



APPROVED: 3/3/2022

MINUTES

Regular City Commission Meeting

6:00 PM - Thursday, February 17, 2022 - City Hall

INVOCATION: PASTOR RICHARD ALLEN, COMMUNITY FELLOWSHIP CHURCH

PLEDGE OF ALLEGIANCE: COMMISSIONER HAWKINS

CALL TO ORDER: 6:01 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Willie Hawkins, Vice Mayor Emily Lee, Commissioner Karen LeHeup-Smith, Commissioner Nan Cobb and Mayor Michael Holland

1. AGENDA UPDATE

Tom Carrino, Interim City Manager, announced that the applicant has requested that Resolution Number 22-12 for Ellianos Coffee be postponed to the date certain of April 7, 2022.

2. APPROVAL OF MINUTES

2.1 January 24, 2022 - City Commission Workshop February 3, 2022 - Regular City Commission Meeting

Moved by Vice Mayor Lee, seconded by Commissioner LeHeup-Smith, to approve the Minutes as submitted. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

3. PRESENTATIONS

3.1 Presentation by Lake Cares - Kelsey Gonzalez

Kelsey Gonzalez and Ruthie Haffner provided a presentation to the Commission regarding Lake Cares Pantry and their programs and the number of clients they have assisted in the past year, particularly those in Eustis.

Ms. Gonzalez announced that they would be launching a capital campaign to build a new 15,000 sq.ft. facility off of 19A outside Mount Dora.

Ms. Haffner reported on their children's feeding programs in the schools, their resource advocate program, as well as how they assist other programs such as Habitat for Humanity. She noted they served over 55,000 individuals in the previous year and cited their over 200 volunteers.

3.2 Update on use of See-Click-Fix application

Kristina Rosenberg, Community Relations Coordinator, explained that See-Click-Fix is a new platform the City launched back in November to better allow residents to submit service requests to the City. She explained how the program works and provided a demonstration of how the program works. She reviewed all the ways an individual can access the program.

The Commission commented on how they have already utilized the program and encouraged the audience to download the app and make use of it.

4. AUDIENCE TO BE HEARD

- 4.1** Nancy Muenzmay thanked the City for assisting with the advertising for the third annual Antique Toy and Advertising Show. She provided a report on the event and how it has grown over the past three years. She cited how the event also utilizes local food trucks and other vendors and commented on the wide variety of individuals that attended and where they were from. She announced that 65% of the vendors have already rebooked for next year. She cited the possibility of having antique tractors at next year's event. She emphasized the lack of adequate venues in the immediate area and cited the opportunity to improve the fairgrounds for local use.

Cindy Newton thanked Mayor Holland and Tom Carrino for attending the joint planning workgroup with Lake County and the other municipalities.

Michael Kennedy addressed the Commission regarding establishing design standards for the east town area and cited the need for improving the quality of the homes in that area. He asked that the City look at standardizing the design standards throughout the City.

Jane Hepting announced that the Lake Eustis Sailing Club would be hosting the Wayfair International Championship sailing event March 7 through March 11. She thanked the City for being supportive of the Sailing Club. She then commented on the February 7th joint planning meeting and the need to get more public input on the growth within the County. She asked that the Commission appoint an advisory board or other group to discuss growth.

Brian Broomfield stated he was sent a video through Facebook regarding an incident with the City's police officers. He expressed concern regarding what he saw in the video and stated that Michael Kennedy handled himself very well in the situation. He emphasized the need for the City to address those types of situations and make sure they do not escalate so the City keeps moving in a positive direction.

Yolanda Taylor, Eustis Community Redevelopment, Inc., addressed the Commission regarding previous reports regarding Cares Act funding. She asked to have that placed on a future agenda.

Mr. Carrino stated that one of the projects being discussed for funding through the Cares Act funds is the Bates Avenue Wastewater Treatment Plant and that will be brought forward in the near future.

Mayor Holland asked to have an update on the use of those funds.

Mr. Kennedy informed the Commission that he has already scheduled a meeting with Chief Capri regarding the incident Mr. Broomfield referred to.

5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

5.1 Resolution Number 22-11: Site plan with waivers for a drive-through Scooter's Coffee Shop Restaurant

Derek Schroth, City Attorney, announced Resolution Number 22-11: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers for a 664 +/- square foot Scooter's Coffee Drive-through Only Restaurant on approximately +/- 0.458 acres located at 809 South Bay Street.

Heather Croney, Senior Planner, announced that the applicant is Ty O'Toole, Massey Roofing, and the request is for approval of a site plan with waivers. She explained the proposal is for a drive-through only coffee shop and no walkup customers will be served. She stated it is a redevelopment of the site so it is necessary for there to be some flexibility. She provided an overview of the project and stated there are no changes to be made to the southern portion of the property. She reviewed the current land use and design district designations and provided an example of what types of businesses could be placed on the site.

Ms. Croney then reviewed the requested waivers as follows: 1) Waiver to the minimum 50% frontage buildout to allow frontage buildout percentages of 29%, 21% and 9%; 2) Waiver to the landscape buffer requirement of five feet between drive-through lane and the perimeter of the property that is visible from the street. She explained what is being proposed for the landscaping is shrubs and sod around the building and property perimeter which would screen the drive-through from public view and the property owner to the south. She continued the review of the additional waivers as follows: 3) Waiver to the landscape buffer requirement along the public streets to allow a three-foot landscape buffer along each public street frontage; and 4) Waiver to the landscape area and a ten-foot minimum planting around the buildings. She explained that if they provided what is required by the code, they would have very little area left for the development. She then presented the overall landscape plan. She stated the final waiver request is for the glazing requirements of the building design standards. She explained the requirements under the code and stated that if the applicant met those, the windows would be looking into the storage, shelving and materials. She stated that the reason for the requirements is to encourage walkability; however, the location of the project is not an area where there would be many pedestrians and it is intended to be drive-through only. She commented on how the landscaping would improve the appearance of the site.

Ms. Croney presented elevations of the proposed building showing what it is planned to look like stating they worked to meet the City's requirements as much as possible. She reviewed the notices provided and indicated she only received one inquiry regarding the project. She stated staff's recommendation for approval stating that it is substantially consistent with the LDR's and the waivers do not jeopardize the health, safety or welfare of the public.

The Commission asked how many points of entrance are there to the property currently with Ms. Croney stating there are three entrances. She indicated the proposal is for the entrances on the east and north to be both ingress and egress but the west side would be ingress only. She confirmed that the pickup window is on the west side and the speaker and menu board is on the north. It was noted that the speed limit in the area is 35 mph.

The Commission expressed concern regarding patrons getting in and out with Ms. Croney responding that the applicant has had a traffic study done and there were no recommended changes. She indicated they have been in contact with FDOT and they will require a turn lane be constructed if traffic becomes an issue.

The Commission asked if they have discussed the project with the business to the south with Ms. Croney indicating that is who contacted the City about the project and they have discussed the project with the applicant and, she believed, they have addressed their issues.

Mr. Schroth opened the public hearing at 6:52 p.m.

Brad Verkaik, property owner to the south, indicated he had discussed his concerns with the applicant and he is good with how it is designed to keep the patrons from encroaching on his property.

The following individuals expressed opposition or concern regarding the project and possible traffic issues: 1) Cathy Gonzalez; 2) Unidentified woman; and 3) George Asbate.

There being no further public comment, the hearing was closed at 6:59 p.m.

The Commission expressed concern regarding the larger delivery trucks navigating through there with Ms. Croney stating there is adequate space for a fire truck to access the property noting that the site plan was reviewed by the Fire Department, FDOT, Kimberly Horn and Public Works. She stated that FDOT will be monitoring and, if necessary, will require installation of a left turn lane. She noted that pedestrians won't be an issue as they will not allow walk-up customers.

Jessica O'Toole, applicant, explained that they actually have requested to put in a turn lane but FDOT asked them to hold off. She stated that the lane is already there and it would only be a restriping once FDOT approves the permit. She commented on the Scooter's company stating they pride themselves on their speed in handling customers and there will not be ten employees at one time in the building. She indicated that they have been searching for a location since August 2020.

The Commission asked about how that will affect the traffic coming off of Woodward with Ms. O'Toole explaining that is where the turn lane is being considered for entrance only.

Moved by Commissioner Hawkins, seconded by Commissioner LeHeup-Smith, to approve Resolution Number 22-11. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

5.2 Resolution Number 22-12: Site plan with waivers for an Ellianos Coffee Drive-through Coffee Shop Restaurant

This item was announced under "Agenda Update" that it was being postponed to April 7, 2022, at the request of the applicant.

5.3 Resolution Number 22-13: Preliminary Subdivision Plat (with waiver) for the Lake Lincoln Lookout Subdivision at the Northeast Corner of Estes Road and Lake Lincoln Lane

Mr. Schroth announced Resolution Number 22-13: A Resolution of the City Commission of the City of Eustis, Florida; approving a preliminary subdivision plat with waiver for the Lake Lincoln Lookout Subdivision, an 18-lot single family residential subdivision, on approximately 5.25 acres on the northeast corner of Estes Road and Lake Lincoln Lane.

Lori Barnes, Development Services Director, reviewed the preliminary subdivision plat with one waiver for the Lake Lincoln Lookout Subdivision. She stated the applicant is Lake RC, Inc. and explained it is for an 18-lot single family residential subdivision on 5.25 acres. She explained the one waiver request is for landscape buffer plantings due to a 60-foot power utility easement that prohibits any plantings within that area. She stated the property is in the Wekiva Study Area; however, the environmental assessment study did not show any Wekiva related vegetative species on the site.

Ms. Barnes stated the site has a Suburban Residential future land use designation and is located in a Suburban Neighborhood design district. She indicated the 18 lots will result in a density of 3.4 dwelling units per acre which is below the maximum of 5 d/u allowed. The plan provides for the required 25% open space and the park space requirement of .25 acres. She stated that the landscape buffers along the public right-of-way are 15 to 24 feet as required; however, along the south side of the site, the landscaping plantings will have to be placed on the first two lots within the subdivision due to the power line easement restriction.

Ms. Barnes stated the project will utilize the house lot typology and presented the subdivision plan noting that it does include a greenway park along the western boundary of the property with landscape buffers to the south and west. She explained the applicant is dedicating right-of-way to the County along Estes Road and to the City along Lake Lincoln Lane. She stated the site does drain to the northeast and the drainage has been designed to meet the St. John's River Water Management District requirements as well as the City of Eustis stormwater regulations. She added that the post development runoff shall not exceed the pre-development runoff. She presented a view of the landscaping plan and stated the applicant intends to retain as many trees as possible within the greenway tract to provide a natural buffer that will be supplemented with Florida native landscaping.

Ms. Barnes again noted the 60-foot power easement along Lake Lincoln Lane and stated the restrictions prohibit the placement of structures, trees or plantings so they have requested the waiver to allow them to place the plantings on Lot 1 and Lot 18. She stated staff has received one letter of opposition from the Friends of

the Wekiva. She stated staff's recommendation for approval and indicated that the plan is substantially consistent with the goals, objectives and policies of the Comprehensive Plan and Land Development Regulations. She confirmed that the hearing was properly noticed; however, the wrong proof of publication was attached to the agenda item.

The Commission asked if there would be a fence with Ms. Barnes responding that the applicant has not requested fencing within their landscape buffers. She explained that the code restricts any fencing or walls within the landscape buffer in a Suburban district to decorative fencing no taller than four feet.

Mr. Schroth opened the public hearing at 7:11 p.m.

The following individuals expressed opposition or concern regarding the development: 1) Cindy Newton and 2) Cathy Gonzalez.

Tim Green, Green Consulting, addressed the Commission representing the applicant. He explained the only waiver requested was due to the Duke Energy easement which prohibits trees being planted there. He stated, otherwise, the plan adheres to the City's code and design standards.

There being no further public comment, the hearing was closed at 7:16 p.m.

Moved by Vice Mayor Lee, seconded by Commissioner LeHeup-Smith, to approve Resolution Number 22-13. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

5.4 Resolution Number 22-14: Approving an interlocal agreement relating to the North Lake Trail Phases 1 and 2 Project

Mr. Schroth announced Resolution Number 22-14: A Resolution of the City of Eustis, Lake County, Florida, approving and ratifying an interlocal agreement relating to the North Lake Trail Phases 1 & 2 project, providing for severability and an effective date.

Tom Carrino, Interim City Manager, explained the agreement is between Lake County, Eustis and the cities of Umatilla and Tavares. He explained where the trail is anticipated to be placed and stated the agreement allows for the feasibility study. He added this is the first step in moving forward for Phases 1 and 2 of the North Lake Trail. He stated staff's recommendation for approval.

The Commission asked about the funding with Mr. Carrino stating the agreement does not commit the City to any funding at this time but will require future funding. He stated that the City does have some funding earmarked for the trail process.

Mr. Schroth opened the public hearing at 7:19 p.m.

Mike Stephens, Lake 100 and Friends of Lake County Trails, explained that this is just the first step. He reported on the status of other trails that are underway in the area.

There being no further public comment, the hearing was closed at 7:21 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve Resolution Number 22-14. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

- 5.5** Ordinance Number 20-32: Voluntary Annexation of property located on north side of CR 44A, east of East Eldorado Lake Drive
Ordinance Number 20-33: Comprehensive Plan amendment assigning future land use designation to above property
Ordinance Number 20-34: Assigning a design district designation to the above property

Mr. Schroth read Ordinance Number 20-32 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 20.691 acres of real property located on the north side of County Road 44A, east of East Eldorado Lake Drive.

Mr. Schroth reported on his and Mayor Holland's attendance on February 16th to the Florida Community Trust (FCT) board meeting. He reviewed the history of the issue and stated that the FCT did not deny Lake County's action; therefore, the City cannot move forward with the annexations. He concluded stating his recommendation that the annexations must be denied.

Mr. Schroth opened the public hearing at 7:22 p.m. There being no public comment, the hearing was closed at 7:22 p.m.

The Commission asked if all of the ordinances could be denied at one time with Mr. Schroth explaining that if they deny Ordinance 20-32 it stops contiguity for all of the other properties; therefore, those would be denied as moot.

Following the motion and second, the Commission discussed what occurred at the FCT Board meeting, expressed concern regarding how it was handled and cited an issue with the audio and with the Board members calling in to the meeting rather than being present in person.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to deny Ordinance Number 20-32 on second reading. Motion carried by the following votes:

Ayes: Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

Nays: Commissioner Hawkins

- 5.6** Ordinance Number 20-35: Voluntary annexation of property located on the south side of CR 44A and west of Thrill Hill Road
Ordinance Number 20-36: Comprehensive Plan amendment assigning a future land use designation to the above property
Ordinance Number 20-37: Assigning a design district designation to the above property

These ordinances were not considered due to the denial of Ordinance Number 20-32.

- 5.7** Ordinance Number 20-38: Voluntary annexation of property located on the east side of Thrill Hill Road and north of Reedy Road
Ordinance Number 20-39: Comprehensive Plan amendment assigning a future land use designation to the above property
Ordinance Number 20-40: Assigning a design district designation to the above property

These ordinances were not considered due to the denial of Ordinance Number 20-32.

- 5.8** Ordinance Number 22-04: Amendment to Chapter 102 and 115 of the Land Development Regulations

Mr. Schroth read Ordinance Number 22-04 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Florida, amending the Land Development Regulations, Chapter 102-Administration and Enforcement, Section 102-21, and Chapter 115-General Building and Site Standards, Section 115-1 of the Land Development Regulations, to exempt homestead lot residential subdivisions containing no more than four lots, each lot containing a minimum of 1.5 acres of gross land area, and which do not include establishment of new streets and alleys, from certain submittal requirements and site design standards; providing for codification, severability and an effective date.

Mr. Schroth opened the public hearing at 7:27 p.m. There being no public comment, the hearing was closed at 7:27 p.m.

Moved by Commissioner Cobb, seconded by Commissioner LeHeup-Smith, to adopt Ordinance Number 22-04 on final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

- 5.9** Ordinance Number 22-03 (Reconsideration): Design District Assignment - Property Proposed for Annexation on Suanee Avenue

Mr. Schroth read Ordinance Number 22-03 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 0.494 acres of recently annexed real property on Suanee Avenue (Alternate Key Numbers 1064309 and 1427118).

Ms. Barnes reviewed the proposed design district designation of Suburban Neighborhood for property proposed for annexation located on Suanee Avenue. She explained that the Commission approved Ordinances 22-01 annexing the property and 22-02 assigning the future land use designation on first reading; however, the design district ordinance was denied. She explained that action rendered the property as undevelopable. At the February 3rd meeting, the applicant requested that Ordinance 22-03 be reconsidered on first reading and the Commission voted to rehear Ordinance 22-03 and to postpone second readings of Ordinances 22-01 and 22-02 to March 3rd.

Ms. Barnes explained the Suburban Neighborhood designation is consistent with that area of the City. She stated the Land Development Regulations require that a consistent transect is applied when assigning design district designations. She indicated that the Suburban Neighborhood would be the applicable designation for the subject property. She explained why the other designations would not be appropriate for that site and why Suburban Neighborhood is applicable. She stated staff's recommendation for approval and indicated the related ordinances are also compatible and consistent with the joint planning area. She noted that staff received one email regarding the request; however, it did not indicate opposition or support but linked to an excerpt from the City's historic preservation report that was done for the east town neighborhood in the 1990's.

Mr. Schroth opened the public hearing at 7:32 p.m.

Cindy Newton indicated she is the one that sent the link to the historic preservation report and reviewed a history of Rosenwald Gardens and the area.

The following individuals expressed opposition to the development citing the number of homes proposed, the street being a dead-end street, the need for additional green space and better roads and sidewalks and the number of children in the immediate area of the site: 1) Patricia Moore; 2) Bryan Broomfield; 3) Madelyn Love; and 4) Michael Kennedy.

There being no further public comment, the hearing was closed at 7:42 p.m.

At that time, no motion was forthcoming; therefore, the ordinance died for lack of a motion.

5.10 Ordinance Number 22-05: Planned Unit Development Overlay and Planned Unit Development Master Plan for Pine Meadows Reserve

Mr. Schroth read Ordinance Number 22-05 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida; approving a Planned Unit Development (PUD) Overlay for Pine Meadows Reserve pursuant to Section 102-29 and 109-2.8 of the Land Development Regulations; approving a planned unit development (PUD) master plan for a 548-lot mixed-product single family residential subdivision on 240.43 gross acres on the north and south sides of Pine Meadows Golf Course Road, establishing permitted uses and development standards, providing for a phasing plan, providing for conditions of approval, providing for severability and an effective date.

Ms. Barnes reviewed the requested PUD overlay and master plan for the Pine Meadows Reserve. She stated the request is for a 548 unit mixed-product residential subdivision to be completed in three phases. She reported on the May 18, 2021, community meeting held on behalf of the applicant. She stated the applicant did make some changes to the plan based on those comments. She stated the concept plan was presented on August 19, 2021 and proposed 578 lots at that time. She explained the location of the proposed development and indicated it is not located with the Wekiva Study Area. She further explained how the Rural Neighborhood Design District will govern the development of the site to protect the natural resources. She reviewed the conservation design process and how it was used to develop the site plan. She then reviewed the community characteristics including the density, open space, impervious surface area, park space and landscape buffers and how the proposal compares to the minimums and maximums required in the code.

Ms. Barnes then explained the use of the planned unit development overlay and how it allows the developer to provide a higher level of amenities. She further explained the required seven findings for approval of a PUD. She noted the property is an irregular shape and is bisected by Pine Meadows Country Club Road.

Ms. Barnes then reviewed the departures from the Land Development Regulations as follows: 1) Limitation of permitted uses; 2) Use of distinctive lot typologies to facilitate preservation of 138-acres of combined wetland preservation, conservation, open space and parks; 3) Minimum living area per unit of 1,000 square feet; 4) Landscape buffer to pastureland; preservation and conservation areas provide for wider separation than a 50-foot supplemented landscape buffer; and 5) Use of Miami curb instead of ribbon curb or swale.

The Commission asked what is a Miami curb with Rick Gierok, Public Services Director, explaining that Miami curbing is a concrete curb and has a small valley to channel the runoff water.

Ms. Barnes continued reviewing the requirements for approving a PUD including: 1) The existing or planned infrastructure is adequate to support the anticipated development. She indicated the City does have capacity to serve with water, sewer and reclaimed water. She stated that the primary access is to County Road 44 with right and left turn lanes and deceleration lanes with a future connection to the property to the west. She indicated that the traffic study was reviewed by the City's consultant Kimberly Horn as well as Lake County and FDOT. She commented that the County has initiated discussions with the applicant regarding dedication of the trail. She added that the DRC review determined it would not impact the level of services standards with the improvements as planned. 2) The development incorporates best management practices for stormwater management, "green" building, and water and energy efficiency. 3) The development protects, preserves, and/or manages areas of significant natural resources. She stated the project proposes 92.2 acres of wetland preservation and added that only a small portion of the site along the south entrance would have an impact on the wetland area. She added that the project will provide a 23.86 acres passive park to the south of Pine Meadows Golf Course Road and south of the conservation area and 138.22 acres will be permanently dedicated as conservation, park and open space for 57% of the total site.

Ms. Barnes provided various images of the proposed landscaping at the entrance to CR 44, the enhanced landscaping near the tennis courts, and the landscape buffer near Fairway Drive. She noted that residents had requested that no new driveways be placed on Fairway Drive; therefore, the applicant is proposing to having a landscape buffer along Fairway. She then provided an image of the northeast portion of the site where the passive park, walking trail and conservation area will be provided.

Ms. Barnes continued reviewing the requirements for approval of a PUD stating that the arrangement of the proposed uses should better integrate future development into the surrounding neighborhood. She indicated that the applicant has provided for conservation land and open space/buffers on the periphery, clustered the dwelling units and the townhomes are strategically sited to internally maximize the distance from the existing single family residences in the area.

Ms. Barnes then stated that the phasing plan shows that each phase can act independently as well as together. She indicated that staff has reviewed the plan according to the Comprehensive Plan and cited the following: 1) The density of 3.69 du/acre is less than the maximum of 5 du/ac; 2) The proposed impervious surface of 39% is less than the maximum of 40%; and 3) the plan is consistent with the FLU Element and FLU Appendix. She indicated the site is several miles from the eastern boundary of the City's joint planning area and is south of the northern JPA boundary. She commented on Map #19 which indicates a density of 2.5 dwelling units per acre for a large portion of the Pine Meadows property. She indicated that Map #19 is inconsistent with the balance of the City's Comprehensive Plan; therefore, staff does find that the proposed density is consistent with the City's regulations.

Ms. Barnes then commented on the review per the City's Land Development Regulations stating that the project exceeds the requirements for open space and park space; provides for density and impervious surface area under the maximum, meets the rural neighborhood definition and site design criteria and meets the required findings for a PUD Overlay.

Ms. Barnes summarized the proposed plan stating that the applicant did hold a community meeting, submitted a concept plan and presented it to the Commission, the PUD has been reviewed by the Development Review Committee and was advertised and posted as required by the regulations. She noted that there will be a number of additional reviews of the project. She stated that LPG has asked to provide a presentation to the Commission regarding the project which will be presented by Heather Erwhiler.

The Commission complimented Ms. Erwhiler on their report.

Ms. Erwhiler reviewed the conceptual plan versus what is now being proposed noting they have reduced the number of lots from 578 to 548. She commented on the uniqueness of the property and the environmental sensitivity of the site. She cited the community benefits and explained how they developed the plan in order to protect the natural resources. She explained they will be having a 23 acre upland recreation area with trails that will eventually connect to the Pine Meadows Conservation Area.

Mr. Schroth opened the public hearing at 8:13 p.m.

The following individuals addressed the Commission regarding the project citing various concerns: 1) Cindy Newton; 2) Terri Roher; 3) Jill Nelson; 4) Jessica Causden; 5) Jane Hepting; and 6) Michael Kennedy.

Jim Schneider responded to the comments stating they have endeavored to meet or exceed all requirements of the City code.

There being no further public comment, the hearing was closed at 8:27 p.m.

The Commission discussed the proposed PUD noting the following: 1) That Hicks Ditch is supposed to flow north, not south, to the old muck farm in Umatilla; 2) That the proposed plan meets code requirements; and 3) that the City worked with Lake County on a specific ISBA for the site.

Mr. Schroth explained that Lake County encouraged the annexation of the property prior to Commissioners Cobb and Hawkins being elected. He noted that in 2007 the family that owned the property hired Bruce Duncan and they and the City were in negotiations for development of the site so it has been under consideration for over 15 years.

The Commission discussed the purpose of a PUD and the amount of green space and open space being provided. Comments were made regarding the applicant working to exceed the City's requirements and the amount of opposition the City keeps receiving when developers are working hard to meet the requirements. The Commission commented on how well the developer has worked on the plan. Further comments were held regarding how other communities are developing but every time a development comes to Eustis the Commission receives opposition.

The Commission discussed meetings they individually held with the area residents and cited how well the developer worked to meet the resident and Commission expectations.

The Commission commented on how the County had promised to install a traffic signal on CR 44 but never has. They encouraged residents to contact the County Commission regarding the need for the signal.

The Commission commented on the need for residents to complain to Lake County regarding the state of the County-maintained roads and regarding the areas of the City that are actually in the County that are not being maintained. They commented on the County enclaves that are in poor condition. They also noted that the City not annexing the property on Suanee leaves it to be developed under County regulations which are less stringent.

The Commission thanked Ms. Barnes for her presentation and for her work with the City noting it was her last presentation to them.

It was agreed to bring back the signage and littering codes to the next agenda.

Moved by Commissioner Cobb, seconded by Commissioner LeHeup-Smith, to approve Ordinance Number 22-05 on first reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

6. OTHER BUSINESS

6.1 Eustis Codes Pertaining to Signage and Littering

It was agreed to postpone this item to the March 3rd Commission meeting.

7. FUTURE AGENDA ITEMS: NONE

8. COMMENTS

8.1 City Commission

Commissioner Hawkins reported on the African American Heritage Parade scheduled for Saturday at 10 a.m. to go down Bates Avenue to the Ninth Grade Center.

Commissioner Cobb reported on a meeting she had with the Northshore Neighborhood Watch noting that Public Works and the Police Department have worked on that area. She thanked Public Works for beautifying the City for Georgefest and the African American Heritage Festival.

Commissioner LeHeup-Smith reported that the Spayghetti Dinner is sold out.

Vice Mayor Lee reported on the retirement party for Wes Williams who had been employed with the City for 47 years. She noted that his retirement party was held on his 80th birthday and thanked him for his service to the community. She complimented the Eustis Community Alliance for the work they are doing at the old Resource Center.

8.2 City Manager

Mr. Carrino stated that LEAD would provide a presentation to the Commission on March 3rd. He stated that the next CRA Review Committee meeting is tentatively set for March 10th. He then asked for the Commission's feedback on whether to continue the working group meetings or hold a joint City/County Commission meeting. He indicated he could contact the Commissioners individually to get their input. He then reported that staff has developed a job description for a grantwriter and that has been posted. He commented on the unacceptable condition of the right-of-way at 19 and 441. Staff set up a meeting with FDOT about the condition and they agreed that the level of maintenance was unacceptable so they are working on dates to get that improved. He then stated that Public Works is working on scheduling a design charrette for Palmetto Plaza. He reported that various developers have reached out to the City regarding the former Waterman site. He stated he would be coming back to the Commission to ask for direction on that. He announced he would be taking vacation in mid-March and asked to

appoint Bill Howe as Acting City Manager during his absence. He then thanked Lori Barnes for all her work with the City.

8.3 City Attorney

Mr. Schroth also thanked Lori Barnes for her service. He then announced that he needs to meet in closed session with the Commission regarding the SpenceTF lawsuit. He stated there has been no further contact since he filed the Motion to Dismiss.

CONSENSUS: It was a consensus of the Commission to meet in closed session at 5 p.m. on March 3rd prior to the regular meeting.

8.4 Mayor

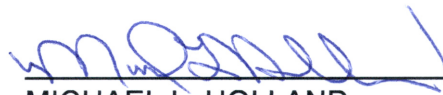
Mayor Holland recognized Martha Taylor, president of the NAACP. He noted the upcoming African American Heritage Festival and Georgefest. He thanked Mr. Schroth for attending the Florida Community Trust meeting with him.

9. ADJOURNMENT

**These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, go to www.eustis.org and click on the video for the meeting in question. A DVD of the entire meeting or CD of the entire audio recording or verbatim transcript of the meeting can be obtained from the office of the City Clerk for a fee.*



MARY C. MONTEZ
City Clerk



MICHAEL L. HOLLAND
Mayor/Commissioner