lake County Urban Medium Density to City Commercial.

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 Medium Density. A City Commercial designation is most compatible with surrounding property.

Compatibility
Lands adjacent and in the vicinity of this property are commercial in nature.

Site Conditions
The property is currently utilized for agricultural purposes (orange grove). Prior to any redevelopment, an approved site plan will be required. All applicable environmental assessments and permitting must be in place before the site plan is approved.

Impact on City Services
The subject property is located in the City's Utility Service Area. The City of Tavares has municipal water and sewer services available to the subject parcel and any new development on this property must connect to city utilities. 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 Commercial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS:

1. That City Council moves to approve Ordinance 2016-14.
2. That City Council moves to deny Ordinance 2016-14.

PLANNING & ZONING BOARD RECOMMENDATION:

At the June 19 meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-14.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2016-14.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2016-14

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APRROXIMATELY 5.28 ACRES OF LAND GENERALLY LOCATED ON THE NORTHWEST INTERSECTION OF S.R. 19 AND SLIM HAYWOOD AVENUE FROM COUNTY URBAN MEDIUM DENSITY TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City of Tavares is concurrently processing the annexation of this property; and

WHEREAS, the property consists of less than ten acres;

WHEREAS, the City of Tavares has advertised as required by law for two public hearings prior to adoption of this ordinance; and

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and

WHEREAS, the City desires to encourage commercial uses in this particular area of the City, and

WHEREAS, a Commercial Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency, and City Council held duly noticed public hearings providing opportunity for individuals to hear and be heard regarding the adoption of the proposed map amendment; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares.

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

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Lake County Urban Medium Density to City of Tavares Commercial on certain real property as legally described in Exhibit "A". All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the State of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order

determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____day of _____, 2016 by the City Council of the City of Tavares, Florida.

_____
Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

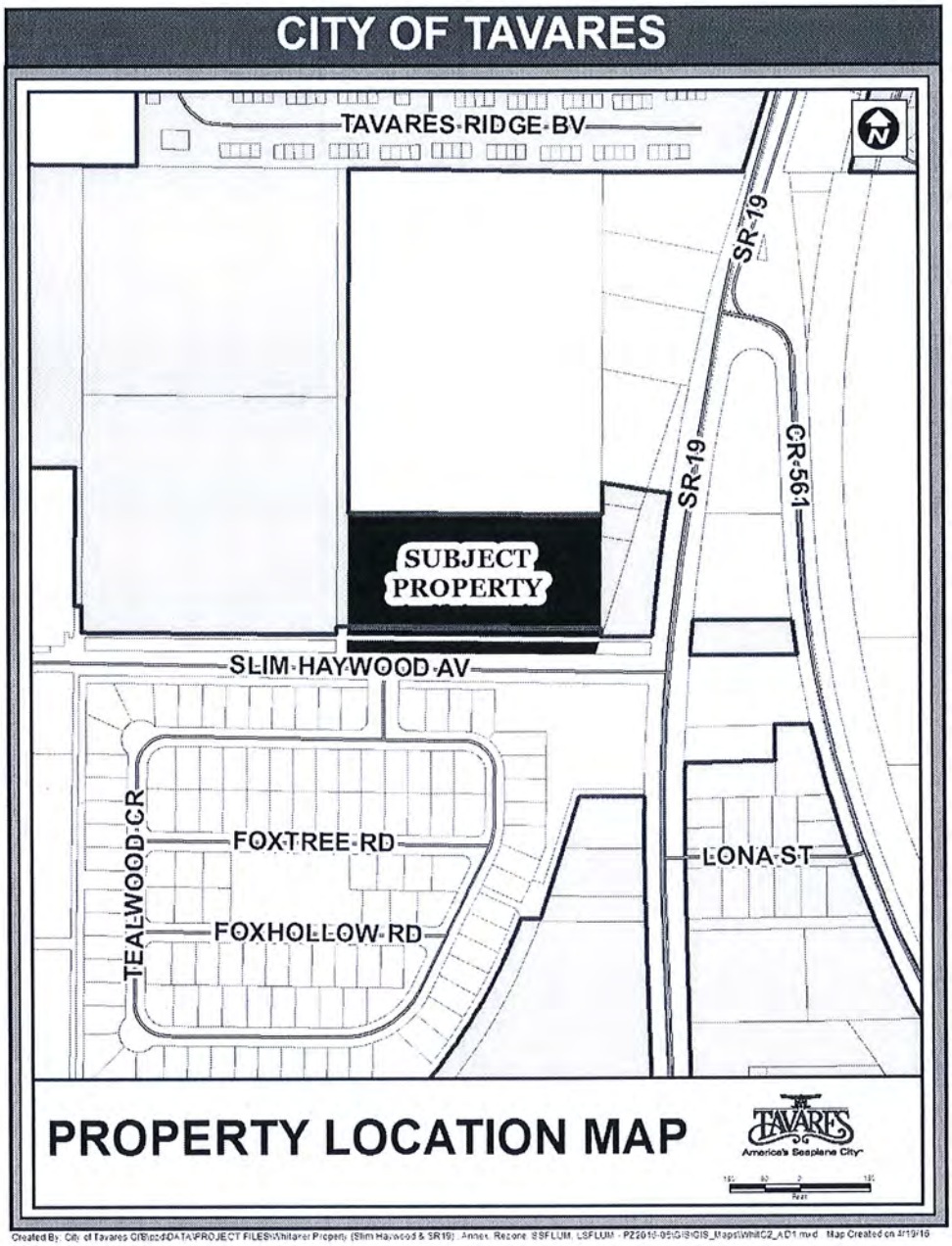
ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

EXHIBIT "A"


CITY OF TAVARES
TAVARES RIDGE BV
SR 19
SR 19
CR 561
SUBJECT PROPERTY
SLIM HAYWOOD AV
TEALWOOD CR
FOXTREE RD
FOXHOLLOW RD
LONA ST
PROPERTY LOCATION MAP
TAVARES
America's Seaplane City

Chairman Santoro asked for comments and questions from the Board. Chairman Santoro asked if there is an existing easement for the Publix driveway. Mr. Ray confirmed that the easement has been recorded for ingress/egress and was a part of the Publix approval process. He said utility and gas lines were also included in the easement to accommodate future development of the adjoining properties. Mr. Ray said the subject property will be developed with compatible commercial uses and support services to the Publix and will not be developed as a competitive grocery store.

MOTION

Norb Thomas moved for the approval of Ordinance 2016-13, seconded by Richard Root. The motion carried unanimously 4-0.

4. **Whitaker Property (Slim Haywood Ave.) - SSFLUM – Whitaker Family Partnership – 5.28 Acres on Northwest Intersection SR19 and Slim Haywood - Recommendation on Ordinance 2016-14**

Mr. Skutt provided the following testimony:

Ordinance 2016-14 is the companion to the previously annexation (Ordinance 2016-13) and proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan. The subject property is 5.6 acres in size, located approximately 150 feet west of the northwest intersection of SR19 and Slim Haywood Avenue. This ordinance would amend the current Future Land Use Designation from Lake County Urban Medium Density to City Commercial. The commercial designation is the only designation that is compatible with the C2 Highway Commercial and staff recommends that the Planning and Zoning moves to recommend approval of Ordinance 2016-14.

Chairman Santoro asked if anyone in the audience wished to speak.

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked for comments and questions from the Board.

DISCUSSION

Lou Buigas moved to recommend approval of Ordinance 2016-14, seconded by Norb Thomas. The motion carried unanimously 4-0.

MOTION

5. **Whitaker Property (Slim Haywood Ave.) - Annexation, Rezoning - Whitaker Family Partnership – 9.8 Acres on the North Side of Slim Haywood Avenue - Recommendation on Ordinance 2016-15**

Mr. Skutt provided the following testimony:

The subject property consists of two parcels (9.8 acres) of property located on the north side of Slim Haywood Avenue, approximately 800 feet west of the intersection of SR19. The property is presently used for agricultural purposes (orange groves). The property is currently zoned Agricultural in Lake County and the owner is requesting a Mixed Use (MU) zoning. The new Publix Shopping Center is adjacent and east of this property. The applicant at this time envisions a mixture of residential and commercial uses that

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TAVARES

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AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 15, 2016

AGENDA TAB NO. 9 **SECOND READING**

SUBJECT TITLE: **Ordinance 2016-15**
Annexation & Rezoning –Whitaker Family Partnership
Slim Haywood Avenue

OBJECTIVE:

To consider the annexation and rezoning to Mixed Use approximately 9.8 acres of property located on the north side of Slim Haywood Avenue, approximately 800 feet west of the intersection of S.R. 19.

SUMMARY:

The subject property consists of two parcels of property located on the north side of Slim Haywood Avenue, approximately 800 feet west of the intersection of S.R. 19. The property is presently used for agricultural purposes (orange groves). The property is currently zoned Agricultural in Lake County. The owner, Whitaker Family Partnership, is requesting a Mixed Use (MU) zoning.

The new Publix Shopping Center is directly adjacent and east of this property. The applicant at this time envisions a mixture of residential and commercial uses that would be compatible with the commercial development taking place on S.R. 19.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low to City of Tavares Mixed Use Commercial on the Future Land Use Map 2020.

OPTIONS:

1. That City Council moves to approve Ordinance 2016-15.
2. That City Council moves to deny Ordinance 2016-15.

PLANNING & ZONING BOARD RECOMMENDATION:

At the June 19 meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-15.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2016-15.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2016-15

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 9.8 ACRES LOCATED ON THE NORTH SIDE OF SLIM HAYWOOD AVENUE APROXIMATELY 800 FEET WEST OF THE INTERSECTION OF S.R. 19 AND SLIM HAYWOOD AVENUE FROM LAKE COUNTY AGRICULTURAL (A) TO CITY OF TAVARES MIXED USE (MU); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

WHEREAS, the property is currently zoned Lake County Agricultural (A) and the applicant has requested that said property be rezoned to a City designation of Mixed Use (MU); and,

WHEREAS, the City is concurrently processing a large scale future land use map amendment to re-designate the property from Lake County Urban Low Density to a City of Tavares Mixed Use Commercial designation on the Future Land Use Map; therefore

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

Section 1. Annexation

The property legally defined as and depicted in **Exhibit "A"** attached hereto, situated in Lake County, Florida, is hereby incorporated into and made a part of the City of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes.

Section 2. Rezoning

The property described in **Exhibit "A"** shall hereby be rezoned from Lake County Agricultural (A) to City of Tavares Mixed Use (MU) and shall be subject to the provisions contained within the Land Development Regulations for this zoning designation.

Section 3. Severability.

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

Section 4. Effective Date.

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

PASSED AND ORDAINED this _____ of _____, 2016, by the City Council of the City of Tavares, Florida.

_____

Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

_____

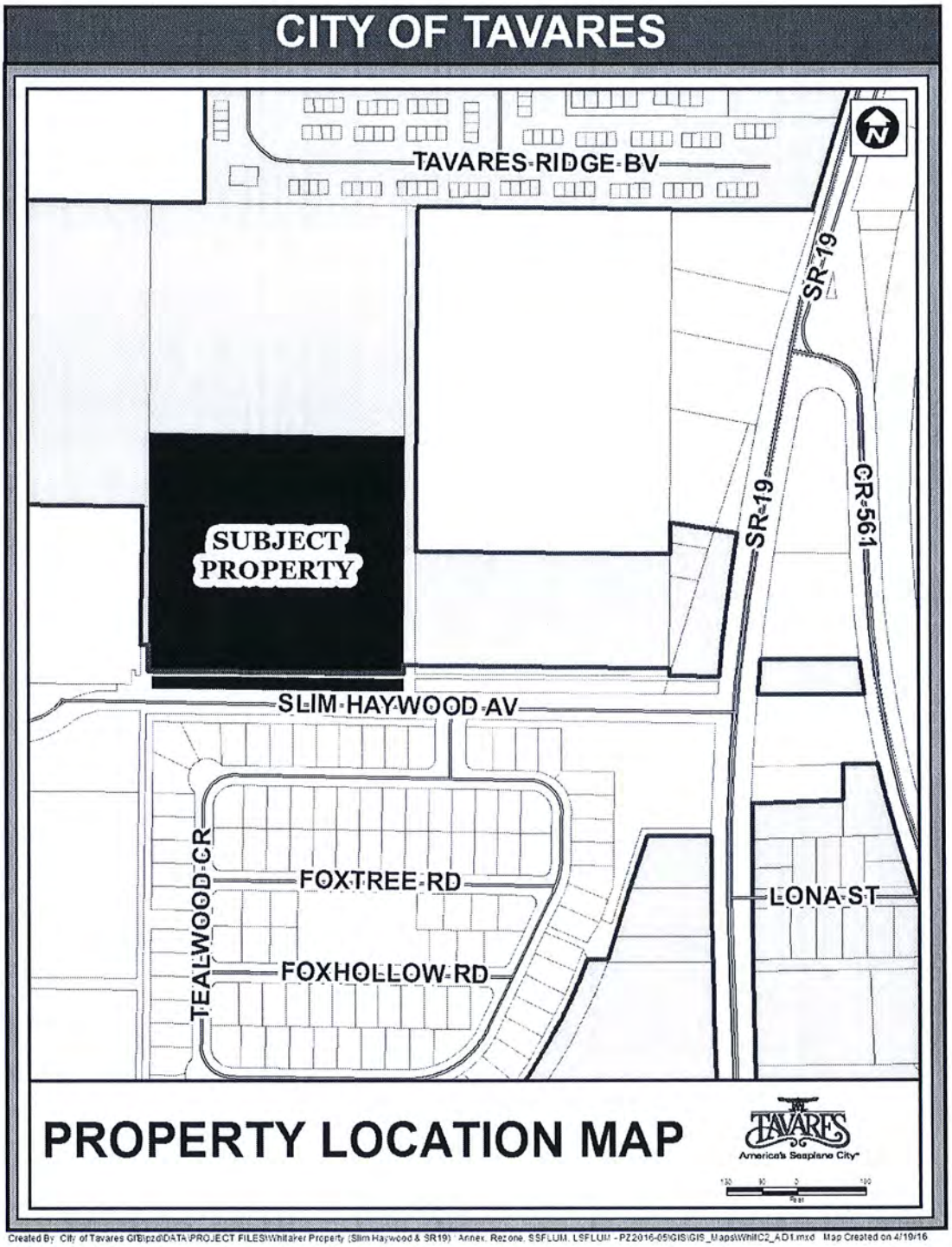
Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____

Robert Q. Williams, City Attorney

EXHIBIT A



Created By: City of Tavares GIS\pzd\DATA\PROJECT FILES\Whitaker Property (Slim Haywood & SR19) - Annex, Rezone, SSFLUM, LSFLUM - PZ2016-05\GIS\GIS_Maps\WhitC2_AD1.mxd Map Created on 4/19/16

Chairman Santoro asked for comments and questions from the Board. Chairman Santoro asked if there is an existing easement for the Publix driveway. Mr. Ray confirmed that the easement has been recorded for ingress/egress and was a part of the Publix approval process. He said utility and gas lines were also included in the easement to accommodate future development of the adjoining properties. Mr. Ray said the subject property will be developed with compatible commercial uses and support services to the Publix and will not be developed as a competitive grocery store.

MOTION

Norb Thomas moved for the approval of Ordinance 2016-13, seconded by Richard Root. The motion carried unanimously 4-0.

4. **Whitaker Property (Slim Haywood Ave.) - SSFLUM – Whitaker Family Partnership – 5.28 Acres on Northwest Intersection SR19 and Slim Haywood - Recommendation on Ordinance 2016-14**

Mr. Skutt provided the following testimony:

Ordinance 2016-14 is the companion to the previously annexation (Ordinance 2016-13) and proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan. The subject property is 5.6 acres in size, located approximately 150 feet west of the northwest intersection of SR19 and Slim Haywood Avenue. This ordinance would amend the current Future Land Use Designation from Lake County Urban Medium Density to City Commercial. The commercial designation is the only designation that is compatible with the C2 Highway Commercial and staff recommends that the Planning and Zoning moves to recommend approval of Ordinance 2016-14.

Chairman Santoro asked if anyone in the audience wished to speak.

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked for comments and questions from the Board.

DISCUSSION

Lou Buigas moved to recommend approval of Ordinance 2016-14, seconded by Norb Thomas. The motion carried unanimously 4-0.

MOTION

5. **Whitaker Property (Slim Haywood Ave.) - Annexation, Rezoning - Whitaker Family Partnership – 9.8 Acres on the North Side of Slim Haywood Avenue - Recommendation on Ordinance 2016-15**

Mr. Skutt provided the following testimony:

The subject property consists of two parcels (9.8 acres) of property located on the north side of Slim Haywood Avenue, approximately 800 feet west of the intersection of SR19. The property is presently used for agricultural purposes (orange groves). The property is currently zoned Agricultural in Lake County and the owner is requesting a Mixed Use (MU) zoning. The new Publix Shopping Center is adjacent and east of this property. The applicant at this time envisions a mixture of residential and commercial uses that

would be compatible with the commercial development taking place on SR19. The City is concurrently processing a future and use map amendment to re-designate the property from Lake County Urban Low to City of Tavares Mixed Use Commercial on the Future Land Use Map 2020. In the City's Future Land use there are two mixed use designations; a mixed use commercial and a mixed use neighborhood. This is a progression in designations. Staff recommends the Planning and Zoning Board moves to recommend approval of Ordinance 2016-15.

DISCUSSION

Chairman Santoro asked if anyone in the audience wished to speak.

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked for comments and questions from the Board.

MOTION

Lou Buigas moved to approve [that the Planning and Zoning Board move to recommend approval of Ordinance 2016-15], seconded by Norb Thomas. The motion carried unanimously.

6. **Whitaker Property (Slim Haywood Ave.) - SSFLUM – Whitaker Family Partnership – 9.8 Acres on the North Side of Slim Haywood - Recommendation on Ordinance 2016-16**

Mr. Skutt provided the following testimony:

Ordinance 2016-16 is the companion Ordinance to Ordinance 2016-15 that was previously recommended and proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan. The subject property is 9.8 acres and located on the north side of Slim Haywood Avenue, approximately 800 feet west of the intersection of SR19. The new Publix Shopping Center is abutting the land to the west. The property is currently being used for agricultural purposes (orange groves). The applicant envisions residential and commercial mixed uses that complement the commercial development taking place on SR19. This ordinance would amend the current Future Land Use Designation form Lake County Urban Low Density to City Mixed Use Commercial. A City Commercial Mixed Use Commercial designation is compatible with the surrounding property. Staff recommends that the Planning and Zoning Board recommend approval for Ordinance 2016.16.

DISCUSSION

Chairman Santoro asked if anyone in the audience wished to speak.

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked for comments and questions from the Board.

MOTION

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AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 15, 2016

AGENDA TAB NO. 10 **SECOND READING**
SUBJECT TITLE: **Ordinance 2016-16**
Small Scale FLUM Amendment- Whitaker Family Partnership
Slim Haywood Avenue

OBJECTIVE:

To consider an application for a Future Land Use Map amendment from Lake County Urban Low Density to City Mixed Use Commercial for 9.8 acres of property located on the north side of Slim Haywood Avenue approximately 800 feet west of the intersection of S.R. 19.

SUMMARY:

Ordinance 2016-16 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Numbers 1027071 & 1097649) is 9.8 acres in size, located on the north side of Slim Haywood Avenue, approximately 800 feet west of the intersection of S.R. 19. The new Publix Shopping Center is abutting this land to the east. The property is currently being used for agricultural purposes (orange groves). The applicant envisions residential and commercial mixed uses that compliment the commercial development taking place on S.R. 19. This ordinance would amend the current Future Land Use Designation from Lake County Urban Low Density to City Mixed Use Commercial.

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 Commercial Mixed Use Commercial designation is compatible with surrounding property.

Compatibility
The surrounding property is either commercial or residential in nature.

Site Conditions
The property is currently used for agricultural purposes. Prior to any redevelopment, an approved site plan will be required. All applicable environmental assessments and permitting must be in place before the site plan is approved.

Impact on City Services
The subject property is located in the City's Utility Service Area. The City of Tavares has municipal water and sewer services available to the subject parcel and any new development on this property must connect to city utilities. 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 Mixed Use Commercial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS:

1. That City Council moves to approve Ordinance 2016-16.
2. That City Council moves to deny Ordinance 2016-16.

PLANNING & ZONING BOARD RECOMMENDATION:

At the June 19 meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-16.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2016-16.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2016-16

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APRROXIMATELY 9.8 ACRES OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF SLIM HAYWOOD AVENUE APPROXIMATELY 800 FEET WEST OF THE INTERSECTION OF S.R. 19 AND SLIM HAYWOOD AVENUE; FROM COUNTY URBAN LOW DENSITY TO CITY MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City of Tavares is concurrently processing the annexation of this property; and

WHEREAS, the property consists of less than ten acres;

WHEREAS, the City of Tavares has advertised as required by law for two public hearings prior to adoption of this ordinance; and

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and

WHEREAS, the City desires to encourage mixed uses in this particular area of the City, and

WHEREAS, a Mixed Use Commercial Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency, and City Council held duly noticed public hearings providing opportunity for individuals to hear and be heard regarding the adoption of the proposed map amendment; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares.

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

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Lake County Urban Low Density to City of Tavares Mixed Use Commercial on certain real property as legally described in Exhibit "A". All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the State of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____day of _____, 2016 by the City Council of the City of Tavares, Florida.

_____
Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

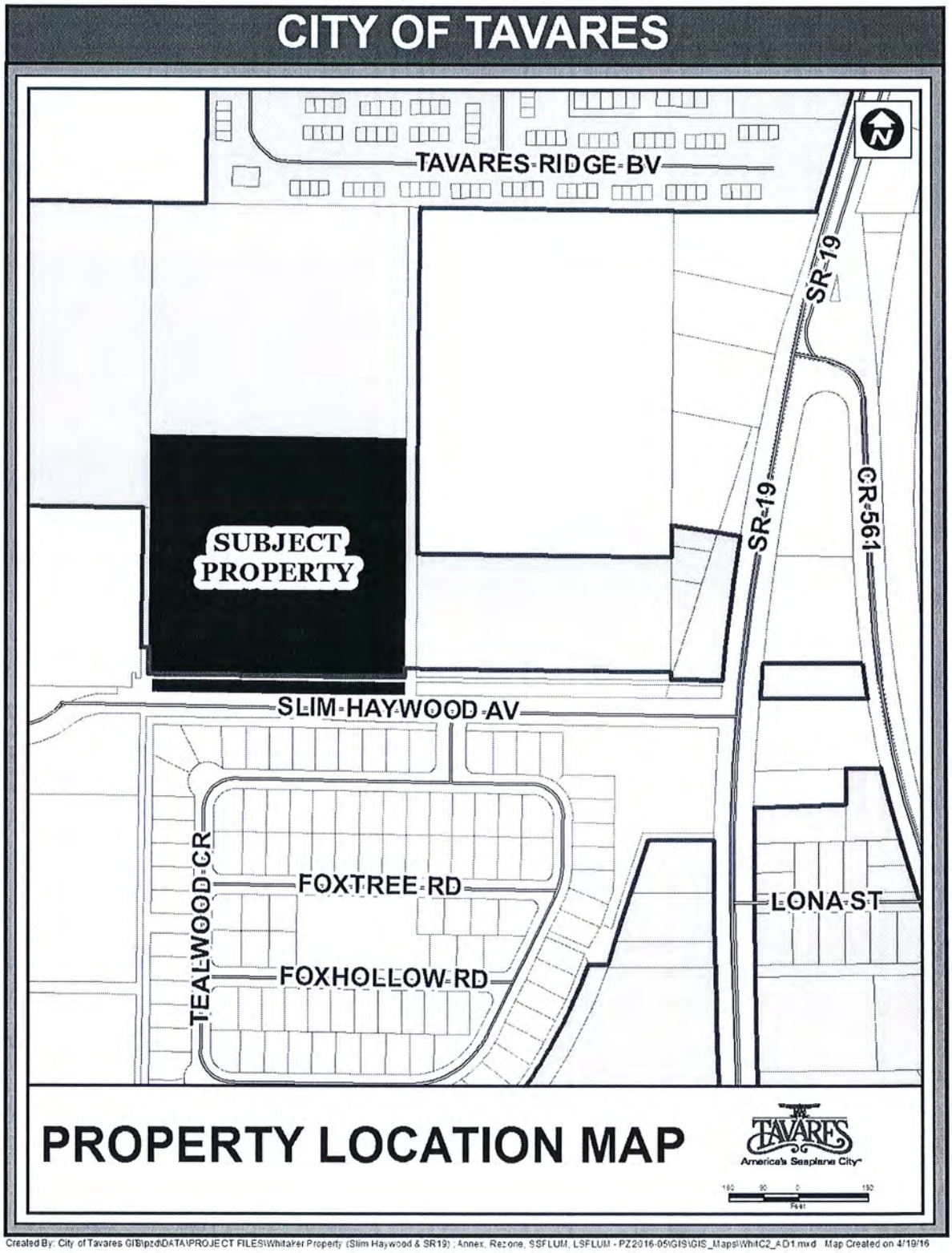
ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

EXHIBIT "A"



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would be compatible with the commercial development taking place on SR19. The City is concurrently processing a future and use map amendment to re-designate the property from Lake County Urban Low to City of Tavares Mixed Use Commercial on the Future Land Use Map 2020. In the City's Future Land use there are two mixed use designations; a mixed use commercial and a mixed use neighborhood. This is a progression in designations. Staff recommends the Planning and Zoning Board moves to recommend approval of Ordinance 2016-15.

DISCUSSION

Chairman Santoro asked if anyone in the audience wished to speak.

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked for comments and questions from the Board.

MOTION

Lou Buigas moved to approve [that the Planning and Zoning Board move to recommend approval of Ordinance 2016-15], seconded by Norb Thomas. The motion carried unanimously.

6. **Whitaker Property (Slim Haywood Ave.) - SSFLUM – Whitaker Family Partnership – 9.8 Acres on the North Side of Slim Haywood - Recommendation on Ordinance 2016-16**

Mr. Skutt provided the following testimony:

Ordinance 2016-16 is the companion Ordinance to Ordinance 2016-15 that was previously recommended and proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan. The subject property is 9.8 acres and located on the north side of Slim Haywood Avenue, approximately 800 feet west of the intersection of SR19. The new Publix Shopping Center is abutting the land to the west. The property is currently being used for agricultural purposes (orange groves). The applicant envisions residential and commercial mixed uses that complement the commercial development taking place on SR19. This ordinance would amend the current Future Land Use Designation form Lake County Urban Low Density to City Mixed Use Commercial. A City Commercial Mixed Use Commercial designation is compatible with the surrounding property. Staff recommends that the Planning and Zoning Board recommend approval for Ordinance 2016.16.

DISCUSSION

Chairman Santoro asked if anyone in the audience wished to speak.

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked for comments and questions from the Board.

MOTION

Richard Root moved to recommend approval of Ordinance 2016-16, seconded by Norb Thomas. The motion carried unanimously 4-0.

7. **Whitaker Property (Slim Haywood Ave.) - Annexation, Rezoning – Whitaker Family Partnership – 36 Acres West of SR19 North of Slim Haywood - Recommendation on Ordinance 2016-17**

Mr. Skutt provided the following testimony:

The subject property consists of three parcels centrally located approximately 600 feet north of Slim Haywood Avenue and 1600 feet west of SR19. This property has no direct frontage on a developed road, but is connected to the lands owned by the Whitakers that does have frontage onto Slim Haywood Avenue. The property is used for agricultural purposes (orange groves). It is currently zoned Agricultural in the County. The owner is requesting a City Mixed Use (MU) zoning. The new Publix Shopping Center is located one parcel to the east of the subject property. The applicant at this time envisions a mixture of residential and commercial uses on these lands that would be compatible with the commercial development taking place on SR19. The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low to City of Tavares Mixed Use Neighborhood on this Future Land Use Map 2020. Staff recommends the Planning and Zoning Board moves to recommend approval of Ordinance 2016-17.

DISCUSSION

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked if anyone in the audience wished to speak.

Chairman Santoro asked if this property is near the school that the county is proposing to build; Mr. Skutt confirmed and said the land use is complimentary to the school as a mixed use zoning that allows multi-family residential. Mr. Ray noted that was one of the critical points in selecting the land use as a mixed use provides diversity within the community with a higher density close to a school site.

Chairman Santoro asked for comments and questions from the Board.

Ms. Buigas asked if the neighborhood could become a 55+ development in the future. Mr. Skutt said it is not out of the question, but it would not be staff's recommendation nor is a 55+ community envisioned by the property owner.

Chairman Santoro asked who will be responsible for upgrades to the road. Mr. Skutt said that before a site plan is approved there will be an evaluation as to any road impacts from the development. He said that road upgrades costs are usually incurred by the developer.

MOTION

Richard Root moved to approve [for the Planning and Zoning Board to recommend approval of Ordinance 2016-17], seconded by Norb Thomas. The motion carried unanimously.

8. **Whitaker Property (Slim Haywood Ave.) - LSFLUM – Whitaker Family Partnership – 36 Acres West of SR 19 North of Slim Haywood - Recommendation on Ordinance 2016-18**

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 15, 2016

AGENDA TAB NO. 11 **SECOND READING**
SUBJECT TITLE: **Ordinance 2016-17**
Annexation & Rezoning –Whitaker Family Partnership
36 Acres-West of S.R. 19-North of Slim Haywood

OBJECTIVE:

To consider the annexation and rezoning to Mixed Use of approximately 36 acres of property centrally located 600 feet north of Slim Haywood Avenue and 1600 feet west of S.R. 19.

SUMMARY:

The subject property consists of three parcels of property, centrally located approximately 600 feet north of Slim Haywood Avenue and 1600 feet west of S.R. 19. This property has no direct frontage on a developed road, but is connected to lands owned by the Whitakers that does have frontage onto Slim Haywood Avenue. The property is used for agricultural purposes (orange groves). It is currently zoned Agricultural in the County. The owner is requesting a City Mixed Use (MU) zoning.

The new Publix Shopping Center is located one parcel to the east of the subject property. The applicant at this time envisions a mixture of residential and commercial uses on these lands that would be compatible with the commercial development taking place on S.R. 19.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low to City of Tavares Mixed Use Neighborhood on the Future Land Use Map 2020.

OPTIONS:

1. That City Council moves to approve Ordinance 2016-17.
2. That City Council moves to deny Ordinance 2016-17.

PLANNING & ZONING BOARD RECOMMENDATION:

At the June 19 meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-17.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2016-17.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2016-17

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 36 ACRES OF LAND CENTRALLY LOCATED APPROXIMATELY 600 FEET NORTH OF SLIM HAYWOOD AVENUE AND 1600 FEET WEST OF S.R. 19, REZONING SAID PROPERTY FROM LAKE COUNTY AGRICULTURAL (A) TO CITY OF TAVARES MIXED USE (MU); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

WHEREAS, the property is currently zoned Lake County Agricultural (A) and the applicant has requested that said property be rezoned to a City designation of Mixed Use (MU); and,

WHEREAS, the City is concurrently processing a large scale future land use map amendment to re-designate the property from Lake County Urban Low Density to a City of Tavares Mixed Use Neighborhood on the Future Land Use Map; therefore

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

Section 1. Annexation

The property legally defined as and depicted in **Exhibit "A"** attached hereto, situated in Lake County, Florida, is hereby incorporated into and made a part of the City of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes.

Section 2. Rezoning

The property described in **Exhibit "A"** shall hereby be rezoned from Lake County Agricultural (A) to City of Tavares Mixed Use (MU) and shall be subject to the provisions contained within the Land Development Regulations for this zoning designation.

Section 3. Severability.

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

Section 4. Effective Date.

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

PASSED AND ORDAINED this _____ of _____, 2016, by the City Council of the City of Tavares, Florida.

_____

Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

_____

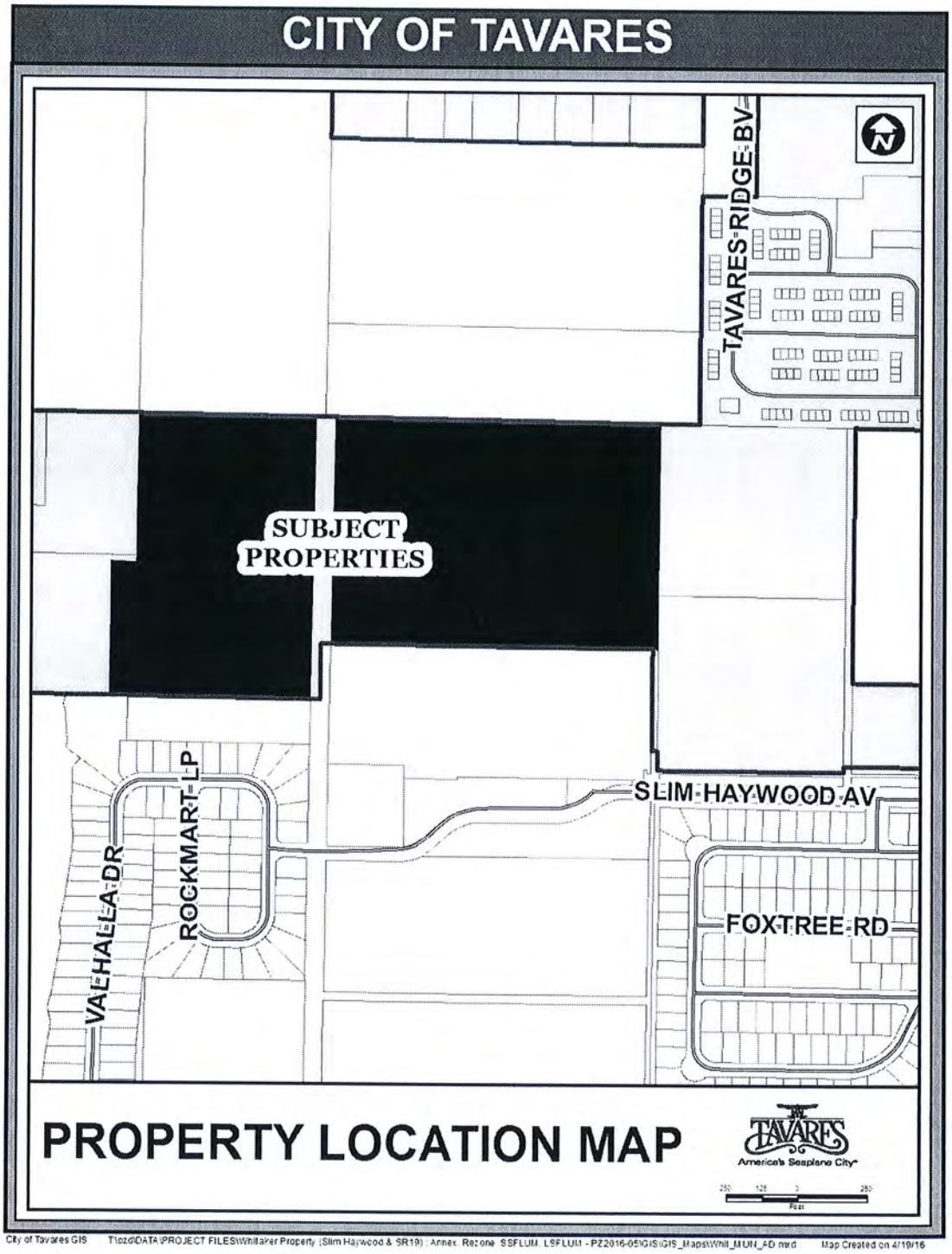
Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____

Robert Q. Williams, City Attorney

EXHIBIT A


CITY OF TAVARES
TAVARES RIDGE BV
SUBJECT PROPERTIES
SLIM HAYWOOD AV
ROCKMART LP
VALHALLA DR
FOXTREE RD
PROPERTY LOCATION MAP
TAVARES
America's Seaplane City
City of Tavares GIS
Map Created on 4/19/16

Richard Root moved to recommend approval of Ordinance 2016-16, seconded by Norb Thomas. The motion carried unanimously 4-0.

7. **Whitaker Property (Slim Haywood Ave.) - Annexation, Rezoning – Whitaker Family Partnership – 36 Acres West of SR19 North of Slim Haywood - Recommendation on Ordinance 2016-17**

Mr. Skutt provided the following testimony:

The subject property consists of three parcels centrally located approximately 600 feet north of Slim Haywood Avenue and 1600 feet west of SR19. This property has no direct frontage on a developed road, but is connected to the lands owned by the Whitakers that does have frontage onto Slim Haywood Avenue. The property is used for agricultural purposes (orange groves). It is currently zoned Agricultural in the County. The owner is requesting a City Mixed Use (MU) zoning. The new Publix Shopping Center is located one parcel to the east of the subject property. The applicant at this time envisions a mixture of residential and commercial uses on these lands that would be compatible with the commercial development taking place on SR19. The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low to City of Tavares Mixed Use Neighborhood on this Future Land Use Map 2020. Staff recommends the Planning and Zoning Board moves to recommend approval of Ordinance 2016-17.

DISCUSSION

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked if anyone in the audience wished to speak.

Chairman Santoro asked if this property is near the school that the county is proposing to build; Mr. Skutt confirmed and said the land use is complimentary to the school as a mixed use zoning that allows multi-family residential. Mr. Ray noted that was one of the critical points in selecting the land use as a mixed use provides diversity within the community with a higher density close to a school site.

Chairman Santoro asked for comments and questions from the Board.

Ms. Buigas asked if the neighborhood could become a 55+ development in the future. Mr. Skutt said it is not out of the question, but it would not be staff's recommendation nor is a 55+ community envisioned by the property owner.

Chairman Santoro asked who will be responsible for upgrades to the road. Mr. Skutt said that before a site plan is approved there will be an evaluation as to any road impacts from the development. He said that road upgrades costs are usually incurred by the developer.

MOTION

Richard Root moved to approve [for the Planning and Zoning Board to recommend approval of Ordinance 2016-17], seconded by Norb Thomas. The motion carried unanimously.

8. **Whitaker Property (Slim Haywood Ave.) - LSFLUM – Whitaker Family Partnership – 36 Acres West of SR 19 North of Slim Haywood - Recommendation on Ordinance 2016-18**

AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 15, 2016

AGENDA TAB NO. 12 **SECOND READING**
SUBJECT TITLE: **Ordinance 2016-19**
Annexation & Rezoning –Whitaker Family Partnership
Southwest Intersection of S.R. 19 & Camp Road

OBJECTIVE:

To consider the annexation and rezoning to Highway Commercial of 14.25 acres of property located at the southwest intersection of S.R. 19 and Camp Road.

SUMMARY:

The subject property consists of two parcels of property located at the southwest intersection of S.R. 19 and Camp Road. There is an older existing single family dwelling located on the parcel that fronts onto S.R. 19. The property is currently zoned Agricultural in the County. The owner, Whitaker Family Partnership, is requesting a City Highway Commercial (C-2) zoning.

The property is currently being used for agricultural purposes (orange groves). S.R. 19 is rapidly becoming a major commercial corridor for Tavares. It is staff's opinion that a Highway Commercial (C-2) zoning is the most compatible designation for this property.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low to City of Tavares Commercial on the Future Land Use Map 2020.

OPTIONS:

1. That City Council moves to approve Ordinance 2016-19.
2. That City Council moves to deny Ordinance 2016-19.

PLANNING & ZONING BOARD RECOMMENDATION:

At the June 19 meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-19.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2016-19.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2016-19

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 14.18 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHWEST INTERSECTION OF S.R. 19 AND CAMP ROAD; REZONING SAID PROPERTY FROM LAKE COUNTY AGRICULTURAL (A) TO CITY OF TAVARES HIGHWAY COMMERCIAL (C-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

WHEREAS, the property is currently zoned Lake County Agricultural (A) and the applicant has requested that said property be rezoned to a City designation of Highway Commercial (C-2); and,

WHEREAS, the City is concurrently processing a large scale future land use map amendment to re-designate the property from Lake County Urban Low Density to a City of Tavares Commercial designation on the Future Land Use Map; therefore

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

Section 1. Annexation

The property legally defined as and depicted in **Exhibit "A"** attached hereto, situated in Lake County, Florida, is hereby incorporated into and made a part of the City of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes.

Section 2. Rezoning

The property described in **Exhibit "A"** shall hereby be rezoned from Lake County Agricultural (A) to City of Tavares Highway Commercial (C-2) and shall be subject to the provisions contained within the Land Development Regulations for this zoning designation.

Section 3. Severability.

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

Section 4. Effective Date.

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

PASSED AND ORDAINED this _____ of _____, 2016, by the City Council of the City of Tavares, Florida.

_____

Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

_____

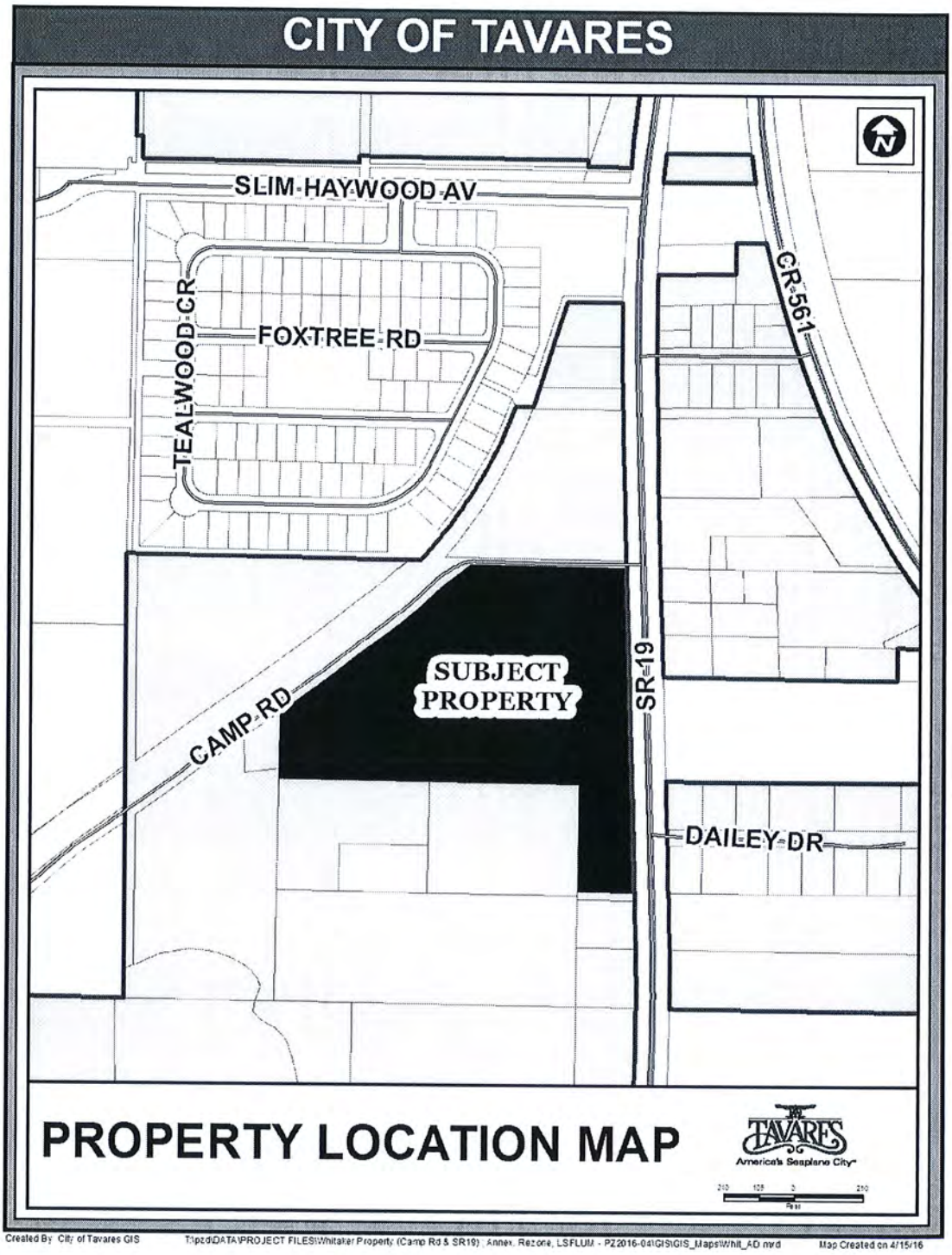
Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____

Robert Q. Williams, City Attorney

EXHIBIT A


CITY OF TAVARES
SLIM HAYWOOD AV
TEALWOOD CR
FOXTREE RD
CR 561
SUBJECT PROPERTY
SR 19
CAMP RD
DAILEY DR
PROPERTY LOCATION MAP
TAVARES
America's Seaplane City
Created By: City of Tavares GIS
Map Created on 4/15/16

Mr. Skutt provided the following testimony:

Ordinance 2016-18 proposes a large scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan. The subject property is 36 acres centrally located 600 feet north of Slim Haywood Avenue and 1600 feet west of SR19. The property is used for agricultural purposes (orange groves). This ordinance would amend the current Future Land Use Designation from Lake County Urban Low Density to City Mixed Use Neighborhood. Staff recommends that the Planning and Zoning Board move to recommend approval of Ordinance 2016-18.

DISCUSSION

Chairman Santoro asked if anyone in the audience wished to speak.

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked for comments and questions from the Board.

MOTION

Lou Buigas moved to approve [for the Planning and Zoning Board recommend approval of Ordinance 2016-18], seconded by Richard Root. The motion carried unanimously 4-0.

9. **Whitaker Property (Camp Rd & US441) - Annexation, Rezoning – Whitaker Family Partnership – 14.25 Acres at Southwest Intersection of SR19 and Camp Road - Recommendation on Ordinance 2016-19**

Mr. Skutt provided the following testimony:

The subject property consists of two parcels of property located at the southwest intersection of SR19 and Camp Road. There is an older existing single family dwelling located on the parcel that fronts onto SR19. The property is currently zoned Agricultural in the County and the owner is requesting a City Highway Commercial (c-2) zoning. The property is currently being used for agricultural purposes (orange groves). SR19 is rapidly becoming a major commercial corridor for Tavares. It is staff's opinion that a Highway Commercial (C-2) zoning is the most compatible designation for the property. The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low to City of Tavares Commercial on the Future Land Use Map 2020. Staff recommends the Planning and Zoning Board move to recommend approval of Ordinance 2016-19.

DISCUSSION

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked if anyone in the audience wished to speak.

Chairman Santoro asked for comments and questions from the Board.

MOTION

Lou Buigas moved to approve [for the Planning and Zoning Board to recommend approval of Ordinance 2016-19], seconded by Richard Root. The motion carried unanimously 4-0.

10. Whitaker Property (Camp Rd & US441) - LSFLUM – Whitaker Family Partnership – 14.25 Acres at Southwest Intersection of SR19 and Camp Road - Recommendation on Ordinance 2016-20

Mr. Skutt provided the following testimony:

Ordinance 2016-20 proposes a large scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan. The subject property is 14.25 acres in size, located at the southwest intersection of SR19 and Camp Road. There is an older existing single family dwelling located on the parcel that fronts onto SR19. This ordinance would amend the current Future Land Use Designation from Lake County Urban Low Density to City Commercial which is most compatible with surrounding property. Staff recommends the Planning and Zoning Board move to recommend approval of Ordinance 2016-20.

DISCUSSION

Chairman Santoro asked if anyone in the audience wished to speak.

William Ray, Ray and Associates, representative for the applicant, concurred with staff findings and asked that the Board support their request.

Chairman Santoro asked for comments and questions from the Board.

MOTION

Richard Root moved for approval [to recommend approval of Ordinance 2016-20], seconded by Norb Thomas. The motion carried unanimously 4-0.

ADJOURNMENT

Norb Thomas moved to adjourn the meeting, seconded by Richard Root. The motion carried unanimously 4-0.

There was no further business and the meeting adjourned at 3:34 p.m.

Respectfully submitted,

_____

Susie Novack, MMC/FCRM
Deputy City Clerk

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TAVARES

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AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 15, 2016

AGENDA TAB NO. 13 **SECOND READING**
SUBJECT TITLE: **Ordinance 2016-21**
Rezone to PD
Northwest Corner of Dora Avenue and South Mt. Homer Road

OBJECTIVE:

To consider the rezoning of approximately .27 acres of property located on the northwest corner of Dora Avenue and South Mt. Homer Road from RSF-1 (Residential Single Family) to PD (Planned Development) to allow development of three residential cottages.

SUMMARY:

The subject property is located on the northwest corner of Dora Avenue and South Mt. Homer Road and is vacant. The property is approximately .27 acres in size and is owned by Roll Property Group. The owner desires to construct three small residential rental cottages. The cottages will be situated as shown in the conceptual plan attached to the PD Ordinance. Each cottage will be 875 square feet in size with a 15 foot attached patio and parking for two vehicles. It is intended that these cottages may provide needed workforce housing for professional individuals that are employed at the hospital and other medical facilities in this area of the city. The proposed ordinance requires that the usual buffering required between multi-family and single family uses be constructed along adjoining property lines. A similar development has recently been approved and constructed on the south side of Dora Avenue with success. Prior to the issuance of any building permits, the owner must obtain an approved site plan demonstrating compliance with the city's land development regulations.

OPTIONS:

1. That City Council moves to approve Ordinance 2016-21.
2. That City Council moves to deny Ordinance 2016-21.

PLANNING & ZONING BOARD RECOMMENDATION:

At the June 19 meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-21.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2016-21.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2016-21

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY .27 ACRES GENERALLY LOCATED ON THE NORTHWEST CORNER OF DORA AVENUE AND SOUTH MOUNT HOMER ROAD; FROM RSF-1 (RESIDENTIAL SINGLE FAMILY) TO PD (PLANNED DEVELOPMENT); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner is requesting to rezone the subject property from a City of Tavares designation of RSF-1 (Single Family Residential) to a City of Tavares designation of PD (Planned Development); and,

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board, and City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed amendment; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the owner has applied for an amendment to the City's Comprehension Future Land Use Map 2020 from a Low Density designation to a Medium Density designation and the application for this will be processed concurrently with this rezoning; therefore

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

Section 1. Rezoning

Said property, as legally defined in **Exhibit "A",** attached hereto and made a part herewith, is hereby rezoned from RSF-1 (Residential Single Family) to City of Tavares PD (Planned Development), under the specific provisions as established by the City of Tavares Land Development Regulations.

Section 2. Definitions

Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in the City of Tavares Land Development Regulations or the City of Tavares Comprehensive Plan.

Section 2.1 Land Uses

A. The Conceptual Master Plan for the project is attached hereto and made a part herewith as **Exhibit "B"**. No jurisdictional wetlands are indicated on the survey of the property.

Total Acreage of Property .27 acres

B. The maximum allowed residential density for this Planned Development shall be as follows:

Maximum Units	**3 dwelling units**
Gross Density	**11 dwelling units/acre**

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

Section 2.2 Development Standards

Unless otherwise specified herein the development standards of the City of Tavares Land Development Code shall apply as follows:

A. A maximum of three cottage dwelling units may be located on the property. The maximum gross size of any cottage shall be 875 square feet. Front, side and rear setbacks for any new cottage constructed shall be as required for an RSF-1 zoning and measured from the property line to the foremost vertical face of the structure. Where any setbacks conflict with required easement widths, the easement widths, if larger, shall prevail. No accessory structures shall be permitted.

B. Architectural Standards

The appearance of each cottage dwelling unit shall adhere substantially to the Elevation Plan attached hereto and made a part herewith as **Exhibit "C".**

C. Lot Requirements

The maximum lot coverage by impervious surfaces shall not exceed seventy percent (70%) of the total lot area.

D. Landscaping Requirements

A five foot landscaped buffer consisting of a continuous hedge and canopy trees spaced at forty foot centers shall be planted and maintained along any rear or side property lines that abut adjacent properties.

E. Parking Requirements

A minimum of two parking spaces shall be provided per cottage. Parking surfaces may be of mulch, gravel or other similar pervious materials. The parking spaces shall be clearly delineated. Parking on grassed areas is prohibited.

Section 2.4 Public Facilities.

A. Impact Fees

The Developer acknowledges that the City of Tavares has impact fees for water, wastewater, fire, and police, while Lake County has impact fees for schools and transportation. The project shall be subject to such impact fees or any additional impact fees effective at the time of issuance of any building permit.

B. Potable water

Potable water shall be provided by the City of Tavares and impact fees shall be paid by the Developer. The Developer shall extend water lines from the existing location to the development. Lines shall be extended in a manner in accordance with the City of Tavares Public Works Department.

C. Wastewater

Wastewater treatment service shall be provided by the City and the Developer shall pay the impact fees. The Developer shall extend sanitary sewer lines from the existing location to the development. Lines shall be extended and improvements shall be made in accordance with specifications of the City of Tavares Public Works Department.

D. Drainage

If a retention pond is determined to be necessary by the St. John's River Water Management District, the design shall incorporate a naturalistic approach, to be accomplished through one or more of the following methods: (1) through curvilinear perimeter design, (2) through the inclusion of swales rather than abrupt slopes requiring fencing, and (3) through naturalistic landscaping. Prior to receiving any development approvals, the Developer shall submit a master site drainage plan for review and approval by the City. All applicable St. John's River Water Management District permits shall be required prior to approval of any development order. The maintenance of the drainage system shall be the responsibility of the property owner.

Section 3. Effective Date.

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

PASSED AND ORDAINED this _____ day of _____, 2016, by the City Council of the City of Tavares, Florida.

_____
Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
Robert Q. Williams, City Attorney

Exhibit "A"

Lots 49, 50 and 51, Section N, TAVARES HEIGHTS, according to the plat thereof as recorded in Plat Book 5, Page 27, Public Records of Lake County, Florida, Less the Northwesterly 75.00 feet thereof.

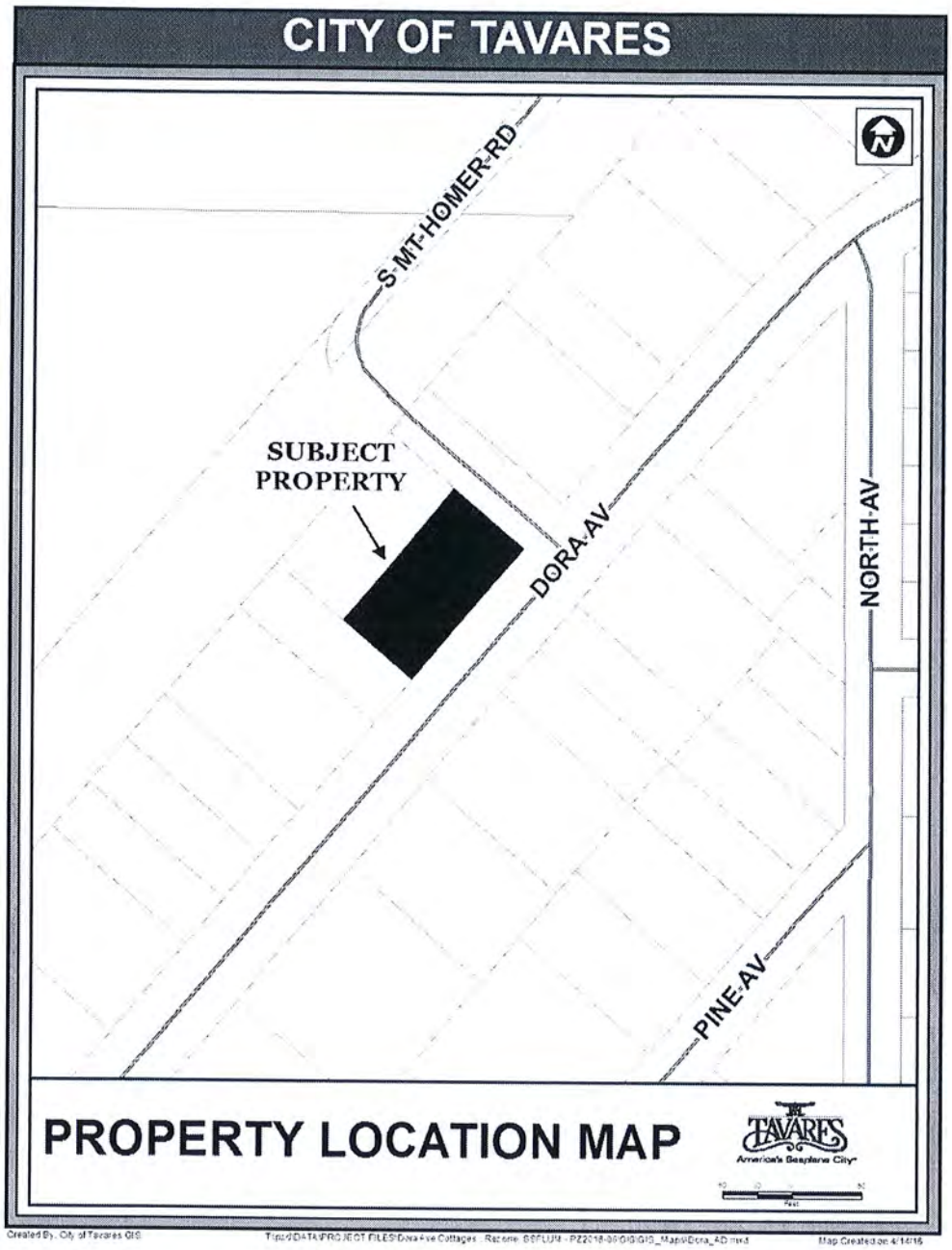
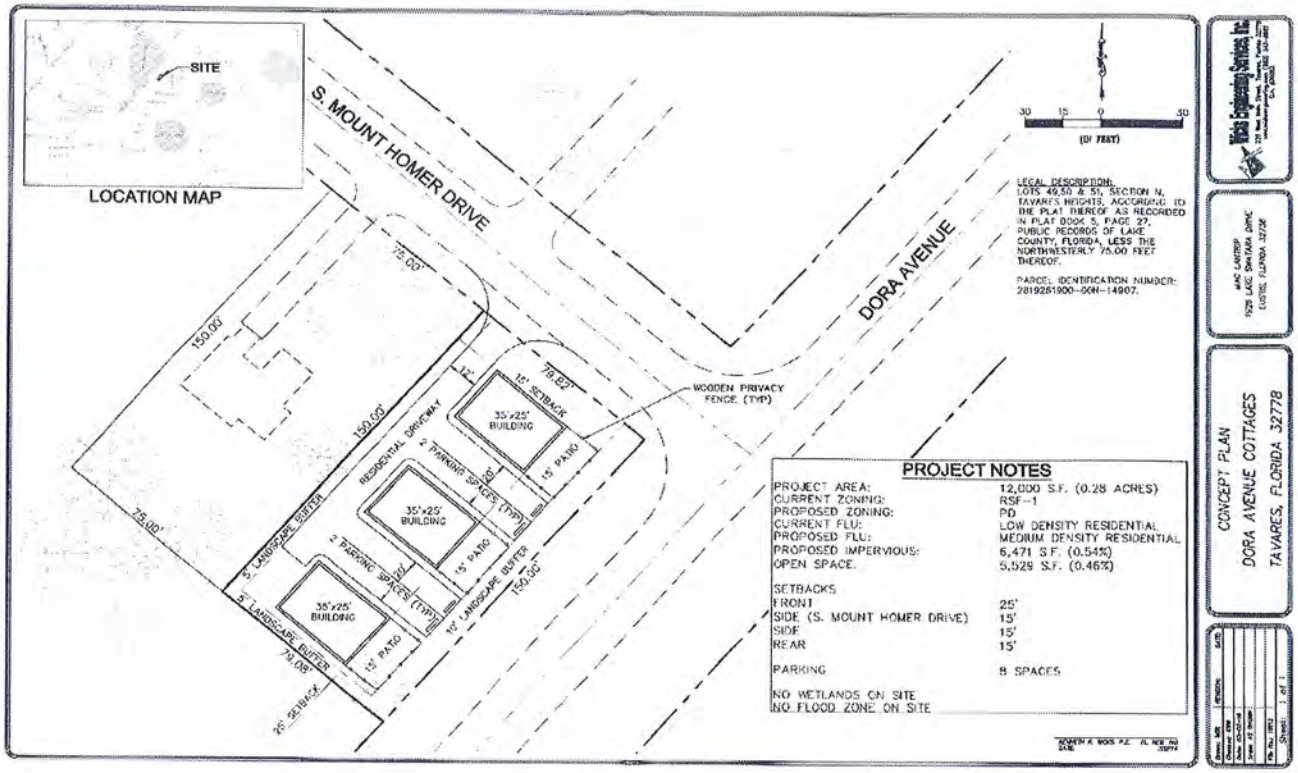

CITY OF TAVARES
S MT HOMER RD
SUBJECT PROPERTY
DORA AV
NORTH AV
PINE AV
PROPERTY LOCATION MAP
TAVARES
America's Seaplane City
Created By: City of Tavares GIS
Map Created on 4/14/16

EXHIBIT "B"



SITE
LOCATION MAP
S. MOUNT HOMER DRIVE
DORA AVENUE
(IN FEET)
LEGAL DESCRIPTION:
LOTS 49,50 & 51, SECTION N, TAVARES HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LESS THE NORTHWESTERLY 75.00 FEET THEREOF.
PARCEL IDENTIFICATION NUMBER: 2819251900-00N-14907.
WOODEN PRIVACY FENCE (TYP)
35'x25' BUILDING
15' SETBACK
15' PATIO
2 PARKING SPACES (TYP)
RESIDENTIAL DRIVEWAY
5' LANDSCAPE BUFFER
10' LANDSCAPE BUFFER
25' SETBACK
150.00'
75.00'
79.82'
79.08'
PROJECT NOTES
PROJECT AREA: 12,000 S.F. (0.28 ACRES)
CURRENT ZONING: RSF-1
PROPOSED ZONING: PD
CURRENT FLU: LOW DENSITY RESIDENTIAL
PROPOSED FLU: MEDIUM DENSITY RESIDENTIAL
PROPOSED IMPERVIOUS: 6,471 S.F. (0.54%)
OPEN SPACE: 5,529 S.F. (0.46%)
SETBACKS
FRONT 25'
SIDE (S. MOUNT HOMER DRIVE) 15'
SIDE 15'
REAR 15'
PARKING 8 SPACES
NO WETLANDS ON SITE
NO FLOOD ZONE ON SITE
CONCEPT PLAN
DORA AVENUE COTTAGES
TAVARES, FLORIDA 32778

Exhibit "C"

CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES
May 19, 2016 – 3:00 PM

BOARD MEMBERS PRESENT	BOARD MEMBERS ABSENT
Gary Santoro, Chairman	Roy Stevenson
Richard Root , Vice Chairman	Morris Osborn
Norb Thomas	Bill Stomp
Lou Buigas	

LAKE COUNTY SCHOOL BOARD

STAFF MEMBERS PRESENT	STAFF MEMBERS ABSENT
Jacques Skutt, Community Development Director	Bob Williams, City Attorney
Susie Novack, Deputy City Clerk	
Dawn McDonald, Planning Coordinator	

CALL TO ORDER

Chairman Santoro, called the meeting to order at 3:00 p.m. and those present recited the Pledge of Allegiance. Mr. Santoro asked that all cell phones be turned off or placed on vibrate.

Chairman Santoro noted that there was a quorum present for the meeting.

AGENDA REVIEW

None.

APPROVAL OF MINUTES

The April 21, 2016 Planning and Zoning Board minutes were approved as submitted.

MOTION

Richard Root moved for the approval [of the April 21, 2016 Planning and Zoning Board Minutes], seconded by Norb Thomas. The motion carried unanimously 4-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Chairman Santoro noted the City Attorney was absent. Those persons present to provide case testimony were sworn in by Ms. Novack.

PUBLIC HEARINGS:

CASES HEARD

1. **Dora Ave. Cottages - Rezoning to PD – .27 Acres on Northwest Corner of Dora Avenue and South Mt. Homer Road - Recommendation on Ordinance 2016-21**

Mr. Skutt provided the following testimony:

The property is approximately .27 acres [northwest corner of Dora Avenue and South Mt. Homer Road and is vacant] in size and is owned by Roll Property Group. The owner desires to construct three small residential rental cottages. The cottages will be situated as shown in the conceptual plan attached to the PD Ordinance. Each cottage will be 875 square feet in size with a 15 foot attached patio and parking for two vehicles. It is intended that these cottages may provide needed workforce housing for professional individuals that are employed at the hospital and other medical facilities in this area of the city. The proposed ordinance requires that the usual buffering required between multi-family and single family uses be constructed along adjoining property lines. A similar development has recently been approved and constructed on the south side of Dora Avenue with success. Prior to the issuance of any building permits, the owner must obtain an approved site plan demonstrating compliance with the city's land development regulations. The city has not received the conceptual architectural renderings that will be an exhibit with the proposed ordinance for approval by the City Council. Staff recommends that the Planning and Zoning Board recommends that City Council moves to approve Ordinance 2016-21.

DISCUSSION

Chairman Santoro asked if anyone in the audience wished to speak.

Ted Wicks, Wicks Consulting, said this is a good opportunity for in-fill and needed housing. He said they will be similar as the Jack Smith homes. He said the construction is attractive and provides an opportunity for those who are not looking for a full size single family home or for those whodo not wish to rent an apartment. He said that the architectural renderings will be provided before the next hearing process. Mr. Wicks said he is available for questions.

Chairman Santoro asked for questions from the Board.

Mr. Root inquired about the architectural features. Mr. Wicks said the architectural features will be similar to the cottage approach but with a different color scheme. Mr. Root noted tiny homes is a national movement.

Chairman Santoro asked if there was anyone else in the audience or Board who wished to speak.

MOTION

Lou Buigas moved for approval [for the Planning and Zoning Board to recommend approval of Ordinance 2016-21], seconded by Richard Root. The motion carried unanimously 4-0.

2. Dora Ave. Cottages - SSFLUM – .27 Acres on Nortwest Corner of Dora Avenue and Mt. Homer Road - Recommendation on Ordinance 2016-22

Mr. Skutt provided the following testimony:

Ordinance 2016-22 is the companion ordinance to Ordinance 2016-21 which proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan and is a companion to Ordinance 2016-21. Ordinance 2016-22 changes the future land use designation from Low Density Residential which allows up to 5.6 dwelling units per acre, to put the three cottages on a piece of property this size we need to increase the

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TAVARES

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