

**TOWN OF ASTATULA
MAYOR AND TOWN
COUNCIL MINUTES**



**REGULAR SESSION
MONDAY MARCH 14, 2022
COMMUNITY CENTER**

Having been duly advertised as required by law, Mayor Mack called the Regular Session meeting to order at 6.46pm. He gave the invocation and led the Pledge of Allegiance.

Members Present:

Mitchell Mack, Mayor
Stephen Cross, Vice-Mayor
Gayle Sikkema
Zane Teeters

Absent:

Orita Issartel

Staff Present:

Graham Wells, Town Clerk
Wally Hoagland, Police Chief
Tim Green, Planner
Heather Ramos, Town Attorney

Roll Call was performed, and it was determined that a quorum was present. There were approximately fifteen citizens present from within and outside the city limits along with Karen Smith and Theresa LaBree from the Planning & Zoning Board. Representing OPP Venture LLC, the developer for Sterling Meadows were Mr. Adolfo Pereira, A. J. Pereira, Christopher Orlandini and Engineer Steven Shea. Representing Astatula Reserve was Harvey Newsome.

CITIZENS QUESTIONS AND COMMENT

There was no public comment.

AGENDA REVIEW

There were no changes to the agenda.

MEETING MINUTES

Approval of Minutes for February 14, 2022 Regular Council Meeting.
Approval of Minutes for January 18, 2022 Workshop
Approval of Minutes for February 1, 2022 Workshop
Approval of Minutes for February 8, 2022 Workshop

MOTION by Councilwoman Sikkema to approve the minutes shown above; SECONDED by Councilman Teeters

For: Sikkema, Teeters, Mack

Against: Cross

MOTION CARRIED 3-1

PUBLIC HEARING

FINAL READING OF ORDINANCE 2022-04 AMENDING CHAPTERS VI AND VII OF THE LAND DEVELOPMENT CODE.

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA, PERTAINING TO LAND DEVELOPMENT; AMENDING CHAPTER 6 OF THE TOWN'S LAND DEVELOPMENT REGULATIONS TITLED "SUBDIVISION REGULATIONS" REGULATING LOT SPLITS, LIMITING THE ABILITY TO SPLIT A LOT PREVIOUSLY SPLIT AFTER JANUARY 12, 2012 AND REVISING THE SUBMITTAL REQUIREMENTS FOR PRELIMINARY AND FINAL DEVELOPMENT PLANS AND PLATS; AMENDING CHAPTER 7 OF THE TOWN'S LAND DEVELOPMENT REGULATIONS TITLED "DESIGN STANDARDS" UPDATING REQUIREMENTS FOR WATER AND SANITARY SEWER SERVICE, REQUIRING AN IN-GROUND FIBER OPTIC NETWORK FOR DEVELOPMENT WITH A MAJOR SITE PLAN OR SUBDIVISION IMPROVEMENT PLAN, REVISING REQUIREMENTS CONCERNING PARKS AND RECREATION AREAS, AMENDING REQUIREMENTS FOR FENCES WITH BARBED WIRE, AND AMENDING FENCE HEIGHT REQUIREMENTS; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

This ordinance amends Chapter 6 of the town's Land Development Regulations titled "Subdivision Regulations" regulating lot splits, limiting the ability to split a lot previously split after January 12, 2012 and revising the submittal requirements for preliminary and final development plans and plats.

It also amends Chapter 7 of the town's Land Development Regulations titled "Design Standards" updating requirements for water and sanitary sewer service, requiring an in-ground fiber optic network for development with a major site plan or subdivision improvement plan, revising requirements concerning parks and recreation areas, amending requirements for fences with barbed wire, and amending fence height requirements.

The ordinance was brought before the Planning and Zoning Board on January 27, 2022, who recommended unanimously for Council to approve. Council have reviewed the proposed changes at a workshop on February 8, 2022. Planner Green stated that the only change from the first reading was that minor subdivision was for four lots or less and not three.

The Mayor opened public comment, there being none closed public comment and asked for comment from the board. There being no board comment he asked for a motion. Vice-Mayor Cross made a motion to read by title, seconded by Councilwoman Sikkema. The Mayor read the title and asked for a motion to approve.

MOTION by Vice-Mayor Cross to adopt Ordinance 2022-04; SECONDED by Councilwoman Sikkema.

A Roll Call vote was taken.

Cross YES
Sikkema YES
Mack YES
Teeters Yes

MOTION CARRIED 4-0

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

FIRST READING OF ORDINANCE 2022-07

AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP FOR PROPERTY CONSISTING OF APPROXIMATELY 98 ACRES AND LOCATED NORTH OF CR 48 AT THE INTERSECTION OF FAIR STREET AND MORNING GLORY WAY FROM LAKE COUNTY ZONING DISTRICT A (AGRICULTURE) TO TOWN OF ASTATULA PUD (PLANNED UNIT DEVELOPMENT); FINDING CONFORMITY WITH STATE STATUTES AND THE COMPREHENSIVE PLAN OF THE TOWN OF ASTATULA; PROVIDING FOR CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

Green Consulting Group, Inc. (GCG) has conducted the PUD Rezoning review for the proposed Sterling Meadows project. The application was prepared by Civil/Site Engineering, Inc. The concept plan was prepared by Civil/Site Engineering Inc. on 8/17/21 and consists of one sheet. The property is approximately 98 acres and is zoned Lake County A. The project is north of CR 48 at the intersection of Fair Street and Morning Glory Way. The plan proposes 157 residential dwellings.

The Mayor asked planner Green to give an overview of the project. He stated that the ordinance was brought before the Planning and Zoning Board on March 7, 2022 who voted 4-1 to recommend that Council approve.

Mr. Green stated that this had come to the board previously as straight R-2 zoning but was now included within a Planned Unit Development (PUD) which has additional criteria and conditions added to it. He went over the details of his report as shown below.

Residential Areas

Pertinent Site Data	Existing	R-2	Project Data
Zoning Designation:	Lake County A	R-2	PUD
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	227+/-	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 Lot Depth	N/A	N/A	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.

Note 1: Not listed, defers to R-2 standards.

PUD Enhancements vs. R-2 Zoning:

- Development standards not otherwise illustrated on the Conceptual Master Plan and/or outlined in this Ordinance shall adhere to the standards for R-2 Zoning.
- The total number of residential dwellings is limited to a maximum of 157.
- All residential lots will be Single Family.
- The developer shall make improvements to the existing Fair Street generally as illustrated on the Conceptual Master Plan and such improvement shall be completed during the first phase of development.
- The developer shall install and complete an eastbound left turn lane on CR 48 at Fair Street during the first phase of development. The design for such eastbound left-turn lane shall be approved by Lake County.
- All recreation areas, open spaces and water retention areas shall be owned and maintained by a homeowner's association.
- All residential dwellings shall utilize the central water system owned by the Town of Astatula. The cost, preparation for, and construction of all necessary improvements required in order to connect to the Town's central water system and the extension of fire control and potable water lines shall be the responsibility of the developer.

- A maximum of four (4) model homes can be maintained within the development at any one time.
- The final development plan shall in general layout be as shown of the Conceptual Master Plan and must be approved by the Town Council in accordance with the standards of the Land Development Regulations of the Town of Astatula.
- Front Yard Setback 25'.

Related Actions:

- Final approval of this rezoning is contingent upon the review and acceptance of the Comprehensive Plan Amendment.

Councilman Cross state that Fair Street should be built to Lake County Standards. It was confirmed that the two lanes either side of a median at Fair St. and CR48 counts as two entrances as required in the Land Development Regulations. It was agreed that a left turn lane going east on CR48 was required. Mayor Mack asked about the Meadows private water lines that are in Fair Street. Steve Shea, engineer for the developer stated that it would be up to the county if the water lines could remain in the right of way.

The Mayor opened public comment. Comments were made by Susan Richards, Paul Netwall, Gary Boston, Doris Weisnecker, Theresa LaBree, Jennifer Anthony and Madeline Slater. Responses were made by the Mayor, Planner, Engineer for the Developer Steve Shea and Attorney Ramos.

Councilwoman Sikkema made a motion to read by title only; seconded by Councilman Teeters. The Mayor read the title and requested a motion to approve.

MOTION by Vice-Mayor Cross to approve Ordinance 2022-07 and send to second reading; SECONDED by Councilwoman Sikkema

A Roll Call vote was taken.

Cross YES

Sikkema YES

Teeters YES

Mack YES

MOTION CARRIED 4-0

The Mayor Called a recess at 7:57 pm. The Meeting reconvened at 8:13 pm.

RESOLUTION 2022-09 CONSIDERATION AND APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE ASTATULA RESERVE SUBDIVISION.

RESOLUTION 2022-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA; GRANTING APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPOSED ASTATULA RESERVE SUBDIVISION CONTAINING 247 SINGLE FAMILY RESIDENTIAL LOTS AND PARK AREAS ON APPROXIMATLEY 207.24 ACRES LOCATED EAST OF CR 561, SOUTH OF BATES LANE, AND WEST OF KAYS WAY; PROVIDING FOR RECORDATION; PROVIDING FOR AN EFFECTIVE DATE.

Green Consulting Group, Inc. (GCG) has conducted the Preliminary Subdivision Plan review for the proposed Astatula Reserve project. The plans were prepared by Bravo Engineering LLC dated February 14, 2022 consisting of 4 sheets. The survey was prepared by Bishman Surveying & Mapping, Inc dated 2/6/19 consisting of 1 sheet. The property is approximately 207.24 acres located east of CR 561, south of Bates Lane, and west of Kays Way. The plan proposes 247 residential lots and park areas.

Vice-Mayor Cross made a motion to read the Resolution by title only; seconded by Councilwoman Sikkema. Mayor Mack read the title and gave the floor to Mr. Green who went over the details from the staff review as follows:

Pertinent Site Data	Zoning Requirement	Project Data
Zoning Designation:	R-1	R-1
Future Land Use Designation	Low Density Residential	Low Density Residential
Project Size	207.24 acres	207.24 acres
Number of Lots	247	247
Minimum Lot Size	21,780 sq ft	21,780 sq ft
Gross Density	2 DU/ Acre	1.22 DU/ Acre
Minimum Lot Width	100 feet	100 feet
Maximum Building Height	35 feet	35 feet
Front Yard Setback	30 feet	30 feet
Side Yard / Street Side Setback	8 feet / 30 feet	10 feet / 30 feet
Rear Yard Setback	20 feet	20 feet
Minimum Dwelling Living Area	1,200 sq ft	1,600 sq ft

The project data that the developer is proposing is in line with the R-1 zoning with the benefit of reduced density, increased side setbacks and home size.

A traffic study is required to be submitted and reviewed by the Lake Sumter MPO.

CONCEPTUAL CONCURRENCY REVIEW

Service	Calculation	Anticipated Demand
Traffic	247 Lots x 9.52 ADT (Average Daily Trips)	2,352 ADT's
Potable Water	Central Water (247 Lots x 125 = 76,075)	30,875 GPO
Sanitary Sewer	On-Site package plant (247 lots x 111 = 19,869)	27,417 GPO
Recreation / Open Space	4 acres per 1,000 residents x 500 residents***	2.75 acres
Solid Waste	6.55 lbs x 247 lots x 2.79 persons / house / dav	4,513 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: Private parks can be provided however the applicant will have to pay park impact fees. Public parks can be provided with Town Council approval.

Comments / Conclusions/ Actions/ Questions:

- A School Concurrency reviewed and approved by the Lake County School Board will have to be completed prior to issuance of construction plan approval.
- A Landscape Plan will be required at Construction Plan submittal.
- A Tree survey will be required prior to the issuance of the Construction Plan approval.
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The ordinance was brought before the Planning and Zoning Board on February 24, 2022 who voted 3-2 to recommend that Council approve.

Mr. Cross asked about turn lanes on CR561. Mr. Green said that as this was a zoning hearing, the town could not require it but may be required by the county as it is a county road. Mr. Newsome said that it was the developer's intention to install turn lanes. Mr. Green added that an area in the southeast corner of the development had been dedicated for the town to install an additional well if they wished to in the future.

Mr. Cross said that he wants the well site but would prefer the parks identified on the plan to be the responsibility of the HOA and not maintained by the town. Mayor Mack and Councilwoman Sikkema concurred. Safety of children getting to the park was a concern as there was no sidewalks to the development. The Mayor opened public comment. A resident asked about the annexation that had come to the town a year or so ago. Mr. Green explained that one legal description was incorrect and that was put right at that time. It is zoned R-1 with a Conditional Use Permit. The Mayor closed public comment and there being no further comment from the board, requested a motion.

MOTION by Vice-Mayor Cross to approve Resolution 2022-09; SECONDED by Councilwoman Sikkema

A Roll Call vote was taken.

Cross YES

Sikkema YES

Teeters YES

Mack YES

MOTION CARRIED 4-0

RESOLUTION 2022-08 CONSIDERATION AND APPROVAL OF A CONDITIONAL USE PERMIT TO PERMIT UTILITY FACILITIES LOCATED AT 13641 DELAWARE AVENUE.

RESOLUTION 2022-08

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA; GRANTING A CONDITIONAL USE PERMIT TO PERMIT UTILITY FACILITIES TO BE LOCATED AT 13641 DELAWARE AVENUE; PROVIDING FINDINGS AND SETTING FORTH CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

Green Consulting Group, Inc. (GCG) has conducted the Conditional Use Permit (CUP) review on the subject property.

The property is approximately 1.08+/- acres and is located at 13641 Delaware Avenue. The property is zoned R-2 and has a Future Land Use Designation of Medium Density Residential.

The applicants have requested a CUP to allow for utility facilities. This use can be approved with approval of a CUP as outlined in Chapter 4, Section 4.9.3(3)(f) of the Town of Astatula Land Development Regulations. Conditions for approval of the CUP are outlined in the resolution including that the permit does not run with the land. The resolution was brought before the Planning and Zoning Board on March 7, 2022 who voted 5-0 to recommend that Council approve.

There were no comments from the board. Vice-Mayor Cross made a motion to read by title only; seconded by Councilman Teeters. The Mayor read the title and requested a motion to approve.

MOTION by Vice-Mayor Cross to approve Resolution 2022-08; SECONDED by Councilwoman Sikkema

A Roll Call vote was taken.

Cross YES

Sikkema YES

Teeters YES

Mack YES

MOTION CARRIED 4-0

CONSIDERATION AND APPROVAL TO BECOME AN AMERICA IN BLOOM CITY - MAYOR MACK

Mayor Mack gave an overview of how America in Bloom works and how the Town came to be involved in it. He explained what his vision was for Astatula as part of the program. Mr. Cross said that he had no prior information in the council packet and suggested that it be tabled to the next meeting.

MOTION by Mayor Mack to table the item to the next meeting; SECONDED by Vice-Mayor Cross

For: Cross, Sikkema, Teeters, Mack

MOTION CARRIED 4-0

CONSIDERATION AND APPROVAL OF AN AMENDED SALE PRICE FOR 13128 NEW YORK AVENUE - MIRIAM GOMEZ WOULD LIKE TO ADDRESS COUNCIL.

At the February 14 council meeting a motion was made by Vice-Mayor Cross to accept the bid for \$131,589.99 with a 60-day closing period, subject to financing and appraisal with the town's only cost of pro-rated property taxes; seconded by Councilwoman Sikkema and unanimously approved.

The buyer has had an appraisal conducted on the property which recommends a value of \$115,000. There were items on the appraisal that the council should take into consideration when making any determination of a reduction to the bid price for purchase of \$131,589.99.

While the mobile home needs a lot of work, a reduction in the comparable properties has been made between \$40,000 and \$60,000 for its condition. All three of the comparable's are 0.5 acres and this one is 1 acre. There was no upward adjustment made for the additional lot size. There was an adjustment made for \$10,500 to remove tree limbs which was noted in the inspection with an estimate of \$100 to trim the ones touching the house. A reduction of \$11,500 shown as damage to well and or septic system was made which has not been inspected.

Ms. Gomes put her case to council for a reduction in the price to the appraised value of \$115,000. The Mayor asked council for a response. Mr. Cross suggested that the town put the property back on the market as he had issues with the appraisal which are itemized above. The Mayor said that if Ms. Gomes covered the closing costs, he would be happy to accept the revised offer. The option to renovate or remove the mobile home were discussed and Clerk Wells stated that if the home was replaced, then town impact fees would have to be paid. Following further discussion, the Mayor requested a motion.

MOTION by Councilman Teeters to approve the revised sale price of \$115,000.00 for 13128 New York Avenue to Miriam Gomes who will pay all closing costs other than pro-rated property taxes and close prior to the April 11, 2022 council meeting; SECONDED by Councilwoman Sikkema

A Roll Call vote was taken.

Cross	NO
Sikkema	YES
Teeters	YES
Mack	YES

MOTION CARRIED 3-1

A further motion was required to finalize the transaction.

MOTION by Vice-Mayor Cross to authorize the Mayor to execute the deed per the last motion and the Mayor and Town Clerk to take any and all actions required to close the transaction; SECONDED by Councilwoman Sikkema.

For: Cross, Sikkema, Teeters, Mack

MOTION CARRIED 4-0

REVIEW OF LIAISON POSITIONS

MOTION by Mayor Mack to appoint Zane Teeters as Liaison for Land Development Regulations, Legal, Ordinances and Grants; SECONDED by Councilwoman Sikkema.

For: Cross, Sikkema, Teeters, Mack

MOTION CARRIED 4-0

BUDGET AND FINANCE REPORT REVIEW

Due to late hour, it was agreed that the finance report would not be given.

COUNCIL DEPARTMENT & COMMITTEE LIAISON REPORT

Finance – Councilman Cross – NONE

Public Works – Mayor Mack – NONE

Public Safety/Code Enforcement – Councilwoman Sikkema – Stated that the contract for next years SRO was being negotiated with a rate increase.

Office – LDR’s, Ordinances, Legal, Grants – Councilman Teeters – NONE

Economic Development – Councilwoman Issartel – ABSENT

REVIEW

- a. Items for Workshops and possible dates – NONE
- b. Items put forward for the next Council meeting - NONE
- c. Review of items needing Special Meetings and possible dates – NONE

STAFF REPORTS

Town Attorney – Heather Ramos – Gave an update on some legislative item that are coming up.

Police Department – Chief Hoagland – Reminded that Saturday May 14th was to be the grand opening of the Community Center. Update on code enforcement issues.

Town Clerk – Graham Wells – NONE

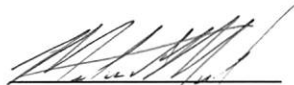
Public Works – Wally Hoagland – NONE

COUNCIL MEMBER MISCELLANEOUS COMMENTS – Councilwoman Sikkema gave an update on the lobby renovation and the moving of the water fountain.

ADJOURNMENT

There being no further business the Mayor adjourned the meeting at 9:38pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk