AGENDA SUMMARY
TAVARES CITY COUNCIL
DECEMBER 7, 2016

AGENDA TAB NO. 13

SUBJECT TITLE: APPROVAL OF AMENDMENT OF EASEMENT ACROSS SINCLAIR STREET WITH CENTRAL FLORIDA RAILROAD FOR WOOTON PARK WEST PROJECT

OBJECTIVE:

For Council to approve the attached First Amendment of easement agreement between the Florida Central Railroad and the City of Tavares for construction of the Tav-Lee Trail from Wooton Park West to Sinclair.

SUMMARY:

The construction of the Tav-Lee Trail extension portion of the Wooton Park West improvement project will be funded and constructed by the Florida Department of Transportation through a Local Agency Program (LAP) grant. The project will include construction of a small segment of the trail across the railroad right of way from the City Wooton Park West property to Sinclair Avenue. In order to complete the project, FDOT required execution of an easement agreement between the City and the railroad for the construction of this segment, which was approved by Council and executed on June 20, 2016 (attached). Subsequent to the execution of this agreement, it was determined through title research for a separate utilities project, that there was an additional section of property, belonging to the railroad which had been conveyed by operation of law when the City vacated the former Bryan Street right of way. In order to complete the project requirements for FDOT and Clear Right of Way, the City will need to execute the attached amendment to the right of way agreement to include this additional land parcel.

OPTIONS:

1. Approve the attached amendment to easement agreement between the City and Florida Central Railroad.
2. Do not approve the attached amendment to easement agreement between the City and Florida Central Railroad.

STAFF RECOMMENDATION:

Move to approve option 1

FISCAL IMPACT: There is no fiscal impact associated with this item.

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement (the "First Amendment") is made as of this ___ day of _____, 2016, by and between **FLORIDA CENTRAL RAILROAD COMPANY, INC.,** a Florida corporation ("FCEN") and **THE CITY OF TAVARES,** a municipal corporation of the State of Florida with an address of P.O. Box 1068, Tavares, Florida 32778 ("Licensee"), collectively referred to as the Parties.

Preliminary Statement

FCEN and Licensee are parties to a license agreement dated as of June 20, 2016 (the "Agreement"). The Parties desire to amend the description of the License Area as defined in the Agreement.

Now, therefore, in consideration of the above recited premises, FCEN and Licensee agree as follows:

1. Unless otherwise defined herein, all terms shall have the same meanings as set forth in the License Agreement.

2. Grant of License. Paragraph 6 of the Agreement is hereby amended by deleting Paragraph 6 in its entirety and replacing said paragraph with the following:

"FCEN grants unto Licensee a License, with authority to enter upon, construct, install and use, pursuant to this License Agreement: (a) a sidewalk to be located to the south of FCEN's tracks in Tavares, Florida consisting of a portion of Bryan Street at the intersection of Sinclair Avenue, and an abutting parcel in the vicinity of Sinclair Avenue, Bryan Street, and East Ruby Street (collectively the "Sidewalk") and; (b) a pedestrian grade crossing to be located at milepost number ST 783.5 (FDOT No. 625189P) in the vicinity of Sinclair Avenue, Tavares, Florida (the "Crossing"), each as further described and shown on Exhibit A, which is attached hereto and incorporated herein (collectively the "License Area")."

3. Other Terms and Conditions Unchanged. Except as amended or modified herein, the Agreement is ratified, adopted and confirmed.

[END OF DOCUMENT EXCEPT FOR SIGNATURE PAGE.]

Signed as a sealed instrument as of the date first set forth above.

FLORIDA CENTRAL RAILROAD
COMPANY, INC.

_____ _____

Witness Thomas C. Owen Jr., President

Print Name:

THE CITY OF TAVARES, FLORIDA

_____ _____

Witness John Drury, City Administrator

Print Name:

APPROVED AS TO FORM AND LEGALITY:

_____

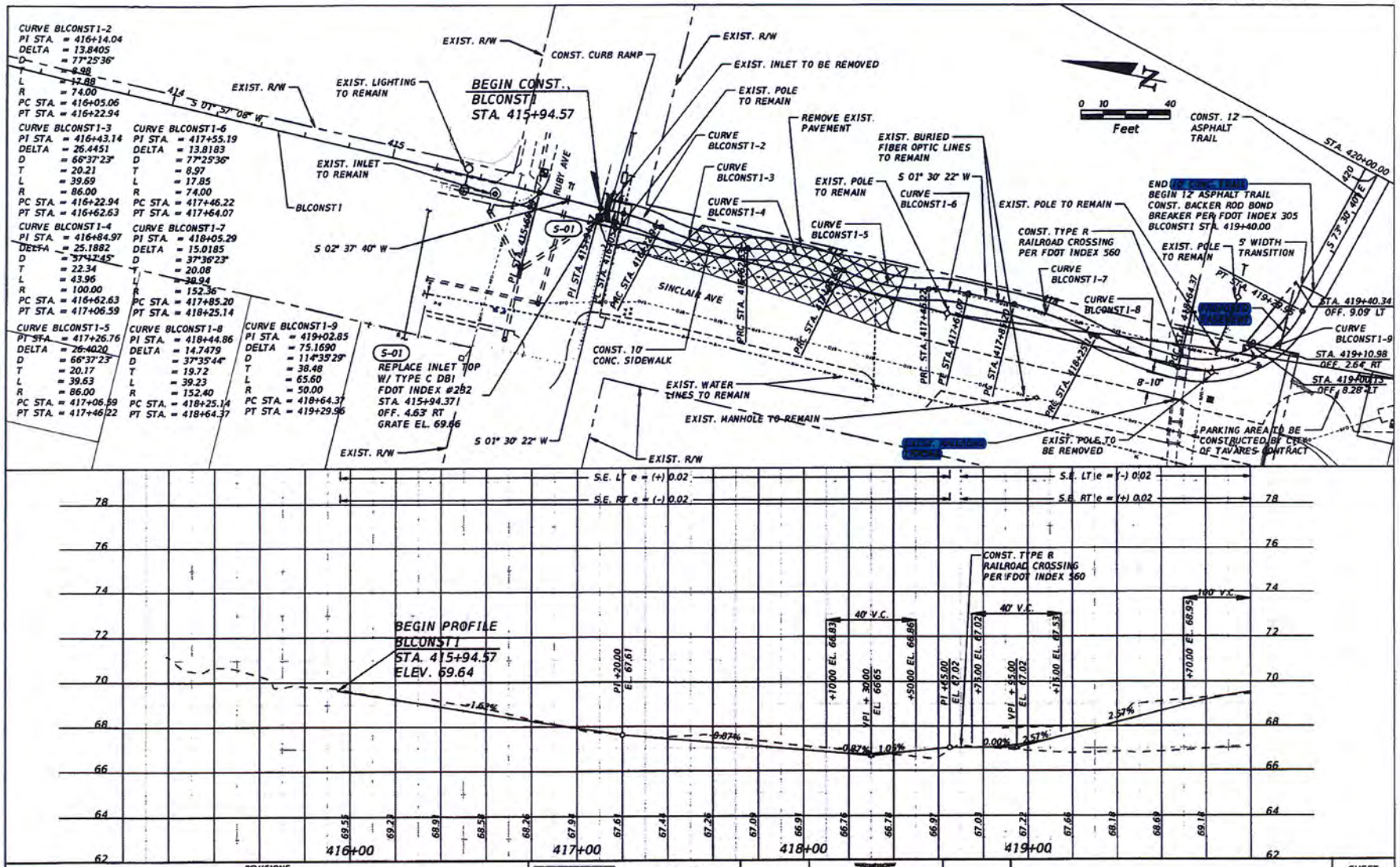
Print Name:
City Attorney

ACCEPTED BY CITY COUNSEL

DATE:_____
OFFICE OF THE CITY CLERK

EXHIBIT A
(7 pages below)

Easement 1



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

AMCON

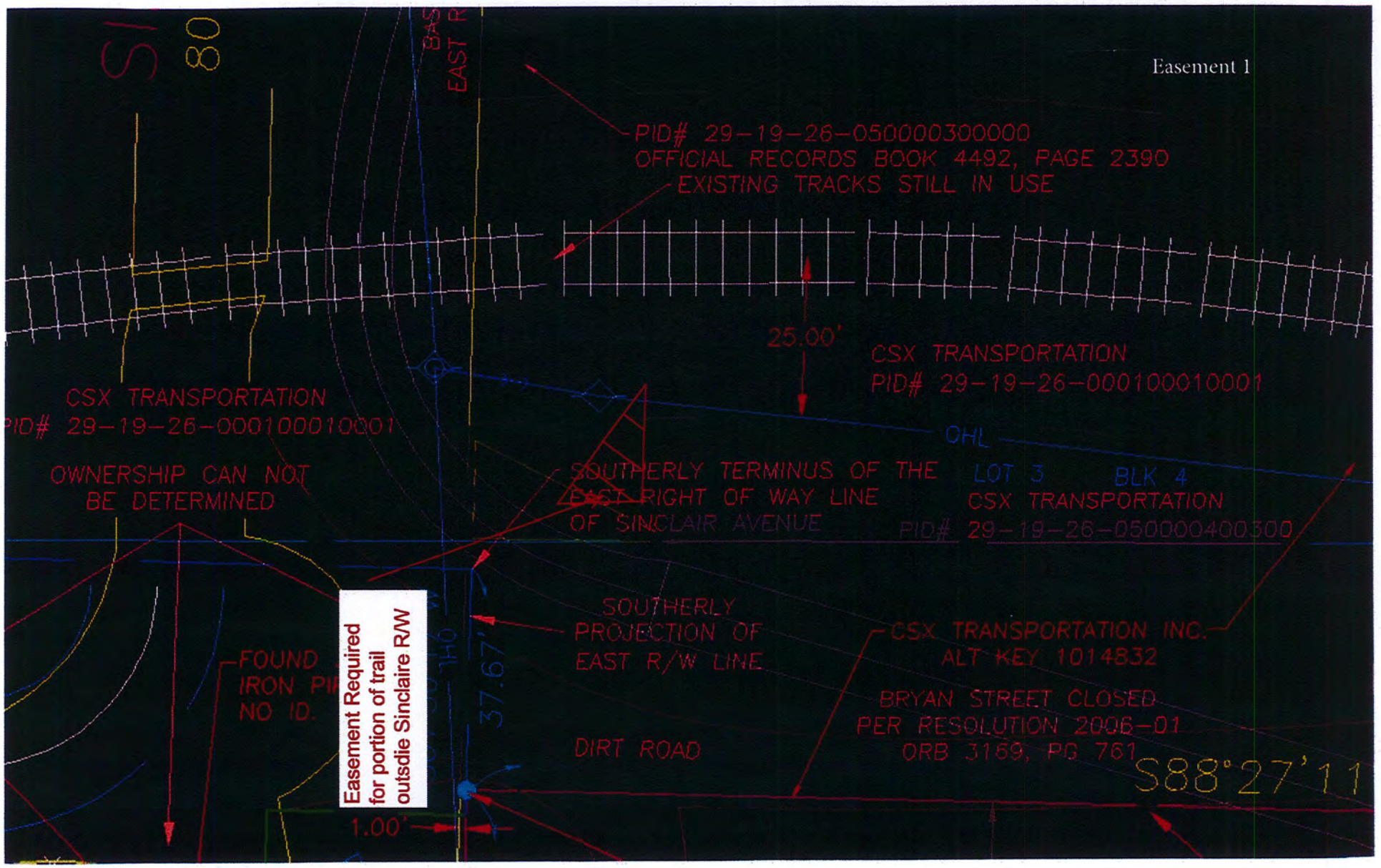
TAVARES America's Seaplane City

PLAN & PROFILE

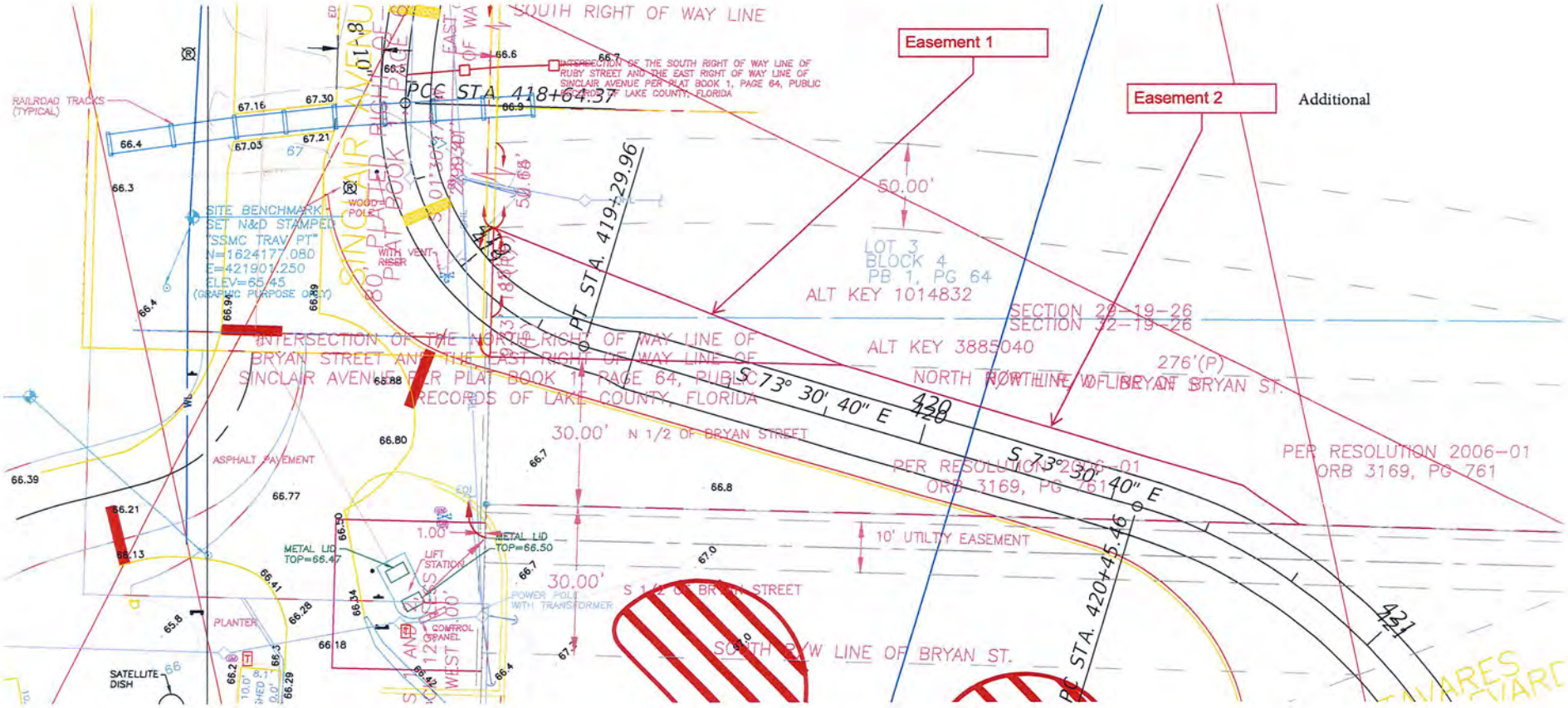
SHEET NO. 9

AALLAN 9/30/2014 11:19:58 AM L:\2012\2012.149.01 - Wooton Park Expansion\CAD\Roadway\PLPRRD01.dwg

Easement 1

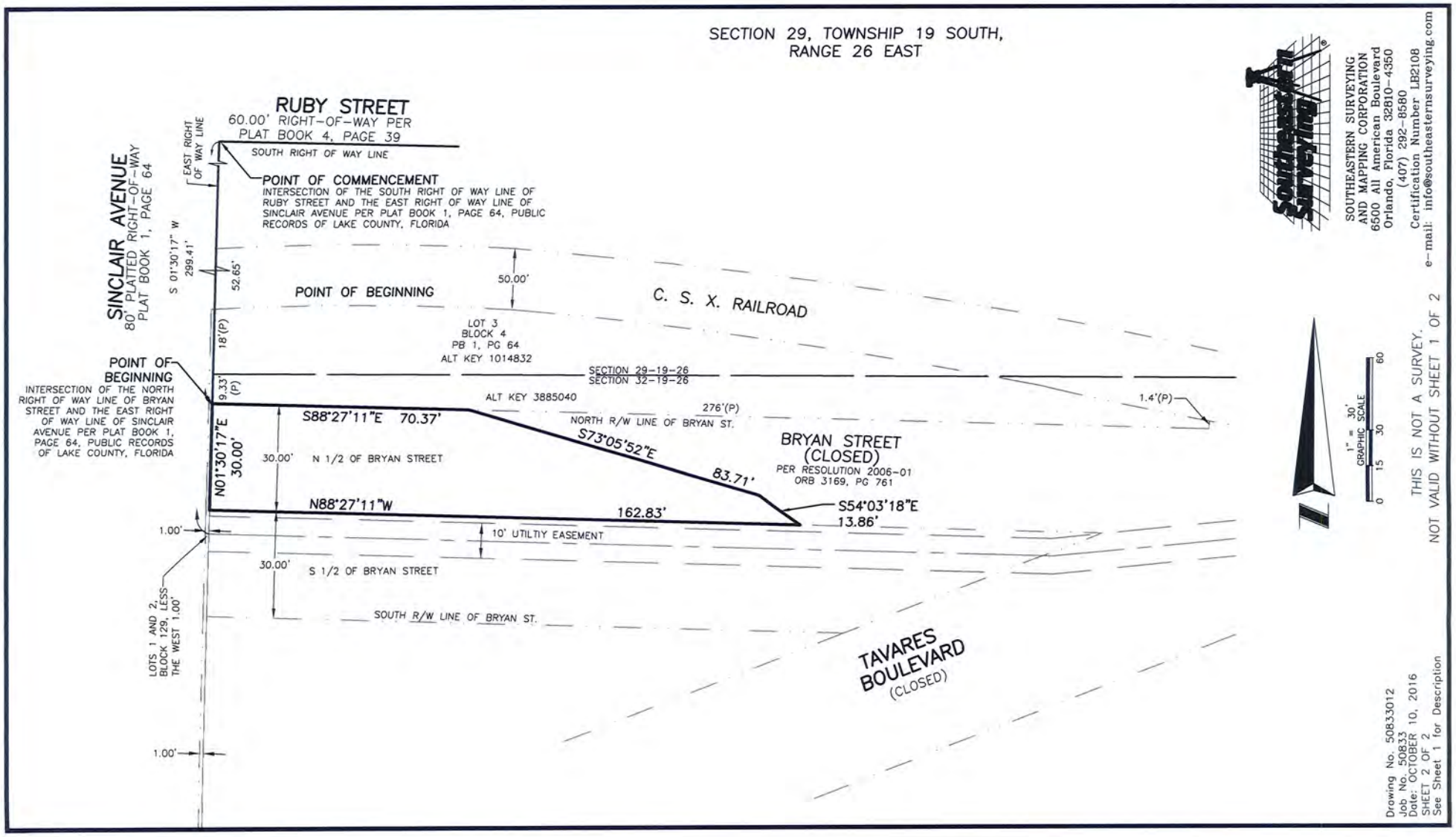


Easement Required for portion of trail outsdie Sinclaire R/W

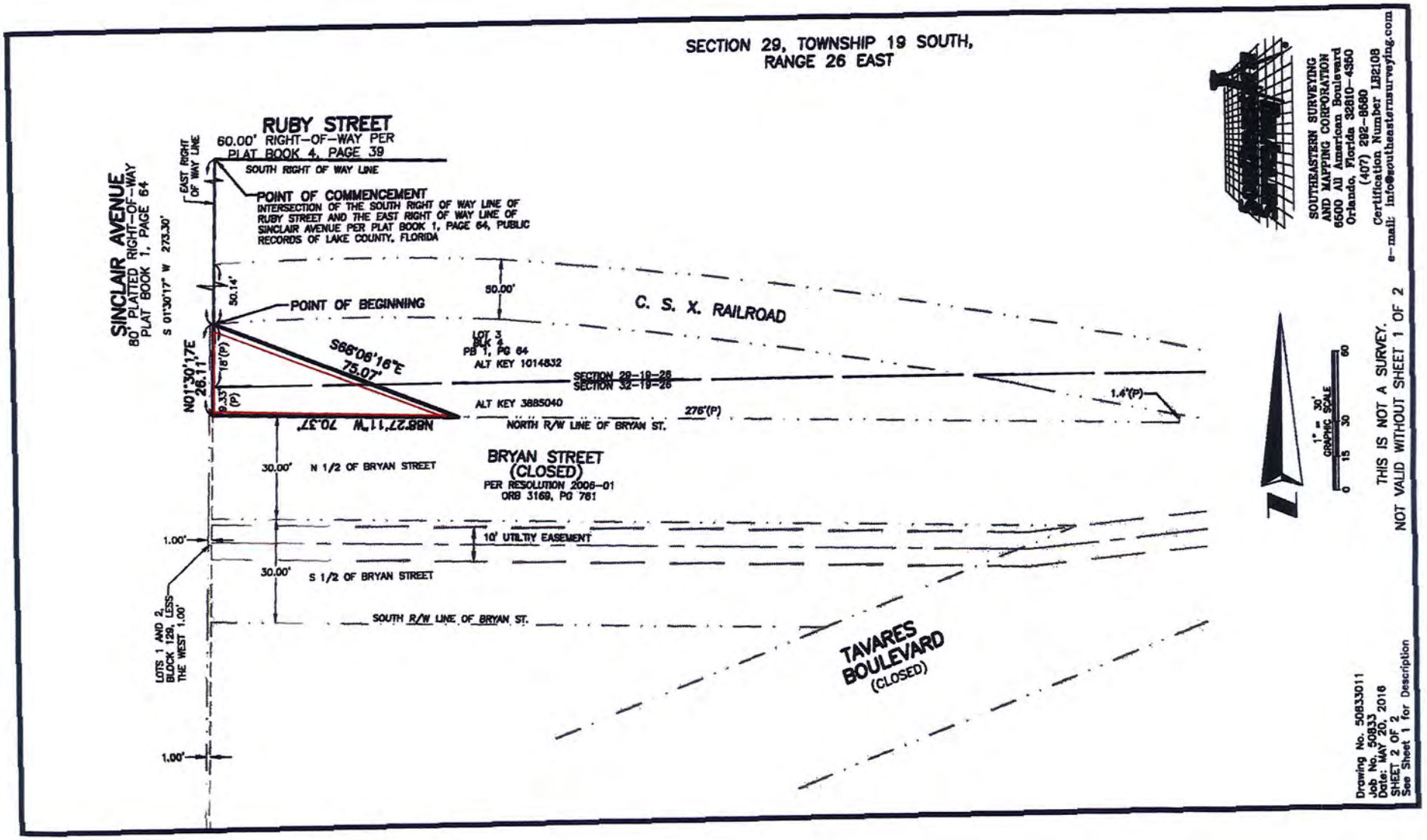


Easement 1
Easement 2
Additional
SOUTH RIGHT OF WAY LINE
INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF RUBY STREET AND THE EAST RIGHT OF WAY LINE OF SINCLAIR AVENUE PER PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA
PCC STA. 418+64.37
PT STA. 419+29.96
PC STA. 420+45.46
S 73° 30' 40" E
420
421
50.00'
LOT 3
BLOCK 4
PB 1, PG 64
ALT KEY 1014832
SECTION 29-19-26
SECTION 32-19-26
ALT KEY 3885040
276'(P)
NORTH R/W LINE OF BRYAN ST.
PER RESOLUTION 2006-01
ORB 3169, PG 761
30.00' N 1/2 OF BRYAN STREET
30.00' S 1/2 OF BRYAN STREET
10' UTILITY EASEMENT
SOUTH R/W LINE OF BRYAN ST.
INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF BRYAN STREET AND THE EAST RIGHT OF WAY LINE OF SINCLAIR AVENUE PER PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA
SITE BENCHMARK
SET N&D STAMPED
"SSMC TRAV PT"
N=1624177.080
E=421901.250
ELEV=65.45
(GRAPHIC PURPOSE ONLY)
RAILROAD TRACKS (TYPICAL)
ASPHALT PAVEMENT
METAL LID TOP=66.47
METAL LID TOP=66.50
LIFT STATION
POWER POLE WITH TRANSFORMER
CONTROL PANEL
PLANTER
SATELLITE DISH
WOOD POLE
WITH VENT RISER

Easment 2


SECTION 29, TOWNSHIP 19 SOUTH,
RANGE 26 EAST
RUBY STREET
60.00' RIGHT-OF-WAY PER
PLAT BOOK 4, PAGE 39
SOUTH RIGHT OF WAY LINE
EAST RIGHT OF WAY LINE
SINCLAIR AVENUE
80' PLATTED RIGHT-OF-WAY
PLAT BOOK 1, PAGE 64
POINT OF COMMENCEMENT
INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF RUBY STREET AND THE EAST RIGHT OF WAY LINE OF SINCLAIR AVENUE PER PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA
S 01°30'17" W
299.41'
52.65'
18'(P)
9.33' (P)
POINT OF BEGINNING
50.00'
C. S. X. RAILROAD
LOT 3
BLOCK 4
PB 1, PG 64
ALT KEY 1014832
SECTION 29-19-26
SECTION 32-19-26
POINT OF BEGINNING
INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF BRYAN STREET AND THE EAST RIGHT OF WAY LINE OF SINCLAIR AVENUE PER PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA
ALT KEY 3885040
276'(P)
NORTH R/W LINE OF BRYAN ST.
1.4'(P)
S88°27'11"E 70.37'
S73°05'52"E
83.71'
BRYAN STREET
(CLOSED)
PER RESOLUTION 2006-01
ORB 3169, PG 761
N01°30'17"E
30.00'
30.00'
N 1/2 OF BRYAN STREET
N88°27'11"W
162.83'
S54°03'18"E
13.86'
1.00'
10' UTILTIY EASEMENT
30.00'
S 1/2 OF BRYAN STREET
SOUTH R/W LINE OF BRYAN ST.
LOTS 1 AND 2, BLOCK 129, LESS THE WEST 1.00'
TAVARES
BOULEVARD
(CLOSED)
1.00'
1" = 30'
GRAPHIC SCALE
0 15 30 60
SOUTHEASTERN SURVEYING
AND MAPPING CORPORATION
6500 All American Boulevard
Orlando, Florida 32810-4350
(407) 292-8580
Certification Number LB2108
e-mail: info@southeasternsurveying.com
THIS IS NOT A SURVEY.
NOT VALID WITHOUT SHEET 1 OF 2
Drawing No. 50833012
Job No. 50833
Date: OCTOBER 10, 2016
SHEET 2 OF 2
See Sheet 1 for Description

Easement 1


SECTION 29, TOWNSHIP 19 SOUTH,
RANGE 26 EAST
RUBY STREET
60.00' RIGHT-OF-WAY PER
PLAT BOOK 4, PAGE 39
SOUTH RIGHT OF WAY LINE
EAST RIGHT OF WAY LINE
SINCLAIR AVENUE
80' PLATTED RIGHT-OF-WAY
PLAT BOOK 1, PAGE 64
S 01°30'17" W 273.30'
POINT OF COMMENCEMENT
INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF RUBY STREET AND THE EAST RIGHT OF WAY LINE OF SINCLAIR AVENUE PER PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA
50.14'
POINT OF BEGINNING
50.00'
C. S. X. RAILROAD
LOT 3
BLK 4
PB 1, PG 64
ALT KEY 1014832
S68°06'16"E
75.07'
N01°30'17"E
26.11'
18'(P)
9.33'(P)
N88°27'11"W 70.37'
SECTION 29-19-26
SECTION 32-19-26
ALT KEY 3885040
276'(P)
1.4'(P)
NORTH R/W LINE OF BRYAN ST.
30.00' N 1/2 OF BRYAN STREET
BRYAN STREET
(CLOSED)
PER RESOLUTION 2006-01
ORB 3169, PG 761
1.00'
10' UTILITY EASEMENT
30.00' S 1/2 OF BRYAN STREET
SOUTH R/W LINE OF BRYAN ST.
LOTS 1 AND 2, BLOCK 129, LESS THE WEST 1.00'
1.00'
TAVARES BOULEVARD
(CLOSED)
1" = 30'
GRAPHIC SCALE
0 15 30 60
SOUTHEASTERN SURVEYING
AND MAPPING CORPORATION
6500 All American Boulevard
Orlando, Florida 32810-4350
(407) 292-8580
Certification Number LB2108
e-mail: info@southeasternsurveying.com
THIS IS NOT A SURVEY.
NOT VALID WITHOUT SHEET 1 OF 2
Drawing No. 50833011
Job No. 50833
Date: MAY 20, 2016
SHEET 2 OF 2
See Sheet 1 for Description

DESCRIPTION :

A portion of Section 29, Township 19 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the intersection of the South right of way line of Ruby Street and the East right of way line of Sinclair Avenue per Plat Book 1, Page 64, Public Records of Lake County, Florida; thence South 01°30'17" West, a distance of 273.30 feet, along the East right of way line of said Sinclair Avenue, to the POINT OF BEGINNING; thence departing said East right of way line South 68°06'16" East, a distance of 75.07 feet to the North right of way line of Bryan Street; thence North 88°27'11" West, a distance of 70.37 feet to the aforementioned East right of way line of Sinclair Avenue; thence North 01°30'17" East, a distance of 26.11 feet to the POINT OF BEGINNING.

Containing 918 square feet, more or less.

SURVEYOR'S REPORT:

1. Bearings shown hereon are based on the East right of way line of Sinclair Avenue per Plat Book 1, Page 64, Public Records of Lake County, Florida being S 01°30'17" W assumed.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying CH. 5J-17 requirements.
3. Not valid without Sheet 2 of 2.

DESCRIPTION	Date: MAY 20, 2016 CBVG	Certification Number LB2108 50833011
AVCON, INC.	Job Number: 50833 / Scale: 1" = 30'	SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 6500 All American Boulevard Orlando, Florida 32810-4350 (407) 292-8580 e-mail: info@southeasternsurveying.com
	Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that **THIS IS NOT A SURVEY.** REVISED: XX/XX/XX	JAMES L. PETERSEN REGISTERED LAND SURVEYOR Number 4791
	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH	

DESCRIPTION :

A portion of Section 29, Township 19 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the intersection of the South right of way line of Ruby Street and the East right of way line of Sinclair Avenue per Plat Book 1, Page 64, Public Records of Lake County, Florida; thence South 01°30'17" West, a distance of 299.41 feet, along the East right of way line of said Sinclair Avenue, to the intersection of the North right of way line of Bryan Street and the aforementioned East right of way of Sinclair Avenue and the POINT OF BEGINNING; thence departing said East right of way line South 88°27'11" East, a distance of 70.37 feet along the North right of way line of Bryan Steet; thence departing said North right of way line South 75°05'52" East, a distance of 83.71 feet; thence South 54°03'18" East, a distance of 13.86 feet, to the South line of the North 1/2 of Bryan Street; thence North 88°27'11" West, a distance of 162.83 feet to the aforementioned East right of way line of Sinclair Avenue; thence North 01°30'17" East, a distance of 30.00 feet to the POINT OF BEGINNING.

Containing 3,692 square feet, more or less.

SURVEYOR'S REPORT:

1. Bearings shown hereon are based on the East right of way line of Sinclair Avenue per Plat Book 1, Page 64, Public Records of Lake County, Florida being S 01°30'17" W assumed.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying CH. 5J-17 requirements.
3. Not valid without Sheet 2 of 2.

DESCRIPTION	Date: OCTOBER 10, 2016 CBVG	Certification Number LB2108 50833012
AVCON, INC.	Job Number: 50833 / Scale: 1" = 30'	SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 6500 All American Boulevard Orlando, Florida 32810-4350 (407) 292-8580 e-mail: info@southeasternsurveying.com
	Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY. REVISED: 10/12/2016	
	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH	JAMES L. PETERSEN REGISTERED LAND SURVEYOR Number 4791

TAVA-36-007

LICENSE AGREEMENT FOR SIDEWALK AND PUBLIC SIDEWALK CROSSINGS

THIS AGREEMENT is made and entered into this 20th day of June, 2016 by and between **FLORIDA CENTRAL RAILROAD COMPANY, INC.**, a Florida corporation with a business address of 3001 W. Orange Avenue, Apopka, Florida 32703 ("FCEN") and **THE CITY OF TAVARES**, a municipal corporation of the State of Florida with an address of P.O. Box 1068, Tavares, Florida 32778 ("Licensee"), collectively referred to as the "Parties."

Preliminary Statement

A. Licensee desires that FCEN grants to it a privilege to use portions of FCEN's right of way without establishing, claiming, or possessing any estate or interest therein (a "License"), for the benefit of Licensee and the general public.

B. Licensee is willing to pay the costs, fees and expenses of Licensee's use of the License.

C. Licensee desires to construct and install one (1) sidewalk and one (1) pedestrian grade crossing and allow the public to use the sidewalk and pedestrian grade crossing within the License Area, defined below.

NOW THEREFORE, in consideration of the promises and covenants herein, the Parties agree that the License granted herein is subject to the following terms and conditions:

1. GRANT OF LICENSE

FCEN grants unto Licensee a License, with authority to enter upon, construct and install and use, pursuant to this License Agreement: (a) a sidewalk to be located to the south of FCEN's tracks in Tavares, Florida in the vicinity of Sinclair Avenue, Bryan Street and East Ruby Street (the "Sidewalk") and; (b) a pedestrian grade crossing to be located at milepost number ST 783.5 (FDOT No. 625189P) in the vicinity of Sinclair Avenue, Tavares, Florida (the "Crossing"), each as further described and shown on Exhibit A, which is attached hereto and incorporated herein (collectively, the "License Area").

2. SUBJECT TO FCEN'S PROPERTY INTEREST

This License Agreement shall be subject to the lease between FCEN and CSX Transportation, Inc. (the "CSX Lease"), a memorandum of which is recorded in the public records.

3. INSTALLATION

(a) The Licensee shall construct and install the Sidewalk at its own expense. The Sidewalk shall be ten (10') feet wide and constructed of concrete, and shall be installed in accordance with Exhibit A.

(b) The Crossing shall be constructed at the sole cost and expense of the Licensee.

The Crossing shall be the width of the Sidewalk and the length of the existing road crossing at FDOT No. 625189P, and shall be installed in accordance with Exhibit A. Notwithstanding anything to the contrary contained herein, the Licensee shall install: (i) all asphalt approaches to the Crossing; ii) yellow pedestrian stop lines with "STOP" painted upon the Crossing's approaches; iii) crossbucks at the Crossing; and iv) ADA detectible warning mats at the Crossing. FCEN shall install the railseals at the Crossing at the Licensee's expense.

4. SIDEWALK AND CROSSING COST AND EXPENSE

(a) Following installation, the Sidewalk and Crossing shall thereafter be maintained in good condition by the Licensee or FCEN, each at Licensee's sole cost and expense as long as the Sidewalk or Crossing remain in place as set forth in Paragraph 6 below.

(b) In the event that Licensee or any agency or entity responsible for maintaining the roadway desires a different surface on a Crossing, and if FCEN agrees to provide a different surface or surfaces, Licensee or responsible agency will pay the cost thereof.

5. TEMPORARY CLOSING OF A SIDEWALK OR CROSSING

At such time that FCEN performs construction, rehabilitation, maintenance, repairs or improvements to a Sidewalk or Crossing or to trackage at a Sidewalk or Crossing, FCEN, if deemed necessary by FCEN, shall provide flagging protection at the sole cost and expense of the Licensee after delivery to Licensee of notice of the applicable work. Licensee's cost for such flag protection services shall be the then-current rate per day for the particular flag protection services that FCEN determines, in its sole discretion, are required after reviewing the needs of the work site.

6. MAINTENANCE

(a) The Sidewalk and the Crossing, including their usual appurtenances such as approaches, roadway, automated warning devices, if any, curbs, gutters, shoulders, slopes, fills and cuts, shall be maintained by Licensee at the sole cost and expense of Licensee. Maintenance includes but is not limited to damages resulting from natural disasters or acts of God.

(b) Notwithstanding anything to contrary in this Paragraph 6, Licensee shall be solely responsible for keeping all vegetation within any site clearance area, as determined by FCEN's General Manager, cut to a height not to exceed two feet (2') above ground level, and keeping the so-called site clearance area free of parked vehicles and other visual obstructions. In addition, Licensee shall periodically inspect and shall ensure that the Crossing's flange-ways remain free and clear of sand, dirt, debris, or other material.

(c) The Licensee shall also pay to FCEN within sixty (60) days after the presentation of a bill on an as occurred basis, all maintenance costs for routine maintenance on the Crossing's surface (the "Surface Maintenance Fee").

(d) In addition to the Surface Maintenance Fee the Licensee shall pay to FCEN, within sixty (60) days after the presentation of a bill on an as occurred basis, all maintenance costs resulting from: 1) acts of God; and 2) repairs required beyond those damages from normal wear and tear (the "Extraordinary Repair Fee"). All maintenance subject to the Extraordinary Repair Fee required under this subparagraph (d) shall be performed in such a manner, and with such construction materials, as are reasonably satisfactory to FCEN, and all reasonable incidental expenses incurred in connection therewith shall be borne by the Licensee.

7. TERM

This Agreement shall run for a period of one (1) year from the date first set forth above. Thereafter this Agreement shall automatically renew for successive one (1) year periods unless or until it is terminated as provided for hereinafter. In no event shall the term of this Agreement exceed the CSX Lease.

8. TERMINATION

Notwithstanding any contrary provisions contained herein, this Agreement may be terminated at any time by either FCEN or Licensee by giving to the other party thirty (30) days advance written notice of its intention to terminate. In the event of termination Licensee shall, at Licensee's expense, remove the said Sidewalk and Crossing and restore the premises to its original condition, if required by FCEN.

9. ALTERATIONS

In the event FCEN's use of its right of way (e.g., additional track construction, installation of communication facilities, new or other crossbucks, gates and signals, etc.) shall hereafter make necessary any change in the Sidewalk or Crossing, Licensee shall be obligated to bear all costs of making and maintaining adjustments to the Sidewalk and/or Crossing which are deemed necessary by FCEN's General Manager.

10. INDEMNIFICATION

The Licensee shall, subject to the limitations set forth in Section 768.28, Florida Statutes and without waiving its sovereign immunity, defend, hold harmless and indemnify FCEN its shareholders, owners, affiliates, officers, directors and agents from and against any and all liability, loss, claim, suit, damage, charge or expense which any such party may suffer, sustain, incur, or in any other way be subjected to, on account of death or injury to any person and for loss of or damage or destruction to any property, arising out of or from, or in any way connected to or with, the use by any person, of the Sidewalk, the Crossing and/or the License Area. Nothing contained herein

shall be construed as consent by either party to be sued by third parties in any matter arising from this or any other agreement.

11. SCOPE OF LICENSE

The parties hereto understand that this Agreement does not grant unto Licensee the right to install any utilities or facilities other than the Sidewalk and Crossing within the License Area described herein. The Sidewalk and the Crossing shall be used only to provide pedestrian traffic along Sinclair Avenue. Any other use of the License Area or the Sidewalk and/or Crossing is prohibited.

12. CONTINUING OBLIGATION

As long as this Agreement remains in effect, Licensee shall bear the expenses or maintenance as hereinabove set forth and promptly pay for the same.

13. ASSIGNMENT

This Agreement may be assigned by FCEN at any time. Licensee may only assign this Agreement to the State of Florida or another political subdivision or municipality thereof, and only after receiving FCEN's prior written approval, as well as the approval, ratification and authorization of the proper authorities of the assignee.

14. NOTICE

All notices, demands, or other writings required or permitted to be given or made or sent under this Agreement, by either party to the other, shall be in writing and shall be deemed to have been fully delivered upon (i) receipt of such notice when hand delivered (by personal courier or overnight delivery service) to the party to whom such notice is addressed as set forth below; or (ii) receipt of such notice as indicated by the signature and date on the return receipt of a certified mailing.

If to FCEN:

General Manager
Florida Central Railroad Company, Inc.
3001 W. Orange Avenue
Apopka, Florida 32703

and in the case of Licensee to:

John Drury, City Administrator
P.O. Box 1068
Tavares, Florida 32778

15. NO WARRANTIES

This License is herein granted without any warranty, express or implied, and Licensee

hereby agrees that no damages shall be recoverable from FCEN because of any dispossession of Licensee or because of any failure of, defect in, cancellation of, or termination of, FCEN's property interest in the License Area.

16. MERGER. MODIFICATION. WAIVER

This Agreement contains the final, complete and exclusive understanding of the Parties of the subject matter it relates to. No changes or modifications of this Agreement shall be valid or binding unless it is in writing and signed by the party intended to be bound. No valid waiver of any provisions of this Agreement at any time shall be deemed a waiver of any other provision of this Agreement at such time or at another time.

17. BENEFIT

This Agreement shall be binding upon, and inure to the benefit of the Parties and their successors and assigns.

18. HEADINGS

The headings, titles and subtitles used in this Agreement are illustrative and intended for ease of reference only and shall not control or affect the meaning or construction of any provision hereof.

19. NON-WAIVER

Failure of any party at any time to require performance by any other party of any provision hereof shall not be deemed a waiver of that provision.

20. REMEDIES

No right or remedy herein conferred upon or reserved to FCEN and/or Licensee is exclusive of any other right or remedy herein or by law or equity provided or permitted, but each shall be cumulative of any right or remedy.

21. SEVERABILITY

Each paragraph, subparagraph, part, term and/or provision of this Agreement shall be severable; and if, for any reason, any paragraph, subparagraph, part, term and/or provision is herein determined to be invalid or contrary to or in conflict with any existing or future law or regulation of a court or agency having valid jurisdiction, such shall not impair the operation or effect the remaining portions, paragraphs, subparagraphs, parts, terms and/or provisions of this Agreement, and the latter will be given full force and effect and will bind the parties hereto; and said invalid paragraphs, subparagraphs, parts, terms and/or provisions shall be deemed not to be part of this Agreement.

22. GOVERNING LAW

This Agreement shall be construed and enforced according to the laws of the State of Florida.

23. LICENSEE'S AUTHORITY TO EXECUTE THIS AGREEMENT

Licensee represents and warrants that it has taken all necessary actions required in order to enter into this License Agreement and cause it to be fully enforceable against Licensee and that its agent below is authorized to execute this License Agreement.

SIGNED as a sealed instrument as of the date first written above.

FLORIDA CENTRAL RAILROAD COMPANY, INC.

_____
Witness

By: _____
John P. Levine, Chief Executive Officer

Print Name:

THE CITY OF TAVARES, FLORIDA

Nancy A Barnett
Witness
Print Name: Nancy A. Barnett
City Clerk

By: _____
John Drury
City Administrator

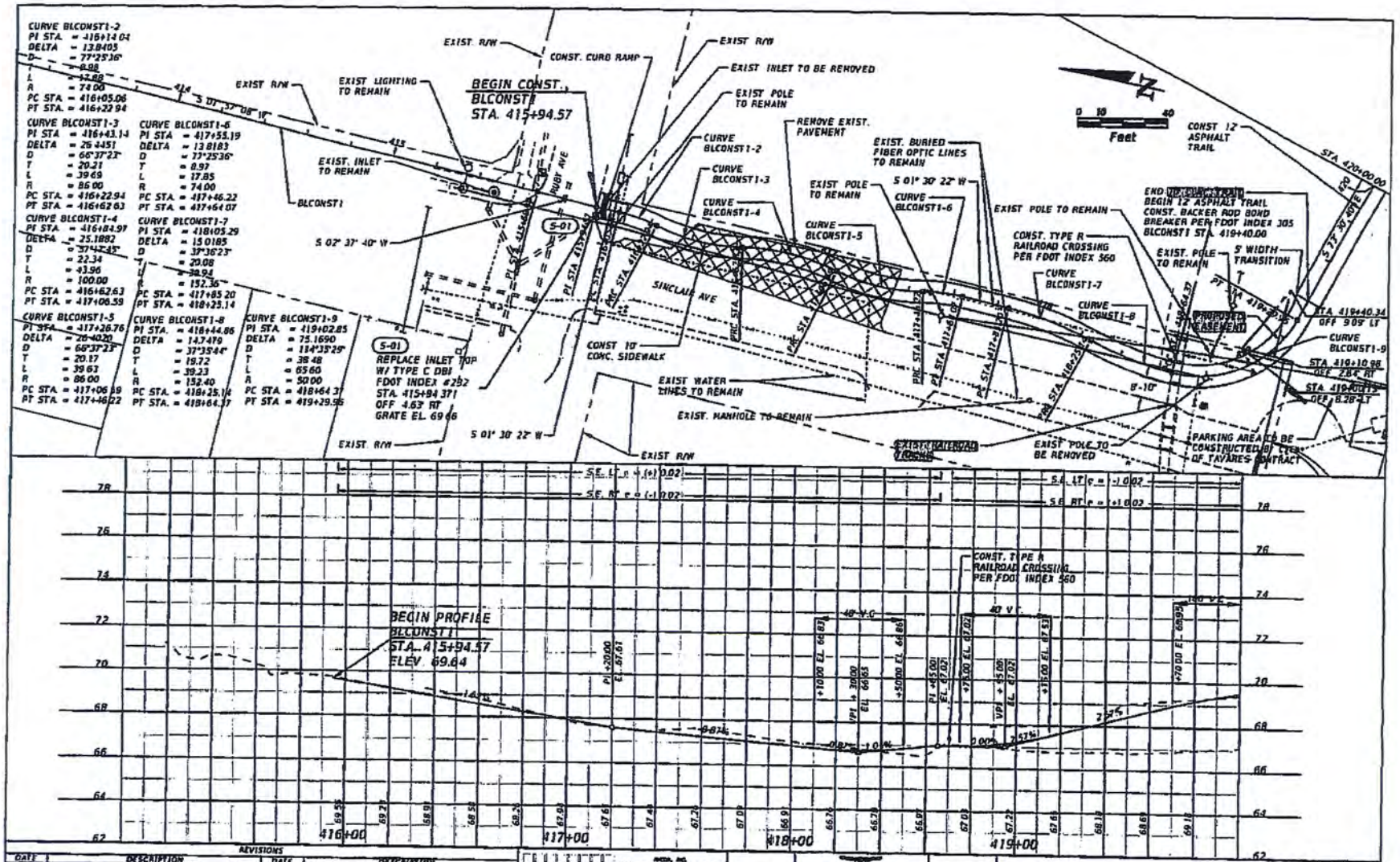
APPROVED AS TO FORM AND LEGALITY:

_____
Print Name: for RQ Williams
City Attorney

ACCEPTED BY CITY COUNCIL

DATE: June 16, 2016
OFFICE OF THE CITY CLERK

EXHIBIT A
(4 attached pages below)



DATE	DESCRIPTION	DATE	DESCRIPTION

REVISIONS

AVCON

TAVARES
America's Seaplane City

PLAN & PROFILE

SHEET NO. 9

AALLAN 9/30/2014 11:19:58 AM L:\2012\2012.149.01 - Woodlon Park Expansion\CAD\Roadway\PLPRH001.dwg

DESCRIPTION :

A portion of Section 29, Township 19 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

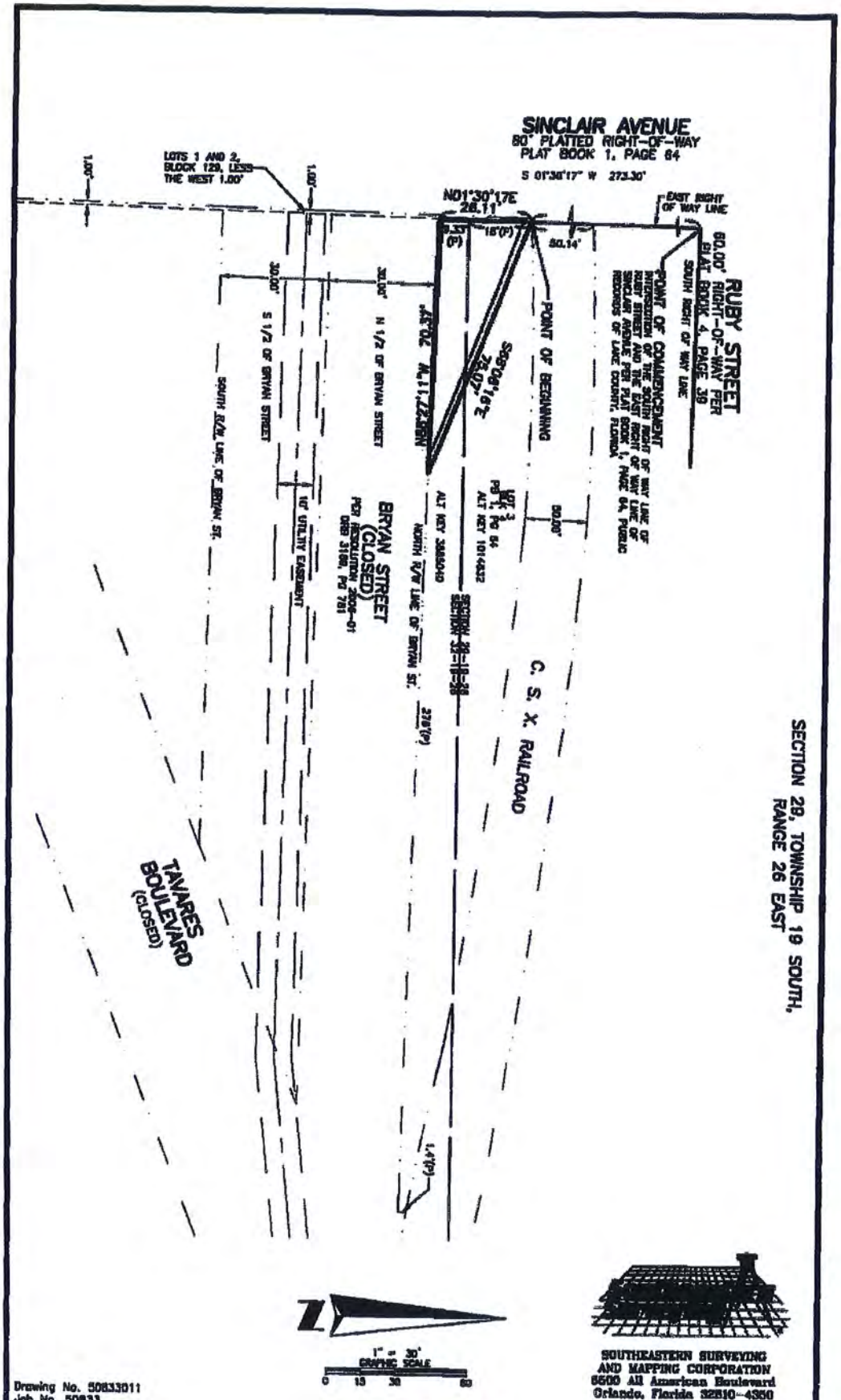
Commence at the intersection of the South right of way line of Ruby Street and the East right of way line of Sinclair Avenue per Plat Book 1, Page 64, Public Records of Lake County, Florida; thence South 01°30'17" West, a distance of 273.30 feet, along the East right of way line of said Sinclair Avenue, to the POINT OF BEGINNING; thence departing said East right of way line South 68°06'16" East, a distance of 75.07 feet to the North right of way line of Bryan Street; thence North 88°27'11" West, a distance of 70.37 feet to the aforementioned East right of way line of Sinclair Avenue; thence North 01°30'17" East, a distance of 26.11 feet to the POINT OF BEGINNING.

Containing 918 square feet, more or less.

SURVEYOR'S REPORT:

1. Bearings shown hereon are based on the East right of way line of Sinclair Avenue per Plat Book 1, Page 64, Public Records of Lake County, Florida being S 01°30'17" W assumed.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying CH. 5J-17 requirements.
3. Not valid without Sheet 2 of 2.

DESCRIPTION	Date: MAY 20, 2016 CBVG	Certification Number LB2108 50833011
AVCON, INC.	Job Number: 50833 / Scale: 1" = 30'	SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 6500 All American Boulevard Orlando, Florida 32810-4350 (407) 292-8580 e-mail: info@southeasternsurveying.com
	Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that **THIS IS NOT A SURVEY.** REVISED: XX/XX/XX	JAMES L. PETERSEN REGISTERED LAND SURVEYOR Number 4791
	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH	



Drawing No. 50833011
Job No. 50833
Date: MAY 20, 2016
SHEET 2 OF 2
See Sheet 1 for Description

THIS IS NOT A SURVEY.
NOT VALID WITHOUT SHEET 1 OF 2

SOUTHEASTERN SURVEYING AND MAPPING CORPORATION
6500 All American Boulevard
Orlando, Florida 32810-4350
(407) 292-8580
Certification Number LB2108
e-mail: info@southeasternsurveying.com

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 7, 2016

AGENDA TAB NO. 14

SUBJECT TITLE: Request for City support for the Mike Stone Invitational Soccer Tournament at Hickory Point

OBJECTIVE:

To obtain Council approval to provide infrastructure support for the Mike Stone Invitational High School Soccer Tournament at Hickory Point.

SUMMARY:

Each year in December Lake County is host to the largest high school soccer tournament in the State of Florida. Previously named the Hickory Point Invitational Soccer Tournament this year's 21'st Annual event, as well as the soccer venue at Hickory Point, has been renamed in honor of Mike Stone, the organizer of this event for many years, who passed away on July 16, 2016.

The tournament this year will be held December 27th - 29th, 2016, drawing 16 teams from Key West, Jacksonville, Tampa, Pensacola and other areas throughout the State. It is expected that 1,500 athletes and family members will visit the greater Tavares area for the event patronizing hotels, restaurants and businesses. Not only does this event provide a strong economic impact for our community but also provides a community benefit with proceeds assisting the For Kid's Sake Foundation, a charity which is dedicated to pediatric cancer research and assisting families affected by pediatric cancer.

Event organizers look for partners and sponsors for this tournament to remain viable and strong. They have requested assistance from the City in the form of six (6) port-o-lets and one (1) hand wash station for the three day event. Currently there is only a single stall bathroom for each gender at the Hickory Point soccer facility. The City previously provided the same level of support for the 2015 tournament.

OPTIONS:

1. Approve the Mike Stone Invitational Soccer Tournament request for assistance.
2. Do not approve the request for assistance.

STAFF RECOMMENDATION:

Move to approve option 1.

FISCAL IMPACT: There will be no direct fiscal impact. The $750 cost for delivery, rental and servicing of the port-a-lets and hand wash station for the three day event will be covered under the $25,000 annual special event support funding provided for under the existing Waste Management Contract with the City.

In honor of Mike Stone, who passed away July 16, 2016, the Hickory Point Tournament has been renamed to the Mike Stone Invitational. Mike worked tirelessly each year to organize the largest high school soccer tournament in Florida, with the proceeds going to **For Kids' Sake Foundation**, a non-profit assisting families experiencing pediatric cancer. TAX ID:04-3480734.

This organization was founded by Meg and Glen Jusczyk after their 2 year old daughter Malia was diagnosed with stage 4 Neuroblastoma. After years of invasive treatments, surgeries and far more than any child should endure, Malia Jusczyk is 8 years old and cancer free, but her battle is far from over. There is a 50% relapse rate and there is no cure for a relapse. **For Kids' Sake Foundation** is 100% dedicated to pediatric cancer research and easing the financial burden of families who are experiencing the hardships that come with such a diagnosis.

You can read more about **For Kids' Sake Foundation** on the website, www.maliacrushescancer.com

Additional information on the tournament can be found at www.mikestoneinvitational.com

SPONSORSHIP LEVELS:

GOLD- $500.00- Includes: Company name and/or logo signage on a field during the tournament, name on all event t-shirts, full page advertisement in the program, website and social media recognition.

SILVER- $250.00- Includes: Company name and/or logo signage at the tournament, name on all event shirts, name in the program, website and social media recognition.

Bronze- $100.00- Includes: signage at the tournament, name in the program, website and social media recognition.

*Checks can be made payable to:

For Kids' Sake Foundation, Inc.
ATTN: Kathy Stone
POB 895300
Leesburg, FL 34789

The tournament will be held **December 27-29, 2016**, at the newly named Mike Stone Soccer Complex at Hickory Point Park in Tavares, Florida. We anticipate over 1,500 visitors to include players, parents and spectators. The success of this tournament depends on sponsors to assist in off setting the costs of the event. Each year we've had generous sponsorships, and hope to continue this tradition annually. Thank you for your consideration & support.

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 7, 2016

AGENDA TAB NO: 15

SUBJECT TITLE: Request to Issue Appreciation Plaques to Outgoing Councilmembers

OBJECTIVE:

To request authorization from City Council to issue plaques to outgoing Councilmembers

SUMMARY:

Staff requests authorization for the City Administrator to issue appreciation plaques to outgoing Councilmembers

OPTIONS:

1) Move to authorize the City Administrator to issue appreciation plaques to outgoing Councilmembers
2) Do not authorize

STAFF RECOMMENDATION:

Move too authorize the City Administrator to issue appreciation plaques to outgoing Councilmembers

FISCAL IMPACT:

$160.00 for two plaques to come from FY 2017 budget Council Appreciation

LEGAL SUFFICIENCY:

Legally sufficient

AGENDA SUMMARY
TAVARES CITY COUNCIL
DECEMBER 7, 2016

AGENDA TAB NO. 16 **FIRST READING**

SUBJECT TITLE: **Ordinance 2016-34**
Annexation & Rezoning –Whitaker Family Partnership
Slim Haywood Avenue

OBJECTIVE:

To consider the annexation and rezoning to Mixed Use of approximately 9.0 acres of property located generally 700 feet north of Slim Haywood Ave. and 1000 feet west of S.R. 19.

SUMMARY:

The subject property is located approximately 1000 feet west of S.R. 19 and 700 feet north of Slim Haywood Ave. This property has no direct frontage on a developed road, but is connected to lands owned by the Whitakers that do have frontage onto Slim Haywood Avenue. The property is adjacent to parcels owned by the Whitakers that were recently annexed into the City of Tavares and designated as a Mixed Use (MU) zoning. 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:

No Council action required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

On November 17 the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-34.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2016-34.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2016-34

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 9 ACRES OF LAND CENTRALLY LOCATED APPROXIMATELY 700 FEET NORTH OF SLIM HAYWOOD AVENUE AND 1000 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 small scale future land use map amendment to re-designate the property from Lake County Urban Medium 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.

_____

Lori Pfister, 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

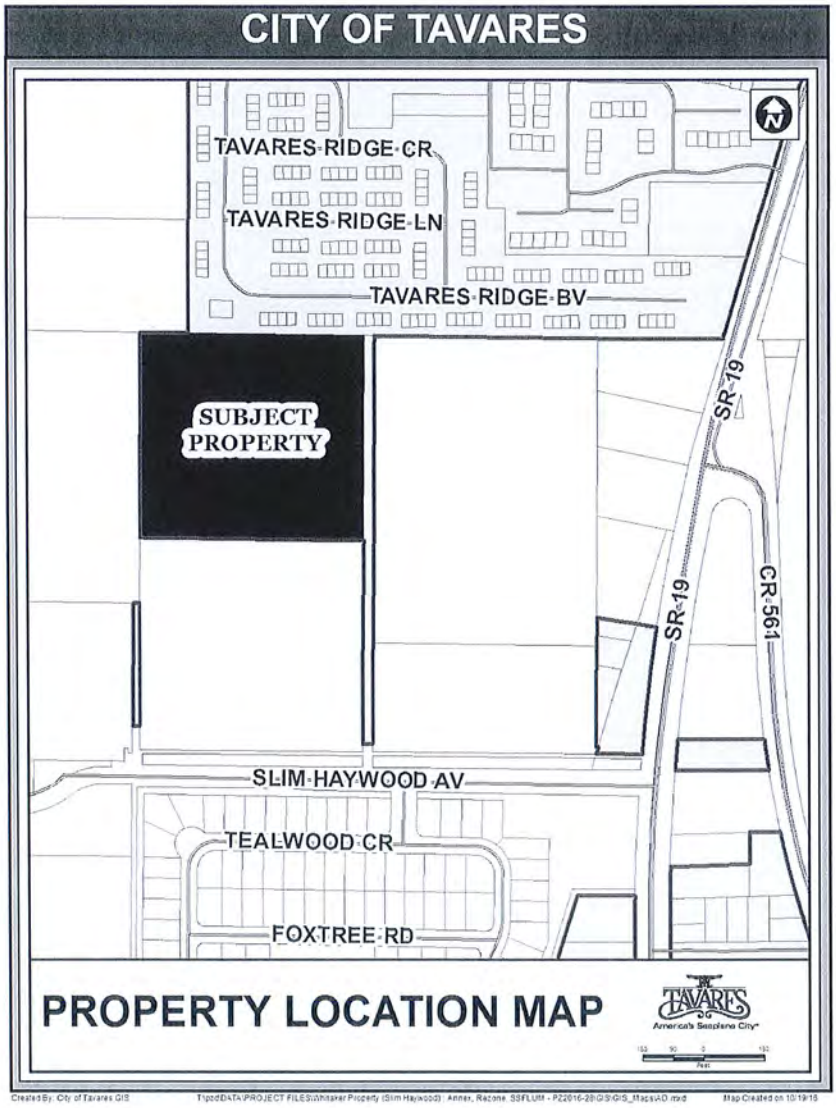
EXHIBIT A

AltKey: 1027080
Acres 9.0

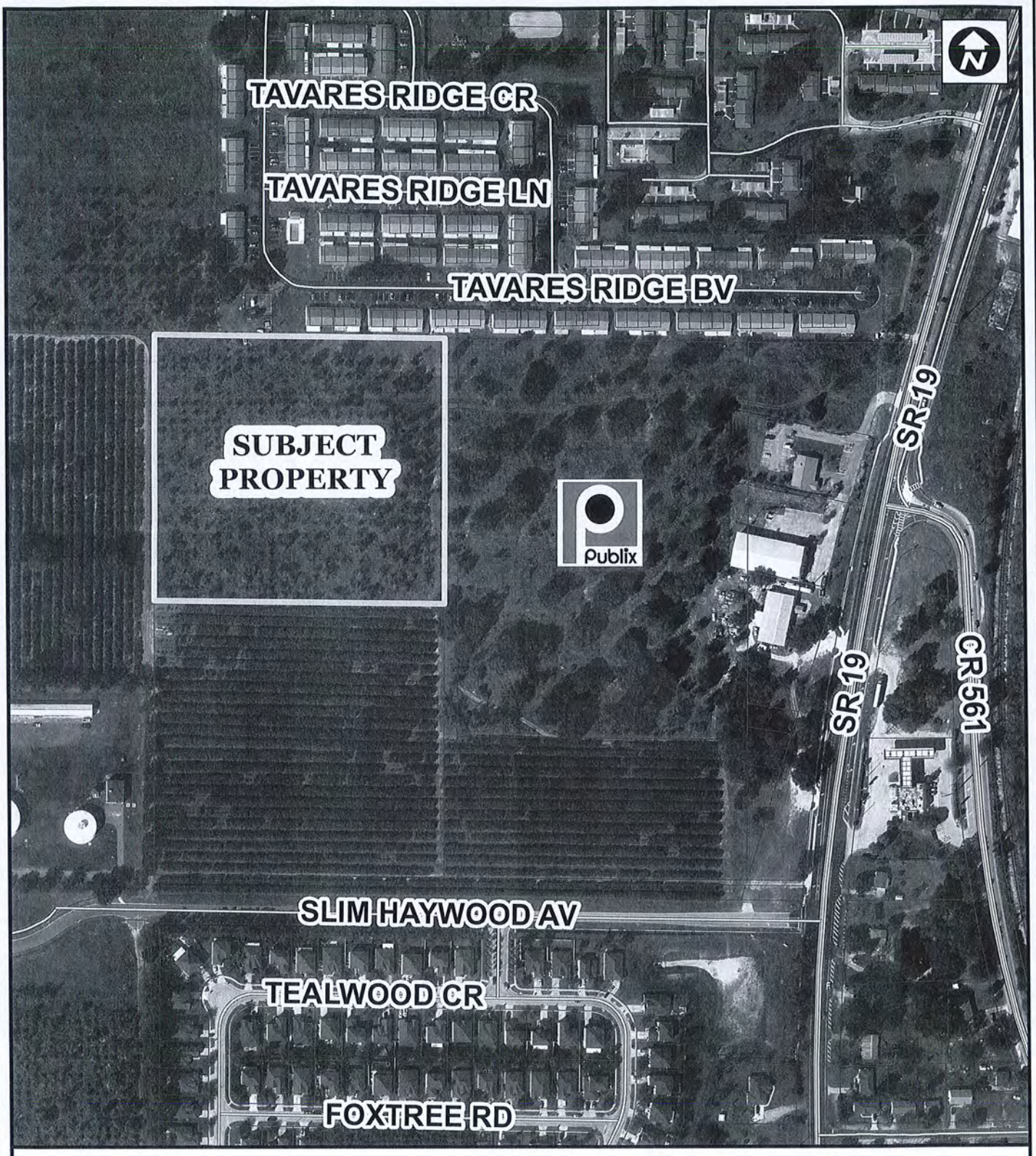
Parcel Number
06-20-26-010500000500

Legal Description

Lots 5 and 6, ALFRED ST. CLAIR-ABRAMS, according to the map or plat thereof As recorded in Plat Book 1, Page 19, Public Records of Lake County, Florida



CITY OF TAVARES

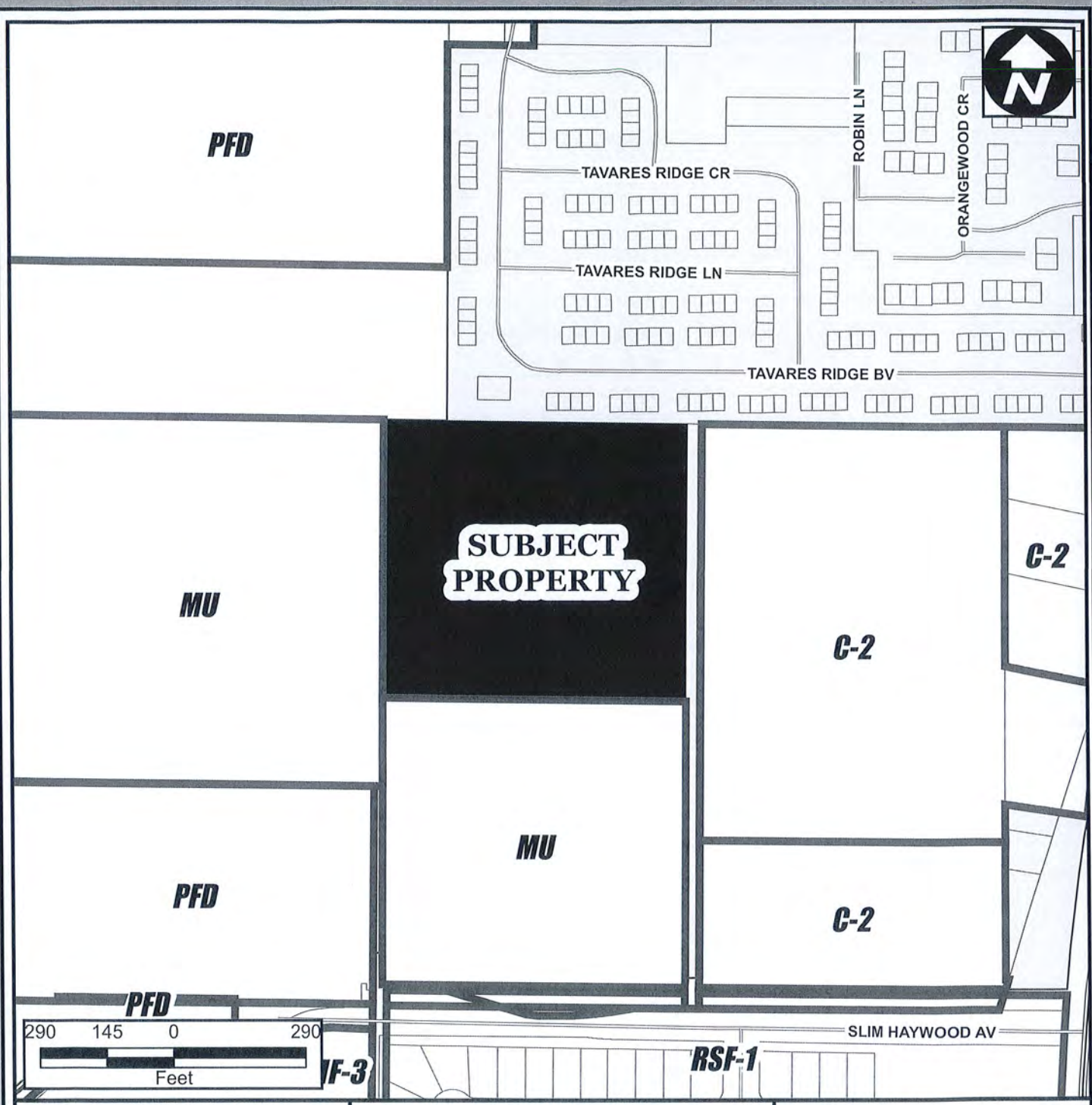


PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

180 90 0 180
Feet

CITY OF TAVARES ORDINANCE # 2016-34



RSF-A Residential Single Family
RSF-1 Residential Single Family
RMF-2 Residential Multi-Family
RMF-3 Residential Multi-Family
RMH-S Residential Manufactured Home Sub.
RMH-P Residential Manufactured Home Park
PD Planned Development District
MU Mixed Use District
C-1 General Commercial
C-2 Highway Commercial
CD Commercial Downtown District
I Industrial District
PFD Public Facilities District

ZONING MAP

ORDINANCE # 2016-34

Whitaker Property

Current Zoning: Lake County Agriculture
Proposed Zoning: MU
09.00 ± Acres

Legend

CITY BOUNDARY
ZONING
SUBJECT PROPERTY
UNINCORPORATED
MAJOR ROADS
STREETS
PARCELS
CONS/WETLANDS

Orlando Sentinel

Publication Date: 11/14/2016

Ad Number: 4572134-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

Client Name: City of Tavares
Advertiser:
Section/Page/Zone: Lake Zone/E004/LAK
Description: Ord-2016-34&Ord.2016-35

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Martin S. Kane, MD

MIG1109S04

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THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2016-34 & Ordinance 2016-35 titled as follows:

ORDINANCE 2016-34

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 9 ACRES OF LAND CENTRALLY LOCATED APPROXIMATELY 700 FEET NORTH OF SLIM HAYWOOD AVENUE AND 1000 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.

ORDINANCE 2016-35

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 APPROXIMATELY 9.0 ACRES OF LAND GENERALLY LOCATED APPROXIMATELY 700 FEET NORTH OF SLIM HAYWOOD AVENUE, APPROXIMATELY 1000 FEET WEST OF S.R. 19; FROM COUNTY URBAN MEDIUM DENSITY TO CITY MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2016-34 & Ordinance 2016-35 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on November 17, 2016, at 3 p.m.; and
2. Tavares City Council meeting on December 7, 2016, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on December 21, 2016, at 4 p.m. (Second Reading)

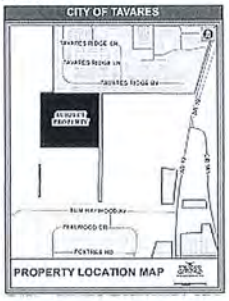
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2016-34 & Ordinance 2016-35 may be inspected by the public between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skult, Community Development Director, at 742-6404.



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CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES
November 17, 2016 – 3:00 PM

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

LAKE COUNTY SCHOOL BOARD

STAFF MEMBERS PRESENT	STAFF MEMBERS ABSENT
	Bob Williams, City Attorney
Jacques Skutt, Community Development Director	
Michael Fitzgerald, Development Coordinator	

CALL TO ORDER

Gary Santoro called the meeting to order at 3:00 p.m. and those present recited the Pledge of Allegiance.

AGENDA REVIEW

None.

APPROVAL OF MINUTES

The October 20, 2016 Planning and Zoning Board minutes were approved as submitted.

MOTION

Roy Stevenson moved for the approval of the October 20, 2016 Planning and Zoning Board Minutes, seconded by Richard Root. The motion carried 6-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Those persons present to provide case testimony were sworn in by Michael Fitzgerald, Notary Public.

PUBLIC HEARINGS:

CASES HEARD

1. **Ordinance 2016-34 – Whitaker Property – Annexation, Rezoning**

Mr. Skutt provided the following staff report:

The subject property is located approximately 1000 feet west of S.R. 19 and 700 feet north of Slim Haywood Ave. 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 adjacent to parcels owned by the Whitakers that were recently annexed into the City of Tavares and designated as a Mixed Use (MU) zoning. 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.

DISCUSSION

There was no discussion

MOTION

Lou Buigas moved to recommend approval of Ordinance 2016-34, seconded by Norb Thomas. The motion carried unanimously 6-0.

2. Ordinance 2016-35 – Whitaker Property – SSFLUM

Mr. Skutt provided the following staff report:

Ordinance 2016-35 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 1027080) is 9.0 acres in size, located approximately 700 feet north of Slim Haywood Ave., and approximately 1000 feet west 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 complement the commercial development taking place on S.R. 19. This ordinance would amend the current Future Land Use Designation from Lake County Urban Medium 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 Medium Density. A City Mixed Use Commercial designation is compatible with surrounding property.

Compatibility

The surrounding property is either commercial or residential in nature.

Site Conditions

AGENDA SUMMARY
TAVARES CITY COUNCIL
DECEMBER 7, 2016

AGENDA TAB NO. 17 **FIRST READING**
SUBJECT TITLE: Ordinance 2016-35
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 Medium Density to City Mixed Use Commercial for 9.0 acres of property generally located 700 feet north of Slim Haywood Ave. and 1000 feet west of S.R. 19.

SUMMARY:

Ordinance 2016-35 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 1027080) is 9.0 acres in size, located generally 700 feet north of Slim Haywood Ave. and 1000 feet west 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 complement the commercial development taking place on S.R. 19. This ordinance would amend the current Future Land Use Designation from Lake County Urban Medium 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 Medium Density. A City 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:

No Council action required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

On November 17 the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-35.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2016-34.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2016-35

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 APPROXIMATELY 9.0 ACRES OF LAND GENERALLY LOCATED APPROXIMATELY 700 FEET NORTH OF SLIM HAYWOOD AVENUE, APPROXIMATELY 1000 FEET WEST OF S.R. 19; FROM COUNTY URBAN MEDIUM 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 Medium 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.

_____
Lori Pfister, 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

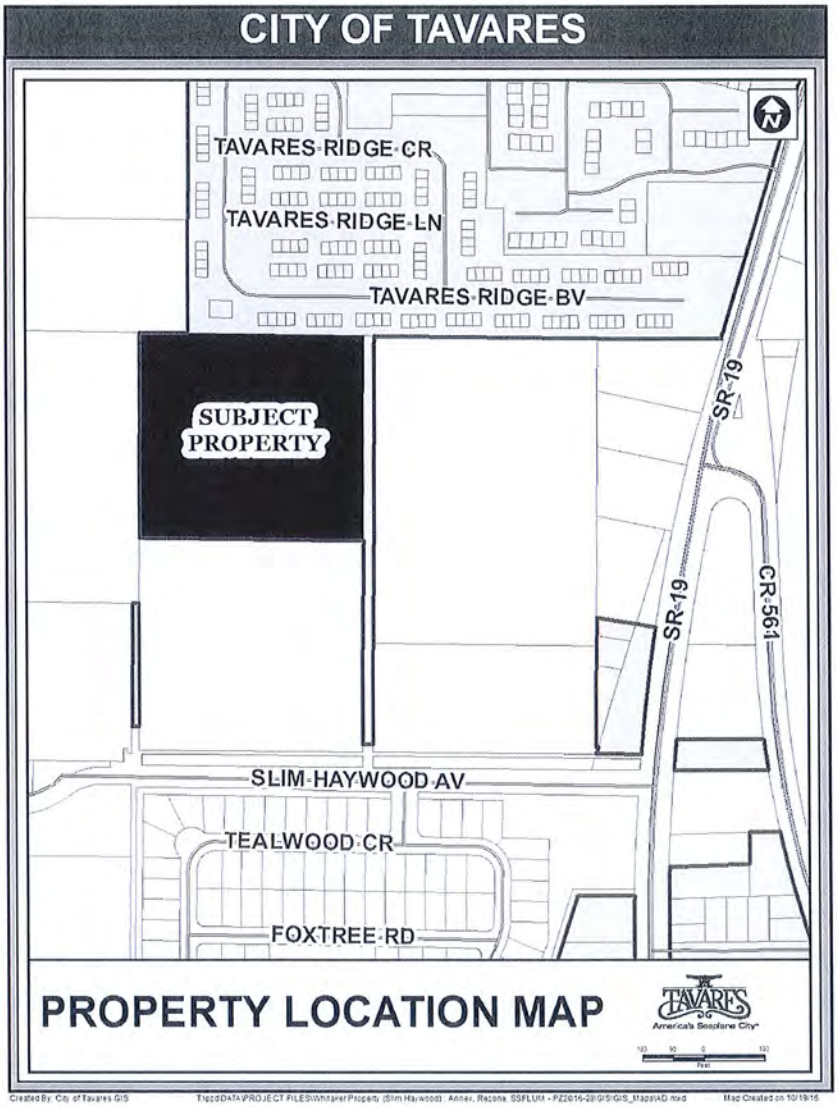
EXHIBIT "A"

AltKey: 1027080
Acres 9.0

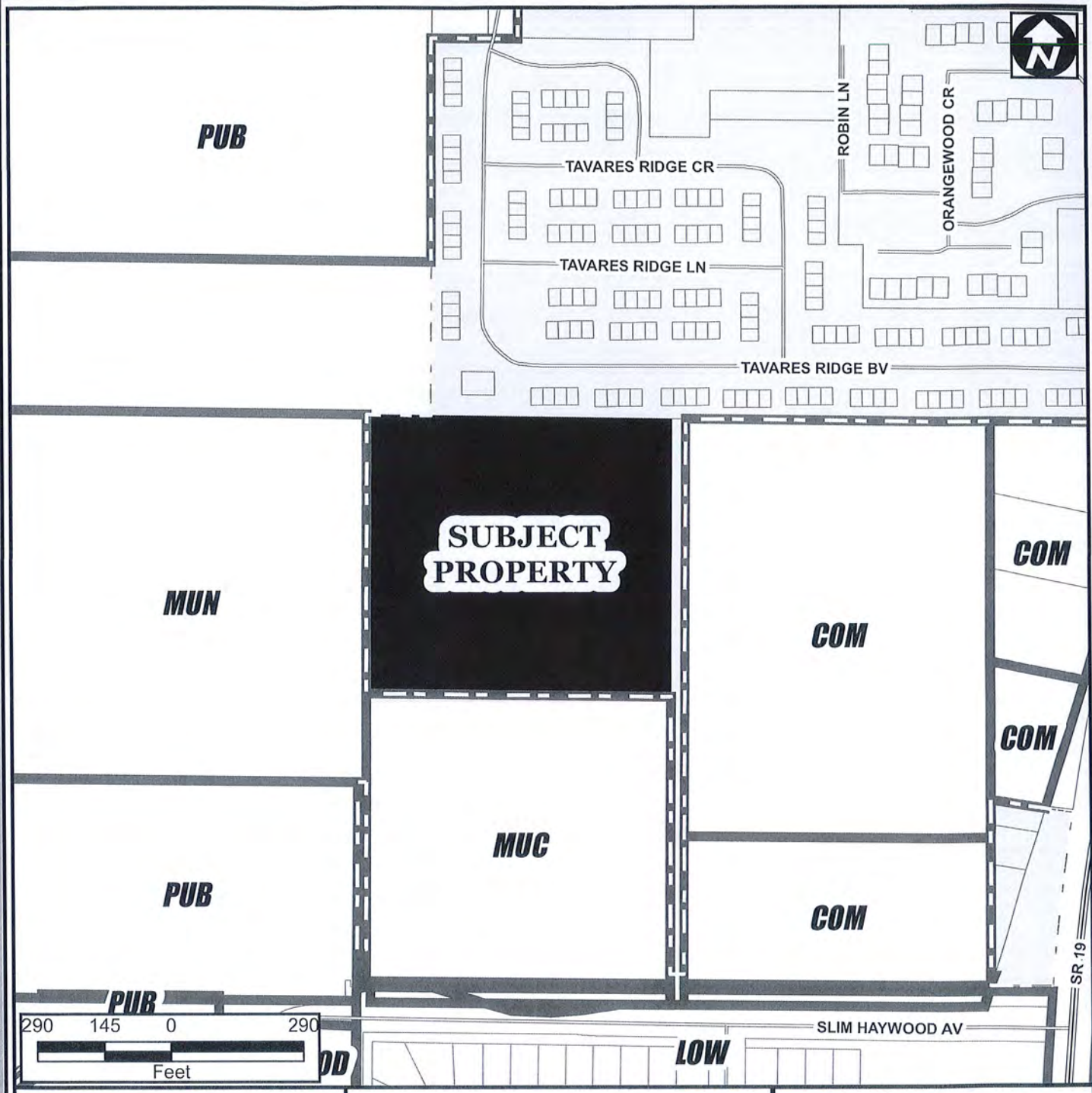
Parcel Number
06-20-26-010500000500

Legal Description

Lots 5 and 6, ALFRED ST. CLAIR-ABRAMS, according to the map or plat thereof As recorded in Plat Book 1, Page 19, Public Records of Lake County, Florida



CITY OF TAVARES ORDINANCE # 2016-35



SUB	Suburban	3.0 DU/Acre
SUB EX	Suburban Expansion	4.0 DU/Acre
LOW	Low Density	5.6 DU/Acre
MOD	Moderate Density	10 DU/Acre
MED	Medium Density	12 DU/Acre
HD	High Density	12-25 DU/Acre
MH	Mobile Home	8.7 DU/Acre
MUN	Mixed Use Neighborhood	12 DU/Acre
MUC	Mixed Use Commercial	25 DU/Acre
COM	Comercial	
CD	Commercial Downtown	25 DU/Acre
IND	Industrial	
PUB	Public Facility/Institutional	
CONS	Westlands & Conservation	

TAVARES
America's Seaplane City

FUTURE LAND USE MAP

ORDINANCE # 2016-35

Whitaker Property

Current FLU: County Urban Medium
Proposed FLU: MUC

09.00 ± Acres

Legend

- CITY BOUNDARY
- FLU
- SUBJECT PROPERTY
- UNINCORPORATED
- MAJOR ROADS
- STREETS
- CONS/WETLANDS
- PARCELS

Orlando Sentinel

Publication Date: 11/14/2016

Ad Number:	4572134-1	Client Name:	City of Tavares
Insertion Number:		Advertiser:	
Size:	3 x 10.5	Section/Page/Zone:	Lake Zone/E004/LAK
Color Type:	B&W	Description:	Ord-2016-34&Ord.2016-35

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Meridien Research needs volunteers for a migraine clinical trial. You may qualify if you are 18 to 75 years of age and have monthly migraines. Eligible participants will receive study-related care and medication at no cost. Compensation for time and travel may be available. Call today for details!

Meridien Research

407-644-1165

Martin S. Kane, MD

MIG100MDA

WWW.NEWSTUDYINFO.COM

THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2016-34 & Ordinance 2016-35 titled as follows:

ORDINANCE 2016-34

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 9 ACRES OF LAND CENTRALLY LOCATED APPROXIMATELY 700 FEET NORTH OF SLIM HAYWOOD AVENUE AND 1000 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.

ORDINANCE 2016-35

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 APPROXIMATELY 9.0 ACRES OF LAND GENERALLY LOCATED APPROXIMATELY 700 FEET NORTH OF SLIM HAYWOOD AVENUE, APPROXIMATELY 1000 FEET WEST OF S.R. 19; FROM COUNTY URBAN MEDIUM DENSITY TO CITY MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2016-34 & Ordinance 2016-35 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on November 17, 2016, at 3 p.m.; and
2. Tavares City Council meeting on December 7, 2016, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on December 21, 2016, at 4 p.m. (Second Reading)

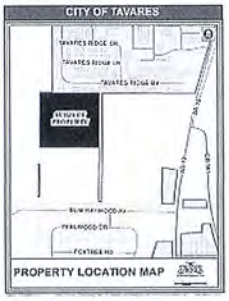
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2016-34 & Ordinance 2016-35 may be inspected by the public between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.



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Mr. Skutt provided the following staff report:

The subject property is located approximately 1000 feet west of S.R. 19 and 700 feet north of Slim Haywood Ave. 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 adjacent to parcels owned by the Whitakers that were recently annexed into the City of Tavares and designated as a Mixed Use (MU) zoning. 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.

DISCUSSION

There was no discussion

MOTION

Lou Buigas moved to recommend approval of Ordinance 2016-34, seconded by Norb Thomas. The motion carried unanimously 6-0.

2. Ordinance 2016-35 – Whitaker Property – SSFLUM

Mr. Skutt provided the following staff report:

Ordinance 2016-35 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 1027080) is 9.0 acres in size, located approximately 700 feet north of Slim Haywood Ave., and approximately 1000 feet west 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 complement the commercial development taking place on S.R. 19. This ordinance would amend the current Future Land Use Designation from Lake County Urban Medium 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 Medium Density. A City 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)*

DISCUSSION

There was no discussion

MOTION

Roy Stevenson moved to recommend approval of Ordinance 2016-35, seconded by Richard Root. The motion carried unanimously 6-0.

3. Other Business

Reclaimed Water

Bill Stomp asked staff about requirements for reclaimed water lines servicing newly annexed and undeveloped property. Bill asked if Publix had reclaimed water.

Brad Hayes, Utility Director, stated that reclaimed water lines run along SR-19 and service areas such as Slim Haywood Ave. as well as Royal Harbor. He stated that Publx does not have reclaimed water. He stated that subdivisions such as Foxborough, Lane Park Ridge, and Royal Harbor have reclaimed water lines. He stated that a study is being done to determine an expansion strategy for reclaimed services beginning with a focus on the southern part of Tavares. He stated that City installed lines require a large debt service.

Bill asked if Publix was required to connect to reclaimed water.

Brad Hayes stated that Publix was not required to connect to reclaimed water.

Bill Stomp stated that he would like to see the City have an initiative that requires all future developed property to install reclaimed water lines.

AGENDA SUMMARY
TAVARES CITY COUNCIL
DECEMBER 7, 2016

AGENDA TAB NO. 18 **SECOND READING**
SUBJECT TITLE: Ordinance 2016-30
Annexation & Rezoning –Vision Conveyor- C.R. 448

OBJECTIVE:

To consider the annexation and rezoning to Industrial of approximately 3.14 acres of property located on the southeast corner of C.R. 448 and Southridge Industrial Drive (Lot 7).

SUMMARY:

The subject property, lot 7 of the Southridge Industrial Center, is located at the southeast corner of C.R. 448 and Southridge Industrial Drive. The property is vacant. The applicant, Vision Conveyor, desires to develop a small industrial complex consisting of 6 industrial buildings of about 5,000 square feet each. The property is contiguous to our city boundary and city water and wastewater utilities are available to this site. Annexation is a requirement to receive city utilities. The site is zoned Heavy Industrial in the County and the applicant is requesting a City of Tavares Industrial zoning.
The applicant is concurrently seeking a City of Tavares Industrial Future Land Use designation and has also submitted an application for site plan review.
This property is located in the Tavares' "Industrial Park" economic district with existing manufacturing businesses operating within Southridge Industrial and Lake Industrial Subdivisions.

OPTIONS:

1. That City Council moves to approve Ordinance 2016-30.
2. That City Council moves to deny Ordinance 2016-30.

PLANNING & ZONING BOARD RECOMMENDATION:

At its October 20 meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-30.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2016-30.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2016-30

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 3.14 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND SOUTHRIDGE INDUSTRIAL DRIVE; REZONING THE PROPERTY FROM COUNTY HEAVY INDUSTRIAL TO CITY INDUSTRIAL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING 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

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 Heavy Industrial and the applicant has requested it to be rezoned to City Industrial; and,

WHEREAS, the Applicant has applied for a Future Land Use amendment to a City Industrial designation and the application will be processed concurrently with this annexation and rezoning; 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 Heavy Industrial (HM) to City of Tavares Industrial (I).

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.

_____
Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

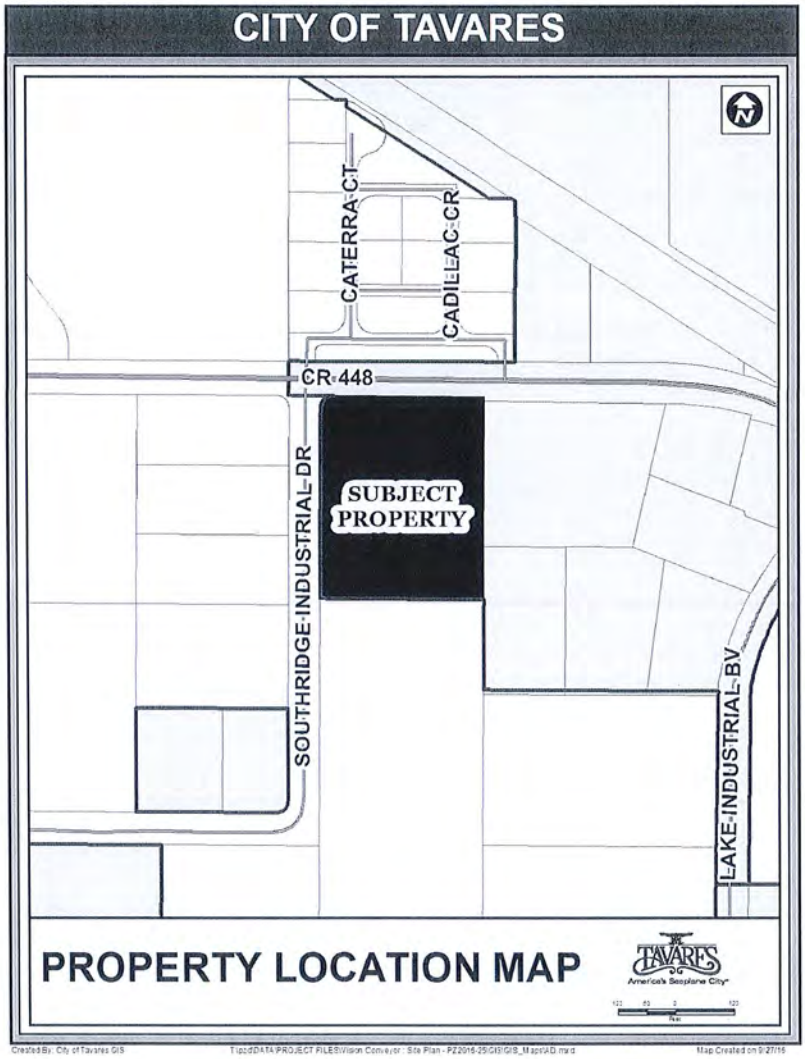
_____
Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

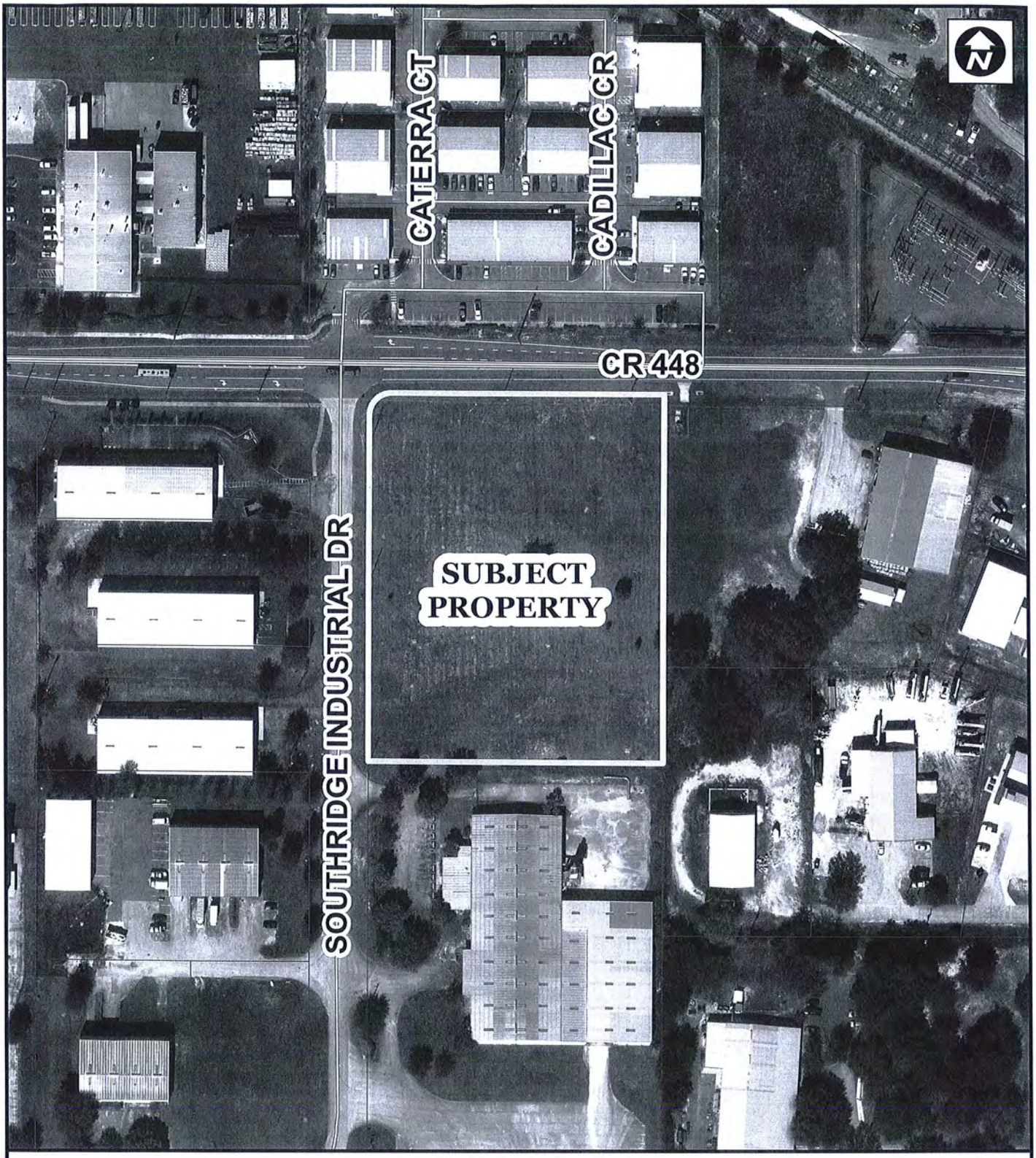
_____
Robert Q. Williams, City Attorney

EXHIBIT "A"

LOT 7, SOUTHRIDGE INDUSTRIAL CENTRE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGE 59, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



CITY OF TAVARES

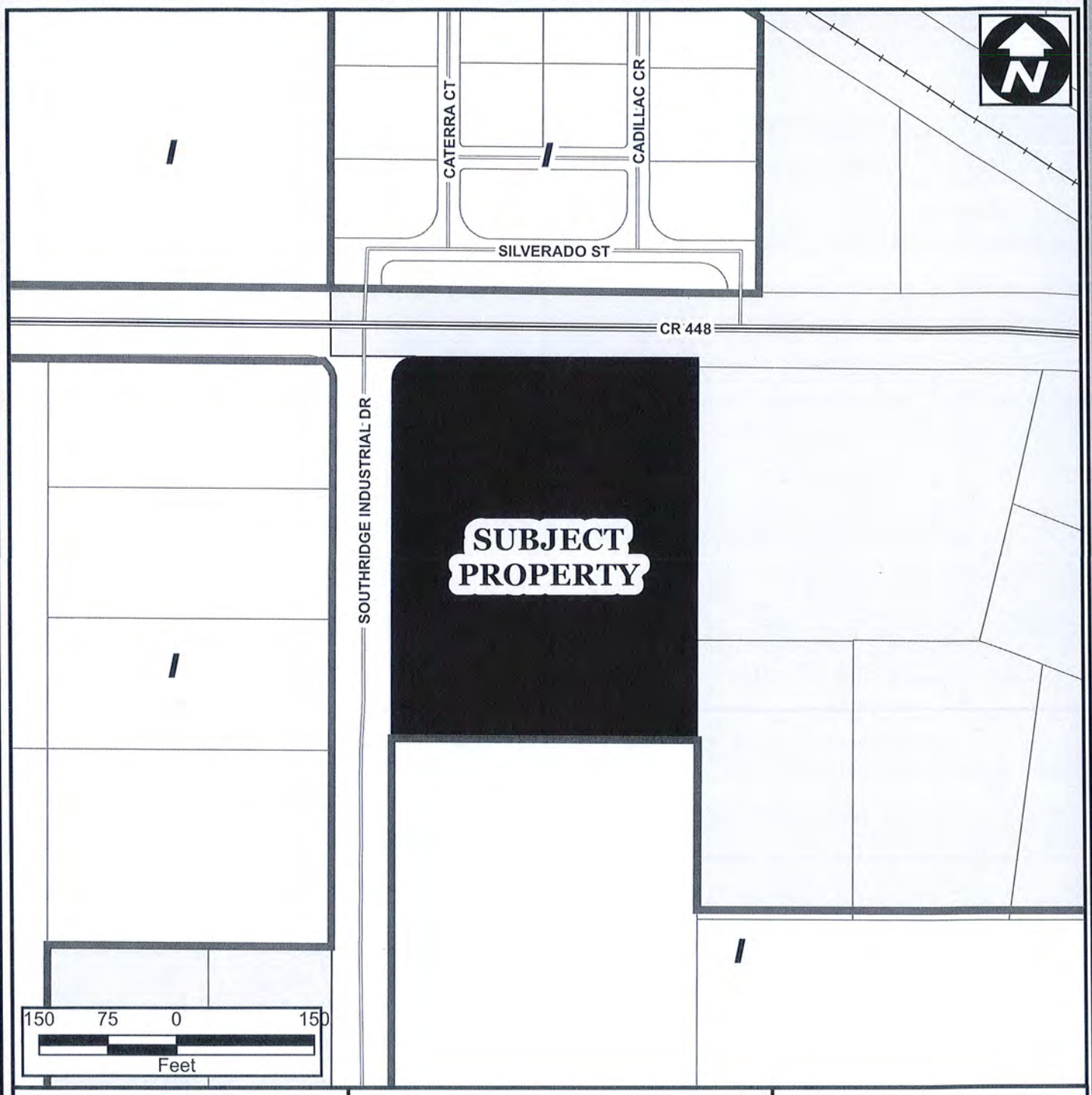


PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

90 45 0 90
Feet

CITY OF TAVARES ORDINANCE # 2016-30



RSF-A Residential Single Family
RSF-1 Residential Single Family
RMF-2 Residential Multi-Family
RMF-3 Residential Multi-Family
RMH-S Residential Manufactured Home Sub.
RMH-P Residential Manufactured Home Park
PD Planned Development District
MU Mixed Use District
C-1 General Commercial
C-2 Highway Commercial
CD Commercial Downtown District
I Industrial District
PFD Public Facilities District

ZONING MAP

ORDINANCE # 2016-30

Vision Conveyor

Current Zoning: Lake County Heavy Industrial
Proposed Zoning: Industrial
03.14 ± Acres

Legend

CITY BOUNDARY
ZONING
SUBJECT PROPERTY
UNINCORPORATED
MAJOR ROADS
STREETS
PARCELS
CONS/WETLANDS

Orlando Sentinel

Publication Date: 10/17/2016

Ad Number: 4505592-2
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

Client Name:
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E002/LAK
Description: ORD 2016-30&31/Legal County Ad

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YOUR COMMUNITY IN BRIEF

Library offers look into paranormal research

Staff report

Learn about the tools and equipment used by professional ghost hunters and get a closer look at science-based paranormal research with a Beyond Investigators team at 2 p.m. Saturday at the Leesburg Public Library, 100 E. Main St.

It's part of the library's lineup of Spooktacular October programs and events.

The group will share stories about their investigations, too. The program is not suitable for young children.

Area teens are invited to dress in costume and partake in some Halloween fun and games, treats and drink at 3:30 p.m. Oct. 26.

For adults, a "Ghosts of the Civil War," presentation, led by librarian Tom Wilcox, will include stories of unexplained happenings and ghostly sightings from the battlefields, hospitals, cemeteries and ships haunted by spirits from America's most cataclysmic war.

The program will take place at 2 p.m. Oct. 27.

Visit the library from 11 a.m. to 4 p.m. Oct. 29 and experience bewitching bookshelves and caterwauling catalogs during a Haunted Library event. Residents young and old are invited to wear costumes and travel through the special spellbound stacks and have a chance meeting with the ghost librarian.

All programs are free and open to the public.

For more details, call 352-728-9790 or email josephine.dix@leesburgflorida.gov.

Trunk or treat

Faith Lutheran Church and School, 2727 S Grove St., Eustis, is holding two Hallowen events Oct. 30, a free Trunk or Treat event from 3 to 4 p.m. and an Oktoberfest from 4 to 7 p.m.

The earlier activity will include games, treats and a prize for the best-decorated car, while the latter event will include food and live music for $5 per person. Children 5 and under are free. Tickets are available in the church office.

The public is invited.
Details: 352-589-5683.

Anti-Bullying awareness campaign

The Lake County Anti-Bullying group has joined Stars Clap, a national nonprofit organization devoted to bullying and violence intervention and prevention, and is participating in its October fundraising campaign, "I Ride Against Bullying," by placing posters at area businesses.

Local residents are encouraged to take a picture with the poster and post it on the group's Facebook page, I Ride Against Bullying-Lake County.

Donors are needed to sponsor each picture for $2.

Money raised will support anti-bullying efforts in Lake County, including monthly meetings and possibly award programs for kids who show kindness.

For details, please call Robin Douglas at 352-942-0260.

Zika Virus webpage

The city of Clermont has created a page on its website in the hopes of alleviating any worries its residents may have about the Zika virus.

In a news release, the city said it is closely monitoring the latest developments on the virus, and its Public Works Department is working closely with the county to spray where mosquitoes, which carry the virus, are most likely to breed.

To date, Lake County has only one confirmed case of Zika, and that person became infected while abroad.

To view the new web page, please go to ClermontFL.gov/zika.

A fact sheet is downloadable in both English and Spanish.

Submit community news items to jfallstrom@orlandosentinel.com

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(352) 243-HEAR (4327)
221 N. Hwy. 27, Suite H
(ACROSS FROM CITRUS TOWER)

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Family Owned and Operated

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2755 S. Bay St., Suite F
(ACROSS FROM TRACTOR SUPPLY)

THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

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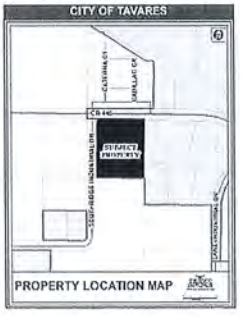

PROPERTY LOCATION MAP

PARKS & RECREATION

Lake County Parks

For more information, call 352-253-4950.

Altoona

Mc Tureous Memorial Park: State Road 19, just north of Umatilla. Playground, picnic tables, grills and the McTureous Museum and Homestead across from the park.

Astor

Astor Recreational Park: South on Alco Road (County Road 9588) off State Road 40. Playground, basketball court, softball fields, soccer field, football field, tennis court, shuffleboard court, picnic pavilion and stage.

Clermont

PalatlakahaRiver Park: Hull Road. Playground, picnic pavilion, picnic tables, grills and fishing pier with boat ramp.

Eustis

Marsh Park: Lake Yale Retreat Road off County Road 452. Playground, picnic tables, grill, basketball court and boat ramp.

Ferndale

Ferndale Preserve: County Road 455. Equestrian trails, nature trails, picnic pavilion.

Forest Hills

Lake Mack Park: Between Lake Mack Road and Lake Drive. Playground, picnic facility, volleyball court, basketball court, beach and canoe launch.

Lake Jem

Lake Jem Park: East of County Road 448 on north side of Apopka-Beauclair Canal. Playground, basketball court, grills, picnic tables, picnic pavilions, nature walk and boat ramp.

Leesburg

PalatlakahaEnvironmental Agricultural Research Park (PEAR): South of County Road 48 on U.S. Highway 27. Playground, picnic pavilion, ball fields, multiuse fields, exercise stations, dog park, nature walk and boardwalk.

Twin LakesPark: County Road 473. Features: Playground, picnic pavilion, picnic tables, grills, basketball court and boardwalk.

Mount Dora

Sylvan Shores Park: Park Avenue and Morningside Drive overlooking Lake Gertrude. Promenade for walking and bicycling.

Mount Plymouth

Mount Plymouth Park: Lochmore Circle and Exmoor Drive. Playground, picnic facility and volleyball court.

Paisley

Paisley Community Park: State Road 42. Playground, picnic pavilion, grills, ball fields, volleyball/basketball court.

Pine Lakes

Pine Forest: Off State Road 44, east of Pine Lakes. Playground, basketball court, multiuse field and picnic facility.

Sorrento

Sorrento Park: Off State Road 46, corner of Church Street and DoaneAvenue. Playground, basketball court and picnic pavilion.

Tavares

Lake Idamere Park: County Road 448 and State Road 19. Playground, picnic pavilions, picnic tables, grills, dog park, fishing pier and nature walk.

Umatilla

North Lake Community Park: County Road 450 and Roger Giles Road. Playground, picnic pavilions, picnic tables, grills, baseball fields, multiuse fields, basketball courts, tennis courts, volleyball courts, dog park, exercise stations, nature trail and walking, running and biking trails.

South Umatilla Park: Ball Park Road off State Road 19. Playground, picnic pavilions and picnic tables.

Lake County Water Authority

For more information, call 352-324-6141 or lcwa.org.

Bourlay Historic Nature Park: North of U.S. Highway 441 on Canal Street in Leesburg. Hiking, exercise stations, bicycling, Cracker-style home, chickee hut and amphitheater, picnic tables, lakeside benches, native plant garden, bird-watching, fishing pier and kayak rentals.

Crooked River Preserve: On the north shore of Lake Louisa and east side of Palatlakaha River off Lake Louisa Drive in Clermont. Hiking, nature study and picnic tables, canoes available through reservations.

Flat Island Preserve: South of Leesburg on Owens Road off County Road 25A. Hiking, picnic tables, nature study, canoe rentals and camping available through reservations.

Hickory Point Recreational Facility: North end of the Howey bridge on State Road 19. Playground, 2-story picnic pavilion, picnic tables, grills, horseshoe pits, sand volleyball court, natural trail, swimming beach, fishing pier, boat ramp and docks, and kayaka are available. There is no charge to park.

Hidden Waters Preserve: North of U.S. Highway 441 in Eustis between Country Club and Abrams roads. Hiking and bird-watching.

Sabal Bluff Preserve: On Leesburg Mobile City Road off County Road 44 east of Leesburg. Hiking, bicycling, picnic tables and bird-watching. Golf cart access.

Sawgrass Island Preserve: On the north side of Lake Yale, northwest of Eustis on Thomas Boat Landing Road. Hiking, equestrian trails, picnic tables, bicycling and nature study. Primitive camping available; reservations required.

Orange County Parks & Recreation

West Orange Trail: Killarney Station is on State Road 50 at the Lake-Orange county line, east of Clermont. The 22-mile paved trail stretches to Apopka. Bicycling, skating, walking and running. Details: 407-654-1108.

State Parks, Trails

Gen. James A. Van Fleet State Trail: The 29.2-mile trail begins at Mabel, four miles west of Mascotte on State Road 50, to Polk County. Path for bicycling, in-line skating and hiking. Details: 352-516-7384.

Lake Griffin State Park: 3090 U.S. Highway 27-441, Fruitland Park. Fishing, boat ramp, canoe rentals, camping, picnic pavilion, picnic tables, grills, playground, volleyball net, horseshoe pits and nature trail. Admission is $4 single occupant vehicle, $5 per vehicle (two to eight people) and $2 pedestrians and bicyclists. Details: 352-360-6760.

PICKLES

How to reach us: Lake County newsroom contacts

COUNTY EDITOR
JERRY FALLSTROM
jfallstrom@orlandosentinel.com
352-742-5916

LAKE NEWS ONLINE
LakeSentinel.com

Delivery issues, wet paper complaints, vacation stops, manager contact:

CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES
October 20, 2016 – 3:00 PM

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

LAKE COUNTY SCHOOL BOARD

STAFF MEMBERS PRESENT	STAFF MEMBERS ABSENT
Bob Williams, City Attorney	
Jacques Skutt, Community Development Director	
Michael Fitzgerald, Development Coordinator	

CALL TO ORDER

Gary Santoro called the meeting to order at 3:00 p.m. and those present recited the Pledge of Allegiance.

AGENDA REVIEW

None.

APPROVAL OF MINUTES

The September 15, 2016 Planning and Zoning Board minutes were approved as submitted.

MOTION

Roy Stevenson moved for the approval of the September 15, 2016 Planning and Zoning Board Minutes, seconded by Richard Root. The motion carried 6-0 with Gary Santoro abstaining.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Those persons present to provide case testimony were sworn in by Attorney Williams. Lou Buigas disclosed her discussions with business owners abutting 125 E. Burleigh Blvd. (ref. Resolution 16-19)

PUBLIC HEARINGS:

CASES HEARD

1. **Ordinance 2016-30 – Vision Conveyor, Inc. – Annexation, Rezoning**

Mr. Skutt provided the following staff report:

The subject property, lot 7 of the Southridge Industrial Center, is located at the southeast corner of C.R. 448 and Southridge Industrial Drive. The property is vacant. The applicant, Vision Conveyor, desires to develop a small industrial complex consisting of 6 industrial buildings of about 5,000 square feet each. The property is contiguous to our city boundary and city water and wastewater utilities are available to this site. Annexation is a requirement to receive city utilities. The site is zoned Heavy Industrial in the County and the applicant is requesting a City of Tavares Industrial zoning.
The applicant is concurrently seeking a City of Tavares Industrial Future Land Use designation and has also submitted an application for site plan review.
This property is located in the Tavares' "Industrial Park" economic district with existing manufacturing businesses operating within Southridge Industrial and Lake Industrial Subdivisions.

DISCUSSION

Gary Santoro asked the Board if they had questions for staff.

Ted Wicks introduced himself as the applicant's representative. He explained that the plan for the property is similar to what the owner had constructed across the street, a multiple building complex. There would be no platting and individual sale of buildings though. The project would be owned by Vision Conveyor, Inc. He stated that each building would result in employing approximately 4 to 6 people with 6 buildings proposed. He stated that the traffic impact in the area would be minimal.

Gary Santoro asked for detail regarding determination of traffic impact.

Ted Wicks stated that the roads in the area were below capacity and that the traffic generated by the industrial use would have low impact.

Morris Osborn asked about the proposed entrance location.

Ted Wicks stated that the entrance would be from Southridge Industrial Drive.

Bill Stomp asked if staff could provide a map showing city limits and depicting the property that is still in Lake County.

Jacques Skutt stated that a map could be provided.

Bill Stomp asked if there is a plan for using re-use water lines in that area.

Jacques Skutt stated that the City of Tavares Utility Department is working on a utility master plan for Tavares.

Bill Stomp made a recommendation that City staff plan for re-use water lines in the industrial area.

Jacques Skutt stated that fire hydrants could possibly be connected to re-use lines.

Ted Wicks stated that re-use water line installation in the area would require substantial funding, but certainly would benefit businesses as a water service alternative. He stated that grant money would be a possible funding solution.

MOTION

Bill Stomp moved to recommend approval of Ordinance 2016-30, seconded by Richard Root. The motion carried unanimously 7-0.