

**TOWN OF ASTATULA
PLANNING & ZONING
BOARD MINUTES**



**SPECIAL MEETING
MONDAY NOVEMBER 29, 2021
TOWN HALL**

Having been duly advertised as required by law, Chairman Boyd called the Regular Planning & Zoning meeting to order at 6:00 pm and led the Pledge of Allegiance.

Members Present:

Marjorie Boyd, Chairman
Theresa Ann LaBree
Karen Smith
Leigh Ann Pflugh

Absent:

Sean Donnelly

Town Staff Present:

Graham Wells, Town Clerk
Tim Green, Town Planner

Roll Call was performed, and it was determined that a quorum was present. Chairman Boyd welcomed town planner, Tim Green. Representing OPP Venture LLC, the developer for Sterling Meadows were Mr. Adolfo Pereira, A. J. Pereira, Christopher Orlandini and Engineer Steven Shea. There were no residents present.

MINUTE APPROVAL

Approval of Minutes – October 28, 2021 Regular P & Z Meeting.

MOTION by Member Pflugh to approve; SECONDED by Member Smith

For: Boyd, LaBree, Smith, Pflugh

Against: None

MOTION CARRIED 4-0

NEW BUSINESS

ANNEXATION OF THE PROPERTY 98+/- ACRES LOCATED NORTH OF CR 48 AT THE INTERSECTION OF FAIR STREET AND MORNING GLORY WAY.

ORDINANCE 2021-22

AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE BOUNDARIES OF THE TOWN OF ASTATULA IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES FOR PROPERTY LOCATED NORTH OF CR 48 AT THE INTERSECTION OF FAIR STREET AND MORNING GLORY WAY IN LAKE COUNTY, FLORIDA, CONTAINING APPROXIMATELY 98 ACRES; REDEFINING THE BOUNDARY LINES OF THE TOWN TO INCLUDE THE PROPERTY; PROVIDING FOR PUBLICATION OF NOTICE OF THE PROPOSED VOLUNTARY ANNEXATION AND FOR A COPY OF THE NOTICE TO BE SENT TO THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS;

FILING A COPY OF THIS ORDINANCE WITH THE LAKE COUNTY CLERK OF CIRCUIT COURT, THE LAKE COUNTY CHIEF ADMINISTRATIVE OFFICER, AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR FILING OF A REVISION OF THE CHARTER; PROVIDING FOR A COPY OF THE REVISED CHARTER BOUNDARY ARTICLE TO BE SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING AN EFFECTIVE DATE.

Green Consulting Group, Inc. (GCG) has conducted an Annexation review on the subject property. The property is 98+/- acres and is located north of CR 48 at the intersection of Fair Street and Morning Glory Way. Mr. Green outlined that the Annexation request is to amend the municipal boundaries of the Town of Astatula to include the property. He added that the requested Annexation is accompanied by requests to amend the Future Land Use Map and the Official Zoning Map of the Town of Astatula and will be adopted under a separate review.

He stated that Lake County had been advised of the annexation request and went over the details in is review report.

Pertinent Site Data	Current / Allowed	Requested
Future Land Use Designation	Lake County Rural	Single Family Medium Density Residential
Project Size	98+/-Acres	98+/-Acres
Property Use	Vacant	Single Family Residential
Density per Future Land Use	1 DU per 5 Acres	3 DU / Acre without Central Water and Sewer
Maximum Dwelling Units Per Comprehensive Plan	18	294
Home Type Allowed	Single Family Residential	Single Family Residential

Adjacent Future Land Use Designation	
North	Lake County Rural
South	Lake County Rural / Town of Astatula Mobile Home Residential
East	Lake County Rural
West	Lake County Rural / Town of Astatula Mobile Home Residential

He also went over the conceptual concurrency review based on the comprehensive plan which included traffic, Potable water, sanitary sewer, recreation & open space, solid waste, and school-aged children.

His summary, comments and related actions are shown below:

- The site is continuous to the Municipal Limits of the Town of Astatula.
- The existing Lake County Future Land Use allows up to 1 Dwelling per 5 Acres.
- The proposed Town of Astatula Future Land Use allows without Central Water and Sewer up to 3 Dwellings per Acre.
- The proposed Zoning will limit the ultimate density on the site.
- The proposed Future Land Use amendment indicates an Increase in
 - o Traffic volume
 - o Potable Water demand
 - o Sanitary Sewer demand
 - o Recreation needs
 - o Solid Waste volume
 - o School Aged Children
- The Requested Annexation is accompanied by requests to amend the Future Land Use Map and the Official Zoning Map of the Town of Astatula and will be adopted under separate reviews.

He recommended that the Planning and Zoning Board recommend that the Town Council approve the proposed Annexation.

Chairman Boyd asked for any questions from the board. Member Pflugh asked why they would not just request a zoning change in the county. Mr. Green responded that they wanted the fire control and potable water provided by the town. He added that an explanation would have to be given to the County if the council chose not to approve the annexation.

The question of who would be responsible for the future maintenance of Fair Street was discussed. Clerk Wells stated that it was not in the city limits and that it was not part of the annexation. Steven Shea, Consulting Engineer for the developer said that Fair Street would be widened, milled, and resurfaced by the developer but added that he would research who would be responsible for the future maintenance.

The issue of water for fire control to the subdivision was discussed and it was made clear by Clerk Wells to the developer that if the annexation was concluded, connection to the towns potable water system was not an option but would be mandatory per the towns land development regulations. At the conclusion of the discussion, Chairman Boyd requested a motion.

**MOTION by Member LaBree to recommend approval of annexation Ordinance 2021-22 to Council; Seconded by Member Smith
For: Boyd, LaBree, Smith, Pflugh
MOTION CARRIED 4-0**

COMPREHENSIVE PLAN AMENDING THE FUTURE LAND USE MAP OF THE TOWN OF ASTATULA, FLORIDA.

ORDINANCE 2021-23

AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE TOWN OF ASTATULA, FLORIDA, BY CHANGING THE FUTURE LAND USE CLASSIFICATION FOR THE PROPERTY LOCATED NORTH OF CR 48 AT THE INTESECTION OF FAIR STREET AND MORNING GLORY WAY IN ASTATULA, FLORIDA, CONTAINING APPROXIMATLEY 98 ACRES, AND MORE PARTICULARLY DESCRIBED BELOW FROM LAKE COUNTY RURAL TO TOWN OF ASTATULA SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL; FINDING CONFORMITY WITH STATE STATUTES AND THE COMPREHENSIVE PLAN OF THE TOWN OF ASTATULA, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Green explained that this was the part where the request to extend the boundaries of the town would be sent to the Department of Economic Opportunity (DEO). The application would be reviewed by multiple agencies and approval or not would take between sixty and ninety days. The developer wishes to complete the annexation irrespective of the decision of the DEO and the second reading of Ordinance 2021-22 would made at the January Council meeting. At the conclusion of discussion, Chairman Boyd requested a motion.

**MOTION by Member Pflugh to recommend approval of Ordinance 2021-23 to Council;
Seconded by Member LaBree
For: Boyd, LaBree, Smith, Pflugh
MOTION CARRIED 4-0**

REZONING OF THE PROPERTY APPROXIMATELY 98 ACRES ZONED LAKE COUNTY AGRICULTURAL TO TOWN OF ASTATULA RESIDENTIAL R-2. THE PROJECT IS NORTH OF CR 48 AT THE INTERSECTION OF FAIR STREET AND MORNING GLORY WAY.

ORDINANCE 2021-24

AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF ASTATULA, FLORIDA, BY AMENDING THE EXISTING LAKE COUNTY AGRICULTURAL ZONING TO TOWN OF ASTATULA R-2. THE PROPERTY IS LOCATED NORTH OF CR 48 AT THE INTERSECTION OF FAIR STREET AND MORNING GLORY WAY IN ASTATULA, FLORIDA, AND CONTAINS APPROXIMATELY 98 ACRES, AND MORE PARTICULARLY DESCRIBED BELOW; FINDING CONFORMITY WITH STATE STATUTES AND THE COMPREHENSIVE PLAN OF THE TOWN OF ASTATULA, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Green said that he had conducted the Rezoning review for the proposed Sterling Meadows project. The application and concept plan were prepared by Civil/Site Engineering Inc. The project is north of CR 48 at the intersection of Fair Street and Morning Glory Way and is approximately 98 acres. Current zoning is Lake County Agricultural. The conceptual plan proposes re-zoning to Town of Astatula Residential R-2 with 157 residential dwellings. The comparisons between the existing and proposed zoning are shown in the table below:

Residential Areas

Pertinent Site Data	Existing	R-2	Project Data
Zoning Designation:	Lake County A	R-2	R-2
Future Land Use Designation	Rural	Single Family Medium Density Residential	Single Family Medium Density Residential
Project Size	98.24	N/A	98.24 Acres
Number of Lots	18	N/A	157 Lots
Minimum Lot Size	5 acres	7,500 sq ft	10,890 sq feet
Minimum Lot Width	N/A	100 feet	100 feet
Minimum Street Frontage	150 feet	100 feet	100 feet
Minimum Street Frontage on a cul-de-sac	N/A	75 feet	75 feet
Maximum Lot Coverage	10%	40%	Note 1
Front Yard Setback	25 feet	20 feet	25 feet
Side Yard Setback	25 feet	8 feet	8 feet

Pertinent Site Data	Existing	R-2	Project Data
Side Street Corner Setback	25 feet	25 feet	Note 1
Rear Yard Setback	25 feet	20 feet	20 feet
High Water Line Setback	25 feet	50 feet	Note 1
Wetland Setback	25 feet	25 feet	Note 1
Maximum Building Height	40 feet	35 feet	Note 1
Minimum Living Area	850 sq ft	1,000 sq ft	Note 1
Gross Density	1 DU/ 5 Acre	3 DU/Acre without Central Water and Sewer	1.6 DU/Acre without Central Water and Sewer

CONCEPTUAL CONCURRENCY REVIEW

Service	Calculation	Anticipated Demand
Traffic	157 Lots x 9.44 ADT (Average Daily Trips)	1,482 ADT's
Potable Water	Central Water	
Sanitary Sewer	On-Site Treatment Plant	Onsite Septic
Recreation / Open Space	4 acres per 1,000 residents x 438 residents***	1.75 acres
Solid Waste	6.55 lbs x 157 lots x 2.79 persons/ house/ day	2,869 lbs
Drainage Facilities	Compliance with Chapter 40C-42, 40C-4 and 17-25, F.A.C.	

*Comp Plan Standard = 125 gallons/ person / day ** Comp Plan Standard = 111 gallons / person / day

*** Comp Plan Standard = 4 acres/ 1,000 residents Persons per household = 2.79

PARKS: Home builder will be responsible for paying park impact fees.

Outstanding Items: Note 1: Not Listed

Mr. Green went over the differences between the R-2 zoning and what the developer was asking for in density. He added that the items shown in Note 1 are to be added to plan. There being no questions, Chairman Boyd requested a motion.

**MOTION by Member LaBree to recommend approval of Ordinance 2021-24 to Council;
Seconded by Member Smith
For: Boyd, LaBree, Smith, Pflugh
MOTION CARRIED 4-0**

**COMPREHENSIVE PLAN AMENDMENT EAR (EVALUATION AND APPRAISAL REPORT)
AND PRIVATE PROPERTY RIGHTS ELEMENT.**

ORDINANCE 2021-25

AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163.3187 FLORIDA STATUTES BY AMENDING AND UPDATING THE FUTURE LAND USE ELEMENT, ADDING A PRIVATE PROPERTY RIGHTS ELEMENT, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AUTHORIZING THE TOWN CLERK TO AMEND SAID COMPREHENSIVE LAND USE PLAN; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR FOWARDING THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY PURSUANT TO CHAPTER 163 OF THE FLORIDA STATUTES

This amendment is to update the comprehensive plan to include the private property rights element passed in HB59 which states that the property owner has rights. All Counties and Municipalities in the State of Florida are required to adopt this plan. The wording was given to the Town and has been formatted to be included in the comprehensive plan.

The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

In addition to adding the contents of HB59, it is necessary every seven years to include an Evaluation and Appraisal Report updating the plan for the legislative changes made in state law. The plan has also been reviewed to rectify inconsistencies with the future land use. This ordinance will be presented to Council in December for approval to be transmitted to the DEO. Once approved by the DEO it will come back to Council for final reading and adoption.

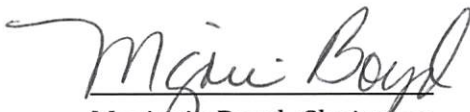
There were no questions from the board and a motion was requested.

**MOTION by Member Smith to recommend approval of Ordinance 2021-25 to Council;
Seconded by Member LaBree
For: Boyd, LaBree, Smith, Pflugh
MOTION CARRIED 4-0**


ADJOURNMENT

There being no further business, Chairman Boyd thanked everyone for attending; the meeting was adjourned at 6:46 pm.

Respectfully submitted,


Marjorie Boyd, Chairman

ATTEST:


Graham Wells, Town Clerk

