



# AGENDA

## City Commission Meeting

6:00 PM – Thursday, March 07, 2024 – City Hall

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**INVOCATION: MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE: COMMISSIONER WILLIE HAWKINS**

**CALL TO ORDER**

**ACKNOWLEDGE OF QUORUM AND PROPER NOTICE**

**1. AGENDA UPDATE**

**2. APPROVAL OF MINUTES**

[2.1](#) Approval of Minutes

February 15, 2024 City Commission Meeting

**3. PRESENTATIONS**

[3.1](#) Eustis Police Department K9 Retirement

[3.2](#) AdventHealth Community Clinic Update

[3.3](#) Update from Hansel Rodriguez to City Commission on 44 Sharps LLC.

[3.4](#) Presentation of Findings and Recommendations from the Business Incubator Feasibility Study

[3.5](#) Clifford House Historical Museum's landscaping and garden designs

**4. AUDIENCE TO BE HEARD**

**5. CONSENT AGENDA**

[5.1](#) Resolution Number 24-26: Police Department Request to Purchase Motorola In Car Radios

[5.2](#) Resolution Number 24-27: Purchase in Excess of \$50,000 for the Clifford-Taylor House Museum's Roofing Project

[5.3](#) Resolution Number 24-28: Approval of Purchase in Excess of \$50,000 for Rental of a Concrete Crushing Machine

[5.4](#) Resolution Number 24-29: Authorizing Award of Bid Number 002-24 to Tank Wizards Inc for the Grand Island Fuel Tank Project and Approving a Purchase in Excess of \$50,000

[5.5](#) Resolution Number 24-30: Fire Station Number 22 Bay Doors Replacement – Emergency Request

**6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**

[6.1](#) Resolution Number 24-06: Approval of preliminary subdivision plat for Kurt Street Townhomes (Alternate Key Numbers: 2930497 and 3859180)

**6.2** Resolution Number 24-21: Purchase of Pumper Truck for Eustis Fire Department

**6.3** Resolution Number 24-24: Corey Rolle Memorial Field Phase 1 Improvements and Corresponding Budget Amendment

**6.4** **SECOND READING**

Ordinance Numbers 24-02, 24-03, and 24-04: Explanation of Ordinances for Annexation of a Parcel with Alternate Key Number 1123461

Ordinance Number 24-02 – Voluntary Annexation

Ordinance Number 24-03 – Comprehensive Plan Amendment

Ordinance Number 24-04 – Design District Assignment

**6.5** **SECOND READING**

Ordinance Number 24-03: Comprehensive Plan Map Land Use Assignment for Recently Annexed Parcel with Alternate Key Number 1123461

**6.6** **SECOND READING**

Ordinance Number 24-04: Assignment of Design District for Recently Annexed Parcel with Alternate Key Number 1123461

**6.7** **SECOND READING**

Ordinance Numbers 24-08, 24-09, and 24-10: Explanation of Ordinances for Annexation of Parcels with Alternate Key Numbers 1784069, 2814128, and 2814144

Ordinance Number 24-08 – Voluntary Annexation

Ordinance Number 24-09 – Comprehensive Plan Amendment

Ordinance Number 24-10 – Design District Assignment

**6.8** **SECOND READING**

Ordinance Number 24-09: Comprehensive Plan Amendment, Comprehensive Plan Map Land Use Assignment for Recently Annexed Parcels with Alternate Key Numbers 1784069, 2814128, and 2814144

**6.9** **SECOND READING**

Ordinance Number 24-10: Assignment of Design District for Recently Annexed Parcels with Alternate Key Numbers 1784069, 2814128, and 2814144

**7. OTHER BUSINESS**

**8. FUTURE AGENDA ITEMS AND COMMENTS**

**8.1 City Commission**

**8.2 City Manager**

**8.3 City Attorney**

**8.4 Mayor**

**9. ADJOURNMENT**

This Agenda is provided to the Commission only as a guide, and in no way limits their consideration to the items contained hereon. The Commission has the sole right to determine those items they will discuss, consider, act upon, or fail to act upon. Changes or amendments to this Agenda may occur at any time prior to, or during the scheduled meeting. It is recommended that if you have an interest in the meeting,

you make every attempt to attend the meeting. This Agenda is provided only as a courtesy, and such provision in no way infers or conveys that the Agenda appearing here is, or will be the Agenda considered at the meeting.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes, 286.0105). In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the City Clerk 48 hours prior to any meeting so arrangements can be made. Telephone (352) 483-5430 for assistance.

**“Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission and the public. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.”**



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Christine Halloran, City Clerk

DATE: March 7, 2024

RE: Approval of Minutes

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**Introduction:**

This item is for consideration of the minutes of the 2/15/2024 City Commission Meeting.

**Recommended Action:**

Approval of the minutes as submitted.

**Prepared By:**

Mary Montez, Deputy City Clerk

**Reviewed By:**

Christine Halloran, City Clerk





# MINUTES

## City Commission Meeting

6:00 PM – Thursday, February 15, 2024 – City Hall

### INVOCATION: MOMENT OF SILENCE

### PLEDGE OF ALLEGIANCE: COMMISSIONER NAN COBB

### CALL TO ORDER: 6:01 P.M.

### ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Nan Cobb, Vice Mayor Emily Lee, Commissioner Gary Ashcraft and Mayor Michael Holland

ABSENT: Commissioner Willie Hawkins

### 1. AGENDA UPDATE: None

### 2. APPROVAL OF MINUTES

#### February 1, 2024 City Commission Meeting

Motion made by Commissioner Cobb, Seconded by Vice Mayor Lee, to approve the Minutes as submitted. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

### 3. PRESENTATIONS

#### 3.1 Hand In Hand Lake County, Inc. Donation

Police Chief Craig Capri, presented \$1,000 to David Douglas, Executive Director, of Hand in Hand Lake County, Inc. for the support of their addiction recovery facilities.

Mr. Douglas thanked the City for its support of the Hand In Hand program. He commented on his history in Lake County and explained the purpose of their programs. He noted they have five houses providing 52 beds for men and women's programs to assist those who want to make changes in their lives.

#### 3.2 Future Business Leaders of America (FBLA) Eustis High School District 10 Activities Update

Sam Peterson, Eustis High School (EHS) Senior and President of FBLA EHS Chapter 10, spoke about his experience with FBLA. He commented on the club's involvement in the community and the benefits to the students. He reported the chapter will be sending ten students to state competition. He requested the City's support to assist their participation in the state competition.

Aran Cross, FBLA Vice President, thanked the City Commission for its support and commented on his experiences within the program and how it has affected his growth.

Sonya White, Faculty Advisory for FBLA, reported that both students placed first place in their event at the district competition. She stated that Aran placed first in public speaking and Sam placed first in business law, which enabled them to go to State.

Mayor Holland complimented the students and encouraged the public and businesses to generously to the FBLA.

#### 4. APPOINTMENTS

##### 4.1 Re-Appointments to Eustis Memorial Library Board of Trustees – Betsy Dokken, Carole Martin and Vivian Carla Miller Mitchell

Mayor Holland noted that none of the re-appointees were present.

Motion made by Vice Mayor Lee, Seconded by Commissioner Cobb, to reappoint Betsy Dokken, Carole Martin and Vivian Carla Miller Mitchell each to a full term on the Library Board of Trustees. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

#### 5. AUDIENCE TO BE HEARD

Ivan Gonzalez, with translation by Elis Foreman, congratulated the two FBLA students on their accomplishments. He stated his comments are directed at Hansel Rodriguez. He commented on recent events at Sharps Park with his mother and the park administration's lack of respect and cooperation. He expressed concern regarding the lack of assistance by the City. He asked the City to please do an investigation at Sharps Circle.

Mayor Holland asked Sasha Garcia, City Attorney, about his request that the owner come back before the City Commission to discuss the issues with Attorney Garcia indicating she has reached out but they have not contacted her back. She indicated she would reach out to their attorneys and owners again.

Juan Aguayo, with interpretation by Elis Foreman, commented on negative repercussions to the residents of Sharps Park after complaints to the City. He stated his gratitude to Police Chief Capri for his assistance. He noted issues other residents have at Sharps Park and stated the issues and sewage problems have been continuing for over a year. He thanked the Commission for trying to help him and his family.

Chief Capri reported on the numerous sewage issues and some issues between neighbors. He noted the department receives over ten calls a week from the neighborhood. He expressed concern regarding the ongoing sewer issues and noted they have brought out plumbers but the issues have not been resolved. He indicated that most issues have been resolved but not the sewage issues which is a health issue.

Mr. Aguayo stated the sewer problem has been going on for over a year. He commented on negotiations on the sale of his home between him and the owners. He thanked the Commission for listening to him.

Discussion was held regarding whether or not the health department could provide some assistance and the need to discuss the problems with the owner.

Mayor Holland directed Attorney Garcia to contact the owner's lawyer for one of them to be at the next City Commission meeting.

#### 6. CONSENT AGENDA

##### 6.1 Resolution Number 24-17: Statewide Mutual Aid Agreement

- 6.2 Resolution Number 24-19: Acceptance of funding from Construct 2 to ensure the thoroughness of the pending Eustis Marketing Study, including brand research and analysis for downtown
- 6.3 Resolution Number 24-20: Approving a Purchase in excess of \$50,000 for a Wastewater Department Replacement Vehicle
- 6.4 Resolution Number 24-22: Professional Planning Services
- 6.5 Resolution Number 24-23: Approval of Reinstatement and First Amendment to Vacant Land Contract for City-Owned Property Located at 110 W. Woodward Avenue

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft to approve the Consent Agenda. The motion passed by the following votes:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

## 7. **ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**

- 7.1 Resolution Number 24-15: Approving a Photo Enforcement Services Agreement with Altumint, Inc. (Revised)

Attorney Sasha Garcia read Resolution Number 24-15 by title: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; authorizing the approval of a photo enforcement services agreement between the City of Eustis and Altumint, Inc.; and providing an effective date.

Attorney Garcia explained the need for an additional public hearing to allow public input pursuant to state statute. She indicated the revised agreement had been reviewed by Altumint and City staff based on the recommendations made at the February 1st Commission meeting. The agreement being presented has been reviewed by Altumint and signed by their CEO Holly Cooper. She provided a summary of the updates to the contract and resolution.

The Commission confirmed that Attorney Garcia was comfortable with the contract and that the City is meeting state statute. She indicated that if changes are needed the contract provides for that as well.

Attorney Garcia opened the public hearing at 6:30 p.m. There being no public comment, the hearing was closed at 6:30 p.m.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Cobb, to approve Resolution Number 24-15. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

### **7.2 FIRST READING**

Ordinance Numbers 24-02, 24-03, and 24-04: Explanation of Ordinances for Annexation of Parcels with Alternate Key Number 1123461 and related designations

Ordinance Number 24-02 – Voluntary Annexation

Ordinance Number 24-03 – Comprehensive Plan Amendment

Ordinance Number 24-04 – Design District Assignment

Attorney Garcia read Ordinance Number 24-02 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 1.88 acres of real property at Alternate Key Number 1123461, on the south side of East Bates Avenue at 2596 East Bates Avenue.

Jeff Richardson, Deputy Director of Development Services, reviewed Ordinances 24-02, and 24-04 regarding the annexation of property located at 2596 East Bates Avenue and the assignment of the future land use designation of Suburban Residential and design district designation of Suburban Neighborhood. He stated staff's recommendation for approval of all three ordinances.

Attorney Garcia opened the public hearing at 6:37 p.m. There being no public comment, the hearing was closed at 6:37 p.m.

Motion made by Commissioner Cobb, Seconded by Commissioner Ashcraft, to approve Ordinance Number 24-02 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

### **7.3 FIRST READING**

#### **Ordinance Number 24-03: Comprehensive Plan Map Land Use Assignment for Recently Annexed Parcel with Alternate Key Number 1123461**

Attorney Garcia read Ordinance Number 24-03 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis comprehensive plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 1.88 acres of real property at Alternate Key Number 1123461, on the south side of East Bates Avenue at 2596 East Bates Avenue, from Urban Low in Lake County to Suburban Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 6:38 p.m. There being no public comment, the hearing was closed at 6:38 p.m.

Motion made by Commissioner Cobb, Seconded by Commissioner Ashcraft, to approve Ordinance Number 24-03 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

### **7.4 FIRST READING**

#### **Ordinance Number 24-04: Assignment of Design District for Recently Annexed Parcel with Alternate Key Number 1123461**

Attorney Garcia read Ordinance Number 24-04 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 1.88 acres of real property at Alternate Key Number 1123461, on the south side of East Bates Avenue at 2596 East Bates Avenue.

Attorney Garcia opened the public hearing at 6:39 p.m. There being no public comment, the hearing was closed at 6:39 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to approve Ordinance Number 24-04 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

### **7.5 FIRST READING**

#### **Ordinance Numbers 24-08, 24-09, and 24-10: Explanation of Ordinances for Annexation of Parcels with Alternate Key Numbers 1784069, 2814128 and 2814144 and related designations**

Ordinance Number 24-08 – Voluntary Annexation  
 Ordinance Number 24-09 – Comprehensive Plan Amendment  
 Ordinance Number 24-10 – Design District Assignment

Attorney Garcia read Ordinance Number 24-08 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 13.72 acres of real property at Alternate Key Numbers 1784069, 2814128 and 2814144, on the south side of Getford Road, east of Coolidge Street and west of Gatch Road.

Mr. Richardson reviewed Ordinances 24-08, 24-09 and 24-10 pertaining to the annexation of 13.72 acres of real property at Alternate Key Numbers 1784069, 2814128 and 2814144 and the assignment of Suburban Residential as the future land use designation and Suburban Neighborhood as the design district designation. He cited some environmental concerns regarding wetlands on the southeast side of the property with an associated floodplain. He indicated that approximately 7.2 acres is outside of the wetlands or floodplain with a total of 6.5 acres in wetland and floodplain. He cited the existing tree canopy and stated the property is located in a moderate recharge area. He added that, at time of development, most of that would need to be addressed in a larger scale environmental and hydrogeologic study. He stated staff's recommendation for approval of all three ordinances.

The Commission asked if staff was contacted by anyone else other than those who spoke at the Local Planning Agency meeting with Mr. Richardson responding negatively.

Attorney Garcia opened the public hearing at 6:45 p.m.

Marjorie Buckner stated she has property on Coolidge Street and asked if the City was going to be installing pipelines along there to run from Coolidge to Bates Avenue.

Tom Carrino, City Manager, responded that the City is planning to run water, sewer and road reconstruction from Bates to Getford along Coolidge.

Ms. Buckner asked if the City would also be doing a housing development in that area with Mr. Carrino stating the expectation would be that property along Coolidge would eventually either be redeveloped or developed for housing.

Ms. Buckner expressed concern about development in that area and noted that area is wooded.

There being no further public comment, the hearing was closed at 6:47 p.m.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Cobb, to approve Ordinance Number 24-08 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

## **7.6 FIRST READING**

### **Ordinance Number 24-09: Comprehensive Plan Map Land Use Assignment for Recently Annexed Parcels with Alternate Key Numbers 1784069, 2814128, and 2814144**

Attorney Garcia read Ordinance Number 24-09 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida amending the City of Eustis comprehensive plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 13.72 acres of real property at Alternate Key Numbers 1784069, 2814128 and 2814144, on the south side of Getford Road, east of Coolidge Street and west of Gatch Road, from Urban Low in Lake County to Suburban Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 6:48 p.m. There being no public comment, hearing was closed at 6:48 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to approve Ordinance Number 24-09. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

## **7.7 FIRST READING**

Ordinance Number 24-10: Assignment of Design District for Recently Annexed Parcels with Alternat Key Numbers 1784069, 2814128, and 2814144

Attorney Garcia read Ordinance Number 24-10 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 13.72 acres of real property at Alternate Key Numbers 1784069, 2814128 and 2814144, on the south side of Getford Road, east of Coolidge Street and west of Gatch Road.

Attorney Garcia opened the public hearing at 6:49 p.m. There being no public comment, the hearing was closed at 6:49 p.m.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Cobb, to approve Ordinance Number 24-10 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

## **8. OTHER BUSINESS**

8.1 Discussion regarding allowance of Kurt Street Townhomes Preliminary Subdivision Plat to be reheard before the nine-month waiting period

Mr. Carrino reviewed the history of the Kurt Street Townhomes preliminary subdivision plat and the concerns expressed when it was first considered and denied. He stated that the applicant has modified the plan and requested that it be reconsidered. He explained the process for an item to be brought back to City Commission prior to nine months. He stated the applicant has made changes including the addition of a tot lot. He indicated that what the Commission needs to consider is whether or not to allow it to be brought back for consideration.

Discussion was held regarding who voted for and against the original plat.

Motion made by Vice Mayor Lee, Seconded by Commissioner Cobb, to allow the revised preliminary subdivision plat to be brought to the Commission for consideration. The motion passed on the following vote:

Voting Yea: Commissioner Cobb, Vice Mayor Lee, Commissioner Ashcraft, Mayor Holland

## **9. FUTURE AGENDA ITEMS AND COMMENTS**

### **9.1 City Commission**

Commissioner Ashcraft expressed excitement regarding the upcoming African American Heritage Festival and Georgefest.

Commissioner Cobb reported that Kathy Catusus recently shadowed her as part of a requirement for Leadership Lake County. She noted all of the events and meetings they attended and thanked staff for meeting with her. She commented on the Leadership Lake County program and highlighted a number of upcoming events.

Vice Mayor Lee commented on the Modern Schoolhouse visit to City Hall with students delivering flowers and cards to City Hall staff for Valentine's Day. She congratulated Coach Johnny Saunders and Stephanie Carder for being chosen this year's Georgefest King and Queen. She announced some set up instructions for the Heritage Festival Parade. She noted she attended the memorial services for Marlene O'Toole and explained her service to the community. She then announced that a roundtable meeting was held regarding American in Bloom and noted other cities are also participating. She stated Eustis will be adding Greenwood Cemetery to its AIB program and noted other area cities that are beautifying their cemeteries through AIB. She encouraged people to volunteer to participate with America in Bloom.

## 9.2 City Manager

Mr. Carrino announced he received a request for the City to donate to Project Graduation. He indicated that the previous year the City donated \$500. He added they also received a funding request from FBLA. He stated they are not in the current budget; however, there is approximately \$1,800 available.

The Commission discussed donating to both programs with Vice Mayor Lee requesting that FBLA provide a report to the Commission following the State competition.

**CONSENSUS:** It was a consensus of the Commission to donate \$500 each to Project Graduation and the FBLA state competition.

Mr. Carrino announced he would be out of the office for approximately two weeks starting March 4th and would be naming Bill Howe as acting city manager. He noted that period would include the March 7th Commission meeting. He confirmed that he would be attending the Strategic Planning meeting on March 14th.

**CONSENSUS:** It was a consensus of the Commission to approve the appointment of Bill Howe as Acting City Manager for the stated period.

## 9.3 City Attorney

### Presentation by City Attorney regarding Florida Sunshine Law and Ethics

Attorney Garcia provided a presentation to the Commission regarding the Florida Sunshine Law and ethics requirements. The presentation included examples of violations regarding reasonable notice and provision of minutes within a reasonable time. She also highlighted the need for all public records to be retained according to the retention schedules and for records to be provided in the format requested if possible.

Mayor Holland asked Attorney Garcia to keep the Commission updated regarding Sharps Mobile Home Park.

## 9.4 Mayor

Mayor Holland provided an overview of the upcoming Georgefest and African American Heritage Festival events.

Attorney Garcia discussed the new requirement for the completion of the Form 6 – Statement of Financial Disclosure. She noted that some municipalities have joined a class action lawsuit to challenge the validity of the form regarding constitutionality and privacy rights. She questioned if the Commission would like to receive additional information on that.

Mayor Holland explained for the audience the change in financial disclosure forms which would now require the Commissioners to provide full records on anything valued at more than

\$1,000. He noted a number of elected officials in Florida have subsequently resigned due to the new requirement.

It was a consensus of the Commission to hold off on obtaining any additional information regarding the class action lawsuits.

**10. ADJOURNMENT: 7:08 P.M.**

*\*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](http://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 of the meeting can be obtained from the office of the City Clerk for a fee.*

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CHRISTINE HALLORAN  
City Clerk

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MICHAEL L. HOLLAND  
Mayor/Commissioner





# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: Eustis Police Department K9 Retirement

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**Introduction:**

Eustis Police Department thanks retiring K9 for her service.

**Prepared By:**

Christine Halloran, City Clerk

**Reviewed By:**

Tom Carrino, City Manager



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: AdventHealth Community Clinic Update

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**Introduction:**

Abel Biri, CEO AdventHealth Waterman, and Edlyn Fernandez, Community Clinic Manager, for AdventHealth Waterman Community Clinic – will provide an update on the Community Clinic in Eustis

**Prepared By:**

Christine Halloran, City Clerk

**Reviewed By:**

Tom Carrino, City Manager



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: Update from Hansel Rodriguez to City Commission on 44 Sharps LLC.

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**Introduction:**

Mr. Hansel Rodriguez will update the City Commission on various matters related to Sharps Park.

**Prepared By:**

Sasha Garcia, City Attorney, Bowen|Schroth

**Reviewed By:**

Tom Carrino, City Manager



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: MARCH 7, 2024

RE: Presentation of Findings and Recommendations from the Business Incubator Feasibility Study

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## **Introduction:**

Mark Long of Long Performance Advisors will present the findings of the business incubator feasibility study that was initiated to get a read on the population size of entrepreneurs in Lake County, their assistance and resource needs, and their potential to utilize the facility and services of the UCF/Eustis Business Incubator.

## **Background:**

At the August 4 workshop, commissioners discussed what would be involved in establishing and maintaining the long-term viability of a business incubator in the City of Eustis. During the meeting, staff was asked to research and solicit grants/funding to help reduce the City's cost outlay. Subsequently, an application was submitted to the Economic Development Administration, a federal agency within the U.S. Department of Commerce. On April 22, 2023 the City Manager was notified that we had received a matching grant of \$19,250 to conduct a business incubator feasibility study as a first step in determining the types and amount of other federal funding that might be available.

On the June 1, 2023 Commission approved Resolution Number 23-52, the budget transfer needed to match the awarded funds.

A bid solicitation went out on June 20, 2023 seeking a consultant to conduct the business incubator feasibility study. Long Performance Advisors was selected as the winning bidder and signed to a professional services agreement.

## **Requested Action:**

Advise staff on next steps

## **Prepared by:**

Al Latimer, Economic Development Director



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: Clifford House Historical Museum's landscaping and garden designs

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**Introduction:**

Staff will present a conceptual presentation of the Clifford House Historical Museum's landscaping and garden designs.



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: March 7, 2024

SUBJECT: RESOLUTION NUMBER 24-26: APPROVAL OF PURCHASE IN EXCESS OF \$50,000 FOR MOTOROLA IN CAR RADIOS

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### **Introduction:**

Resolution Number 24-26 approves a purchase in excess of \$50,000 for the Police Department to purchase and equip 35 police vehicles with Motorola in car radios. A transfer of funds from the communications fund to the machine and equipment and other contractual services funds will be required to complete the transaction.

### **Recommended Action:**

The administration recommends approval of Resolution Number 24-26

### **Background:**

The Eustis Police Department currently operates without in-car radios, relying solely on handheld devices for communication. This communication system hinders effective coordination among officers and compromises the safety of law enforcement operations. The acquisition of new in-car radios is essential to address these challenges and ensure optimal performance of the department.

We propose the purchase of thirty-five (35) Motorola APX 6500 Enh Series in-car radios for the Eustis Police Department. The selected radios have been extensively researched and identified for their advanced features, reliability, and compatibility with existing systems. These radios will provide clear, secure, and efficient communication channels for officers in the field, thereby enhancing operational effectiveness and safety.

### **Benefits:**

**Enhanced Communication:** The Motorola APX 6500 radios offer advanced communication features, including improved audio quality and encryption capabilities, ensuring secure and effective communication among officers.

**Officer Safety:** The upgrade to in-car radios will enhance officer safety by providing reliable communication channels during emergency situations and critical operations.

Following the migration of the Eustis Police Department's communications center to the Lake County Sheriff's Office, there remains a residual balance of \$415,673.28 in the Eustis Police Communications Fund. This transition has resulted in a surplus of funds previously allocated for communications division within the department. To ensure these funds are

utilized effectively and in alignment with departmental needs, we propose transferring the residual balance to the Machine and Equipment and other Contractual Services Funds. This transfer will enable the procurement and installation of 35 in-car radios, a critical investment in enhancing communication capabilities for our officers. By reallocating these funds, we can maximize their utility towards improving operational efficiency and officer safety within the Eustis Police Department. Any additional funds will be utilized where needed within the department.

A quote for the in-car radios was provided by Lake County Public Safety and Support via Motorola. Lake County Public Safety Support Services purchases and maintains radios for all the law enforcement agencies in Lake County. They currently maintain our handheld Motorola radios. The list price for the in-car radios is \$8,094.12. The Eustis Police Department is receiving the radios for a sale price of \$5,986.47. Motorola is also providing a promotional discount of \$7,000.00. The total to purchase the 35 in car radios is \$202,526.45. The total for the installation of the in-car radios is \$6,825.00. The recurring yearly maintenance for the in-car radios is \$5,040.00, provided by the Lake County Public Safety Support Services. Total for the 35 in car radios with installation and yearly maintenance is \$214,388.45.

**Budget/ Staff Impact:**

The FY 2023/24 Capital Budget includes \$414,673.28 from the Eustis Police Department Communications Fund. This estimated purchase cost of \$214,388.45 will not exceed the budget allocation. The transfer of funds from the communications fund in excess of \$50,000.00 will only redistribute the expenditures to different accounts within the department.

**Reviewed By:**

Chief Craig A. Capri, Chief of Police

**Prepared By:**

Captain Kenneth Toler, Administrative Services Commander

**RESOLUTION NUMBER 24-26**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING A PURCHASE IN EXCESS OF \$50,000.00 FOR THE POLICE DEPARTMENT TO PURCHASE AND EQUIP 35 POLICE VEHICLES WITH MOTOROLA IN CAR RADIOS UTILIZING THE EUSTIS POLICE DEPARTMENT COMMUNICATIONS FUNDS ALLOCATED IN THE POLICE DEPARTMENT'S APPROVED FISCAL YEAR 2023/2024 BUDGET.**

**WHEREAS**, the City of Eustis Police Department's approved Fiscal Year 2023/24 Budget includes \$415,673.28 in Communication Funds which can be transferred to the Machine and Equipment and Other Contractual Services Funds to purchase and equip 35 police vehicles with Motorola in car radios.

**WHEREAS**, the Police Department has determined the need to purchase and equip 35 police vehicles at an estimated cost of \$214,388.45; and

**WHEREAS**, the City Purchasing Policies require that the City Commission approve any purchase and transfer of funds in excess of \$50,000;

**WHEREAS**, the Communications Fund transfer will have no change in the overall budget.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Florida that the City of Eustis Police Department is hereby authorized to purchase and equip 35 new police vehicles with Motorola in car radios at a combined estimated cost of \$214,388.45 utilizing transferred funds from the Eustis Police Department Communications Fund allocated in the Police Department's approved FY 2023/24 Budget.

**DONE AND RESOLVED**, this 7th day of March, 2024, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk







# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: Resolution Number 24-27: Purchase in Excess of \$50,000 for the Clifford-Taylor House Museum's Roofing Project

### **Introduction:**

Resolution Number 24-27 approves an expenditure in excess of \$50,000 and authorizes the City Manager to execute an agreement with Eustis Roofing Company, Inc. for professional roofing construction services for the Clifford-Taylor House Museum's Roofing Project.

### **Background:**

The Fiscal Year 2023/24 CIP Budget includes funding for required repairs of the Clifford-Taylor House Museum's roof. Deterioration has increased over the last several years and a total re-roof is necessary to preserve the integrity of the building.

Eustis Roofing Company, Inc., of Tavares, Florida, submitted a proposal for total project costs (including a five-year warranty) of \$62,670. Any rotten wood and/or faulty structural component replacements will be billed at \$85 per hour plus material costs. Their minimum warranty for materials is 30 years.

Florida Abatement & Demolition, Inc., of Thonotosassa, Florida, will sub-contract for Eustis Roofing Company to remove and dispose of all transite roofing materials. The charge for this service, \$15,650, is included in Eustis Roofing Company's project costs.

Eustis Roofing Company is a Continuing Services Contractor with Eustis for roofing services through Resolution Number 20-85. This company has completed several roofing projects for the City and has earned high ratings from Staff for their workmanship and reliability.

The City's purchasing policies require that the Commission approve any purchase that exceeds \$50,000.

As a local landmark, the project is scheduled to go before the Eustis Historic Preservation Board for consideration on March 13, 2024.

### **Recommended Action:**

Staff recommends approval of Resolution Number 24-27.

### **Policy Implications:**

n/a

**Alternatives:**

1. Alternative 1 approves the Resolution.

Advantages:

- Increased life span of the Clifford-Taylor House Museum.

Disadvantages:

- The action will approve an expenditure of \$62,670 plus possible costs to replace rotten wood and/or structural components.

2. Alternative 2 denies the Resolution.

Advantages:

- The City would not expend \$62,670 plus.

Disadvantages:

- Further damage to the building will lead to expensive repairs for the entire structure.

**Budget/Staff Impact:**

The Fiscal Year 2023/24 CIP Budget includes funding for the required replacement and repairs of the Clifford-Taylor House Museum's roof.

**Prepared By:**

Sally Mayer, Administrative Assistant – Public Utilities

**Reviewed By:**

Rick Gierok, Director of Public Works and Utilities

**Attachments:**

Resolution Number 24-27

Eustis Roofing Company, Inc. - Proposal dated 2/06/2024

**RESOLUTION NUMBER 24-27**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVES AN EXPENDITURE IN EXCESS OF \$50,000 AND AUTHORIZES THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH EUSTIS ROOFING COMPANY, INC. FOR PROFESSIONAL ROOFING CONSTRUCTION SERVICES FOR THE CLIFFORD-TAYLOR HOUSE MUSEUM LOCATED AT 536 NORTH BAY STREET IN EUSTIS, FLORIDA.**

**WHEREAS**, the City of Eustis, Florida, needs to replace the roofing of the Clifford-Taylor House Museum to preserve the building’s lifespan; and

**WHEREAS**, Eustis Roofing Company, Inc. is the roofing vendor of choice for the City through a continuing services contract; and

**WHEREAS**, the City received a quote from the Eustis Roofing Company, Inc. in response to Staff’s request for a total project cost of \$62,670 plus costs to replace any rotten wood and/or faulty structural component replacements; and

**WHEREAS**, Eustis Roofing Company’s submission was deemed by Staff to be reasonable based on total project cost, warranty for workmanship, and a 30-year warranty for materials; and

**WHEREAS**, the City has budgeted adequate funds to cover the cost associated with the Clifford-Taylor House Museum’s Re-roofing project; and

**WHEREAS**, the City’s purchasing policies require that the Commission approve any purchase that exceeds \$50,000.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Commission of the City of Eustis as follows:

- (1) That the City Manager is hereby authorized to accept the quote from Eustis Roofing Company, Inc. of Tavares, Florida based on overall price, warranty for workmanship, and warranty for materials; and
- (2) That the City Manager is hereby authorized to execute all agreements and contracts with Eustis Roofing Company according to the requested scope of work.

**DONE AND RESOLVED**, this 7th day of March, 2024, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk





# EUSTIS ROOFING

EST. 1959



15311 Old 441, Ste A · Tavares, Florida 32778  
 (352) 343-4240 or (352) 343-7668 · Fax: (352) 742-1173  
 info@eustisroofing.com · www.eustisroofing.com

PROPOSAL SUBMITTED TO: <b>City of Eustis</b>	PHONE: ( )	DATE: <b>02/06/2024</b>
STREET <b>10 N. Grove Street</b>	JOB NAME <b>Eustis Historical Museum # 25069</b>	
CITY, STATE AND ZIP CODE <b>Eustis, FL 32726</b>	JOB LOCATION <b>536 N Bay St, Eustis, FL 32726</b>	

**We hereby submit specifications and estimates for**

*Eustis Roofing will be sub-contracting with Florida Abatement & Demolition INC for the removal and disposal of the asbestos shingles.*

1. Install a High Temp PolySeal membrane underlayment.
2. All perimeters, valleys and all flashings will be sealed with roof cement.
3. Install new flashings as needed to make a tight and waterproof job. Any required stucco/siding work due to flashing installation will be the responsibility of the homeowner.
4. Install new metal drip edge.
5. Install a Galvalume Metal Panel roof system.
6. The flat roof (approximately 2sq) will have a CertainTeed Flintlastic SA Cap Sheet roofing system.
7. There will be a half inch overhang of metal around the building to prevent back drip.
8. All valleys to be enclosed with a PolySeal Membrane underlayment.
9. Installation of all new vents and lead stacks.
10. Installation of vents for roof ventilation.
11. A Warranty on the metal will be issued to the owner by the Manufacturer upon completion of the job.
12. Any rotten wood and/or faulty structural components will be done on a time and material basis.  
(\$85/hr. & cost of materials) Initials \_\_\_\_\_
13. Any rubbish created by the workmen will be removed from the premises. A power magnet will be dragged.

*Eustis Roofing Co: Guarantees all workmanship for five years. Obtains all necessary building permits.*

*After final payment, a Contractor's Final Payment Affidavit is provided upon request. All jobsites have a crew leader and are led by an assigned Project Manager to ensure a quality installation.*

<b>26-GAUGE MULTI RIB</b>	<b>24-GAUGE STANDING SEAM</b>
\$ 62,670.00 Initials _____	\$ 68,035.00 Initials _____

We Propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of:  
**OPTIONS SELECTED ABOVE** \_\_\_\_\_ dollars (\$ **Selected option** ).

Payment to be made as follows: **PAYMENT IN FULL IS DUE UPON COMPLETION OF JOB.**  
**ROOF REPLACEMENTS REQUIRE A 30% NON-REFUNDABLE PARTIAL PAYMENT AT ACCEPTANCE OF PROPOSAL.**  
**A DRAW OF \$16,000.00 WILL BE DUE AT COMENCEMENT OF ASBESTOS REMOVAL**  
**ALL CREDIT CARD PAYMENTS WILL BE CHARGED A 3% CREDIT CARD TRANSACTION FEE.**

**A SERVICE CHARGE OF 1.5% PER MONTH SHALL BE ASSESSED TO ALL AMOUNTS 30 DAYS OVERDUE.**

All materials are subject to change due to supplier availability. Contract pricing subject to management approval. All work to be completed in a workmanlike manner according to standard practices. Eustis Roofing Company (ERC) shall be entitled to recover all expenses incurred in the enforcement of terms herein whether formal legal action is commended, including, but not limited to, a reasonable attorney's fee and court costs. All agreement contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. I understand that signing this agreement, I am entering into a legal and binding contract with ERC..

Authorized Signature \_\_\_\_\_ this proposal  
 EUSTIS ROOFING COMPANY, may  
 be withdrawn by us if not accepted within \_\_\_\_\_ 30 days

**Homeowner responsibilities include but are not limited to:** All pre-existing building property damage. Interior HVAC lines, waterline, and powerlines beneath roof decking. Lack of home maintenance, pests, leak damage or cracked driveways. Satellite Dish reposition, Lightning protection. Solar panel(s) Removal/Reinstallation and or Powerlines

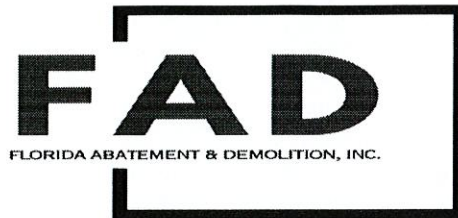
Signature \_\_\_\_\_

Acceptance of Proposal – I agree with the above prices, specifications, and conditions. I further acknowledge that if I do not allow ERC to perform the roof replacement services within 90 days of this agreement, pricing increases may apply. In that instance updated pricing will be presented by ERC. Otherwise, payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_

Signature \_\_\_\_\_





## Florida Abatement & Demolition, Inc.

[www.floridaabatement.com](http://www.floridaabatement.com)

101 Timmons Rd. Thonotosassa, Fl. 33592

Office: (813) 295-3582

February 9, 2024

Jobey Jones  
Superintendent-Public Works  
400 Morin Street  
Eustis, Fl.32726  
Mobile: (352) 267-7538  
Email: [jonesjo@ci.eustis.fl.us](mailto:jonesjo@ci.eustis.fl.us)

**RE: EUSTIS HISTORICAL MUSEUM**  
**536 N. Bay Street Eustis, Florida 32756**

We appreciate the opportunity to provide the following proposal for the above-referenced project. It is understood that all activities will be performed in strict accordance with Federal, State, and local regulations. Work will be performed utilizing our standard operating procedures. FAD, Inc. will supply all supervision, labor, materials, equipment, insurance, and disposal to complete the required scope of work. We understand the general scope of work as followed:

### Scope of Work:

- **Removal & Disposal of all transite roofing materials.**

**TOTAL PRICING: \$ 15,650.00**

### Clarifications:

- **Weather protection after roofing removal by others.**
- **Provide restroom facilities during abatement activities.**
- **Payment net 10 Days.**
- **One mobilization is included in the above pricing.**
- **Provide water and electric service during asbestos abatement.**

FLLIC: ZA467

**Schedule for Completion:**

The above-referenced scope of work and overall pricing is based upon completion of all on-site work activities in one (1) mobilization and approximately:

- **Five shifts / weather permitting.**

**Licensing:**

FAD, Inc. is a State of Florida licensed Asbestos Contractor # ZA467

Florida Abatement & Demolition Inc. appreciates the opportunity to submit this proposal to you for this project. Please do not hesitate to call me at (813) 295-3382 if you should have any questions.

Sincerely,

Approved:

Jose Martinez  
Sales & Estimating  
**Florida Abatement and Demolition, Inc.**  
**101 Timmons Rd.**  
**Thonotosassa, Fl. 33592**  
Mobile: 407-433-3136  
Email: [josem@fadenviro.com](mailto:josem@fadenviro.com)

\_\_\_\_\_  
Signed & Dated:





# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: Resolution Number 24-28: Approval of Purchase in Excess of \$50,000 for Rental of a Concrete Crushing Machine

## **Introduction:**

Resolution Number 24-28 authorizes the rental in excess of \$50,000 for a Concrete Crushing Machine and Screening Machine to separate larger stones from finer roadway material.

## **Background:**

The Public Works Department saves demolished sidewalks and other concrete items to recycle for future re-use. Every couple of years a concrete crushing machine is rented to create material for various purposes: #5 stone is used for erosion control; #57 stone is used for earthwork and utility construction; and concrete fines are used for roadway construction.

The cost to rent this machinery replaces tipping fees that would have to be paid if the used concrete was taken to the County Landfill. Crushing the used concrete also saves the cost of having to buy the necessary stone and fines for construction and maintenance purposes.

We performed this operation in 2013, 2017, and 2020. In 2013, we received bids and PowerScreen of Florida, Inc. came in as the low bidder. In 2017, they honored their 2013 pricing, which was also the low bid at that time. In 2020, they agreed to honor the same pricing for us again.

With their latest pricing they will still honor their 2013 cost, which is \$30,000/month, with transportation fees of \$2,000, for a Trakpactor 320 Crusher. This year, the Public Works Department will need a second machine, a Chieftain 1400 Screener, for separating the larger rocks from the finer product that is used for roadway construction. The quoted price to rent this machine for a month is \$17,000, plus \$1,500 for transportation fees. The total amount for rental and delivery charges of both these machines is \$50,500. The approved 2023/2024 Capital Improvement Budget has sufficient funds for this purchase.

Staff would like to start the Concrete Crushing operations as soon as possible. Staff anticipates the work will be completed within a one-month span.

The City's Purchasing Ordinance requires that the Commission approve any purchase that exceeds \$50,000.

## **Recommended Action:**

Staff recommends approval of this resolution.

## **Discussion of Alternatives:**

1. Alternative 1 approves Resolution Number 24-28 and authorizes a purchase order in the amount of \$50,500 for the expenditure described above.

Advantages:

- The City will carry on with its daily maintenance and construction schedules.

Disadvantages:

- The City will expend budgeted funds.

2. Alternative 2 defeats Resolution Number 24-28.

Advantages:

- There is no advantage to denying the resolution. Crushed concrete is required as part of the process of multiple tasks throughout the City.

Disadvantages:

- Without the services of a concrete crushing machine, Public Works will have to purchase the rock needed for various maintenance and construction purposes; as well as, paying tipping fees to dispose of the used concrete in the landfill.
- This operation will commence at the David Walker facility, where an adjacent subdivision is under construction. Staff desires to perform this work prior to residents moving in adjacent to this operation. Future crushing operations will be performed at the CR44 yard.

**Budget/Staff Impact:**

The funds for the proposed purchase have been included in the approved Fiscal Year 2023/2024 C.I.P. budget.

**Prepared By:**

Sally Mayer  
Administrative Assistant, Public Utilities

**Reviewed By:**

Rick Gierok, P.E.  
Director of Public Works & Utilities

**Attachments:**

Resolution Number 24-28  
Trakpactor Concrete Crusher Quote Summary  
Chieftain 400 Screener

**RESOLUTION NUMBER 24-28**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING AN EXPENDITURE IN EXCESS OF \$50,000 FOR RENTAL OF A CONCRETE CRUSHING MACHINE AND SCREENING MACHINE**

**WHEREAS**, the City of Eustis City Commission approved Public Works' repair and maintenance plans for the fiscal year 2023/2024; and

**WHEREAS**, crushed concrete is essential for multiple purposes within the plans; and

**WHEREAS**, PowerScreen of Florida, Inc. consistently submitted the lowest quote for renting a concrete crusher for over ten years; and

**WHEREAS**, Staff has sufficient funding for rental of this machinery within the F/Y 2023-24 Capital Improvement Budget; and

**WHEREAS**, City of Eustis Purchasing Ordinance requires that the City Commission approve any purchase in excess of \$50,000.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Lake County, Florida, as follows:

- (1) That the City Commission hereby authorizes a purchase of \$50,500 for the rental of a concrete crushing machine and a screening machine; and
- (2) That the City Commission hereby authorizes the City Manager to execute all agreements and contracts with PowerScreen of Florida, Inc. associated with the approved rental purchase.

**DONE AND RESOLVED** this 7<sup>th</sup> day of March, 2024, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor-Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7th day of March 2024, by Michael L. Holland, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires: \_\_\_\_\_  
Notary Serial No: \_\_\_\_\_

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 24-28 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk

# RENTAL AGREEMENT



**POWERSCREEN of Florida<sup>®</sup>, Inc.**

P.O. Box 5802  
Lakeland, FL 33807  
863/687-7153  
FAX 863/680-1289  
Website: www.powerscreenfla.com

ENTER PURCHASE ORDER NUMBER HERE:

\_\_\_\_\_

Subject to the terms listed below, Powerscreen of Florida, Inc. P.O. Box 5802, Lakeland, Florida 33807-5802 (Lessor) hereby leases to

Name of Lessee: City of Eustis

Billing Address: 10 North Grove Street, Eustis FL 32726

Attention: Chris Helme

Phone: (352) 792-5642

Fax:

**The following equipment:**

Description: Chieftain 1400

S/N:

HRS:

Accessories:

Delivery instructions:

**Terms and Conditions:**

- Rental period required is **ONE MONTH**. (It may be renewed at the end of the term so long as the rent monies are paid when due.)
- Rental rate is **\$17,000** + tax per **MONTH**, payable in advance. If any item of equipment is in actual use for more than the month, the rate will be applied on 1/20<sup>th</sup> daily rate. The monthly maximum hours are defined as up to a maximum of 176 hours per month.
- Prior to the last day of the rental period, it is responsibility of Lessee to inform Lessor of termination of rental agreement. Otherwise, Lessor has the right to charge extra days past the last day of rental period on a per diem basis.
- The rental begins on **TBD** and continues on an uninterrupted basis until returned.
- Transportation cost at **\$1,500** for delivery.
- N/A Environmental Cleaning Charge per machine. (customer will clean prior to returning)
- Lessee agrees to carry all risk insurance on the equipment in the amount of **\$313,000** and loss of payments to Powerscreen of Florida, Inc.
- Insurance Agent \_\_\_\_\_ Telephone \_\_\_\_\_
- During the term of this lease, Lessee agrees as its own cost and expense to operate and maintain the equipment with factory authorized parts and to make any repairs which may become necessary. Lessee agrees to return the equipment to Lessor in the same condition as received, normal wear expected. Lessor reserves the right to inspect the equipment upon return to established defects. Lessee agrees to pay the cost of remedying any such defects including any tire damage. Lessee agrees to file when due all applicable documents and returns and pay any state and local personal property taxes that become due on this equipment while it is in the possession of the lessee.**
- The following expressed warranty, if any and exclusive remedy constitutes the sole warranty and remedy with respect to the machinery ordered (check appropriate space):  
 No Warranty                       Standard Manufacture's Warranty                       Other\_\_\_\_\_

THE FOREGOING EXPRESSED WARRANTY IS EXCLUSIVE. ALL OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED, WRITTEN OR ORAL, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE EXCLUDED. Powerscreen and Lessee agree that the Lessee's sole and exclusive remedy against Powerscreen shall be as set forth in the foregoing Expressed Warranty. In no event shall the liability of Powerscreen exceed that set forth in the foregoing Expressed warranty. NO OTHER REMEDY (including, but not limited to, incidental or consequential damages, whether as the result of alleged breach of contract, negligence or otherwise, for lost profits, lost sales, injury to persons or property, or otherwise) SHALL BE AVAILABLE TO THE LESSEE.

- Lessee agrees that he will not remove the equipment from the State into which it is delivered without written permission of the Lessor.
- Lessee agrees that he will not sublease equipment without written consent of the Lessor.
- Lessee agrees that he will not subject the equipment to any lien, encumbrance or claim of any kind other than this lease agreement.
- In the event it is necessary to bring any action or proceeding to enforce this agreement, and Lessor is adjudged to be the prevailing party, Lessor shall be entitled to recover its costs and reasonable attorney's fees (both at trial and on appeal).
- This agreement is not valid unless signed by an officer of Lessor.
- THE AGREEMENT SET FORTH HEREIN CONSTITUTES THE ENTIRE CONTRACT. NO VERBAL AGREEMENT OF ANY SORT SHALL QUALIFY THIS CONTRACT.
- Crusher Rentals: During the term of the lease, Lessee agrees to be responsible at its own cost for replacement of normal wear items in the crusher chamber including jaw stock, impact hammers, swing beam rails, and wear plates. Lessee is also responsible for proper maintenance and adjustment of clutches.

Lessee acknowledgement:       N/A      

Date: 1/11/2024

**POWERSCREEN OF FLORIDA, INC.** (Lessor)

(Lessee) **CITY OF EUSTIS**

By: \_\_\_\_\_

By: \_\_\_\_\_

Salesman obtaining order: Matthew Studiale





## RENTAL AGREEMENT - BACK

**LIABILITY AND INSURANCE:** Lessee shall be liable for all expenses, personal injury and property damages and claims arising out of its possession, operation or transportation of the equipment herein described, and shall hold Lessor and its assigns harmless therefrom. The Lessee further agrees to protect the Lessor with full liability insurance coverage, such insurance to cover loss, injury, death or damage occasioned or caused by or in connection with the equipment, and that such insurance shall be in an amount and issued by an insurance company satisfactory to Lessor, and shall further protect Lessor against any public liability of any and every kind. All such insurance shall contain an agreement of the insuring company not to cancel the same until at least ten (10) days' notice to Lessor and its assigns. Lessee shall promptly deliver to Lessor evidence of said insurance.

**INSURANCE:** Lessee shall keep the equipment insured against all risk of loss or damage by fire and such other risks as are covered by endorsement commonly known as supplemental or extended coverage for not less than the market value of the equipment: and shall carry for bodily injury and property damage insurance covering the equipment in the combined amounts of not less than \$500,000.00 for each occurrence. All such insurance shall insure both Lessor and Lessee. The Lessee may effect such coverages under its blanket policies. All such policies shall be written by companies presently insuring the Lessee or other companies reasonably satisfactory to the Lessor and certificate or certificates showing such coverages to be in effect shall be furnished to Lessor upon request. Each insurer shall agree, by endorsement upon the certificate or certificates issued by it by independent instrument furnished to Lessor that it will give Lessor thirty (30) days' written notice before the policy in question shall be altered or cancelled and that any proceeds shall be paid jointly to the Lessor and Lessee as their interest may appear. The proceeds of such insurance, at the option of Lessor, shall be applied (a) toward the replacement, restoration or repair of the equipment or (b) toward payment of the obligations of Lessee hereunder.

---

Print Name

---

Signature



# CHIEFTAIN 1400

The Powerscreen® Chieftain 1400 is one of Powerscreen's most popular screening models and is ideally suited for operators and contractors who require a versatile product capable of operating in a number of applications such as sand and gravel, aggregates and recycling. User benefits include hydraulic folding conveyors for a quick set-up time, screen walkways and access ladders for ease of maintenance, and a drop-down tail conveyor to aid screen media changes.

**Features & Benefits**

- Twin controlled flying grid
- Integrated high capacity variable speed belt feeder
- Case-filled bearing, 2-deck screenbox
- Screen walkway and access ladder
- Hydraulic folding conveyors

**Options**

- Wheel or track mobile
- Double deck vibrating grizzly
- Radio controlled tracks
- Roll-in bogie equipped
- Quick release screen weight tensioning
- Anti roll-back
- Auto lubrication system
- Hydraulic screen tensioning (Bottom Deck)



CHIEFTAIN 1400	TRACK	WHEEL
Height (6.1)	2.480m (8.13ft)	2.200m (7.20ft)
Track/roll width	2.70m (8'9")	2.50m (8'2")
Transport length	15.4m (50'5")	18.55m (60'8")
Transport weight	3.2mt (10,875)	3.9mt (12,875)
Working width	16.5m (54'2")	18.5m (60'7")
Working length	16.5m (53'9")	17.8m (58'3")
Working height	4.8m (15'7")	5.30m (17'4")

Always refer to the technical specifications for detailed information. All dimensions are subject to change without notice. © 2014 Powerscreen Limited. All rights reserved. Powerscreen is a registered trademark of Powerscreen Limited. All other trademarks are the property of their respective owners.

**Output Potential**  
Up to 400tph (441 US tph)\*

**Hopper**  
Capacity: 7.5m<sup>3</sup> (9.9cords)  
Variable speed  
Reject grid as standard

**Power Unit**  
Tier 3/Stage 3b  
CAT C14 AC 90kW (111hp)  
CAT C14 AC 90kW (110hp)  
CAT C14 AC 90kW (131hp)  
Fuel tank capacity: 338 L (88 US Gal)

**Main Conveyor**  
Width: 1050mm (42")  
Hydraulically adjustable

**Tail Conveyor (Finest)**  
Width: 1200mm (48")  
Discharge height: 3.91m (12'10")

**Side Conveyor (Widest & Overstze)**  
Width: 650mm (26")  
Discharge height: 4.40m (14'5")  
Individual variable speed

**Screenbox**  
4 Bearing, 2 deck screenbox  
Size: 3.33m x 15.33m (11' x 5')

**Tracks**  
Width: 500mm (19.7")

**Feeder Conveyor**  
Width: 1050mm (42")  
Variable speed



Item 5.3



# RENTAL AGREEMENT



ENTER PURCHASE ORDER NUMBER HERE:

Subject to the terms listed below, Powerscreen of Florida, Inc. P.O. Box 5802, Lakeland, Florida 33807-5802 (Lessor) hereby leases to

Name of Lessee: City of Eustis

Billing Address: 10 North Grove Street, Eustis FL 32726

Attention: Chris Helme

Phone: (352) 792-5642

Fax:

**The following equipment:**

Description: **Traktor 320**

S/N: PIDTP320AOMK81082

HRS: 3189

Accessories:

Delivery instructions:

**Terms and Conditions:**

1. Rental period required is **ONE MONTH**. (It may be renewed at the end of the term so long as the rent monies are paid when due.)
2. Rental rate is **\$30,000** + tax per **MONTH**, payable in advance. If any item of equipment is in actual use for more than the month, the rate will be applied on 1/20<sup>th</sup> daily rate. The monthly maximum hours are defined as up to a maximum of 176 hours per month.
3. Prior to the last day of the rental period, it is responsibility of Lessee to inform Lessor of termination of rental agreement. Otherwise, Lessor has the right to charge extra days past the last day of rental period on a per diem basis.
4. The rental begins on **TBD** and continues on an uninterrupted basis until returned.
5. Transportation cost at **\$2,000** for delivery.
6. N/A Environmental Cleaning Charge per machine. (customer will clean prior to returning)
7. Lessee agrees to carry all risk insurance on the equipment in the amount of **\$748,000** and loss of payments to Powerscreen of Florida, Inc.
8. Insurance Agent \_\_\_\_\_ Telephone \_\_\_\_\_
9. **During the term of this lease, Lessee agrees as its own cost and expense to operate and maintain the equipment with factory authorized parts and to make any repairs which may become necessary. Lessee agrees to return the equipment to Lessor in the same condition as received, normal wear expected. Lessor reserves the right to inspect the equipment upon return to established defects. Lessee agrees to pay the cost of remedying any such defects including any tire damage. Lessee agrees to file when due all applicable documents and returns and pay any state and local personal property taxes that become due on this equipment while it is in the possession of the lessee.**
10. The following expressed warranty, if any and exclusive remedy constitutes the sole warranty and remedy with respect to the machinery ordered (check appropriate space):  
 No Warranty                       Standard Manufacture's Warranty                       Other

THE FOREGOING EXPRESSED WARRANTY IS EXCLUSIVE. ALL OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED, WRITTEN OR ORAL, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE EXCLUDED. Powerscreen and Lessee agree that the Lessee's sole and exclusive remedy against Powerscreen shall be as set forth in the foregoing Expressed Warranty. In no event shall the liability of Powerscreen exceed that set forth in the foregoing Expressed warranty. NO OTHER REMEDY (including, but not limited to, incidental or consequential damages, whether as the result of alleged breach of contract, negligence or otherwise, for lost profits, lost sales, injury to persons or property, or otherwise) SHALL BE AVAILABLE TO THE LESSEE.

11. Lessee agrees that he will not remove the equipment from the State into which it is delivered without written permission of the Lessor.
12. Lessee agrees that he will not sublease equipment without written consent of the Lessor.
13. Lessee agrees that he will not subject the equipment to any lien, encumbrance or claim of any kind other than this lease agreement.
14. In the event it is necessary to bring any action or proceeding to enforce this agreement, and Lessor is adjudged to be the prevailing party, Lessor shall be entitled to recover its costs and reasonable attorney's fees (both at trial and on appeal).
15. This agreement is not valid unless signed by an officer of Lessor.
16. THE AGREEMENT SET FORTH HEREIN CONSTITUTES THE ENTIRE CONTRACT. NO VERBAL AGREEMENT OF ANY SORT SHALL QUALIFY THIS CONTRACT.
17. Crusher Rentals: During the term of the lease, Lessee agrees to be responsible at its own cost for replacement of normal wear items in the crusher chamber including jaw stock, impact hammers, swing beam rails, and wear plates. Lessee is also responsible for proper maintenance and adjustment of clutches.

Lessee acknowledgement: \_\_\_\_\_

Date: 1/11/2024

**POWERSCREEN OF FLORIDA, INC.** (Lessor)

(Lessee) **CITY OF EUSTIS**

By: \_\_\_\_\_

By: \_\_\_\_\_

Salesman obtaining order: Matthew Studiale





**POWERSCREEN of Florida<sup>®</sup>, Inc.**

P.O. Box 5802  
 Lakeland, FL 33807  
 · 863/687-7153  
 FAX 863/680-1289  
 Website: [www.powerscreenfla.com](http://www.powerscreenfla.com)

## RENTAL AGREEMENT - BACK

**LIABILITY AND INSURANCE:** Lessee shall be liable for all expenses, personal injury and property damages and claims arising out of its possession, operation or transportation of the equipment herein described, and shall hold Lessor and its assigns harmless therefrom. The Lessee further agrees to protect the Lessor with full liability insurance coverage, such insurance to cover loss, injury, death or damage occasioned or caused by or in connection with the equipment, and that such insurance shall be in an amount and issued by an insurance company satisfactory to Lessor, and shall further protect Lessor against any public liability of any and every kind. All such insurance shall contain an agreement of the insuring company not to cancel the same until at least ten (10) days' notice to Lessor and its assigns. Lessee shall promptly deliver to Lessor evidence of said insurance.

**INSURANCE:** Lessee shall keep the equipment insured against all risk of loss or damage by fire and such other risks as are covered by endorsement commonly known as supplemental or extended coverage for not less than the market value of the equipment: and shall carry for bodily injury and property damage insurance covering the equipment in the combined amounts of not less than \$500,000.00 for each occurrence. All such insurance shall insure both Lessor and Lessee. The Lessee may effect such coverages under its blanket policies. All such policies shall be written by companies presently insuring the Lessee or other companies reasonably satisfactory to the Lessor and certificate or certificates showing such coverages to be in effect shall be furnished to Lessor upon request. Each insurer shall agree, by endorsement upon the certificate or certificates issued by it by independent instrument furnished to Lessor that it will give Lessor thirty (30) days' written notice before the policy in question shall be altered or cancelled and that any proceeds shall be paid jointly to the Lessor and Lessee as their interest may appear. The proceeds of such insurance, at the option of Lessor, shall be applied (a) toward the replacement, restoration or repair of the equipment or (b) toward payment of the obligations of Lessee hereunder.

---

Print Name

---

Signature

**IMPACTOR**

# IMPACTOR 320

The Powerscreen® Impactor 320 is a mid-sized horizontal impact crusher with a fully independent hydraulic driven pre-screen. It has been designed to offer operators and contractors both excellent reduction and high consistency of product shape for performance in quarry and recycling applications while also improving fines removal and reduce cleaner wear costs for the customer. With track mobility the plant is capable of working in the most demanding environments and features a rapid set-up time, fuel efficient direct drive system and excellent throughput capacity.

**Features & Benefits**

- Suitable for a variety of feed materials including recycling, demolition & quarry applications.
  - Under-chamber hydraulic hammerhead and adjustable hammerhead for maximum efficiency.
  - US 7813489 Patent Pending in Germany, Application Number DE 10 2008 044 1953
  - Built on cartridge, grizzly, 42mm nominal spacing.
  - Load measurement system to control feeder speed.
  - 4 bar roller & twin apron design.
  - Circular speed breakdown through user friendly PLC control system.
  - Modular conveyor with easy/power facility to set direction of fall.
  - Conveyed to grade with a highly fuel efficient direct drive system.
  - Hydraulic grizzly feeder with under screen.
- Options**
- Full & half size chemic, matematic, acednic & ceramic blow bars
  - Grizzly cartridges
  - Independent hydraulic pre-screen with hydraulic folding and locking hopper.
  - Patent Application Number: DE 10 2008 044 1953; GB 1119460
  - Underpan feeder
  - Pre-screen cassettes – punch plate and grizzly
  - Punch plate options
  - Blanking plates/mats for grizzly
  - Wire mesh for feeder under-screen
  - Single post/bow pole magnet
  - Ball scale
  - Recharging pump
  - Hydraulic water pump
  - Radio remote control
  - Dust hood on product conveyor
  - Plant lighting
  - Hopper extensions
  - Side conveyor & extended side conveyor.
  - Patent Application Number: 1118 144.3
  - Extended product conveyor

- Applications**
- Blasted rock
  - River rock
  - C & D waste
  - Foundry waste
  - Processed ores
  - Processed minerals

**TRACKPACTOR 320**

Weight (t x 1)	33,200kg (73,193lbs)
Transport width	2,55m (8'5")
Transport length	14,70m (48'6")
Transport height	3,46m (11'4")
Working width	5,61m (18'5") with side conveyor deployed
Working length	14,36m (47'1")
Working height	1,9m (12'10")

The photos are for illustrative purposes only. The actual appearance of the machine may vary. The actual appearance of the machine may vary. The actual appearance of the machine may vary.



**Output Potential**  
Up to 320tph (652 US tph)\*

**Hopper**

Length: 4.04 m (13'3")  
Width: 2.1 m (6'11")  
Capacity: 3.6m³ (4.7yrd)

**Feed Conveyor**

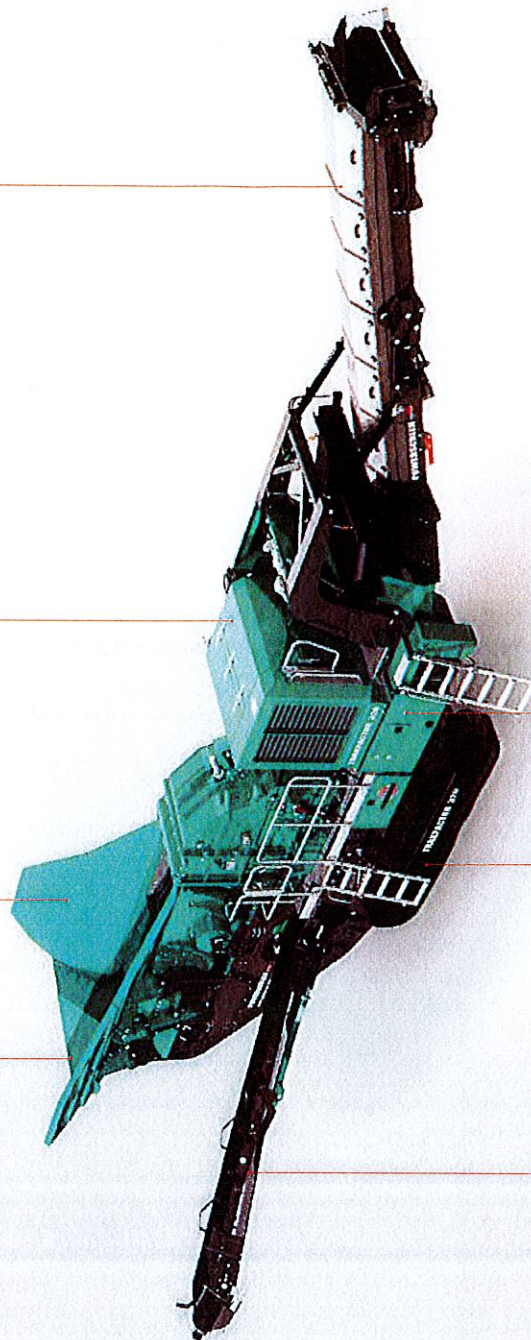
Variable pan and grizzly feeder  
Length: 3.07m (10'1")  
Width: 1.06m (3'6")

**Crusher**

Twin apron, 4 bar impact crusher  
Feed opening: 1130 x 600mm (44.5" x 31.4")  
Min. CSS: 50mm (2.0") Upper apron  
Min. CSS: 20mm (0.75") Lower apron

**Product Conveyor**

Width: 1000mm (39")  
Discharge height: 3.55m (11'6")  
(extended conveyor optional) 4m (13'2")  
(at request)



**Tracks**

Width: 400mm (15.7")

**Side Conveyor (option)**

Width: 650mm (26")  
Discharge height: 2.0m (6'6")  
Discharge height: 3.7m (12'2")  
(extended conveyor option)

**Power Unit**

Tier 3/Stage 3A  
CAT C9 ACERT 242 kW (325hp)  
Tier 4/Stage 3B  
Scania DC91 BR3A 257 kW (350hp)  
Fuel tank capacity: 500L (132 US Gal)



Item 5.3





# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: MARCH 7, 2024

RE: RESOLUTION NUMBER 24-29: AUTHORIZING AWARD OF BID NUMBER 002-24 TO TANK WIZARDS INC FOR THE GRAND ISLAND FUEL TANK PROJECT AND APPROVING A PURCHASE IN EXCESS OF \$50,000

### **Introduction:**

Resolution Number 24-29 authorizes the award of Bid Number 002-24 to Tank Wizards Inc with a base bid of \$205,000 for the Grand Island Fuel Tank Project and authorizes the City Manager to execute all agreements with Tank Wizards Inc to complete this project.

### **Background:**

There is currently a 500-gallon diesel fuel storage tank for the generator at the Grand Island Water Treatment Plant. This project will replace the existing generator fuel tank with a new 1,500-gallon fuel tank to provide longer operation on back-up power during emergency events. An additional 200-gallon day tank and a transfer pump system will also be added to allow for increased efficiency and reliability.

The description of work for Bid Number 002-24 includes the following:

- Excavation, grading, and clearing of proposed concrete pad
- Installation of concrete pad
- Installation of both the 1,500-gallon and 200-gallon fuel tanks
- Connections of proposed pumping system
- Wiring and electrical work
- Testing and inspection of fuel tank per FDEP Standards
- Connection of proposed fuel piping to existing generator

Two bids were received by licensed contractors during the February 13, 2024 bid opening for the project. The total base bids from the two contractors ranged from a low of \$205,000 to a high of \$215,310. City staff is confident that they received competitive pricing and reasonable bids. Tank Wizards Inc submitted the lowest total base bid of \$205,000. In reviewing Tank Wizard Inc's bid package, no deficiencies were noted. The City's purchasing policies require that the Commission approve any purchase that exceeds \$50,000.

### **Recommended Action:**

Staff recommends approval of Resolution Number 24-29.

**Policy Implications:**

Not applicable.

**Alternatives:**

1. Approve Resolution Number 24-29
2. Deny Resolution Number 24-29

**Discussion of Alternatives:**

1. Alternative 1 approves the Resolution.

**Advantages:**

- New diesel storage tank will have a significantly higher fuel capacity than the existing storage tank and will allow for better preparedness and longer operation in the event of an emergency
- New equipment will be more reliable and will lead to less malfunctions and decreased need for repairs

**Disadvantages:**

- Upfront cost

2. Alternative 2 denies the Resolution.

**Advantages:**

- Save on the upfront cost

**Disadvantages:**

- May lead to system shutdown/failure during an emergency situation if the existing fuel tank is depleted
- Will lead to higher costs in the long run due to further deterioration of equipment and excessive repairs

**Budget/Staff Impact:**

The approved budget has allocated funds of \$275,000 for the replacement of the diesel fuel storage tank, addition of the day tank and pump, and Engineering Construction Administration Services as shown below:

042-8600-533-66-49	Grand Island WTP Fuel Tank	\$305,160
--------------------	----------------------------	-----------

**Prepared By:**

Olivia Kilgore, Sr. Staff Assistant – Water Department

**Reviewed By:**

Michael Brundage, Wastewater Superintendent  
 Greg Dobbins, Deputy Director Water/Wastewater  
 Rick Gierok, P.E., Director of Public Works, City Engineer

**Attachment(s):**

Resolution Number 24-29

**Available Upon Request**

Bids from Bid Number 002-24

**RESOLUTION NUMBER 24-29****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AUTHORIZING AWARD OF BID NUMBER 002-24 TO TANK WIZARDS INC FOR THE GRAND ISLAND FUEL TANK PROJECT AND APPROVING A PURCHASE IN EXCESS OF \$50,000**

**WHEREAS**, the City's approved Capital Improvement Budget includes funds for the purchase of a replacement fuel storage tank and addition of a day tank and transfer pump system; and

**WHEREAS**, the new tanks and pump system will allow for improved emergency preparedness and increased reliability; and

**WHEREAS**, the City of Eustis, Florida advertised invitations to bid (City of Eustis Bid Number 002-24) for the Grand Island Fuel Tank Project in accordance with City purchasing policies; and

**WHEREAS**, the City received and opened two (2) individual responses to said Invitation to Bid, on Tuesday, February 13, 2024; and

**WHEREAS**, Tank Wizards Inc is the lowest responsive, responsible bidder for the construction plans and possesses the required qualifications to perform the construction services necessary and to provide products and equipment as noted in the design specifications; and

**WHEREAS**, City of Eustis Purchasing Ordinance requires that the City Commission approve any purchase in excess of \$50,000.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Lake County, Florida, that:

- (1) The City Commission hereby authorizes the award of Bid Number 002-24 to Tank Wizards Inc in the amount of \$205,000 for the Grand Island Fuel Tank Project; and
- (2) The City Commission hereby authorizes the City Manager to execute all agreements and contracts associated with the approved purchase; and
- (3) This resolution shall become effective immediately upon passing.

**DONE AND RESOLVED**, this 7<sup>th</sup> day of March, 2024, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 7<sup>th</sup> day of March, 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:  
Notary Serial No:

**CITY ATTORNEY'S OFFICE**

This document has been reviewed and approved as to form and legal content, for use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office                      Date

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 24-29 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: Resolution Number 24-30: Fire Station Number 22 Bay Doors Replacement –  
Emergency Request

### Introduction:

Resolution Number 24-30 approves expenditure in excess of \$50,000 and authorizes the City Manager to execute an agreement with AAA American Garage Doors, Inc. for professional installation of seven (7) bay doors at the Eustis Fire Station #22.

### Background:

Fire Station Number 22 experienced a faulty, malfunctioning bay garage door a couple years ago and a repair was performed to the rolling door opener. It has now gotten to the point where all seven garage doors are in a deplorable condition. The metal guides and beams which roll open the doors are falling apart and can potentially prevent the vehicles from exiting the fire station when called for emergency assistance. This could result in a “Life or Death” situation and be considered a serious and dangerous condition requiring immediate action.

Staff discussed this situation with other fire departments in Lake County. Their consensus was to hire AAA American Garage Doors, Inc. of Clermont, Florida. The City of Leesburg’s Fire Department has recently experienced the same issues with their bay doors and highly recommend this company. AAA American Garage Doors has also previously worked with the City and provided a quality product at competitive pricing.

Due to the dire state of affairs these deteriorating doors present, staff is requesting to forego the City’s Bid Policy requirements for purchases over \$50,000. These doors need to be replaced immediately and the bidding process requires public advertising resulting in potentially a lengthy award process.

AAA American Garage Doors, Inc. has presented the City with an offer to replace all seven doors:

- (4) 18x14 rolling steel commercial doors with one see-through section; 18 gage material with 100,000 high cycle spring; galvanized steel guides with galvanized mounting angle. **\$55,200**
- (3) 12x14 rolling steel doors with 1 see-through section; 18 gage material with 100,000 high cycle spring; galvanized steel guides with galvanized mounting angle. **\$29,961**
- (7) Lift master gear head industrial motors with cell phone operation and 28 transmitters with entrapment protection. **\$16,450**
- Remove all existing doors and motors. **No Charge**
- Labor to install new doors and motors **\$18,000**

The total cost for this project is **\$119,661**. There are sufficient funds for this purchase in the approved 2023/24 Capital Outlay Account #010-8600-522-60-16 (FS 22 Bay Doors).

The City's purchasing policies require that the Commission approve any purchase that exceeds \$50,000.

**Recommended Action:**

Staff recommends approval of Resolution Number 24-30.

**Discussion of Alternatives:**

In this particular situation, there really are no alternatives to consider. The City of Eustis must be able to provide emergency assistance to their residents at all times. Faulty bay doors at the fire station may ultimately lead to locking our emergency vehicles inside the building, rendering them unable to respond to the crisis.

**Budget/Staff Impact:**

The Fiscal Year 2023/24 CIP Budget includes funding for the required replacement of Fire Station 22's Bay Doors.

**Prepared By:**

Sally Mayer, Administrative Assistant – Public Utilities

**Reviewed By:**

Rick Gierok, P.E., Director of Public Works and Utilities  
Chief Michael Swanson, Eustis Fire Department  
Deputy Chief Shawn Kelleher, Eustis Fire Department

**Attachments:**

Resolution Number 24-30  
AAA American Garage Doors, Inc. - proposal



**RESOLUTION NUMBER 24-30**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING EXPENDITURE IN EXCESS OF \$50,000 FOR EMERGENCY REPLACEMENT OF THE BAY DOORS AT FIRE STATION #22.**

**WHEREAS**, upon inspection of Eustis Fire Station #22 bay doors, their deterioraton has progressed further than expected; and

**WHEREAS**, it has been determined that Eustis Fire Station #22 requires emergency replacement of it's bay doors; and

**WHEREAS**, there are sufficient funds in the FY 2023-2024 CIP budget to complete the necessary construction; and

**WHEREAS**, due to time constraints, Staff is requesting to waive the City's bid policy requirement for purchases over \$50,000, for this emergency project; and

**WHEREAS**, City of Eustis Purchasing Ordinance requires that the City Commission approve any purchase in excess of \$50,000.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Commission of the City of Eustis as follows:

- (1) That the City Manager is hereby authorized to execute an agreement with AAA American Garage Doors, Inc. of Clermont, Florida for this emergency purchase.
- (2) That the City of Eustis' Purchasing Director is authorized to waive the City's Bidding Requirement Policy for purchases over \$50,000.

**DONE AND RESOLVED** this 7th day of March, 2024, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7th day of March, 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires: \_\_\_\_\_  
Notary Serial No: \_\_\_\_\_

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 24-30 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk

# INVOICE 3311

## AAA AMERICAN GARAGE DOORS, INC

11943 BRUCE HUNT RD, CLERMONT, FL 34715  
 Phone 352-516-7789  
 john@ameridoors.com

TO Eustis fire DEPT  
 100 Norton ST  
 Eustis FL

DATE: 2/13/2024

SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
JOHN FULLINGTON		CHECK	UPON job completion

	DESCRIPTION	UNIT PRICE	LINE TOTAL
4	18 x 14 rolling steel commercial doors with 1 see through section. 18 gage material with 100,000 high cycle spring. Galvanized steel guides with galvanized mounting angle.	13,800.00	\$55,200.00
3	12 x 14 rolling steel doors with 1 see through section. 18 gage material with 100,000 high cycle spring. galvanized steel guides with galvanized mounting angle.	9,987.00	29,961
7	Lift master gear head industrial motors with cell phone operation and 28 transmitters with entrapment protection	2,350.00	16,450.00
1	Remove all doors and motors	N/C	
1	Labor to install new doors and motors		18,000.00
		Deposit	\$61,000.00
		Total remaining after deposit	\$58,661.00
<b>TOTAL</b>			<b>\$119,661.00</b>



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: Resolution Number 24-06: Preliminary Subdivision Plat for Kurt Street Townhomes, A 62-unit Townhome Residential Subdivision on approximately 5.97 acres of property, located on the west side of Kurt Street, west of West Charlotte Avenue (Alternate Key Numbers: 2930497 and 3859180)

**Introduction:**

Resolution Number 24-06 approves a preliminary subdivision plat for the Kurt Street Townhomes preliminary subdivision plat with 62 townhome residential units (13 buildings) on approximately 5.97 acres located on the west side of Kurt Street, West of West Charlotte Avenue (Lake County Property Appraisers' Alternate Key Numbers: 2930497 and 3859180).



The City Commission heard the first proposal at their January 18, 2024 Meeting. The proposal presented included a pickle ball court, dog park and walking trails. At that hearing, several Commissioners weren't interested in allowing the proposal to move forward because they weren't comfortable with several of the proposed recreational amenities. Several concerns about the lack of a tot lot for the project and the fact that the project wasn't a true mixed-use project were discussed by the Commissioners. The proposal was thus rejected by the Commission. Subsequently, the developer revised their site plan and replaced the pickleball court with a tot lot and provided evidence in a narrative that the Comprehensive Plan didn't require a mixture of uses within the Mixed Commercial Residential (MCR) Land Use District. At the February 15, 2024 Commission Meeting,

the City Commission voted to place the project back on their March 7, 2024 Meeting Agenda for reconsideration. This report is prepared for that meeting.

**Project Information:**

Pertinent Site Information:

- a. The subject property comprises about 5.97 acres, which is currently vacant other than being sparsely wooded on the north side of the property).
- b. The site is within the Mixed Commercial/Residential (MCR) land use district, which allows single-family attached residential homes including duplexes, row houses, and townhomes.
- c. The property is within the Suburban Neighborhood design district.
- d. The site and surrounding properties' land use, design district designations, and existing uses are shown below:

Location	Existing Use	Future Land Use	Design District
<b>Site</b>	Undeveloped Partially Wooded Property	Mixed Commercial/Residential (MCR)	Suburban Neighborhood
<b>North</b>	Office/Business Park	Mixed Commercial/Residential (MCR)	Suburban Neighborhood
<b>South</b>	Senior Housing Apts.	Mixed Commercial/Residential (MCR)	Suburban Neighborhood
<b>East</b>	Medical Clinic/Tech School Parking	Mixed Commercial/Residential (MCR)	Suburban Neighborhood
<b>West</b>	Single Family Residential – (Grafton Ridge Subdivision)	Mixed Commercial/Residential (MCR)	Suburban Neighborhood

**Proposed Development:**

The proposed development is 62 townhouse lot type (conforming with the Suburban Neighborhood design district and Section 110-4.5, Townhouse lot type) lots for single-family attached residences. The minimum lot dimensions will be 22 feet by 80 feet. Exhibit A shows the subdivision layout and other basic information, including the following development characteristics:

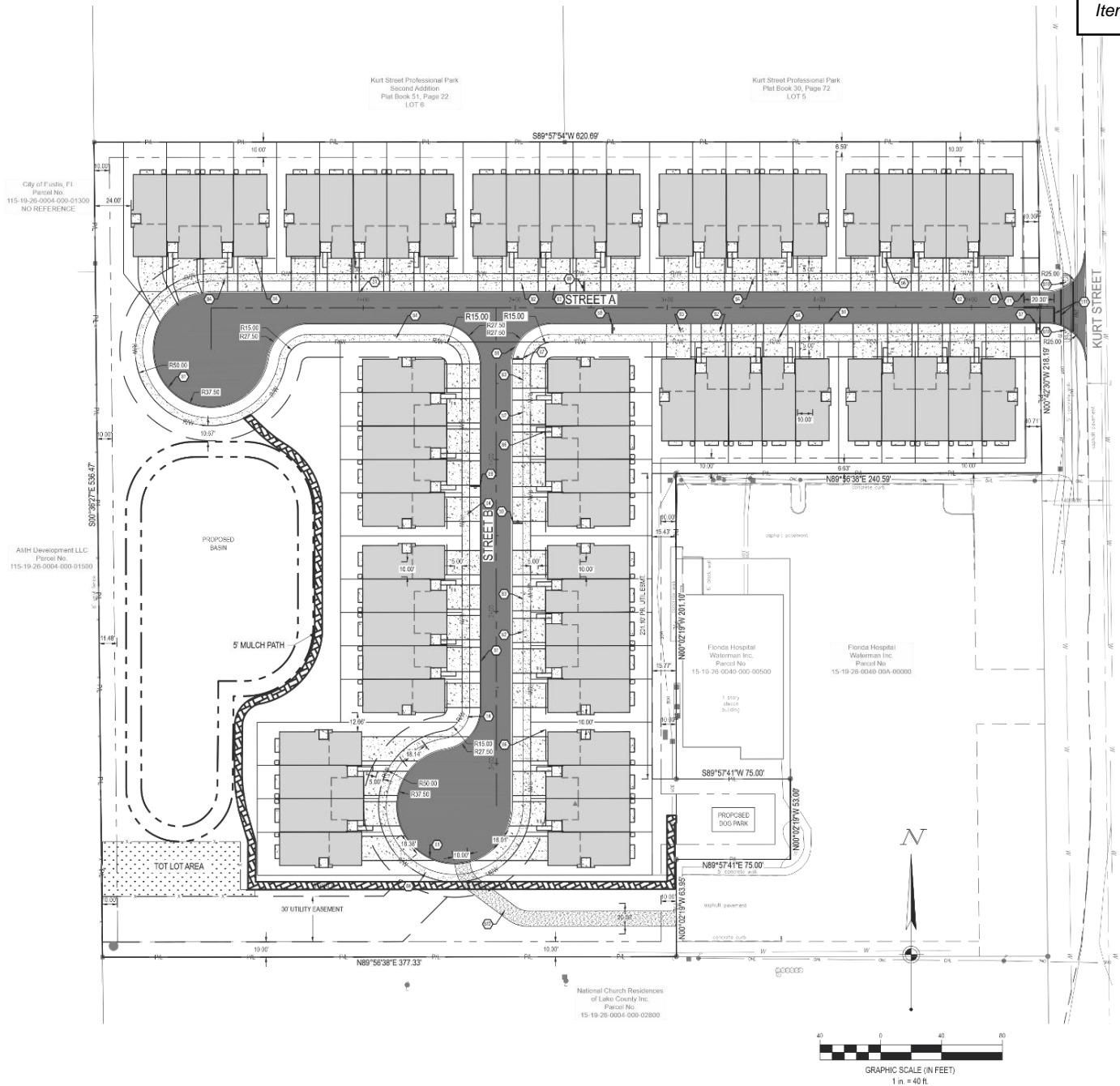
Subdivision Component	Code	Provided
<b>Gross Area</b>	n/a	<b>5.97 acres / 260,053 square feet</b>
<b>Net Area</b> (gross area less wetlands, water bodies)	n/a	<b>N/A</b>
<b>Lot Typology</b>	Townhouse Lot	Townhouse Lot (22' x 80' lots)
<b>Density</b>	12 dwelling units/acre maximum (71 dwelling units max.	<b>10.38 dwelling units/acre</b>

	permitted here)	<b>(62 townhome units)</b>
<b>Open Space</b>	25% minimum (1.49 ac)	<b>31% (1.85 ac)</b>
<b>Park Space</b>	1 acre for 50-99 lots	<b>1.84 acres provided</b>
<b>Landscape Buffers</b>	Buffers smaller than 15' may be permitted when the building is sited with a street setback between 5' to 15'.	<b>10 foot landscape buffer along Kurt Street – due to the building being 15' set back from Kurt Street.</b>

Waivers:

*No waivers are requested and this proposed preliminary subdivision plat is meeting all City requirements in the Code of Ordinances and Land Development Regulations as well as the Florida Statutes at this time.*





**Analysis of Request According to Applicable Policies and Codes:**

Comprehensive Plan - Future Land Use Element Appendix; Land Development Regulations Section 109-2.6, 109-3, 109-4:

Mixed Commercial/Residential land use accommodates a mix of residential, commercial, office, institutional, and schools. Residential densities may not exceed 12 dwelling units per net buildable acre. Maximum Impervious Surface Area 40%; Minimum open space required 25%.

*The preliminary subdivision plat provides for single-family attached townhomes at a maximum density of 10.38 units per acre (allowed up to 12 du/ac). The plan provides for permeable sidewalks and driveways throughout the site equating to 40% impervious surface area (maximum 40% ISR permitted). The proposed plan is consistent with the Future Land Use Element Appendix of the Comprehensive Plan and the Land Development Regulations.*

- a. Land Development Regulations-Building Lot Types – Section 110-4.5 Townhouse Lot

Minimum townhouse lot requirements in Suburban design districts include the following:

Width of 22-feet (max 32); Depth of 80 feet (max 120); Square Footage of 1760 sq. feet (max 3840)

Street setback of 0 to 20-feet; Common lot setback of 0-feet; Alley setback of 15-feet

***The subdivision plat proposes Townhouse Lot typologies, which lots meet the minimum dimensional criteria of the Land Development Regulations. The typical lot section provided demonstrates the setbacks for the lots meet the requirements. Several of the buildings on Kurt Street will sit back 15' from the right-of-way.***

***b. Section 115-4.2.1. (and Comprehensive Plan Policies FLU 5.2.1 and 5.2.9) includes general site design criteria to respect the natural topography of the site and follow the outlined four-step design process. The applicant has demonstrated compliance as follows:***

“The site design of Kurt Street townhomes took into account the existing topography of the area surrounding the site. The site is bordered to the north by an office/business park, to the south and west by residential, and to the east by commercial/public institutional. The layout proposed is optimized to provide as much open space, as possible.”

***Section 115-4.9 includes the City’s stormwater management regulations. The site drains to the west; the main stormwater pond is located at the west side of the site adjacent to the Grafton Ridge Subdivision. Via the development review committee process, the City engineering department reviewed and approved the drainage calculations and stormwater plan. A St. Johns River Water Management District permit will also be required for the project.***

***Sections 115-7, 8 and 9 outline standards for transportation, parks, and landscaping. A traffic impact statement was prepared for the subdivision. The proposed project will result in 11 inbound trips and 24 outbound trips in the AM peak hour period and 23 inbound trips and 18 outbound trips in the PM peak hour period. The local roadway network has adequate capacity to accommodate the new trips without reducing the Level of Service (LOS). Therefore, the project is exempt from completing a Tier 1 Traffic Impact Analysis.***

***Regarding parks, the subdivision plan provides for a walking trail, tot lot area, and the bottom of the stormwater pond on the west and southern side. On the east side, there will also be a dog park, adjacent to the medical clinic to meet the minimum park space (1.0 acre). Total provided park space is 1.84 acres.***

***A 10' landscape buffer is proposed along Kurt Street, in compliance with City regulations.***

#### **Summary of Recommendation:**

Staff recommends approval of the Kurt Street Townhomes, as the proposed density of 10.38 units per acre falls below the maximum and the subdivision plan meets or exceeds required design standards per the Land Development Regulations.

#### **Alternatives:**

1. Approve Resolution Number 24-06
2. Deny Resolution Number 24-06



Discussion of Alternatives:  
Alternative 1 approves Resolution Number 24-06

**Advantages:**

- The property owner can move forward with the proposed development.
- The action will provide for new residential development, potential job creation in the City, and increased tax revenue.
- The action is consistent the Commission's Strategic Plan policies to encourage economic development.
- The action is consistent with the goals, objectives, and policies of the Comprehensive Plan, including the Housing Element, which outlines the goal to promote safe, sanitary and affordable housing to meet the needs of various household types and income groups characteristic of the City and planning area.

**Disadvantages:**

- The property owner could not develop according to the submitted preliminary plat.
- The City could lose an economic development opportunity.

**Budget / Staff Impact:**

There would be no direct cost to the City associated with the action other than providing standard City services to the development. There would be no additional staff time beyond the normal plan review process and building inspection. Upon end user development, the City would realize increased tax revenue.

**Community Input:**

Development Services has placed the proper legal advertisements in the newspaper; notified surrounding property owners within 500 feet; and the property was posted. As of January 9, 2024, staff has received no public input or inquiries regarding this request.

**Prepared By:**

Mike Lane, AICP – Development Services Director

**Attachments**

- Resolution Number 24-06 w/Exhibit A – Preliminary Subdivision Plat

**RESOLUTION NUMBER 24-06**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A PRELIMINARY SUBDIVISION PLAT FOR KURT STREET TOWNHOMES, A 62-UNIT TOWNHOME RESIDENTIAL SUBDIVISION, ON APPROXIMATELY 5.97 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF KURT STREET, WEST OF WEST CHARLOTTE AVENUE (ALTERNATE KEY NUMBERS 2930497 AND 3859180)**

**WHEREAS**,. DDC Management (applicant), on behalf of GT Desi Corp (owners), has made an application for Preliminary Subdivision Plat approval for Kurt Street Townhomes (62 townhome residential units) on approximately 5.97 acres located on the west side of Kurt Street, west of West Charlotte Avenue, more particularly described as follows:

Parcel Alternate Key Numbers: 2930497 AND 3859180

Parcel Identification Numbers: 15-19-26-0004-000-02900; 15-19-26-0004-000-03500

**LEGAL DESCRIPTION**

**TRACT ONE:**

THE NORTH 218.22 FEET OF THE NORTH 536.22 FEET OF THE SOUTH 740.82 FEET OF THE FOLLOWING DESCRIBED PROPERTY: NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL BEING IN SECTION 15, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; LESS AND EXCEPT THE EAST 40.0 FEET THEREOF.

**TRACT TWO:**

LOTS 1, 2, 3, 4, 6, 7, 8, 9 AND 10, EAST LAKE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

TRACTS A, B, C, D, E, F, AND G, EAST LAKE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

ALL OF THE ABOVE IS ALSO DESCRIBED AS:

**TRACT ONE:**

THE NORTH 218.22 FEET OF THE NORTH 536.22 FEET OF THE SOUTH 740.82 FEET OF THE FOLLOWING DESCRIBED PROPERTY: NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL BEING IN SECTION 15, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; LESS AND EXCEPT THE EAST 40.0 FEET THEREOF.

**TRACT TWO:**

LOTS 1, 2, 3, 4, 6, 7, 8, 9 AND 10, EAST LAKE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND TRACTS "D", "C" AND PORTIONS OF TRACTS "A", "F" AND "E", EAST LAKE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALL BEING DESCRIBED AS FOLLOWS: THAT PART OF EAST LAKE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 5, ALSO BEING THE NORTHWEST CORNER OF LOT 6, EAST LAKE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, RUN THENCE NORTH 89°42'40" EAST, ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 75.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'20" EAST, ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 53.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 89°42'40" WEST, ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 75.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'20" EAST, ALONG THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOTS 5 AND 6 OF SAID PLAT OF EAST LAKE SUBDIVISION, A DISTANCE OF 64.00 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID PLAT OF EAST LAKE SUBDIVISION; THENCE SOUTH 89°42'40" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 377.80 FEET TO THE SOUTHWEST CORNER OF SAID PLAT OF EAST LAKE SUBDIVISION; THENCE NORTH 00°47'49" WEST, ALONG THE WEST LINE OF SAID PLAT OF EAST LAKE SUBDIVISION, A DISTANCE OF 318.02 FEET TO THE NORTHWEST CORNER OF SAID PLAT OF EAST LAKE SUBDIVISION; THENCE NORTH 89°42'40" EAST, ALONG THE NORTH LINE OF SAID PLAT OF EAST LAKE SUBDIVISION, A DISTANCE OF 380.62 FEET TO AN INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE WEST LINE OF LOTS 5 AND 6 OF SAID PLAT OF EAST LAKE SUBDIVISION; THENCE SOUTH 00°17'20" EAST, ALONG SAID WEST LINE OF LOTS 5 AND 6 AND ITS NORTHERLY PROLONGATION, A DISTANCE OF 201.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5, ALSO BEING THE NORTHWEST CORNER OF SAID LOT 6 AND THE POINT OF BEGINNING.

**TRACT THREE:**

TRACTS "B" AND "C", EAST LAKE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

PORTIONS OF TRACTS "A", "F" AND "E", EAST LAKE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING EAST OF A LINE THAT RUNS ALONG AND PARALLEL WITH THE WEST BOUNDARY LINE OF LOT 5 OF SAID EAST LAKE SUBDIVISION AND EXTENDS TO THE NORTH AND SOUTH BOUNDARY LINES OF SAID EAST LAKE SUBDIVISION.

LESS AND EXCEPT:

THAT PART OF EAST LAKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 31, PAGES 9 AND 10, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID EAST LAKE SUBDIVISION; THENCE SOUTH 89°50'07" WEST ALONG THE SOUTH LINE OF SAID EAST LAKE SUBDIVISION, 244.23 FEET TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 6 OF SAID EAST LAKE SUBDIVISION; THENCE NORTH 00°03'02" WEST ALONG SAID SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 6, FOR A DISTANCE OF 63.85 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89°56'58" EAST ALONG THE SOUTH LINE OF SAID LOT 6, FOR A DISTANCE OF 75.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE NORTH 00°03'02" WEST ALONG THE EAST LINE OF SAID LOT 6 AND THE EAST LINE OF LOT 5 OF SAID EAST LAKE SUBDIVISION, 198.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 89°56'58" WEST ALONG THE NORTH LINE OF SAID LOT 5, FOR A DISTANCE OF 75.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 00°03'02" WEST ALONG THE NORTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 5, FOR A DISTANCE OF 56.04 FEET TO THE NORTH LINE OF SAID EAST LAKE SUBDIVISION; THENCE NORTH 89°57'33" EAST ALONG SAID NORTH LINE, 240.56 FEET TO THE NORTHEAST CORNER OF SAID EAST LAKE SUBDIVISION; THENCE

**WHEREAS**, the property described above has a Land Use Designation of Mixed Commercial Residential (MCR) and a Design District Designation of Suburban Neighborhood; and

**WHEREAS**, Single-family attached residential dwelling units, at a density of 12 dwelling units per acre or less, are permitted in the Mixed Commercial Residential (MCR) land use designation; and

**WHEREAS**, the proposed preliminary subdivision plat as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations; and

**WHEREAS**, the City Commission finds that approval of the requested preliminary subdivision plat is in the best interests of the public health, safety, and welfare.

**NOW, THEREFORE, BE IT RESOLVED BY THE EUSTIS CITY COMMISSION AS FOLLOWS:**

**SECTION 1.** That the Kurt Street Townhomes Preliminary Subdivision Plat for 62 townhome units located on the west side of Kurt Street, west of West Charlotte Avenue, attached hereto as Exhibit "A", is hereby approved:

**SECTION 2.** That the Preliminary Subdivision Plat shall be subject to the owner/developer complying with the following conditions:

- a) Submit the Final Engineering and Construction Plans and Final Plat to comply with all requirements of the Eustis Land Development Regulations, Eustis Engineering Design Standards Manual, Florida Statutes, and the provisions of this resolution within one year of the approval of this resolution.
- b) Develop the property in accordance with the approved Preliminary Subdivision Plat as referenced in Section 1 and attached hereto as Exhibit "A".
- c) Obtain and provide copies of all applicable permits from other jurisdictional agencies.

**DONE AND RESOLVED** this 7th day of March, 2024 in a regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7th day of March, 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:  
Notary Serial No:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

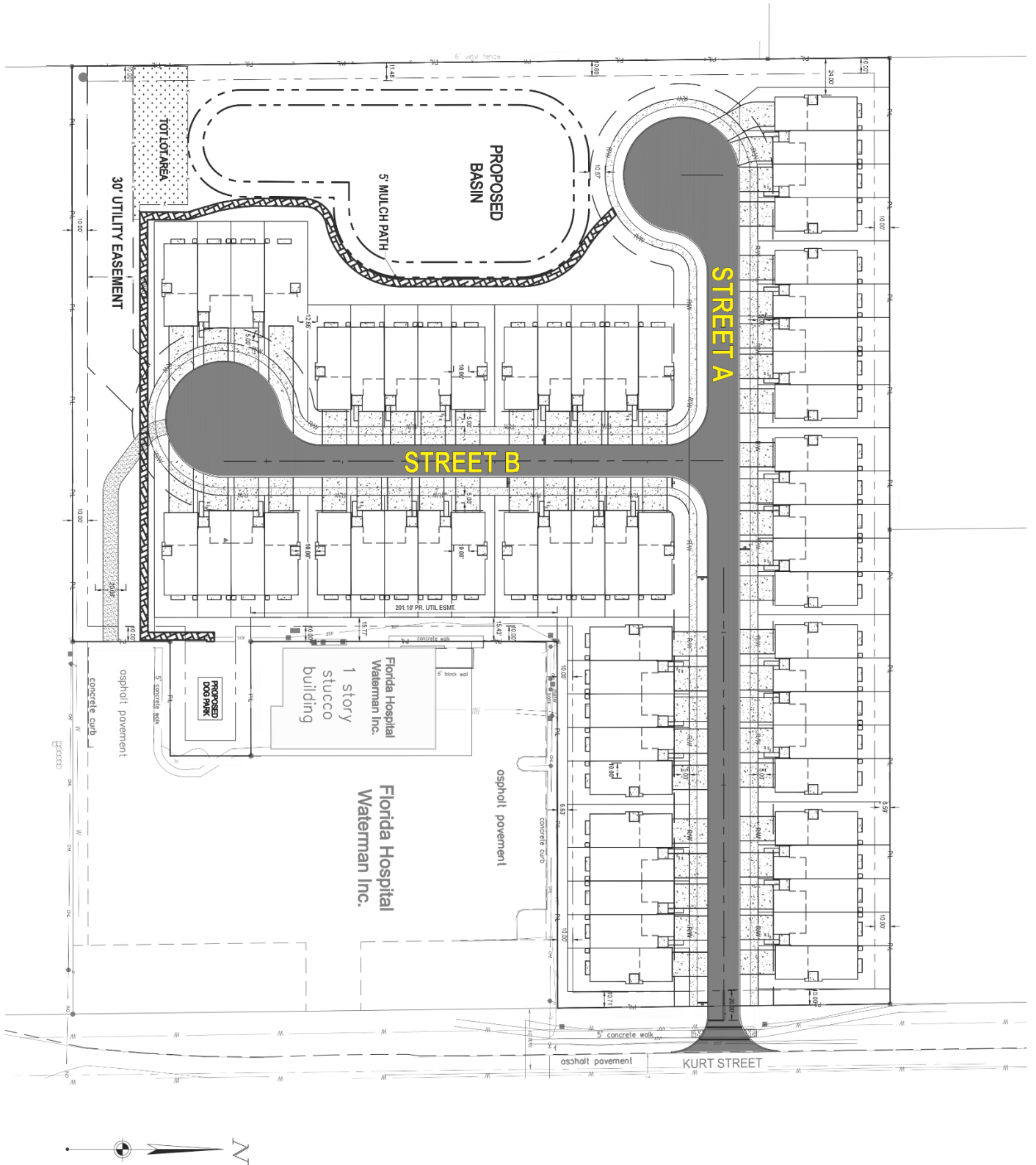
\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 24-06 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

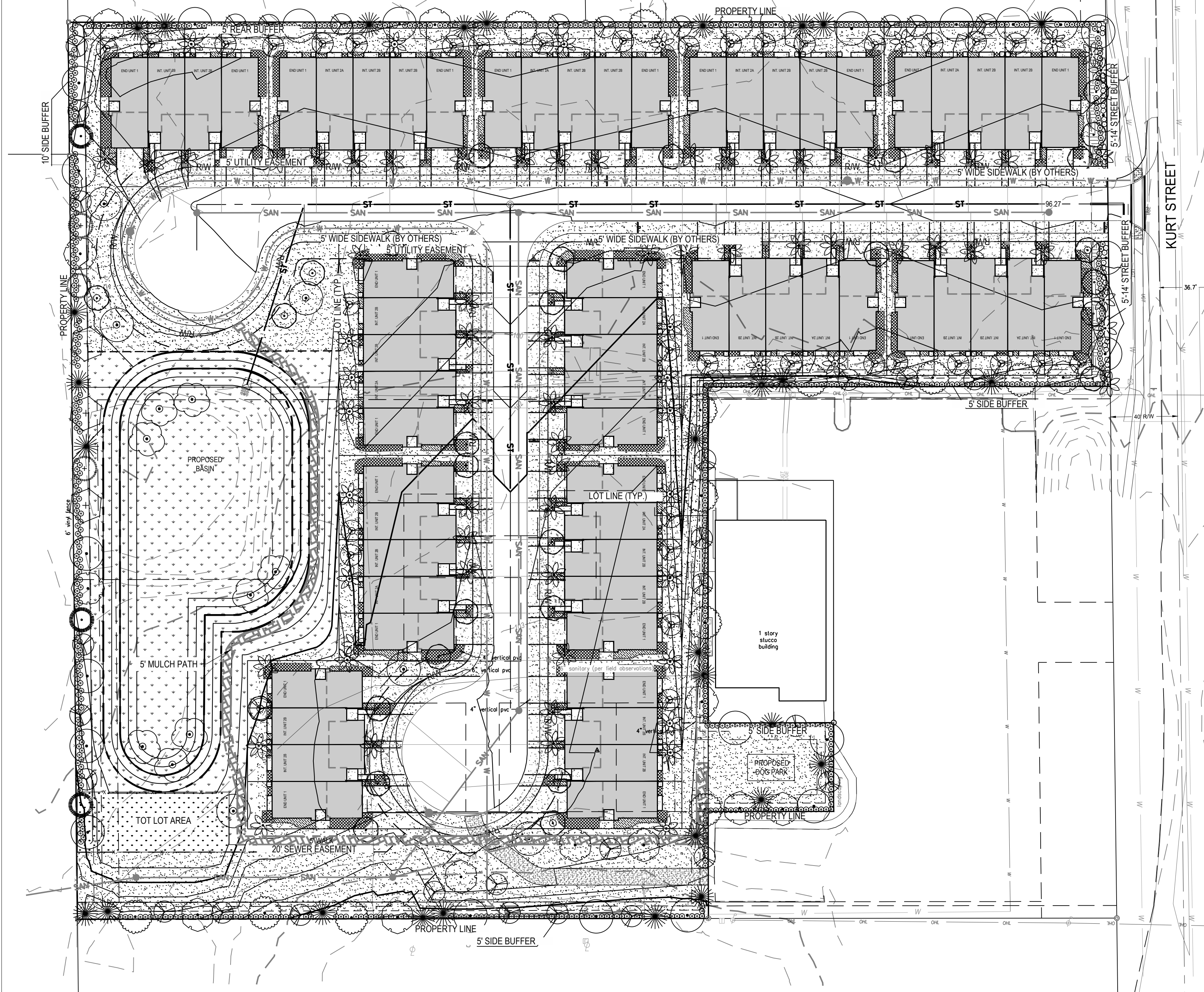
\_\_\_\_\_  
Christine Halloran, City Clerk

# EXHIBIT A





REVISED  
1/24/2024



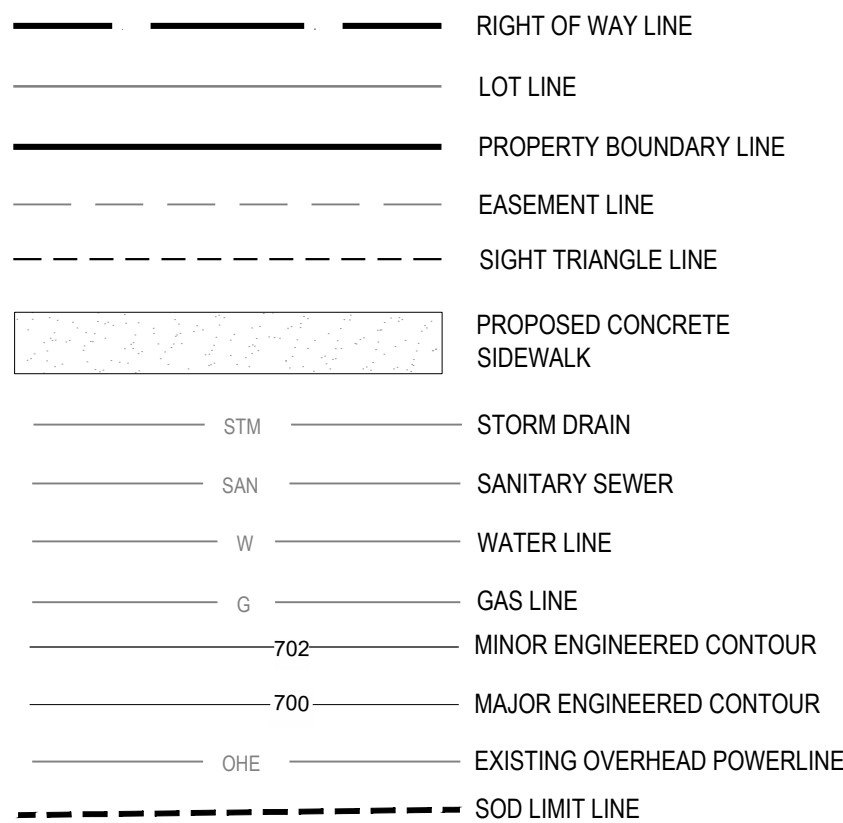
**NOTES:**

1. ALL VEGETATION MUST COMPLY WITH CITY OF EUSTIS GUIDELINES AND RESTRICTIONS.
2. NO TREE MAY BE PLANTED WITHIN INTERSECTION SIGHT TRIANGLES.
3. EXISTING TREES SHALL BE PRESERVED WHENEVER POSSIBLE.
4. DEVELOPER AND LANDSCAPE CONTRACTOR SHALL INSTALL NON-INVASIVE PLANT MATERIAL IN THE LANDSCAPE BUFFER. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL INVASIVE PLANT SPECIES PRIOR TO INSTALLATION.
5. ALL PLANTING AREAS SHALL BE MULCHED WITH A THREE INCH LAYER OF GROUND HELAELUCA MULCH TO COVER THE COMPLETE PLANTING AREA.
6. ALL SABAL PALMS PLANTED CLOSER THAN 5' FROM A WATER LINE TO HAVE ROOTBALLS SET 2' BELOW THE PIPE.

**CODE COMPLIANCE NOTES:**

1. MINIMUM 2 TREES PER LOT - 62 LOTS = 124 TREES REQUIRED. 124 TREES PROPOSED.
2. BUFFER YARD PLANTS HAVE BEEN SELECTED FROM THE CITY OF EUSTIS ACCEPTABLE PLANT SPECIES LIST.
3. BUFFER LANDSCAPING REQUIREMENTS - 10' WIDE MIN. LANDSCAPE AREA REQUIRED AROUND ALL BUILDINGS (INCLUDING SIDEWALK) SHRUBS AND GROUND COVER TO COVER A MINIMUM OF 30% OF THE BUFFER AREA.
4. ALL NEW LANDSCAPING SHALL MEET THE GUIDELINES OF THE FLORIDA FRIENDLY LANDSCAPING AND WATERWISE FLORIDA LANDSCAPE GUIDES PUBLISHED BY THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.
5. ALL REPLACEMENT TREES FOR EACH TREE REMOVED, SHALL BE A MINIMUM OF TWO INCHES DBH, TEN FEET TALL, AND FIVE FEET WIDE AT THE TIME OF PLANTING.
6. APPROVED ORNAMENTAL AND PALM TREES SHALL NOT EXCEED 25% OF THE TREE REPLACEMENT REQUIREMENTS AND AT LEAST 50% OF THE TREES SHALL BE LIVE OAKS

**LEGEND**



**LANDSCAPE CODE COMPLIANCE**

**10' LANDSCAPE BUFFER ALONG KURT STREET**  
 REQUIRED: (2) CANOPY AND (3) UNDERSTORY TREES PER 100 LF CONTINUOUS HEDGE OF 3 GAL 24" HIGH SHRUBS  
 100% PLANTED AREA OF SHRUBS AND GROUND COVER  
 LENGTH NOT INCLUDING DRIVE: 198LF  
 REQUIRED: 4 CANOPY AND 6 UNDERSTORY TREES  
 PROPOSED: 4 CANOPY AND 6 UNDERSTORY TREES

**5' SIDE OR REAR LANDSCAPE BUFFER (BETWEEN SIMILAR USES)**  
 REQUIRED: (2) CANOPY AND (3) UNDERSTORY TREES PER 100 LF (33) 3 GAL. SHRUBS, 24" HT. MIN. PER 100 LF  
 LENGTH NOT INCLUDING DRIVE: 1,711  
 REQUIRED: 35 CANOPY AND 52 UNDERSTORY TREES, 565 SHRUBS  
 PROPOSED: 35 CANOPY AND 52 UNDERSTORY TREES, 565 SHRUBS

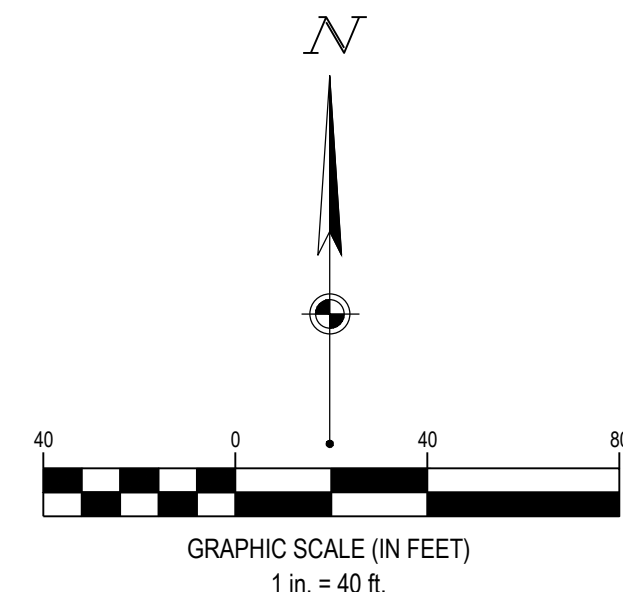
**10' SIDE OR REAR LANDSCAPE BUFFER (BETWEEN RESIDENTIAL AND COMMERCIAL USES)**  
 REQUIRED: (2) CANOPY AND (3) UNDERSTORY TREES PER 100 LF (33) 3 GAL. SHRUBS, 24" HT. MIN. PER 100 LF  
 LENGTH NOT INCLUDING DRIVES: 545LF  
 REQUIRED: 11 CANOPY AND 17 UNDERSTORY TREES, 180 SHRUBS  
 PROPOSED: 11 CANOPY AND 17 UNDERSTORY TREES, 214 SHRUBS

**PLANT SCHEDULE**

SYMBOL	QTY	BOTANICAL / COMMON NAME	SIZE	MIN HT / SPR	SPACING
<b>TREES</b>					
	14	ACER RUBRUM 'FLORIDA FLAME'	2" CAL.	8-12' HT	AS SHOWN
	3	FLORIDA RED MAPLE	---	6' HT.	AS SHOWN
	29	ILEX X ATTENUATA 'EAST PALATKA'	---	6' HT	AS SHOWN
	30	EAST PALATKA HOLLY	---	6' HT	AS SHOWN
	3	JUNIPERUS SILICICOLA	2" CAL	8-10' HT	AS SHOWN
	3	SOUTHERN RED CEDAR	---	8-10' HT	AS SHOWN
	70	LAGERSTROEMIA INDICA	2" CAL	6' HT	AS SHOWN
	3	CRAPE MYRTLE	2" CAL	6-8' HT	AS SHOWN
	31	MAGNOLIA GRANDIFLORA 'BRACKENS BROWN'	2" CAL	10-12' HT	AS SHOWN
	78	MAGNOLIA VIRGINIANA	14" CAL @ 3'	12' CT	AS SHOWN
	8	BRACKEN'S BEAUTY SOUTHERN MAGNOLIA	2" CAL	10-12' HT	AS SHOWN
	13	SWEETBAY MAGNOLIA	2" CAL	12-14' HT	AS SHOWN
	223	MYRICA CERIFERA	---	18" HT	3'-0" OC
	33	WAX MYRTLE	---	18" HT	3'-0" OC
	480	QUERCUS VIRGINIANA	---	18" HT	3' OC
		LIVE OAK			
		SABAL PALMETTO			
		CABBAGE PALMETTO			
		TAXODIUM DISTICHUM			
		BALD CYPRESS			
		ULMUS ALATA			
		WINGED ELM			
<b>SHRUBS</b>					
		HAMELIA PATENS 'COMPACTA'			
		DWARF FIREBUSH			
		TRIPSACUM DACTYLOIDES			
		FAKAHATCHEE GRASS			
		VIBURNUM OBOVATUM			
		WALTERS' VIBURNUM			

SYMBOL	QTY	BOTANICAL / COMMON NAME	SIZE	MIN HT / SPR	SPACING
<b>SHRUB AREAS</b>					
	3,353 SF	GROUND COVER	---	---	---
	7,607 SF	MEDIUM SHRUBS	---	---	---
<b>GROUND COVERS</b>					
	265	TRACHELOSPERMUM ASIATICUM	4" FLAT	---	1'-6" OC
		ASIATIC JASMINE			
<b>SOD/SEED</b>					
	35,902 SF	PASPALUM NOTATUM	SOD	---	---
	59,949 SF	BAHIAGRASS	SOD	---	---
		ZOYSIA X 'CITRAZOY'			
		CITRAZOY			

SYMBOL	QTY	BOTANICAL / COMMON NAME	SIZE	MIN HT / SPR	SPACING
	265	TRACHELOSPERMUM ASIATICUM	4" FLAT	---	1'-6" OC
		ASIATIC JASMINE			
	35,902 SF	PASPALUM NOTATUM	SOD	---	---
	59,949 SF	BAHIAGRASS	SOD	---	---
		ZOYSIA X 'CITRAZOY'			
		CITRAZOY			



FORTY-EIGHT (48) HOURS BEFORE DIGGING IS TO COMMENCE, THE CONTRACTORS SHALL NOTIFY THE FOLLOWING AGENCIES: FLORIDA UTILITIES PROTECTION SERVICE AT 811 OR 800-432-4770 AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF FLORIDA UTILITIES PROTECTION SERVICE



THE INFORMATION ON THIS DOCUMENT IS PREPARED FOR CONSTRUCTION AND NOT FOR PURPOSES OF REPRESENTATION.

DDCM MANAGEMENT LLC.  
**EUSTIS TOWNHOMES**  
 KURT STREET  
 EUSTIS, FL 32726

Revisions / Submissions		
ID	Description	Date

© 2022 CESO, INC.  
 Project Number: 762449  
 Scale: 1" = 40'  
 Drawn By: ABS/TRH  
 Checked By: EAB  
 Date: JANUARY 24, 2024  
 Issue: CONSTRUCTION

Drawing Title:  
**LANDSCAPE PLAN**  
**L1.0**



# REVISED 1/24/2024

### SITE DATA:

PROPERTY LOCATION: 2300 KURT STREET, EUSTIS FL, 32726

PARCEL IDS: 15-19-26-0004-000-02900 & 15-19-26-0004-000-03500

DATUM: ELEVATIONS EVALUATED USING NAVD88

LAND OWNERS: GT DESI CORP

GROSS SITE AREA: 5.97 ACRES

BREAKDOWN:  
 BUILDINGS: 1.70 ACRES  
 ASPHALT & CURB: 0.64 ACRES  
 TOTAL IMPERVIOUS: 2.34 ACRES (39%)  
 PERMEABLE DRIVEWAYS & SIDEWALKS: 0.69 ACRES  
 PERVIOUS AREA IN LOTS & GRASS STRIPS IN STREETS: 1.09 ACRES  
 TOTAL: 1.78 ACRES (30%)

OPEN SPACE: 1.85 ACRES (31%)

PROPERTY ZONING (CURRENT & PROPOSED): MCR

PROPOSED LAND USE: 62 TOWNHOMES

PHASING: ONE PHASE

BUILDING SETBACKS:  
 FRONT: 10'  
 SIDE: 5'  
 REAR: 5'  
 SIDE: 5'

MINIMUM BUILDING SEPARATION: SIDE TO SIDE: 10'

EXISTING PROPERTY USE: VACANT

MAXIMUM BUILDING HEIGHT (ALLOWABLE & PROPOSED): 3 STORIES PRINCIPAL BUILDING; 2 STORIES ACCESSORY

MINIMUM LOT AREA: 1,760 SF

DENSITY PROPOSED: APPROXIMATELY 10 DWELLING UNITS PER ACRE

ALLOWABLE DENSITY: 12 DWELLING UNITS PER ACRE

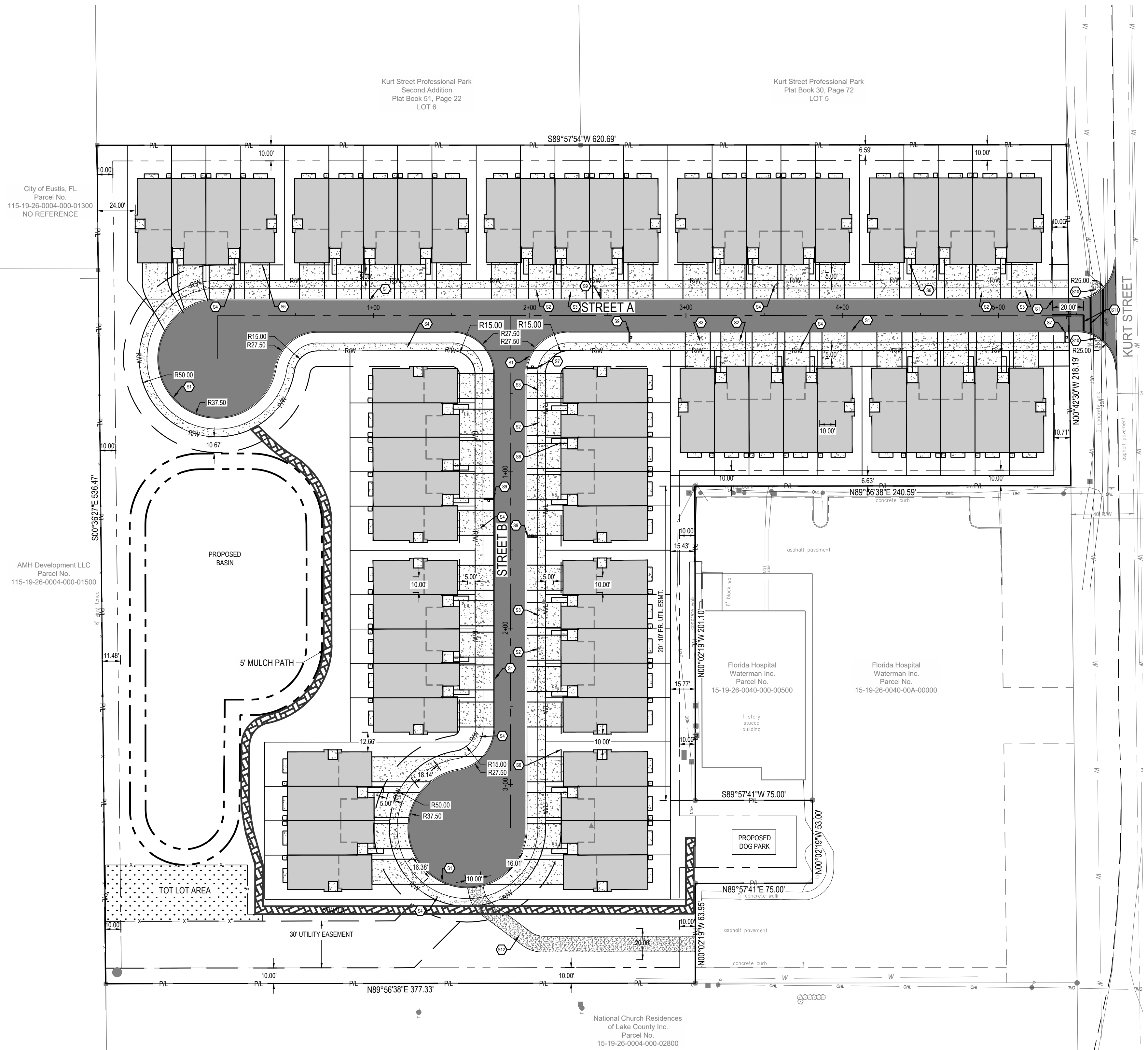
MINIMUM LOT WIDTH: 22'-0"

UTILITY PROVIDERS: ST. JOHNS FLORIDA WATER MANAGEMENT DISTRICT - STORMWATER  
 OCKLAWAHA RIVER BASIN - STORMWATER  
 CITY OF EUSTIS, FL - WATER  
 CITY OF EUSTIS, FL - SEWER

SITE LIGHTING: AL EXTERIOR LIGHTING SHALL COMPLY WITH LIGHTING ORDINANCE

UTILITY STATEMENT: THE WATER, WASTEWATER, AND SANITARY CALCULATIONS & DESIGN WILL BE PROPERLY SIZED BEFORE CONSTRUCTION PLAN APPROVAL.

WILDLIFE: ALL STATE & FEDERAL REGULATIONS REGARDING ENDANGERED, THREATENED, OR SPECIES OF SPECIFIC CONCERN WILL BE FOLLOWED DURING THE DEVELOPMENT OF THE PROPERTY.

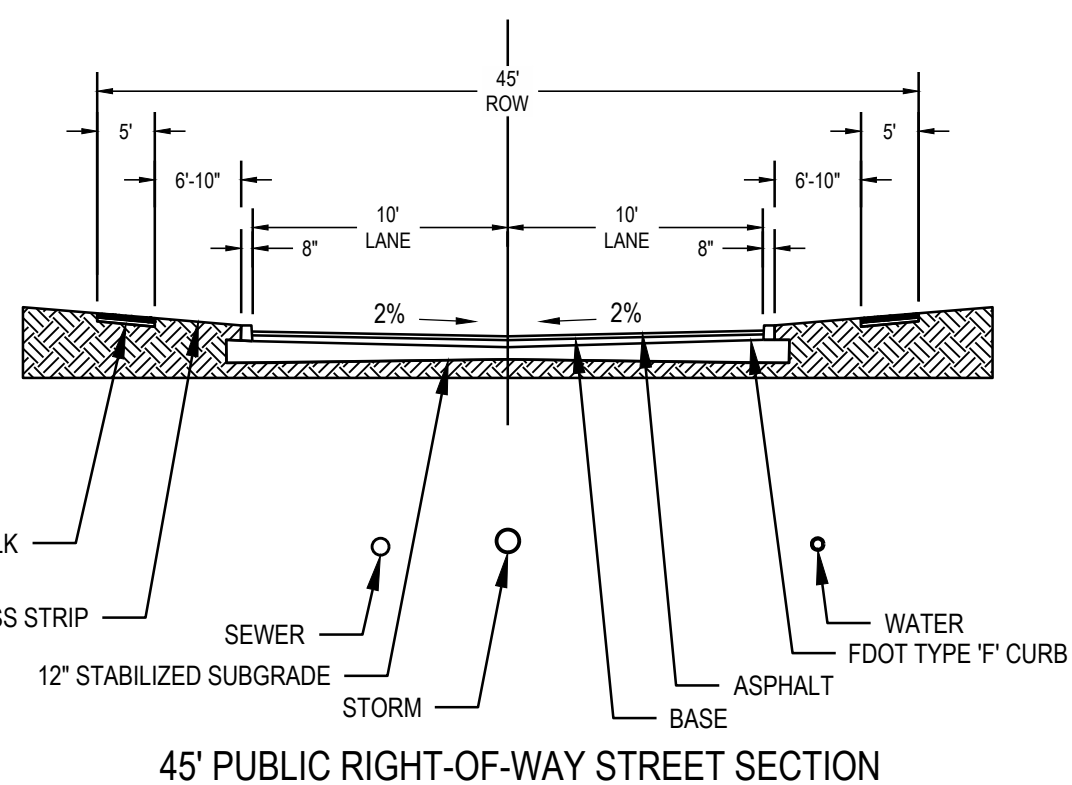


### SITE PLAN LEGEND

- EXISTING**  
REFER TO C2.0 FOR EXISTING FEATURES LEGEND
- PROPOSED SITE**  
REFER TO C3.0 FOR SUBDIVISION PLAN LEGEND
- PROPOSED STANDARD DUTY ASPHALT PAVEMENT
  - CONCRETE SIDEWALK
  - PROPOSED BUILDING
  - DRIVEWAY
  - CURB & GUTTER
  - SETBACK
  - SIGN

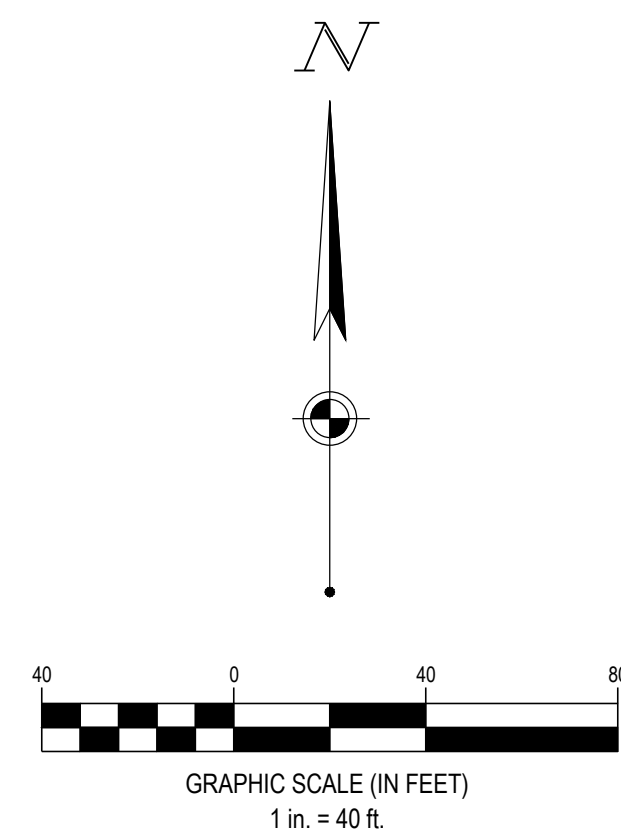
### CODED NOTES

CODE	DESCRIPTION
S1	PROPOSED CURB & GUTTER
S2	16' DRIVEWAY TYP.
S3	16' DRIVEWAY TYP.
S4	PROPOSED 5' PERMEABLE SIDEWALK
S6	PROPOSED 10' UTILITY EASEMENT
S7	R1-1 STOP SIGN
S8	R8-3 NO PARKING SIGN
S9	R2-1 SPEED LIMIT SIGN
S10	PROPOSED CURB RAMP
S11	PROPOSED STOP BAR AND CROSSWALK
S12	EMERGENCY ACCESS DRIVE - STABILIZED WITH GRASS



### BENCHMARK

BM *	ELEVATION*	NORTHING**	EASTING**	DESCRIPTION
BM1	95.01	1636220.139	434015.226	FOUND MONUMENT
BM2	94.26	1635684.204	434642.279	FOUND IRON ROD



THE INFORMATION ON THIS DOCUMENT IS PRELIMINARY OR INCOMPLETE AND NOT FOR CONSTRUCTION OR RECORDING PURPOSES OR REFERRENTIAL.

DDCM MANAGEMENT LLC.

**EUSTIS TOWNHOMES**

KURT STREET  
EUSTIS, FL 32726

Revisions / Submissions

ID	Description	Date

© 2022 CESO, INC.

Project Number: 762449  
 Scale: 1" = 40'  
 Drawn By: SJS  
 Checked By: CSG  
 Date: JANUARY 24 2024  
 Issue: PRELIMINARY

Drawing Title:  
**SITE PLAN**

**C5.0**

W:\PROJECTS\DDCM\762449-01-DDCM Kurt Road - Eustis, FL\03-CIVIL\PLAN\DOT SHEETS\PRELIMINARY\762449 - C5.0 - SITE PLAN.dwg - 1/24/2024 - Ryan Hopkins





• Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: MARCH 7, 2024

RE: RESOLUTION NUMBER 24-21: AWARDING TEN-8 FIRE & SAFETY, LLC FOR THE INTENT TO PURCHASE A PIERCE IMPEL SIDE PUMPER THROUGH SOURCEWELL #113021 AND CITY OF EUSTIS SOURCEWELL ID#204394

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**Introduction:**

Resolution Number 24-21 awards the Pierce Impel Side Pumper truck and equipment project to Ten-8 Fire & Safety, LLC (Ten-8) for the intent to purchase a Pierce Impel Side Pumper truck.

**Recommended Action:**

Staff recommends approval of Resolution Number 24-21 for future purchase of a Pierce Impel Side Control Pumper Truck from Ten-8 Fire & Safety, LLC through Sourcewell contract #113021 and for the additional funds required for the purchase of equipment.

Note: The truck purchase and equipment will provide for a down payment with a budget amendment to the FY23-24 and the balance of the truck to be provided in the FY24-25 budget. The truck is being scheduled, however delivery of the truck will not occur for approximately 46 to 49 months. The purchase is summarized as follows:

Total Contract Price as Specified	
by the Eustis Fire Department	\$1,017,558
Discounted for prefunding 1/3 of purchase	<u>126,388</u>
Total Adjusted Cost of Truck	<u>\$ 891,170</u>
Prepayment at time of booking	\$ 297,056
Balance Due by November 1, 2024	<u>\$ 594,114</u>
Total Payments	<u>\$ 891,170</u>

**Background:**

Currently the City of Eustis and its citizens enjoy and benefit from an ISO rating of 02/2X. This rating puts the Eustis Fire Department in the top 2% of all fire departments within the United States. This is something the department is very proud of and a

challenge to maintain with the growing population and increase in both buildings and square mileage.

When ISO evaluates the fire department, they consider equipment staffing, training, geographic distribution of fire companies, operational considerations and community risk reduction. Staffing and operating fire apparatus and having units in reserve are a large part of the scoring (page 7 of the ISO Review 2019 Results illustrates the current actual scores, see inserted chart). Our next review is due in 2025 for calendar year 2024, and while the department has addressed and expects to score better in training and community risk reduction; company personnel, reserve pumpers and pumper capacity as listed in deployment analysis are of concern as these issues greatly affect our current rating. The replacement of Engine 23 will greatly strengthen our position and provide us an additional reserve pumper in the future as the truck will take about 46 months to receive.

<b>FIRS Feature</b>	<b>Earned Credit</b>	<b>Credit Available</b>
<b>Emergency Communications</b>		
414. Credit for Emergency Reporting	3.00	3
422. Credit for Telecommunicators	4.00	4
432. Credit for Dispatch Circuits	3.00	3
<b>440. Credit for Emergency Communications</b>	<b>10.00</b>	<b>10</b>
<b>Fire Department</b>		
513. Credit for Engine Companies	6.00	6
523. Credit for Reserve Pumpers	0.50	0.50
532. Credit for Pump Capacity	3.00	3
549. Credit for Ladder Service	1.21	4
553. Credit for Reserve Ladder and Service Trucks	0.50	0.50
561. Credit for Deployment Analysis	5.00	10
571. Credit for Company Personnel	9.97	15
581. Credit for Training	8.22	9
730. Credit for Operational Considerations	2.00	2
<b>590. Credit for Fire Department</b>	<b>36.40</b>	<b>50</b>
<b>Water Supply</b>		
616. Credit for Supply System	28.32	30
621. Credit for Hydrants	3.00	3
631. Credit for Inspection and Flow Testing	7.00	7
<b>640. Credit for Water Supply</b>	<b>38.32</b>	<b>40</b>
<b>Divergence</b>	<b>-4.60</b>	<b>--</b>
<b>1050. Community Risk Reduction</b>	<b>4.80</b>	<b>5.50</b>
<b>Total Credit</b>	<b>84.92</b>	<b>105.50</b>

**Pumper Truck Replacement:**

Replacing the current pumper has been built into the Capital Improvement Plan. The current pumper is over 10 years old and the maintenance and servicing of the unit has become an issue. The pumper may require replacement or decommissioning within the

next 5 years. While a refurbishment of the vehicle can be considered, it is not advisable as the cost would exceed 50% of the cost of a new apparatus. Additionally, there will be no guarantees on some of the major components.

The staffing increase and new staffing model that the Eustis Fire Department has deployed should have a positive impact on our current score. Previously, the pumper truck was not considered 1<sup>st</sup> run. Currently, the pumper is staffed with three firefighters and the projected staffing increase should reduce concurrent calls regarding the Pumper truck's availability for fire response.

Note: Due to national supply shortages, it may take up to 49 months for the city to take delivery of the Pumper Truck.

### **Financial Impact:**

The FY23-24 cost will be \$297,056 FY 23-24 with the balance paid in FY 24-25 \$594,114 for a total discounted cost of \$891,170. Current year cost will be paid from the Sales Tax Revenue Fund.

### **Alternatives:**

- a. Approve Resolution Number 24-21 and award the bid to Ten-8 for the pumper truck proposal and complete the process before March 31.
- b. Reject Resolution Number 24-21 and provide further direction to the Fire Chief.

### **Discussion of Alternatives:**

1. Alternative 1 adopts Resolution Number 24-21 awarding the bid to Ten-8 for the pumper truck projects

#### **Advantages:**

- Expedites the process to place an order for the pumper truck, thus saving the City of Eustis an estimated \$126,388 in increased material costs projected after March 8, 2024.
  - The Fire Chief and Deputy Chief have negotiated and received in writing from Ten-8's CEO that they will accept and lock in the price upon approval of Resolution Number 24-21
- ISO will recognize the pumper truck as part of our inventory when the order is placed. This would be important if the Eustis Fire Department were to be reviewed.
- The purchase provides an opportunity to make the best use of limited resources, which will not be associated with any interest payment required for leasing or financing the truck.
- The additional funds for equipment would also be considered.
  - The equipment will be purchased in advance of receiving the truck.

#### **Disadvantages:**

- The used fiscal resources required to fund the purchase.

2. Alternative 2 rejects Resolution Number 24-21.

#### **Advantages:**

- The city forgoes the opportunity and instructs the Fire Chief to revisit and determine alternatives.

#### **Disadvantages:**

- The loss of an opportunity to acquire a discount on a competitively priced pumper truck.
- The city must be prepared to decommission current Pumper 22 and give direction for an alternate objective.
- Experience a reduced ISO rating score during the next review which is projected to be a review of calendar year 2024.

**Prepared by:**

Michael D. Swanson  
Fire Chief, Eustis Fire Department

Resolution Number 24-21  
Exhibit A to Resolution Number 24-21

**RESOLUTION NUMBER 24-21**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; AMENDING THE 2023-24 BUDGET TO PURCHASE FINANCING IN THE AMOUNT OF \$891,170 TO ACQUIRE A PIERCE IMPEL SIDE CONTROL PUMPER TRUCK. TO USE FUNDS AVAILABLE IN THE SALES TAX REVENUE FUND. THE PURCHASE WILL BE A PARTIAL PAYMENT IN 23-24 IN THE AMOUNT OF \$297,056 AND THE REMAINING AMOUNT PURCHASED IN 24-25., PROVIDING FOR AN EFFECTVE DATE.**

**WHEREAS**, the City of Eustis, Fire department is in need of purchasing a Pierce Impel Side Control Pumper truck in the amount of \$891,170 as disclosed is Exhibit A; and

**WHEREAS**, the purchase of the Pumper Truck will be accessing the Sorcewell contract #113021 and City of Eustis Sourcewell ID# 204394; and

**WHEREAS**, a 100% performance bond will be issued since the apparatus will not be available for approximately 40 to 49 months; and

**WHEREAS**, the Sales Tax Revenue Fund has funds available to put a down payment of \$297,056 in FY 23-24; and

**WHEREAS**, the budget in the Sales Tax Revenue Fund will be amended for the FY 2023-24 though Budget Amendment by reduce fund balance and increasing the expenditure as follows; and

<u>Revenue</u>		
010-0000-271-10-00	Fund Balance	\$297,056
<u>Expenditures</u>		
010-8600-522-60-05	Pierce Impel Side Pumper	\$297,056

**NOW, THEREFORE, BE IT RESOLVED**, by the City Commission of the City of Eustis, Lake County. Florida, as follows:

**Section 1**

That the Fiscal Year 2023-2024 Final Budget is hereby amended in the total amount of \$297,056 as described in the body of the resolution attached hereto and made a part hereof.

**Section 2**

That the Finance Director of the City of Eustis is hereby authorized to amend the FY 2023-2024 Budget to include the initial down payment of \$297,056.

**Section 3**

That this Resolution shall take effect immediately upon its adoption.

**DONE AND RESOLVED** this 7<sup>h</sup> day of March, 2024, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2024, by Michael L. Holland, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires: \_\_\_\_\_  
Notary Serial No: \_\_\_\_\_

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 24-21 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Senior Service Center, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk



Exhibit A  
1 of 5



**Equipment Proposal**

Proposal # 942

This Equipment Proposal (the "Proposal") has been prepared by Ten-8 Fire & Safety, LLC ("Company") in response to the undersigned Customer's request for a proposal. This Proposal is comprised of the special terms set forth below, the Proposal Option List, Warranty, and Company's Purchasing Terms and Conditions. Through its signature below or other Acceptance (as defined below), Customer acknowledges having received, read and being bound by this Proposal, all attachments and Company's Purchasing Terms and Conditions.

**Date:** February 5, 2024 ("Proposal Date")      **Customer:** Eustis Fire Department ("Customer")

**Customer Address:** 100 W. Norton Avenue, Eustis, FL 32736

Qty	Product Description & Options	Price
1	<b>Pierce Impel Side Control Pumper per the City of Eustis Fire Department specifications. This proposal is being offered by accessing Sourcewell #113021. City of Eustis Sourcewell ID# 204394.</b>	<b>\$1,017,558.00</b>
1	<b>Discount for prefunding one-third of the apparatus contract at time of order and prefunding the remainder of the apparatus contract by November 1, 2024. A 100% performance bond will be supplied at no additional charge.</b>	<b>(\$126,388.00)</b>
	<b>Prepayment at time of booking: \$297,056.00</b>	
	<b>Balance due by November 1, 2024: \$594,114.00</b>	
	<b>Total : \$891,170.00</b>	
<b>Total:</b>		<b>\$891,170.00</b>
<p>** Pricing is subject to change as follows:</p> <p>(a) Commercial chassis price is an estimate; final chassis price will be determined when chassis is delivered by the manufacturer to the original equipment manufacturer ("OEM"). The OEM will notify Company of its final price, and Company will notify Customer of the final price.</p> <p>(b) Persistent Inflationary Environment: If the Producer Price Index of Components for Manufacturing [www.bls.gov Series ID: WPUID6112] ("PPI") has increased at a compounded annual growth rate of 5.0% or more between the month the OEM accepts this order ("Order Month") and a month 14 months prior to the then predicted "ready for pick up" date ("Evaluation Month"), then Company may update the pricing in an amount equal to the increase in PPI over 5.0% in each year or fractional year between the Order Month and the Evaluation Month. Company will document any such updated price for Customer's approval, and Company will provide to Customer the option to cancel this Order for 45 days if Customer does not accept the updated price. If Customer accepts or fails to respond within such 45 day period, Customer will be obligated to complete the Product purchase at the updated Total price.</p>		

**Delivery Timing:** The Product described above in the Product Description and Options Section of this document will be built by and shipped from the manufacturer approximately **46-49** (months) after Company receives Customer's acceptance of this Proposal as defined below, subject to market and production conditions, Force Majeure, delays from the chassis manufacturer, changes to Order Specifications, or any other circumstances or cause beyond Company's or manufacturer's control.

**Other:** Price quoted includes a preconstruction and a final inspection trip to the factory in Appleton, Wisconsin for Eustis Fire Department personnel.

Unless accepted within **30** days from date of proposal, the right is reserved to withdraw this proposal.

*Exhibit A*

*2 of 5*

*Order continues on immediately following page.*

ACCEPTANCE OF THIS PROPOSAL CREATES AN ENFORCEABLE BINDING AGREEMENT BETWEEN COMPANY AND CUSTOMER. "ACCEPTANCE" MEANS THAT CUSTOMER DELIVERS TO COMPANY: (A) A PROPOSAL SIGNED BY AN AUTHORIZED REPRESENTATIVE, OR (B) A PURCHASE ORDER INCORPORATING THIS PROPOSAL, WHICH IS DULY APPROVED, TO THE EXTENT APPLICABLE, BY CUSTOMER'S GOVERNING BOARD. ACCEPTANCE OF THIS PROPOSAL IS EXPRESSLY LIMITED TO THE TERMS CONTAINED IN THIS PROPOSAL AND COMPANY'S PURCHASING TERMS AND CONDITIONS. ANY ADDITIONAL OR DIFFERENT TERMS, WHETHER CONTAINED IN CUSTOMER'S FORMS OR OTHERWISE PRESENTED BY CUSTOMER AT ANY TIME, ARE HEREBY REJECTED.

**INTENDING TO CREATE A BINDING AGREEMENT**, Customer and Company have each caused this Proposal to be executed by their duly authorized representatives as of date of the last signature below.

**Customer: Eustis Fire Department**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Print: \_\_\_\_\_

Date: \_\_\_\_\_

**Ten-8 Fire & Safety, LLC**

By: 

Title: **Authorized Sales Representative**

Print: **Robert S. Wallace**

Date: **2/5/2024**

Exhibit A3 of 5PURCHASING TERMS AND CONDITIONS

These Purchasing Terms and Conditions, together with the Equipment Proposal and all attachments (collectively, the “Agreement”) are entered into by and between Ten-8 Fire & Safety, LLC, a Florida company (“Company”) and Customer (as defined in Ten-8 Fire & Safety LLC’s Equipment Proposal document) and is effective as of the date specified in Section 3 of these Purchasing Terms and Conditions. Both Company and Customer may be referred throughout this document individually as a “party” or collectively as the “parties.”

1. Definitions.

- a. **“Acceptance”** has the same meaning set forth in Company’s Equipment Proposal.
- b. **“Company’s Equipment Proposal”** means the Equipment Proposal provided by Company and prepared in response to Customer’s request for proposal for a fire apparatus or associated equipment.
- c. **“Cooperative Purchasing Contract”** means an Agreement between Company and a public authority, including without limitation, a department, division, agency of a municipal, county or state government (“Public Authority”), that adopts or participates in an existing agreement between Company and another non-party customer (including, but not limited to such non-party customer’s equipment proposal, its applicable exhibits, attachments and purchasing terms and conditions), often referred to as a “piggyback arrangement,” which is expressly agreed to, in writing, by Company. Company has sole discretion to determine whether it will agree to such a Cooperative Purchasing Contract.
- d. **“Delivery”** means when Company delivers physical possession of the Product to Customer.
- e. **“Manufacturer”** means the Manufacturer of any Product.
- f. **“Prepayment Discount”** means the prepayment discounts, if any, specified in Company’s Equipment Proposal.
- g. **“Product”** means the fire apparatus and any associated equipment manufactured or furnished for Customer by Company pursuant to the Specifications.
- h. **“Purchase Price”** means the Total price set forth in the Quotation, after applicable pricing adjustments set forth in the Quotation.
- i. **“Purchasing Terms and Conditions”** means these Purchasing Terms and Conditions; however, if the Company’s Equipment Proposal or the Customer’s related Purchase Order states that it is governed by a Cooperative Purchasing Agreement, “Purchasing Terms and Conditions” shall mean those terms and conditions set forth in the applicable Cooperative Purchasing Agreement.
- j. **“Specifications”** means the general specifications, technical specifications, training, and testing requirements for the Product contained in Company’s Equipment Proposal and its Exhibit A (Proposal Option List), prepared in response to Customer’s request for such a proposal.

2. Purpose. This Agreement sets forth the terms and conditions of Company’s sale of the Product to Customer.

3. Term of Agreement. This Agreement will become effective on the date of Acceptance as defined in Company’s Equipment Proposal (“Effective Date”) and, unless earlier terminated pursuant to the terms of this Agreement, it will terminate upon Delivery and payment in full of the Purchase Price.

4. Purchase and Payment. Customer agrees to pay Company the Purchase Price for the Product(s). The Purchase Price is in U.S. dollars. Where Customer opts for a Prepayment Discount that specifies that Customer will tender one or more prepayments to Company, Customer must provide each prepayment within the time frame specified in the Equipment Proposal in order to receive the Prepayment Discount for that prepayment installment. To the extent permitted by applicable law, Company may in its sole discretion charge a convenience fee if Customer elects to pay the Purchase Price by means of a credit card.

5. Representations and Warranties. Customer hereby represents and warrants to Company that the purchase of the Product(s) has been approved by Customer in accordance with applicable general laws and, as applicable, Customer’s charter, ordinances and other governing documents, and funding for the purchase has been duly budgeted and appropriated.

6. Cancellation/Termination. In the event this Agreement is cancelled or terminated by Customer before completion, Company may charge Customer a cancellation fee. The following charge schedule is based on costs incurred by

## Exhibit A

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Manufacturer and Company for the Product, which may be applied and charged to Customer: (a) 12% of the Purchase Price after the order for the Product(s) is accepted and entered into Manufacturer's system by Company; (b) 22% of the Purchase Price after completion of approval drawings by Customer, and; (c) 32% of the Purchase Price upon any material requisition made by the Manufacturer for the Product. The cancellation fee will increase in excess of (c) in this Section 6, accordingly, as additional costs are incurred by Manufacturer and Company as the order progresses through engineering and into the manufacturing process.

7. Delivery. The Product is scheduled to be delivered as specified in the Delivery Timing section of the Equipment Proposal ("Delivery Timing"), which will be F.O.B. Company's facility. The Delivery Timing is an estimate, and Company is not bound to such date unless it otherwise agrees in writing. Company is not responsible for Delivery delays caused by or as the result of actions, omissions or conduct of the Manufacturer, its employees, affiliates, suppliers, contractors, and carriers. All right, title and interest in and to the Product, and risk of loss, shall pass to Customer upon Delivery of the Product(s) to Customer.
8. Standard Warranty. The manufacturer warranties applicable to this Agreement, if any, are attached to Company's Equipment Proposal as Exhibit B and are incorporated herein as part of the Agreement.
  - a. Disclaimer. EXCEPT AS OTHERWISE SET FORTH IN THIS AGREEMENT, COMPANY, INCLUDING ITS PARENT COMPANY, AFFILIATES, SUBSIDIARIES, AND THEIR RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES, SHAREHOLDERS, AGENTS OR REPRESENTATIVES DO NOT MAKE ANY REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE PRODUCTS PROVIDED UNDER THIS AGREEMENT, WHETHER ORAL OR WRITTEN, EXPRESS, IMPLIED OR STATUTORY. WITHOUT LIMITING THE FOREGOING DISCLAIMER, ANY IMPLIED WARRANTY OR CONDITION OF MERCHANTABILITY, IMPLIED WARRANTY AGAINST INFRINGEMENT, AND IMPLIED WARRANTY OR CONDITION OF FITNESS FOR A PARTICULAR PURPOSE ARE EXPRESSLY EXCLUDED AND DISCLAIMED. STATEMENTS MADE BY SALES REPRESENTATIVES OR IN PROMOTIONAL MATERIALS DO NOT CONSTITUTE WARRANTIES.
9. Limitation of Liability. COMPANY WILL NOT BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL, INDIRECT, ECONOMIC, PUNITIVE, SPECIAL OR EXEMPLARY DAMAGES ARISING FROM OR IN ANY WAY CONNECTED WITH THIS AGREEMENT WITHOUT REGARD TO THE NATURE OF THE CLAIM OR THE UNDERLYING THEORY OR CAUSE OF ACTION (WHETHER IN CONTRACT, TORT, STRICT LIABILITY, EQUITY OR ANY OTHER THEORY OF LAW) ON WHICH SUCH DAMAGES ARE BASED. COMPANY'S LIMIT OF LIABILITY UNDER THIS AGREEMENT SHALL BE CAPPED AT THE TOTAL AMOUNT OF THE MONIES PAID BY CUSTOMER TO COMPANY UNDER THIS AGREEMENT.
10. Force Majeure. Company shall not be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond Company's control or which make Company's performance impracticable, including but not limited to wars, insurrections, strikes, riots, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, transportation or delivery delays or losses outside of Company's control, any act of government, inability or delay of Company or manufacture in obtaining necessary labor or adequate or suitable manufacturing components at reasonable prices, allocation regulations or orders affecting materials, equipment, facilities or completed products, failure to obtain any required license or certificates, acts of God or the public enemy, terrorism, epidemics, quarantine restrictions, failure of vendors to perform their contracts or labor troubles of Company or a manufacturer causing cessation, slowdown, or interruption of work.
11. Customer's Obligations. Customer shall provide its timely and best efforts to cooperate with Company and Manufacturer during the manufacturing process to create the Product. Reasonable and timely cooperation includes, without limitation, Customer's providing timely information in response to a request from Manufacturer or Company and Customer's participation in traveling to Manufacturer's facility for inspections and approval of the Product.
12. Default. The occurrence of one or more of the following shall constitute a default under this Agreement: (a) Customer's failure to pay any amounts due under this Agreement or Customer's failure to perform any of its obligations under this Agreement; (b) Company's failure to perform any of its obligations under this Agreement;

## Exhibit A

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(c) either party becoming insolvent or becoming subject to bankruptcy or insolvency proceedings; (d) any representation made by either party to induce the other to enter into this Agreement, which is false in any material respect; (e) an action by Customer to dissolve, merge, consolidate or transfer a substantial portion of its property to another entity; or (f) a default or breach by Customer under any other contract or agreement with Company.

13. Manufacturer's Statement of Origin. Company shall retain possession of the manufacturer's statement of origin ("MSO") for the Product until the entire Purchase Price has been paid. If more than one Product is covered by this Agreement, Company shall retain the MSO for each individual Product until the Purchase Price for that Product has been paid in full.
14. Arbitration. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The Arbitration shall take place in Bradenton, Florida.
15. Miscellaneous. The relationship of the parties established under this Agreement is that of independent contractors and neither party is a partner, employee, agent, or joint venture of or with the other. Neither party may assign its rights and obligations under this Agreement without the prior written approval of the other party. This Agreement and all transactions between Ten-8 Fire & Safety, LLC will be governed by and construed in accordance with the laws of the State of Florida. The delivery of signatures to this Agreement may be via facsimile transmission or other electronic means and shall be binding as original signatures. This Agreement shall constitute the entire agreement and supersede any prior agreement between the parties concerning the subject matter of this Agreement. This Agreement may only be modified by an amendment, in writing, signed by duly authorized representatives of both parties with authority to sign such amendments to this Agreement. In the event of a conflict between the Ten-8 Proposal and these Terms and Conditions, the Ten-8 Proposal shall control except in the case of a Cooperative Purchasing Contract as set forth in Section 1(c) and (i) of these Purchasing Terms and Conditions. If any term of this Agreement is determined to be invalid or unenforceable by a competent legal authority, such term will be either reformed or deleted, as the case may be, but only to the extent necessary to comply with the applicable law, regulation, order or rule, and the remaining provisions of the Agreement will remain in full force and effect.



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: Resolution Number 24-24: Corey Rolle Memorial Field Phase 1 Improvements and Corresponding Budget Amendment

## **Introduction:**

Resolution Number 24-24 approves the expenditure of \$63,375 for the Corey Rolle Memorial Field Phase 1 Improvements, and approves a corresponding budget amendment for this purpose.

## **Background:**

Staff and Commission have received numerous requests for improvements to the Corey Rolle Memorial Field. Staff has prepared conceptual design ideas to bring the field to a higher standard. The proposed Phase 1 Improvements in this resolution include the addition of two (2) storage units to be installed in the eastern most racquetball court, one (1) storage unit, to be structurally modified by the supplier, to serve as a refreshment stand on the west racquetball court, the associated utility connections for the refreshment stand, one (1) storage unit to serve as the base unit for a future press box with the construction of a concrete foundation, and the purchase of a second story storage unit, structurally modified by the supplier, to serve as the press box. This top unit will be installed at a later date under the Phase 2 work but it is recommended to purchase at the time of the base unit to ensure matching of the units. Resolution 24-24 only includes the budget amendment for the phase 1 work in the amount of \$63,375.

Staff has also prepared a conceptual layout for Phase 2 improvements. These improvements include the installation of spectator fencing on both the “home” and “away” side of the field, perimeter fencing and vehicle gates, asphalt and striping of the parking lot, perimeter hedges and irrigation, additional bleachers on the “home” side, sidewalk installation to the press box area, construction of the second story press box, and the fabrication and installation of the press box stairwell. These improvements are estimated at \$178,825 and are detailed as follows:



<b>Corey Rolle Field Improvements</b>		
<b>PreWork</b>		
	Remove fencing at raquetball court	\$ 1,000
	Pressure wash raquetball court	\$ 750
	Paint raquetball court (PW)	\$ 1,000
	Paint raquetball court (Volunteers)	\$ 250
	<b>SubTotal</b>	<b>\$ 3,000</b>
<b>Phase 1</b>		
	Install 2 storage units at east court	\$ 7,000
	Install 1 storage unit (modified) at west court	\$ 14,500
	Pour and place concrete foundation	\$ 2,750
	Install base unit for press box	\$ 5,000
	Provide electrical and utilities to west court	\$ 5,000
	Purchase 2nd level unit (modified) for press box	\$ 14,500
	<b>SubTotal</b>	<b>\$ 48,750</b>
	Design, Permitting & Grant Assist	\$ 7,313
	Contingency	\$ 7,313
	<b>Total Phase 1</b>	<b>\$ 63,375</b>
<b>Phase 2</b>		
	Install spectator fencing both sides	\$ 3,500
	Install perimeter security fencing	\$ 21,000
	Install 3 vehicle gates and man gate	\$ 5,000
	Asphalt pave & stripe parking lot	\$ 57,500
	Install perimeter hedge and irrigation	\$ 12,500
	Pour and place sidewalk	\$ 3,000
	Install 2 additional bleachers home sidelines	\$ 7,500
	Install Stairs for Press Box	\$ 32,500
	<b>SubTotal</b>	<b>\$ 142,500</b>
	Design, Permitting & Grant Assist	\$ 21,375
	Contingency	\$ 14,250
	<b>Total Phase 2</b>	<b>\$ 178,125</b>
<b>Future Consideration</b>		
	Install Artificial Turf	\$ 500,000

If Commission desires, staff can add a Phase 2 project for future years in this coming budget request cycle. Additionally, if Commission desires, Staff can explore the feasibility of applying for FRDAP Grants of which we have had success in the past.

With the heavy pressure on the field, especially in inclement weather, the grass is in poor shape. The field was replaced with a Bermuda Hybrid several years ago; however, the maintenance equipment for this field was not purchased due to the high cost and the field was not maintained at the level required. Several options for replacement can be researched 1) replacement of field with Bahai sod or 2) replacement with artificial turf.

A Bahia sod is the "heartiest" natural sod for the conditions but provides the least effective playing surface. This resod effort would cost roughly \$50,000. The 2016 Bermuda resodding and first years maintenance was priced at \$90,000; but the required reel mower would have cost an additional \$50,000 and was not purchased. Without the proper equipment, Bermuda

should not be considered. Artificial turf would provide the best playing surface under the toughest conditions; however, the cost is high. Artificial turf fields would start at \$500,000 and higher. Staff is looking for input into the desired re-turf material to be added to the Phase 2 costs.

**Recommended Action:**

Staff recommends approval of Resolution Number 24-24

**Budget/Staff Impact:**

The costs for the improvements are not budgeted in the current CIP. A budget amendment from the Parks & Recreation Impact Fee Fund in the amount of \$63,375 is requested to cover the costs of these improvements. The current fund balance in this account is \$330,085.

**Prepared By:**

Sally Mayer, Administrative Assistant – Public Utilities

**Reviewed By:**

Rick Gierok, P.E. Director of Public Works/City Engineer

Mike Sheppard, Director of Finance

Rachel Amman, Interim Director of Parks & Recreation

**Attachments:**

Resolution Number 23-104

**RESOLUTION NUMBER 24-24**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING THE COREY ROLLE FIELD IMPROVEMENTS PHASE 1 AND AUTHORIZING AN AMENDMENT OF THE 2023-2024 BUDGET FOR THIS PURPOSE.**

**WHEREAS**, the City of Eustis has received numerous requests for improvements to the Corey Rolle Field; and

**WHEREAS**, Staff has created a plan to bring the field to a higher standard; and

**WHEREAS**, the cost for this plan is estimated to be \$63,375; and

**WHEREAS**, an amendment to the current fiscal year 2023-2024 Budget is necessary to establish a project expenditure account to accommodate the expenses of this project; and

**WHEREAS**, City of Eustis policies require the City Commission’s approval of any expenditure over \$50,000; and

**WHEREAS**, City of Eustis policies require the City Commission’s approval of any changes to the accepted current budget.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Lake County, Florida, as follows:

- (1) That the City Commission authorizes staff to spend in excess of \$50,000 to proceed with this project; and
- (2) That the Finance Director is authorized to amend the Fiscal Year 2023-2024 Budget to establish a project expenditure account within the Parks and Recreation Impact Fee Fund.

**DONE AND RESOLVED** this 7<sup>th</sup> day of March, 2024, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk





# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: **SECOND READING**

ORDINANCE NUMBERS 24-02, 24-03, AND 24-04: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS WITH ALTERNATE 1123461

*Ordinance Number 24-02 – Voluntary Annexation*

*Ordinance Number 24-03 – Comprehensive Plan Amendment*

*Ordinance Number 24-04 – Design District Assignment*

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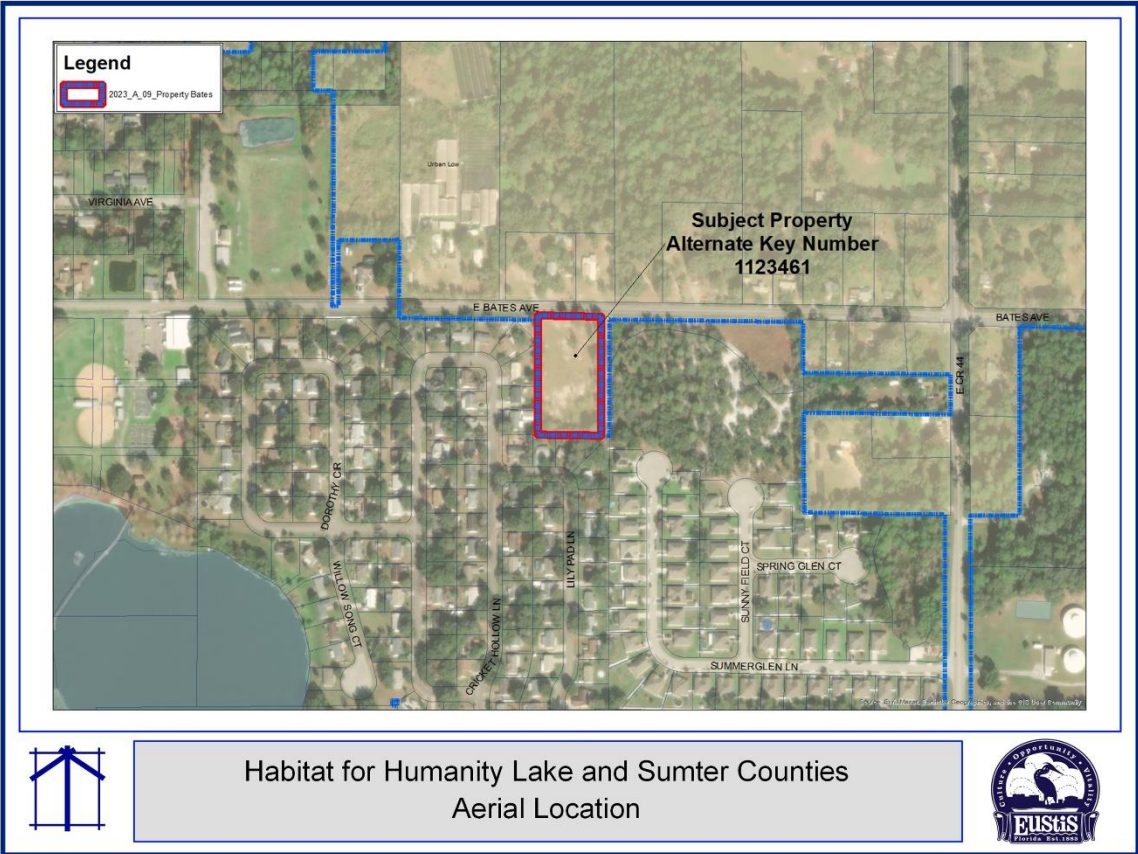
## **Introduction:**

Ordinance Number 24-02 provides for the voluntary annexation of approximately 1.88 acres of land located along the south side of Bates Avenue east of Wall Street at 2596 E. Bates Avenue (Alternate Key Number 1123461). Provided the annexation of the subject property is approved, via Ordinance Number 24-02, Ordinance Number 24-03 would change the future land use designation from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis, and Ordinance Number 24-04 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 24-02 is denied, then there can be no consideration of Ordinance Numbers 24-03 and 24-04.

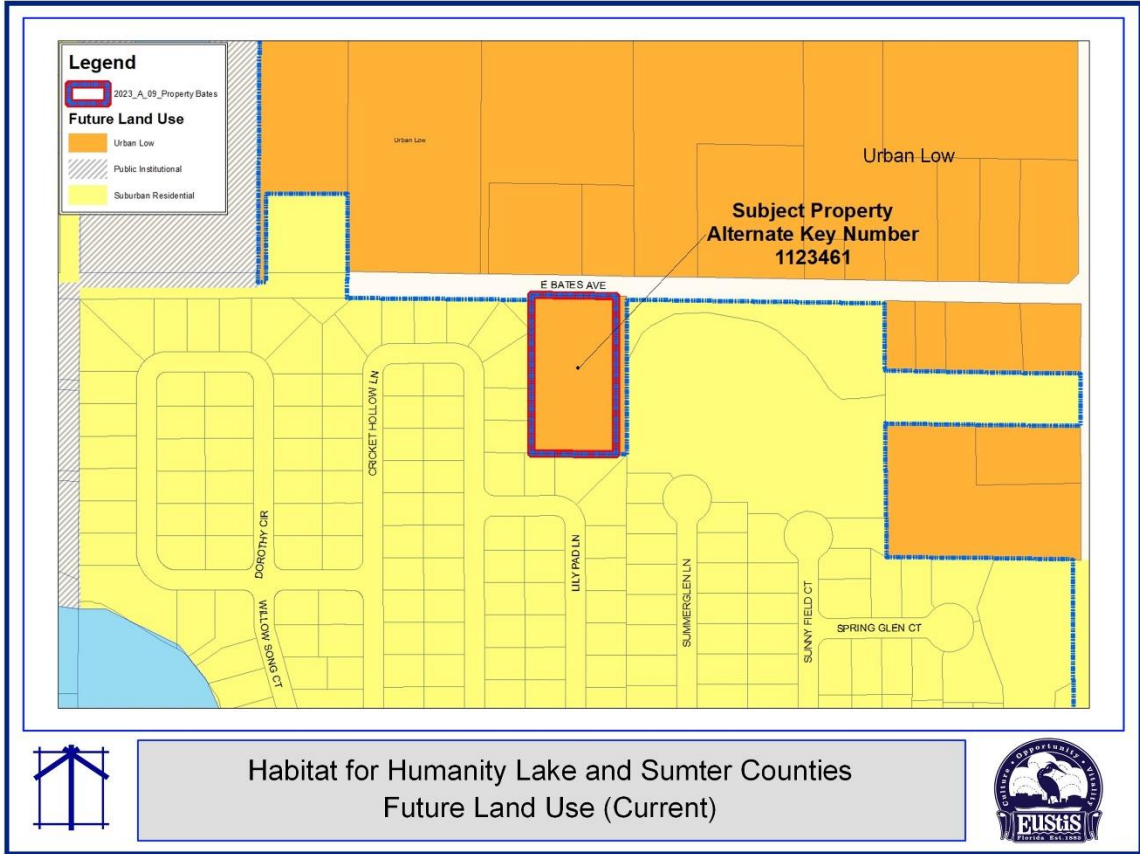
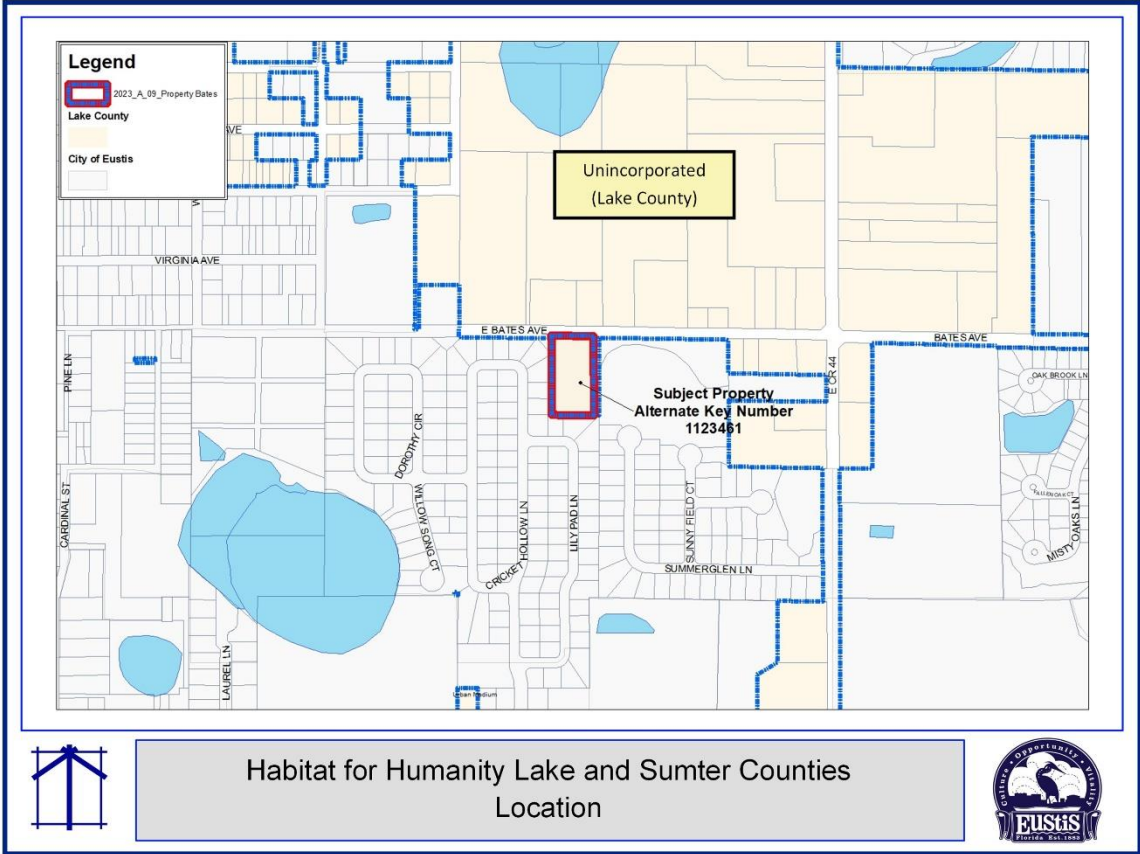
## **Background:**

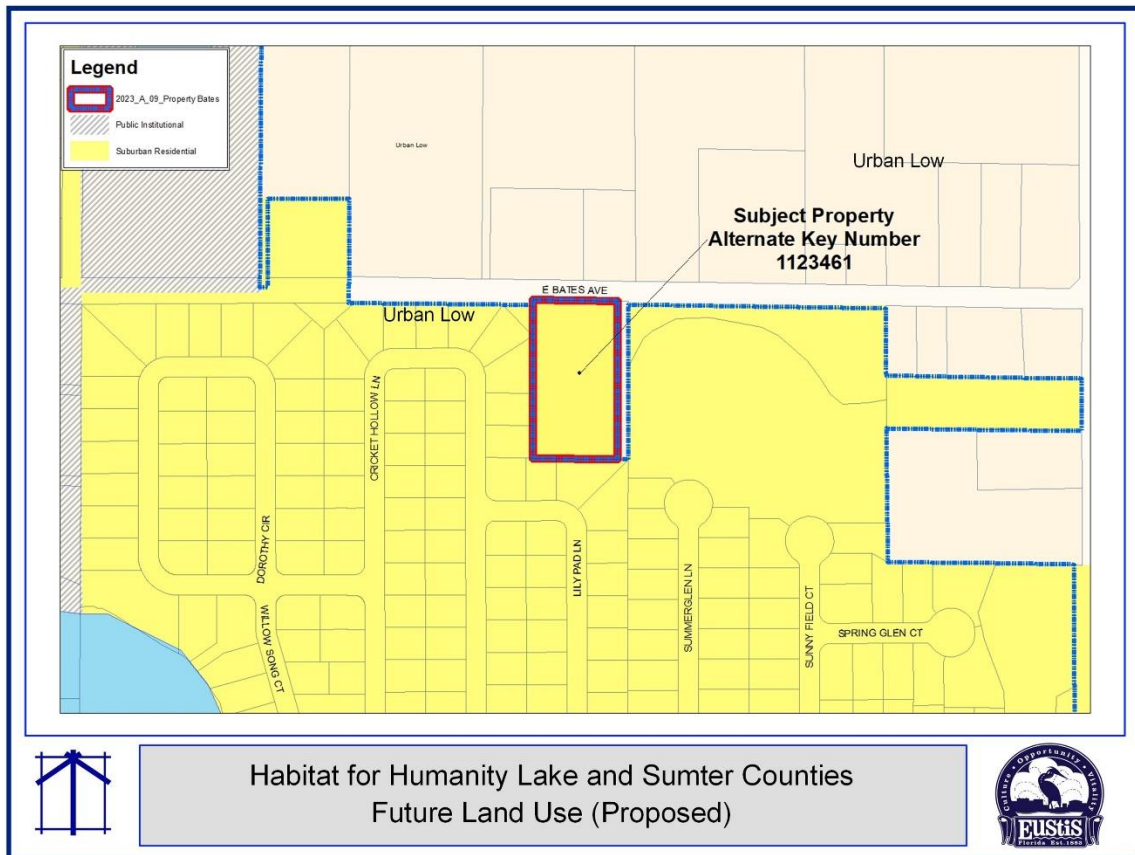
1. The site contains approximately 1.88 acres and is located within the Eustis Joint Planning Area.
2. The proposed annexation property is within an enclave area of the City and is contiguous to the City boundaries on the south and western property lines as represented on the Location map, herein.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 24-03 would change the land use designation to Suburban Residential (SR) in the City of Eustis.

Location	Existing Use	Future Land Use	Design District
<b>Site</b>	Vacant	Urban Low (Lake County)	N/A
<b>North</b>	Single-Family/ Vacant	Urban Low (Lake County)	N/A
<b>South</b>	Single-Family	Suburban Residential	Suburban Neighborhood
<b>East</b>	Vacant	Suburban Residential	Suburban Neighborhood
<b>West</b>	Single-Family	Suburban Residential	Suburban Neighborhood









### Applicant's Request

The applicant and property owners, Habitat for Humanity of Lake and Sumter Florida, Inc., wish to annex the referenced property, change the future land use to Suburban Residential (SR), and assign a design district of Suburban Neighborhood.

The current Lake County future land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses of up to 4 dwelling units per net buildable acre.

The property owner has requested the City of Eustis Suburban Residential future land use designation with the annexation. The SR future land use provides for residential uses up to five (5) dwelling units per acre.

### Analysis of Annexation Request (Ordinance Number 24-02)

#### 1. Resolution Number 87-34 – Joint Planning Area Agreement with Lake County:

“The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

***The subject property is located within the Eustis-Lake County Joint Planning Area. Urban services of adequate capacity are available to serve future***

**development, consistent with the requested Suburban Residential future land use designation.**

2. Florida Statutes Voluntary Annexation - Chapter 171.044(1):

“The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

***The Eustis-Lake County Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lies within that planning area; the property is part of a “partial enclave, it is contiguous to the City limits at several points on the western and southern boundaries, and the owner petitioned for annexation.***

3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

***The department published notice of this annexation in the Daily Commercial following the established requirements on February 6, 2024, and again on February 12, 2024.***

4. Florida Statutes Voluntary Annexation - Chapter 171.044(5):

“Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

***Annexation of the subject property does not create an enclave as defined by the Florida Statutes. The subject properties are included in a portion of the city that can be considered a partial or open enclave.***

5. Florida Statutes Voluntary Annexation - Chapter 171.044(6):

“Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located...”

***The department provided notice to the Lake County Board of County Commissioners on January 26, 2023, via email and by Certified Mail on January 26, 2023, received and signed for by Lake County on January 29, 2024***

Analysis of Comprehensive Plan/Future Land Use Request (**Ordinance Number 24-03**)

In accordance with the Florida Statutes Chapter 163.3177.9.:

*Discourage Urban Sprawl:*

Primary Indicators of Sprawl:

The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

## Review of Indicators

## 1. Low Intensity Development:

Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

***This indicator does not apply. The requested future land use will provide for a higher density (5 du/acre) and the SR designation allows the infill of development types similar to the existing patterns at similar densities.***

## 2. Urban Development in Rural Areas:

Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

***This indicator does not apply. The subject properties are located in a “partial” enclave area and will require city services to develop.***

## 3. Strip or Isolated Development:

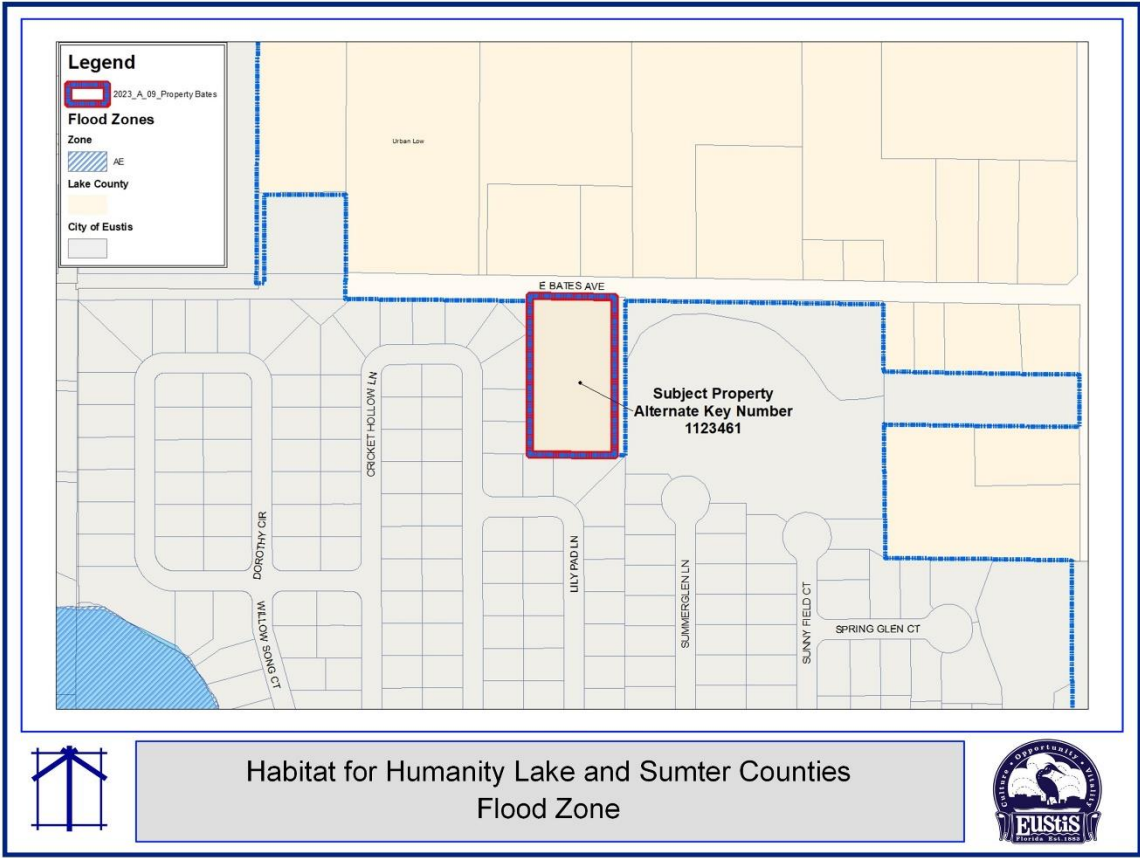
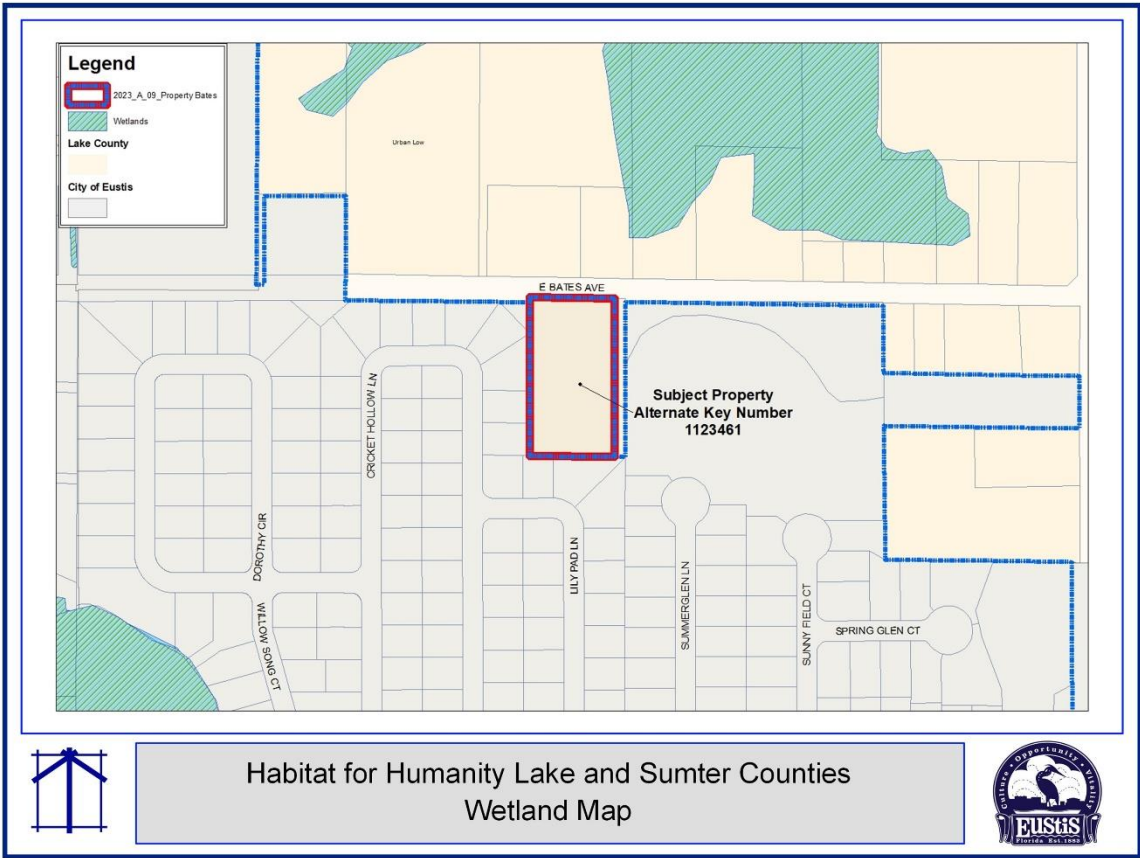
Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

***This indicator does not apply. The subject properties are located in a “partial” enclave area and will require city services to develop.***

## 4. Natural Resources Protection:

Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

***This indicator does not apply. The subject property is not subject to floodplain impact, and does not contain wetland areas. The Comprehensive Plan and the Land Development Regulations include standards for protecting environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.***





5. Agricultural Area Protection:

Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

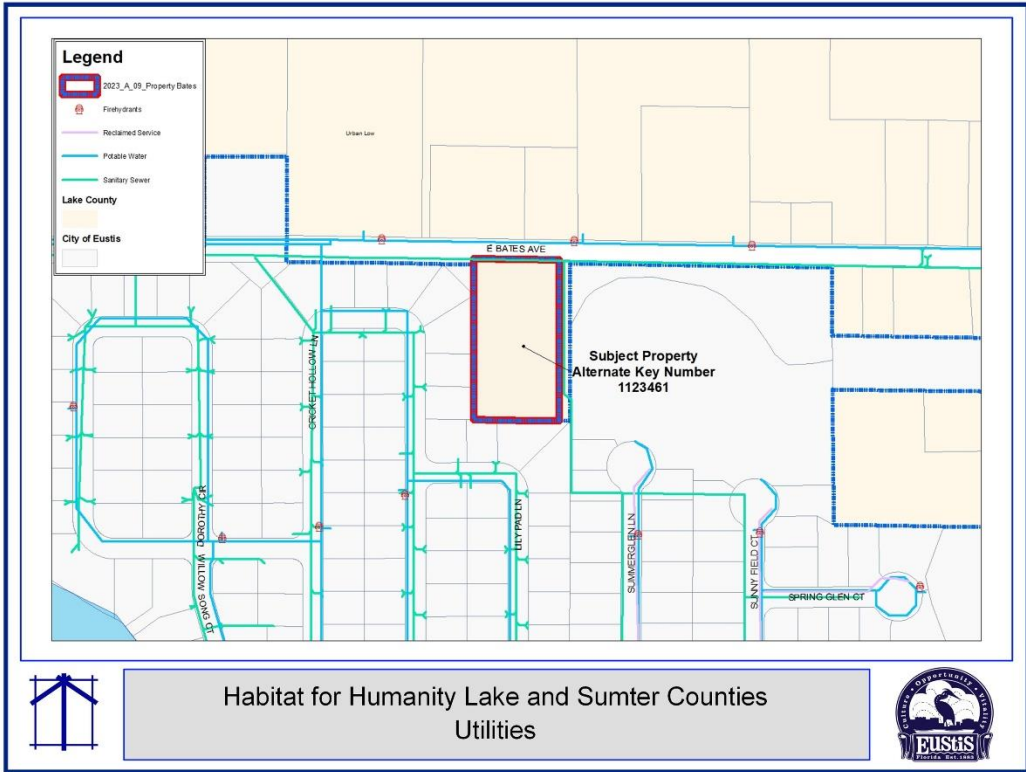
***This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed and further developing area.***

6. Public Facilities:

Fails to maximize the use of existing public facilities and services.

***This indicator does not apply. City water is available to serve the property. Development of this parcel will maximize the use and efficiency of the City water services. City Sewer is available with adequate capacity to serve the property and will be addressed via the site development process.***

***The Coolidge Street/Rosenwald Garden area to the west is the target for a City-planned improvement project that includes extensive water and sewer system improvements as well as stormwater improvements between Bates Avenue and Getford Road. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks. These improvements will benefit the larger area, including the subject property.***



Cost Effectiveness and Efficiency of Public Facilities:

Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads,

potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire, and emergency response, and general government.

***This indicator does not apply. Adequate capacity is available to serve the existing and future development.***

7. Separation of Urban and Rural:

*Fails to provide a clear separation between rural and urban uses.*

***This indicator does not apply. No nearby properties contain active agricultural activities or use. The surrounding area is developed or has development entitlements attached to the land. These developments have densities and intensities that are clearly suburban uses.***

8. Infill and Redevelopment:

Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

***This indicator does not apply. This property will promote infill development by allowing access to public facilities.***

9. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

***This indicator does not apply. The site is surrounded by single-family development on the adjacent properties, which is consistent with permitted uses in the area.***

10. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

***This indicator does not apply. The Land Development Regulations include provisions to provide adequate access and linkage between related uses. City Departments will ensure compliance with these standards at the time of development review.***

11. Open Space:

Results in the loss of significant amounts of functional open space.

***This indicator does not apply. The site does not contain functional open space and is not connected to regionally significant open space. The subject properties are existing residential lots.***

12. Urban Sprawl:

The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

a. Direction of Growth:

Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

***The site is adjacent to existing suburban development patterns and is a logical infill of the urban development boundary. The Comprehensive Plan and Land Development Regulations have provisions to protect natural resources and ecosystems at the time of site plan approval.***



b. Efficient and Cost-Effective Services:

Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

***Water and Sewer service is available. The development of the property will further encourage the efficient provision of services.***

***The Coolidge Street/Rosenwald Garden area to the west is the target for a City-planned improvement project that includes extensive water and sewer system improvements as well as stormwater improvements between Bates Avenue and Getford Road. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks. These improvements will benefit the larger area, including the subject property.***

c. Walkable and Connected Communities:

Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

***At the time of development, the site must meet the City's Land Development Regulations including the creation of streets and street connections where they do not currently exist.***

***The Coolidge Street/Rosenwald Garden area is the target for a city-planned improvement project that includes area street improvements and sidewalks.***

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

***The development of the site must meet City development and Florida Building Code standards that will require energy and water-efficient appliances.***

e. Agricultural Preservation:

Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

***Not applicable; this site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed residential area.***

f. Open Space:

Preserves open space and natural lands and provides for public open space and recreation needs.

***This is not applicable. The site does not provide functional open space or natural areas on a regional basis.***

g. Balance of Land Uses:

Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

***The proposed land use is consistent with the surrounding area the site is not positioned to front primary or secondary corridors that would encourage commercial development.***

h. Urban Form Densities and Intensities:

Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

***Not applicable.***

**In Accordance with Comprehensive Plan Future Land Use Element Appendix:**

All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

*Major Categories of Plan Policies:*

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the major categories of Plan policies as follows:

1. General Public Facilities/Services:

Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

a. Emergency Services Analysis:

***Eustis Emergency Services already provides emergency response to other properties in the area. Any development consistent with the Suburban Residential future land use designation would not have a significant negative impact on the operations of Eustis emergency services.***

b. Parks & Recreation:

***In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity analysis as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population of 20,015. The current population is***

**approximately 24,500. Pursuant to Comprehensive Plan policies and Land Development Regulations, residential development will be required to provide on-site park amenities.**

- c. Potable Water & Sanitary Sewer:  

**Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property. The Coolidge Street/Rosenwald Garden area to the west is the target for a City-planned improvement project that includes extensive water and sewer system improvements as well as stormwater improvements between Bates Avenue and Getford Road. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks. These improvements will benefit the larger area, including the subject property.**
- d. Schools:  

**The proposed change should not negatively impact schools. At the time of development application verification of capacity will be required from Lake County Schools.**
- e. Solid Waste:  

**The City contracts with Waste Management for the hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in the delivery of services.**
- f. Stormwater:  

**The Comprehensive Plan and Land Development Regulations include the level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services. The Coolidge Street/Rosenwald Garden area is the target for a city-planned improvement project that includes improvements and additions to address stormwater management for the vicinity.**
- g. Transportation Network Analysis:  

**This potential annexation and the subsequent development of the property will not add additional impacts as the parcels being annexed include existing platted lots.**

## 2. Natural Resources/Natural Features:

The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically, each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

- a. Groundwater recharge areas:

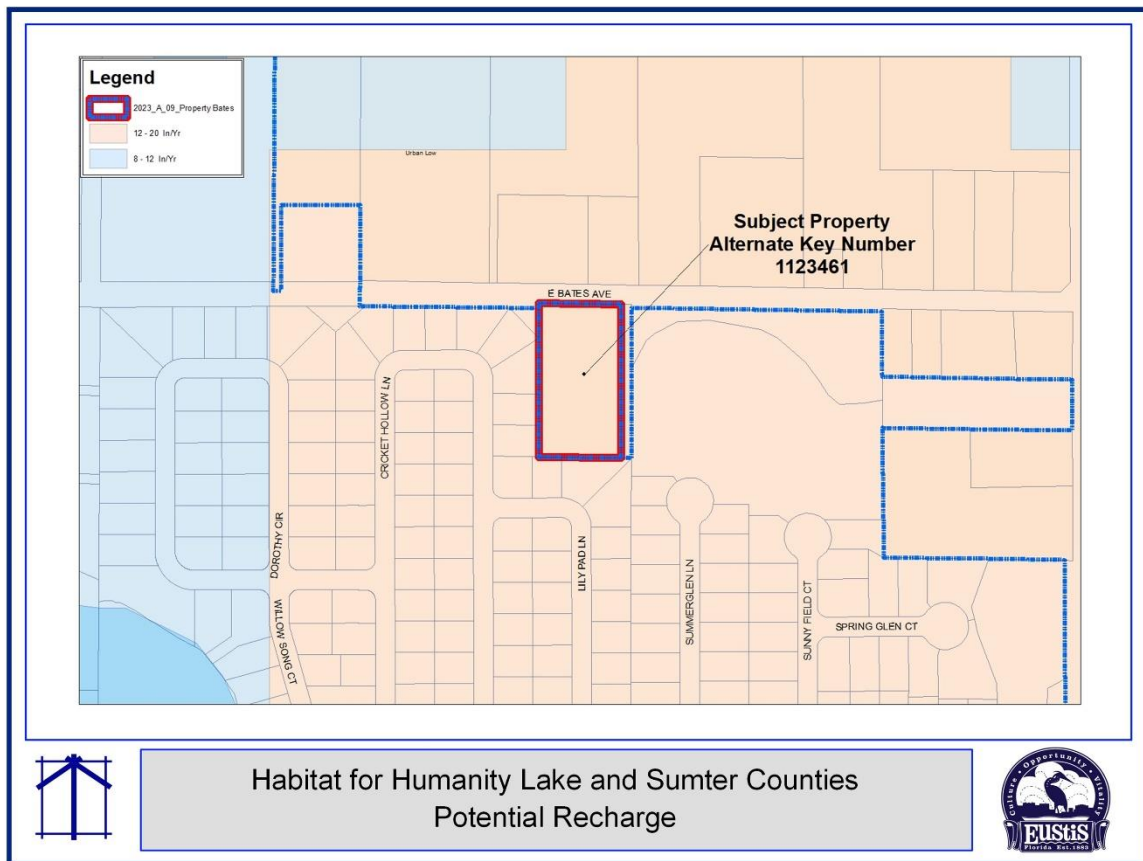
***The site may be within a recharge area, and a site-specific geotechnical and hydrologic study will be needed to determine the site-specific impact at the time of development. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map.***

- b. Historical or archaeological sites:

***The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.***

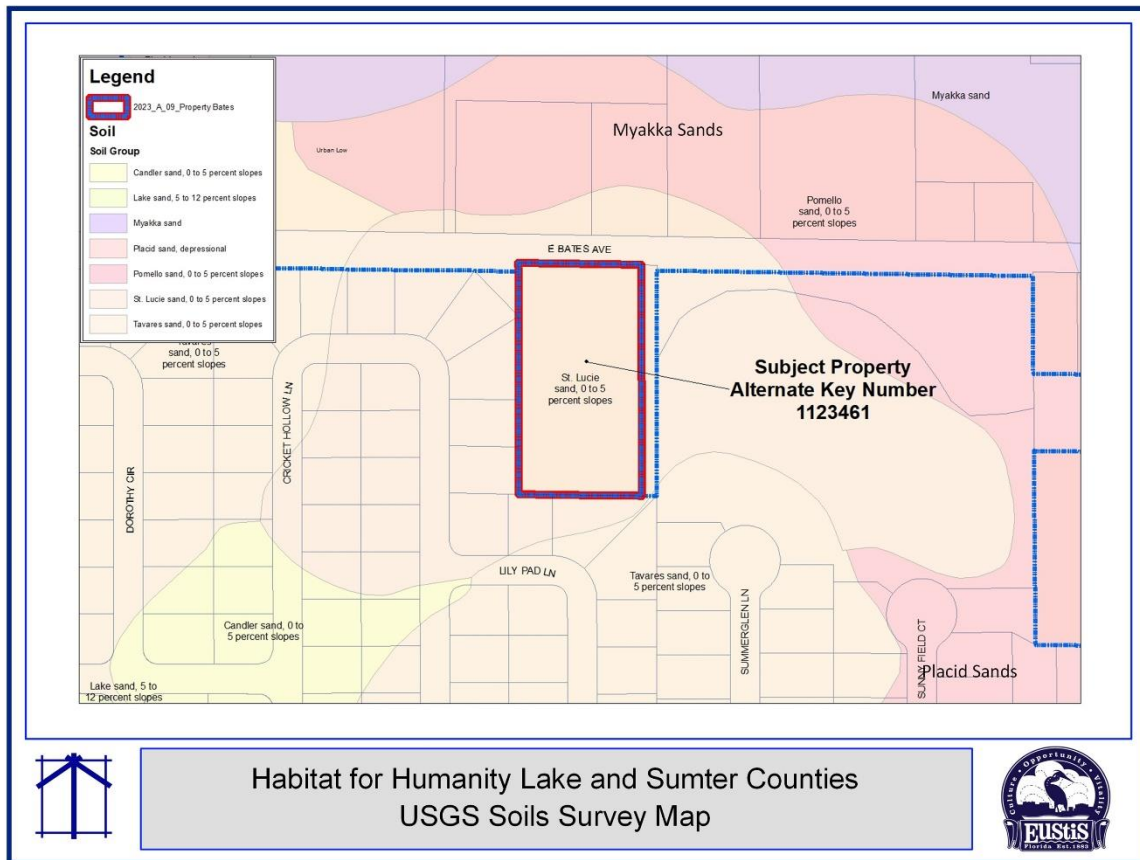
- c. Flood zones:

***The subject property is not impacted by a 100-year flood zone area. Source - Lake County GIS - 2012 Flood Zones.***



- d. Soil and topography:

***The site soils are primarily St. Lucie sands. These sands are all typically very deep, excessively drained soils.***



### 3. Comprehensive Plan Review:

Additional criteria and standards are also included in the Plan that describe when, where, and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

#### ***Existing Land Use According to the Lake County Comprehensive Plan:***

The existing Lake County future land use designation of the property is Urban Low, which provides for residential uses at up to 4 dwelling units per acre as well as supporting commercial and institutional uses.

#### ***Proposed Land Use According to the Eustis Comprehensive Plan:***

***The Suburban Residential (SR) land use designation is provided to accommodate the majority of residential development within the City. The general range of uses include: a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres***

**or less in size are also permitted. Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre.**

**Comparison of Lake County Development Conditions**

**The land use designations of residential properties within the City of Eustis in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac).**

**The surrounding properties, immediately adjacent to the north and east, are unincorporated areas that are designated Urban low with a maximum density of 4 dwelling units per net buildable acre.**

**Proposed Residential Land Uses.**

The City shall limit these uses adjacent to incompatible commercial or industrial lands unless sufficient mitigation, such as buffering and setbacks is provided and available, which lessens the impact to the proposed residences.

***This area is predominantly residential and the proposed use of the land will continue to be residential.***

**Proposed Non-Residential Land Uses.**

The City shall generally not permit new industrial uses to be located adjacent to existing or planned residentially designated areas.

***Not applicable.***

1. Transportation:

Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

***The use of the land is already residential in nature and the increase in traffic caused by an additional 6 to 8 lots should be negligible.***

2. Water Supply:

Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

***City water service and other services are available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.***

In Accordance with Chapter 102-16(f), Land Development Regulations

*Standards for Review:*

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

a. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

***The proposed amendment is consistent with the Comprehensive Plan.***

b. *In Conflict with Land Development Regulations:*

Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

***The proposed amendment is not in conflict with the Land Development Regulations. At the time of development, there will be further review for compliance.***

c. *Inconsistent with Surrounding Uses:*

Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

***The existing land uses in the immediate area are residential and the proposed use of the land is continued residential.***

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

***The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water. These changed conditions warrant a change in the land use designation.***

e. *Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure, and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

***City water and sewer services are available and, in close proximity to the site. Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation.***

***The Coolidge Street/Rosenwald Garden area to the west is the target for a City-planned improvement project that includes extensive water and sewer system improvements as well as stormwater improvements between Bates Avenue and Getford Road. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks. These improvements will benefit the larger area, including the subject property.***

***Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.***



f. *Impact on Environment:*

Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

***The site contains no apparent natural resources and is not connected to significant open space.***

g. *Orderly Development Pattern:*

Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

***The site is contiguous to the City limits. The development patterns already exist in the area and the future building on the previously platted lots will not cause incompatibilities with those development patterns.***

h. *Public Interest and Intent of Regulations:*

Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

*The purpose and intent of the Land Development Regulations is as follows:*

“The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the City's Comprehensive Plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small-town community character and lifestyle.”

***The requested designation of SR land use will provide for orderly growth and development. This designation would advance the public interest by potentially providing additional housing, and the application of the LDRs to future development will ensure consistency with the community character and lifestyle of the city.***

i. *Other Matters:*

Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

***No other matters.***

Analysis of Design District Request (**Ordinance Number 24-04**):

Form-Based Code:

The City's Land Development Regulations is a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel

annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban, and rural transect

1. *Standards for Review:*

The Land Development Regulations include the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider: Whether the amendment is in conflict with any applicable provisions of the Code.

a. *Section 102-17(a) "...Section 109-3 Design Districts:*

identifies the definition, structure, and form of each design district. The assignment of design district must follow the district pattern and intent."

***The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban neighborhood definition, structure, and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.***

b. *Sec. 109-3.4. Suburban development pattern intent statements:*

Intent. Suburban development pattern...relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. The street layout, comprised of streets with fewer vehicular connections, helps to reduce cut-through traffic and establishes distinct boundaries for residential communities/subdivisions. Each land use provides for pedestrian and bicycle connections.

Design districts – Suburban Neighborhood

a. Definition. Predominately residential uses with some neighborhood-scale commercial services.

b. Structure. Interconnected trails, bikeways, and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood-supporting retail, parks and civic spaces as focal points in the neighborhoods.

***The Suburban development patterns statement above indicates that residential uses are primarily located on streets with fewer vehicle connections. A Suburban Neighborhood designation follows the district pattern and intent outlined in the Land Development Regulations and is consistent with the existing transect in the area.***

c. *Section 102-17(a)*

The following guidelines must be followed when proposing the reassignment of the design district:

Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

***Reassignment is not being proposed; a City of Eustis design district designation must be assigned to annexed property; the proposed design district is compatible with the surrounding design districts.***

d. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all elements of the comprehensive plan.

***The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns, and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.***

e. *Consistent with Surrounding Uses:*

Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

***The Suburban Neighborhood definition, structure, and form are compatible with the existing uses and any proposed uses permitted under the Suburban Residential future land use designation.***

f. ***Changed Conditions:***

Whether there have been changed conditions that justify amending the design district.

***The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County without central services to a site within the City of Eustis with municipal services.***

g. ***Public Facilities.***

Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

***A redistricting is not proposed. Assigning a design district to an annexation property will not change the demand impact on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also, see the analysis of public facilities in the above sections of this report.***

h. *Impact on Environment:*

Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

***The proposed Design District designation for this property does not change the development potential of the parcel. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity, and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment. As building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that***

**would apply should the conditions at the time of development warrant such protection.**

*i. Property Values:*

Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

***Redistricting is not being proposed; a City of Eustis design district designation must be assigned to the annexed property. This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.***

*j. Orderly Development Pattern:*

Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

***The request is the assignment of a design district to an annexation parcel, not redistricting. However, the proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5 of the Land Development Regulations. Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.***

*k. Public Interest and Intent of Regulations:*

Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

***The request is the assignment of a design district to an annexation parcel, not redistricting. The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.***

*l. Other Matters:*

Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

***The request is the assignment of a design district to an annexation parcel, not redistricting. The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land use, densities, intensities, or required open space. The districts, therefore, must be consistent and follow the urban, suburban, and rural transects. This request assigns a Suburban Neighborhood design district designation to an annexation parcel, which is consistent with the existing transect.***

## **Applicable Policies and Codes**

1. Resolution Number 87-34

Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City

in accordance with State law..... The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

2. Florida Statutes Chapter 171.044: Voluntary Annexation:
  - a. “The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”
  - b. “Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

### 3. Comprehensive Plan – Suburban Residential (SR)

This designation is provided to accommodate the majority of residential development within the City.

General Range of Uses: This designation is intended to provide for a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density/Intensity: Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.

#### Special Provisions:

- (1) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in the Suburban Residential (SR) classification where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent. A density bonus may also be allowed for energy conservation or green certification as provided for in the LDRs. The combined density bonus for affordable housing and energy conservation/green certification is limited to a total increase of 15%.
- (2) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:
  - a. all such housing is attached to foundations as in the case of conventional site-built construction; and
  - b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.
- (3) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

4. Land Development Regulations Section 109-5.5(b)(1): The Suburban Neighborhood Design District has predominately residential uses with some neighborhood-scale commercial services with interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.
5. Land Development Regulations Section 109-3 (Table 1) and Section 109-2.6: Suburban Residential land use has a maximum density of 5 units to one acre. The Suburban Residential designation is intended to regulate the character and scale of allowed uses so as to minimize their impacts on adjacent roadways and promote their compatibility with adjacent or nearby land uses.

**Recommended Action:**

Development Services recommends approval of Ordinance Numbers 24-02, 24-03, and 24-04.

**Policy Implications:**

None

**Alternatives:**

1. Approve Ordinance Numbers 24-02 (Annexation), 24-03 (Comp. Plan Amendment), and 24-04 (Design District Designation).
2. Deny Ordinance Numbers 24-02, 24-03, and 24-04.

**Budget/Staff Impact:**

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

**Prepared By:**

Jeff Richardson, AICP, Deputy Development Services Director

**Reviewed By:**

Mike Lane, AICP, Development Services Director

**ORDINANCE NUMBER 24-02**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 1.88 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1123461, ON THE SOUTH SIDE OF EAST BATES AVENUE AT 2596 EAST BATES AVENUE.**

**WHEREAS**, Habitat for Humanity of Lake-Sumter Florida Inc. made an application for voluntary annexation of approximately 1.88 acres of real property located on the south side of East Bates Avenue at 2596 East Bates Avenue, more particularly described as:

Alternate Key Number: 1123461

Parcel Number: 07-19-27-0002-000-03001

Legal Description: W 208.71 FT OF E 254.15 FT OF N 417.44 FT OF W 1/2 OF GOV LOT 1--LESS N 25 FT FOR RD RW-- ORB 6016 PG 152

**WHEREAS**, the subject property is reasonably compact and contiguous; and

**WHEREAS**, the annexation of this property will not result in the creation of enclaves; and

**WHEREAS**, the subject property is located within the City of Eustis Planning Area, and water service is available to the property; and

**WHEREAS**, on February 15, 2024, the City Commission held the 1<sup>st</sup> Public Hearing to consider the voluntary annexation of the property contained herein; and

**WHEREAS**, on March 7, 2024, the City Commission held the 2<sup>nd</sup> Public Hearing to consider the voluntary annexation of the property contained herein

**NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:**

**SECTION 1.**

That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 1.88 acres of real property, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit "A".

**SECTION 2.**

That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.



**SECTION 3.**

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 4.**

That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

**SECTION 5.**

That should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**SECTION 6.**

That this Ordinance shall become effective upon passing.

**SECTION 7.**

That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 7<sup>th</sup> day of March, 2024.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

---

Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

---

Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:  
Notary Serial Number:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

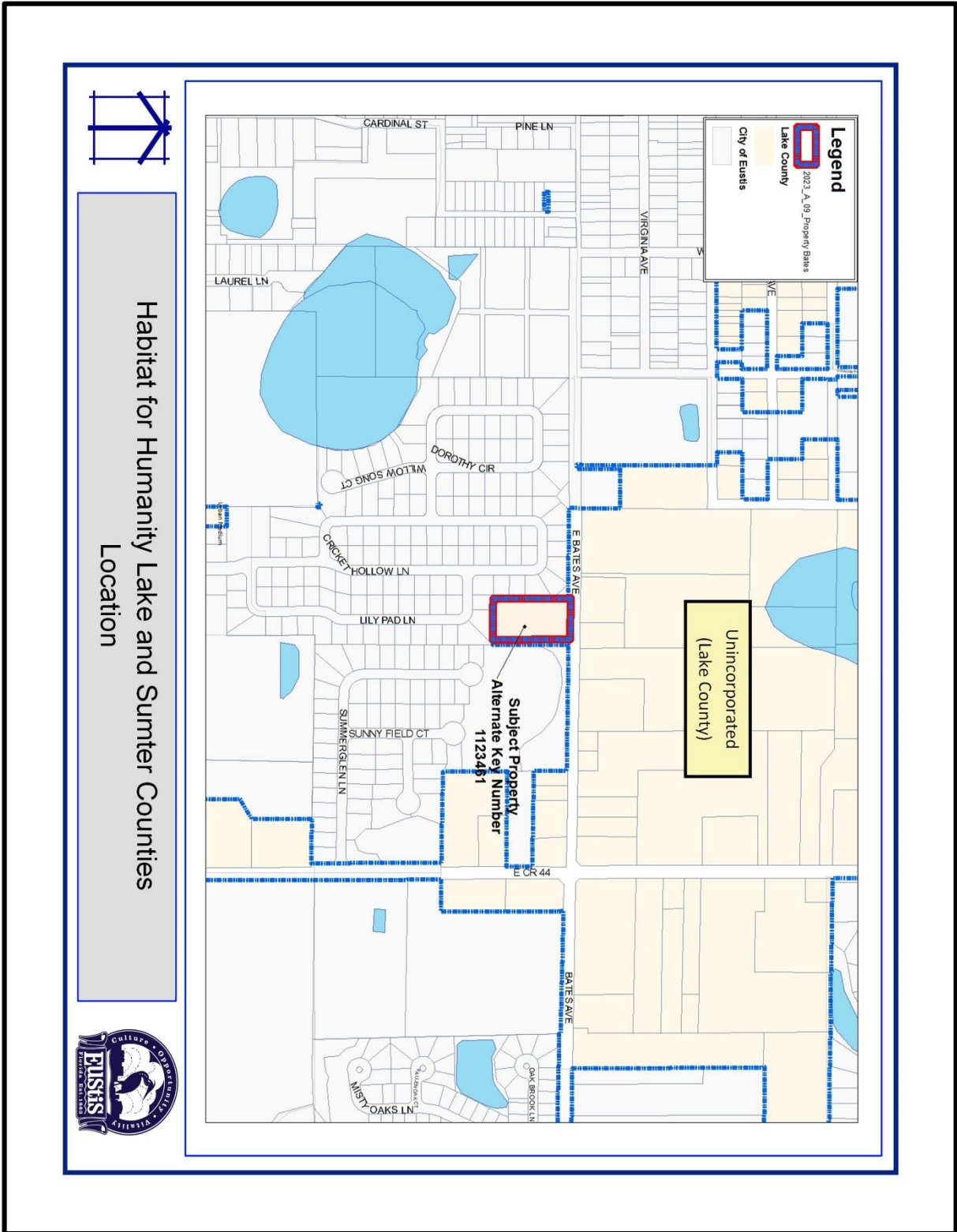
\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 24-02 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk

### Exhibit A



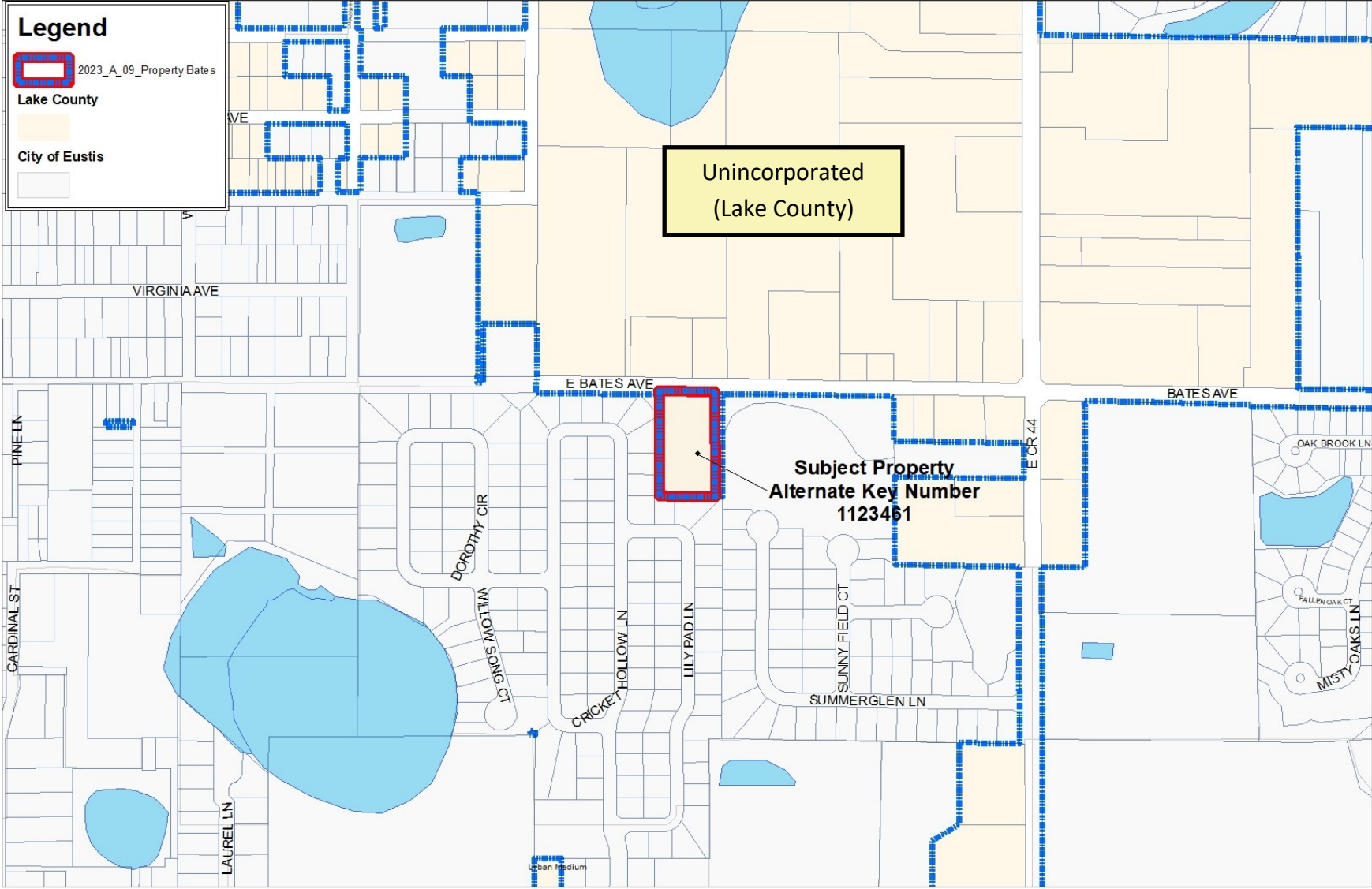
**Legend**  
 2023\_A\_09\_Property Bates



Habitat for Humanity Lake and Sumter Counties  
Aerial Location

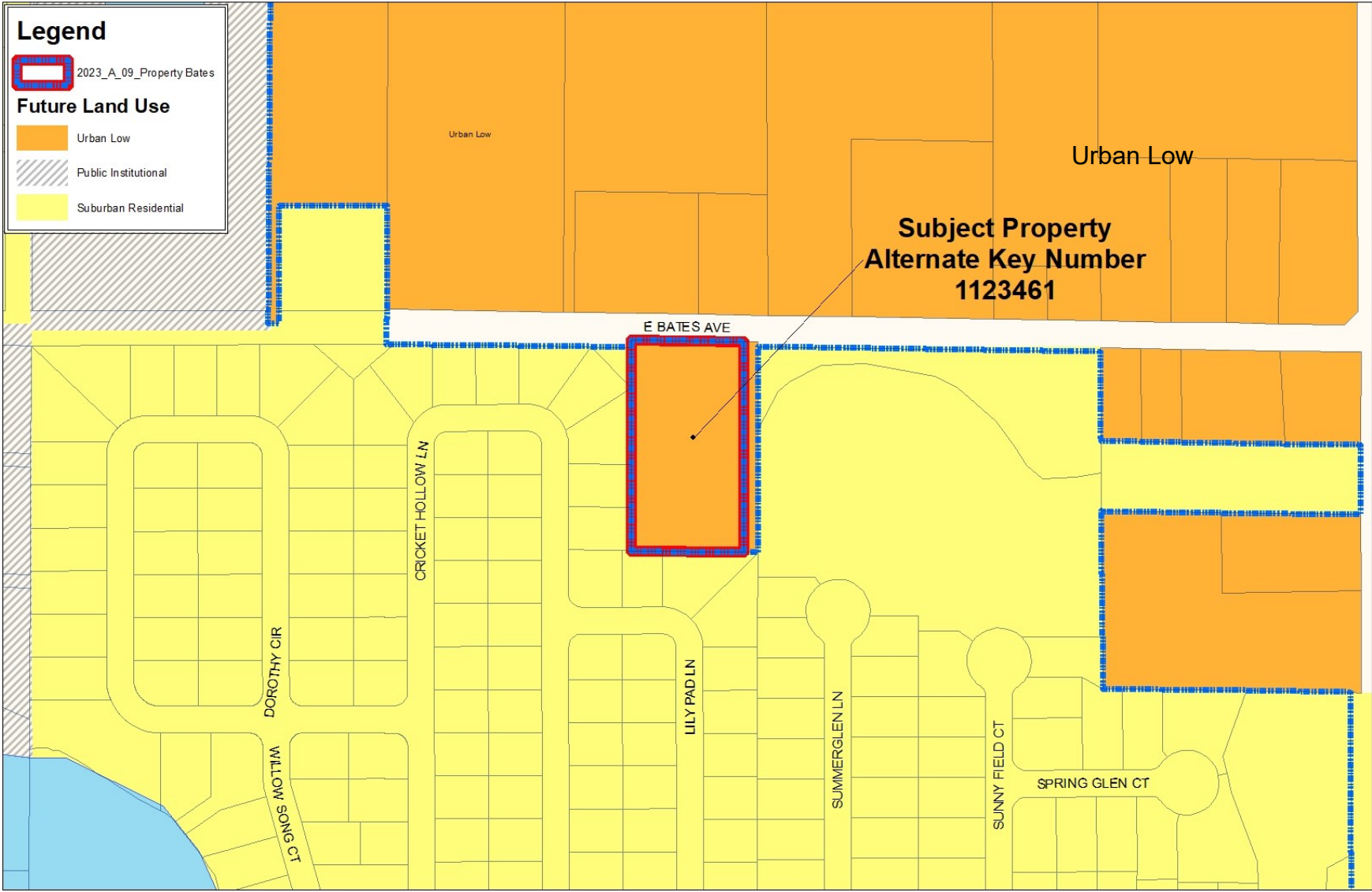






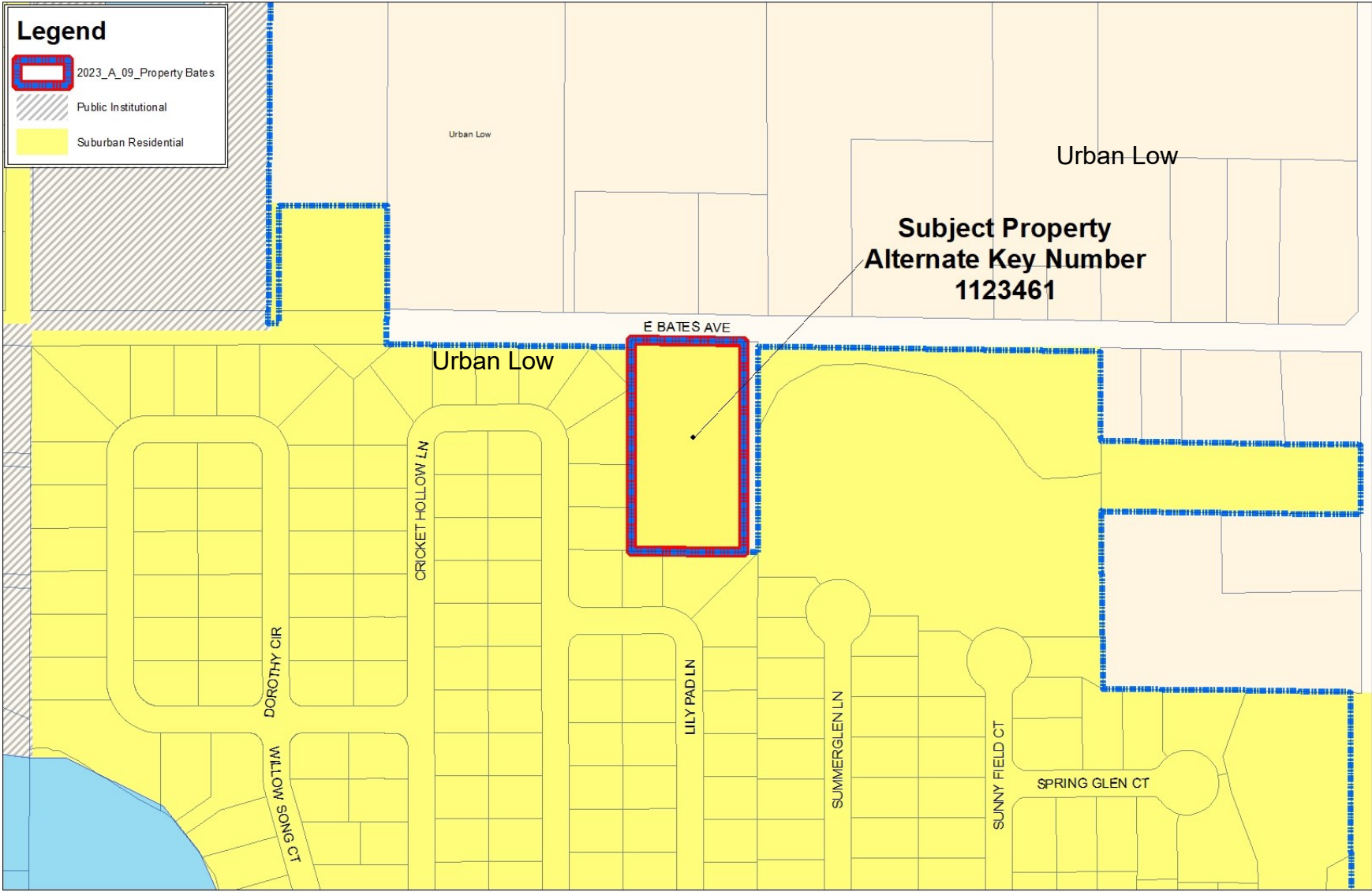
# Habitat for Humanity Lake and Sumter Counties Location





Habitat for Humanity Lake and Sumter Counties  
Future Land Use (Current)

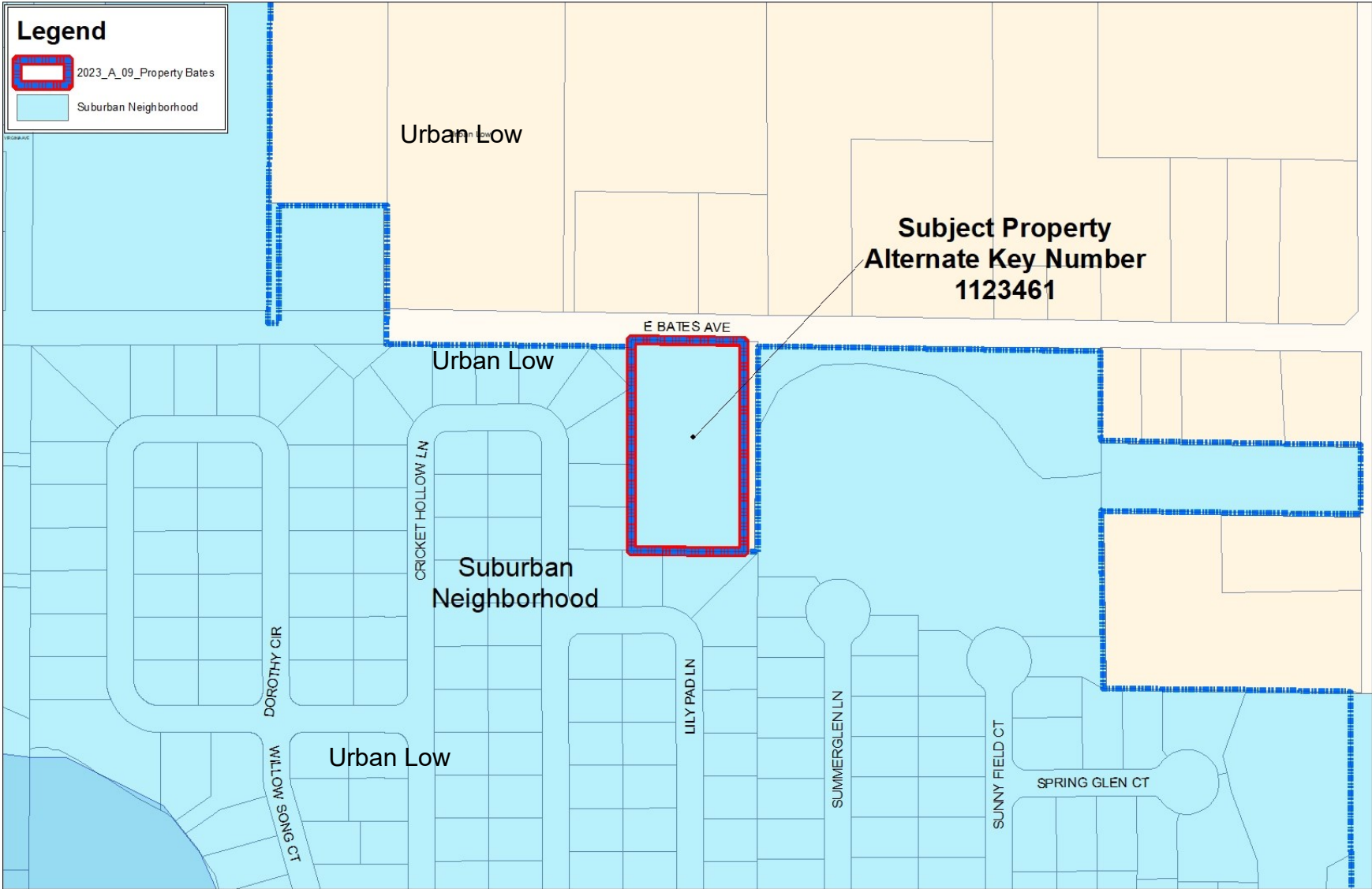




Habitat for Humanity Lake and Sumter Counties  
Future Land Use (Proposed)

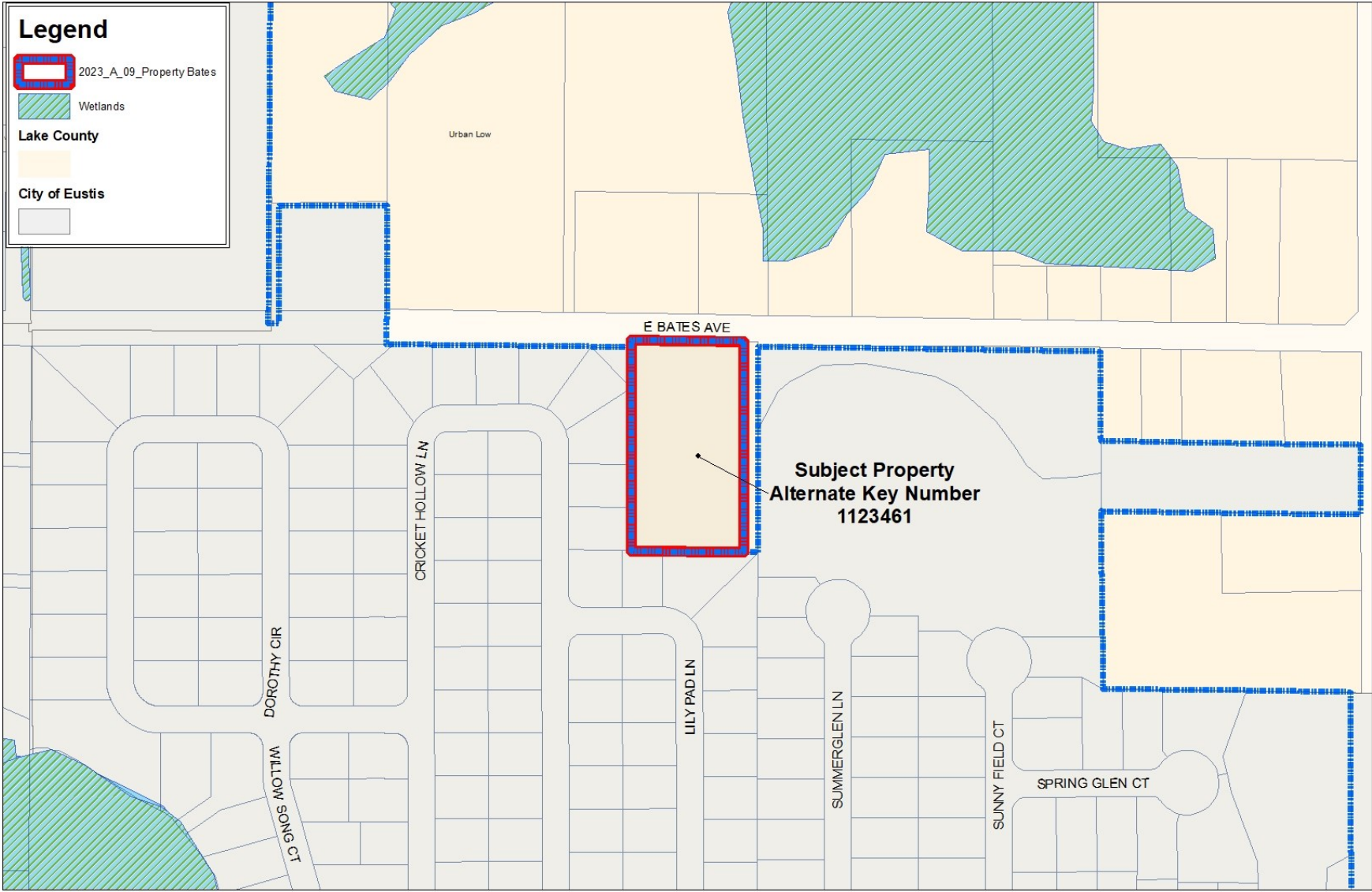






Habitat for Humanity Lake and Sumter Counties  
Design District (After)



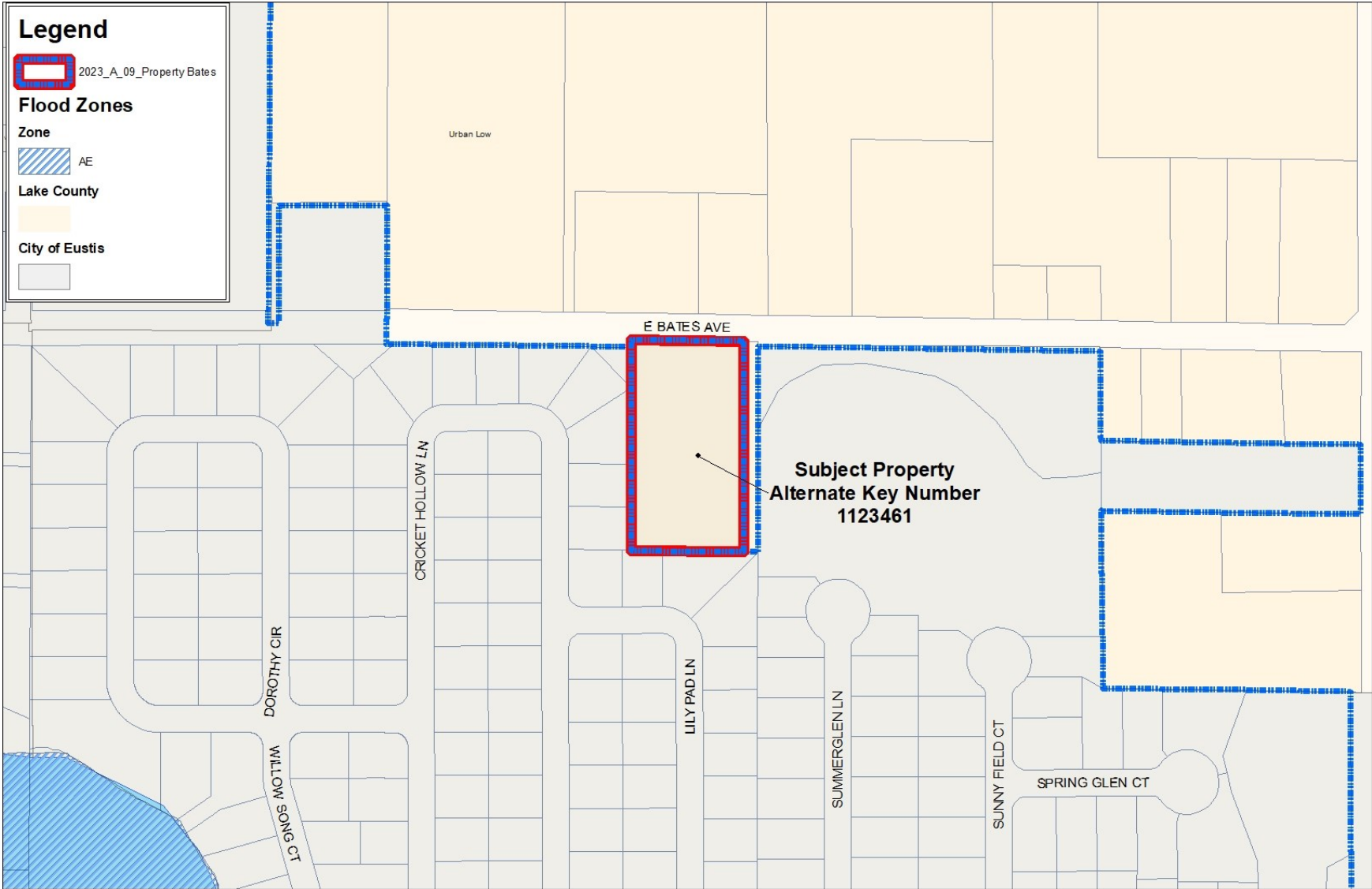


# Habitat for Humanity Lake and Sumter Counties Wetland Map



**Legend**






- 2023\_A\_09\_Property Bates
- Flood Zones**
- Zone
- AE
- Lake County
- City of Eustis




# Habitat for Humanity Lake and Sumter Counties Flood Zone




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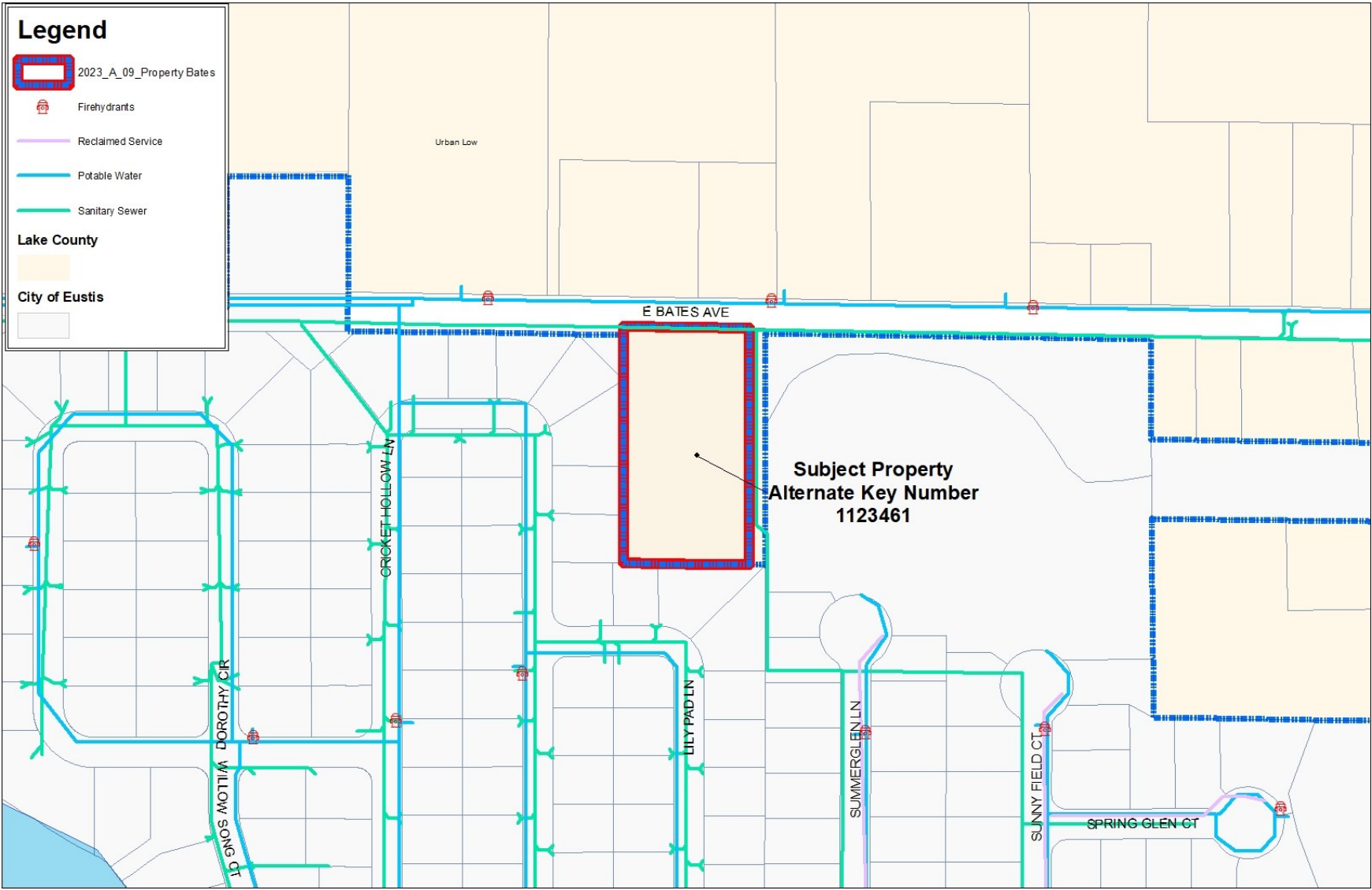
-  2023\_A\_09\_Property Bates
-  Firehydrants
-  Reclaimed Service
-  Potable Water
-  Sanitary Sewer

**Lake County**

-  Urban Low

**City of Eustis**

-  City of Eustis






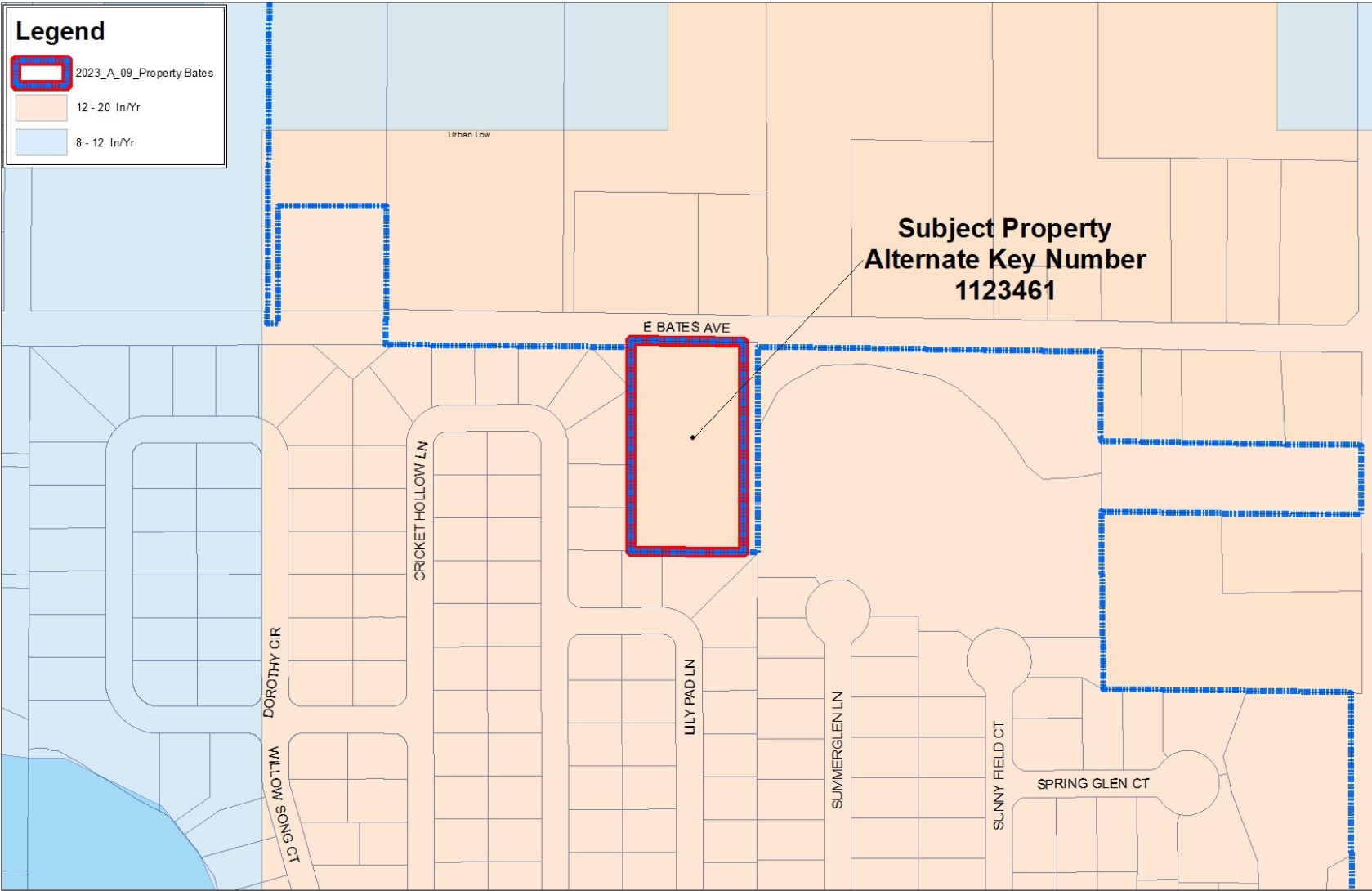
Habitat for Humanity Lake and Sumter Counties  
Utilities





**Legend**


-  2023\_A\_09\_Property Bases
-  12 - 20 In/Yr
-  8 - 12 In/Yr



Habitat for Humanity Lake and Sumter Counties  
Potential Recharge










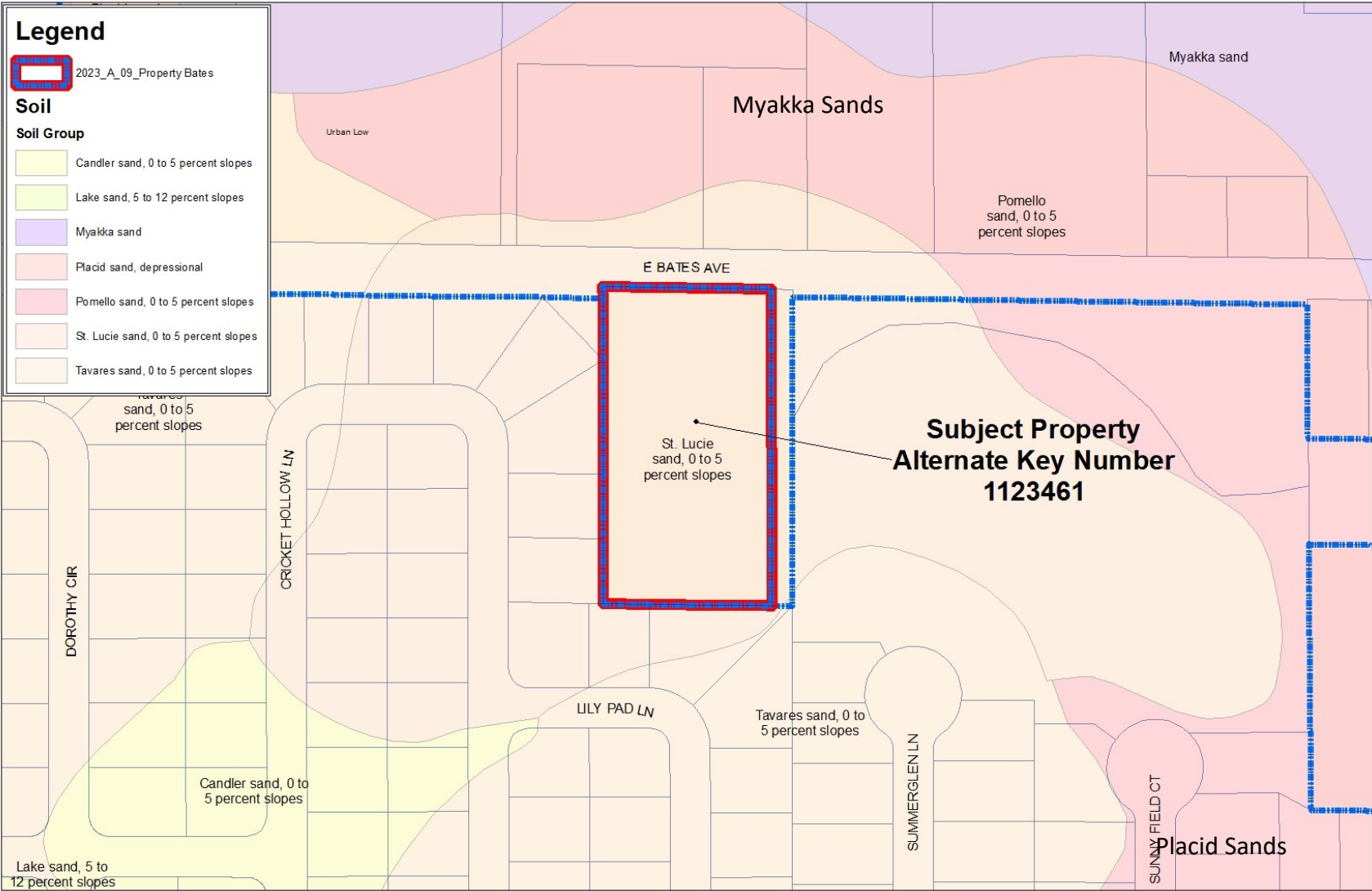
**Legend**

 2023\_A\_09\_Property Bates

**Soil**

**Soil Group**

-  Candler sand, 0 to 5 percent slopes
-  Lake sand, 5 to 12 percent slopes
-  Myakka sand
-  Placid sand, depressional
-  Pomello sand, 0 to 5 percent slopes
-  St. Lucie sand, 0 to 5 percent slopes
-  Tavares sand, 0 to 5 percent slopes



Habitat for Humanity Lake and Sumter Counties  
USGS Soils Survey Map



**ORDINANCE NUMBER 24-03**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.88 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1123461, ON THE SOUTH SIDE OF EAST BATES AVENUE AT 2596 EAST BATES AVENUE. FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENIAL IN THE CITY OF EUSTIS.**

**WHEREAS**, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

**WHEREAS**, State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

**WHEREAS**, the City of Eustis periodically amends its Comprehensive Plan in accordance with Chapter 163.3187 and 163.3191, Florida Statutes; and

**WHEREAS**, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 1.88 acres of real property at Lake County Property Appraiser’s Alternate Key Number 1123461, on the south side of East Bates Avenue at 2596 East Bates Avenue., and more particularly described herein; and

**WHEREAS**, on February 15, 2024, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

**WHEREAS**, on February 15, 2024, the City Commission held the 1<sup>st</sup> Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

**WHEREAS**, on March 7, 2024, the City Commission held the 2<sup>nd</sup> Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation;

**NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:**

**SECTION 1.**

**Land Use Designation:** That the Future Land Use Designation of the real property as described below shall be changed from Urban Low in Lake County to Suburban Residential within the City of Eustis:

Alternate Key Number: 1123461

Parcel Number: 07-19-27-0002-000-03001

Legal Description: W 208.71 FT OF E 254.15 FT OF N 417.44 FT OF W 1/2 OF GOV LOT 1--LESS N 25 FT FOR RD RW-- ORB 6016 PG 152



**SECTION 2.**

**Map Amendment and Notification:** That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

**SECTION 3.**

**Conflict:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 4.**

**Severability:** That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**SECTION 5.**

**Effective Date:** The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity 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 Department of Economic Opportunity.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 7<sup>th</sup> day of March, 2024.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:  
Notary Serial Number:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

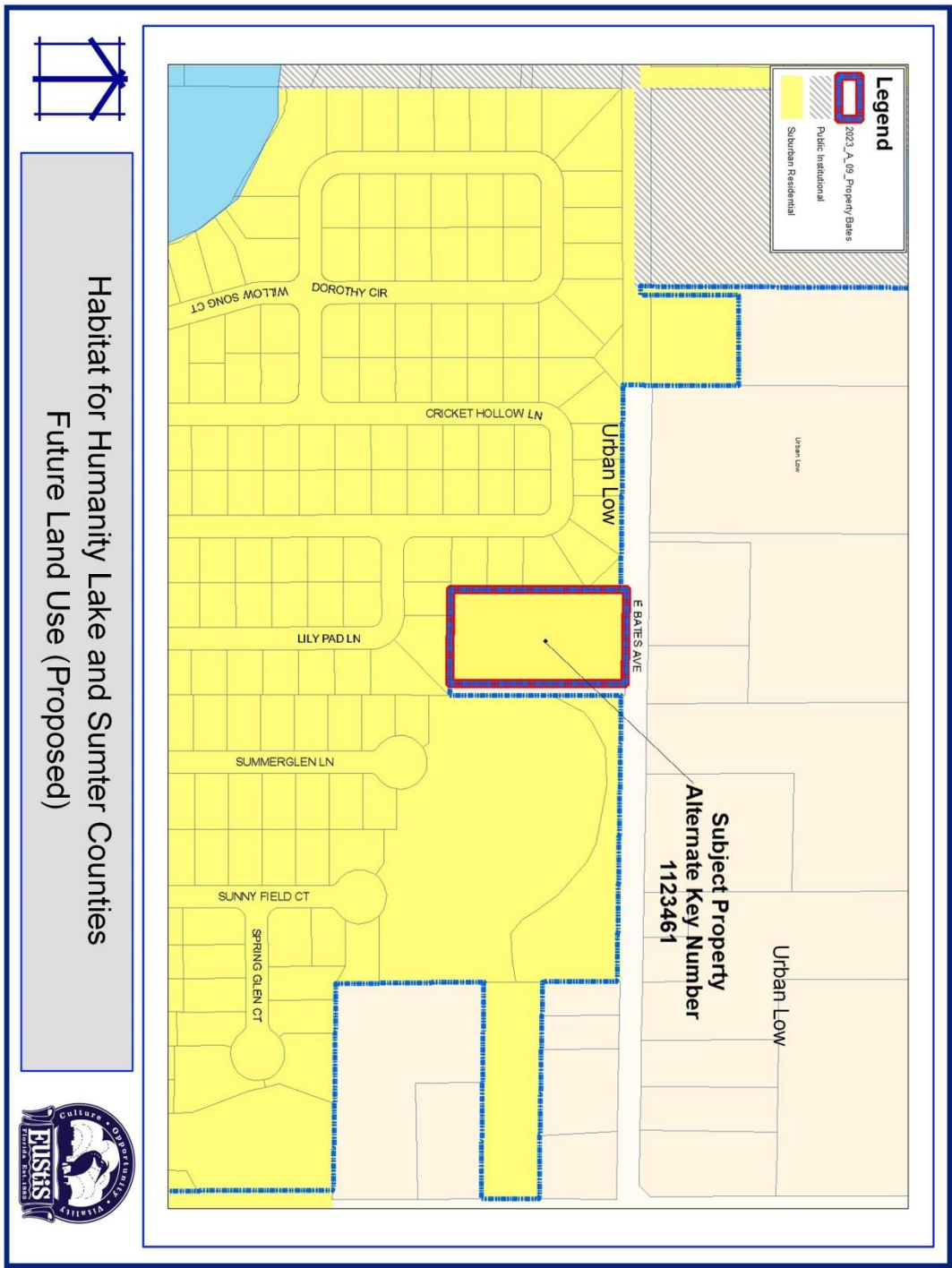
\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 24-03 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk

### Exhibit A



## ORDINANCE NUMBER 24-04

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 1.88 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1123461, ON THE SOUTH SIDE OF EAST BATES AVENUE AT 2596 EAST BATES AVENUE.**

**WHEREAS**, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Neighborhood to approximately 1.88 acres of recently annexed real property further described below, and

**WHEREAS**, on February 15, 2024, the City Commission held the 1<sup>st</sup> Public Hearing to consider the Design District Amendment contained herein; and

**WHEREAS**, on March 7, 2024, the City Commission held the 2<sup>nd</sup> Public Hearing to consider the adoption of the Design District Amendment contained herein;

**NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:**

### **Section 1. Design District Designation**

That the Design District Designation of the real property described below and shown on Exhibit A shall be Suburban Neighborhood:

Alternate Key Number:	1123461
Parcel Number:	07-19-27-0002-000-03001
Legal Description:	W 208.71 FT OF E 254.15 FT OF N 417.44 FT OF W 1/2 OF GOV LOT 1--LESS N 25 FT FOR RD RW-- ORB 6016 PG 152

### **Section 2. Map Amendment**

That the Director of Development Services shall be authorized to amend the Design District Map to incorporate the change described in Section 1.

### **Section 3. Conflict**

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

### **Section 4. Severability**

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

### **Section 5. Effective Date**

That this Ordinance shall become effective upon annexation of the subject property through approval of Ordinance Number 24-04.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 7<sup>th</sup> day of March, 2024.

**CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:  
Notary Serial Number:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

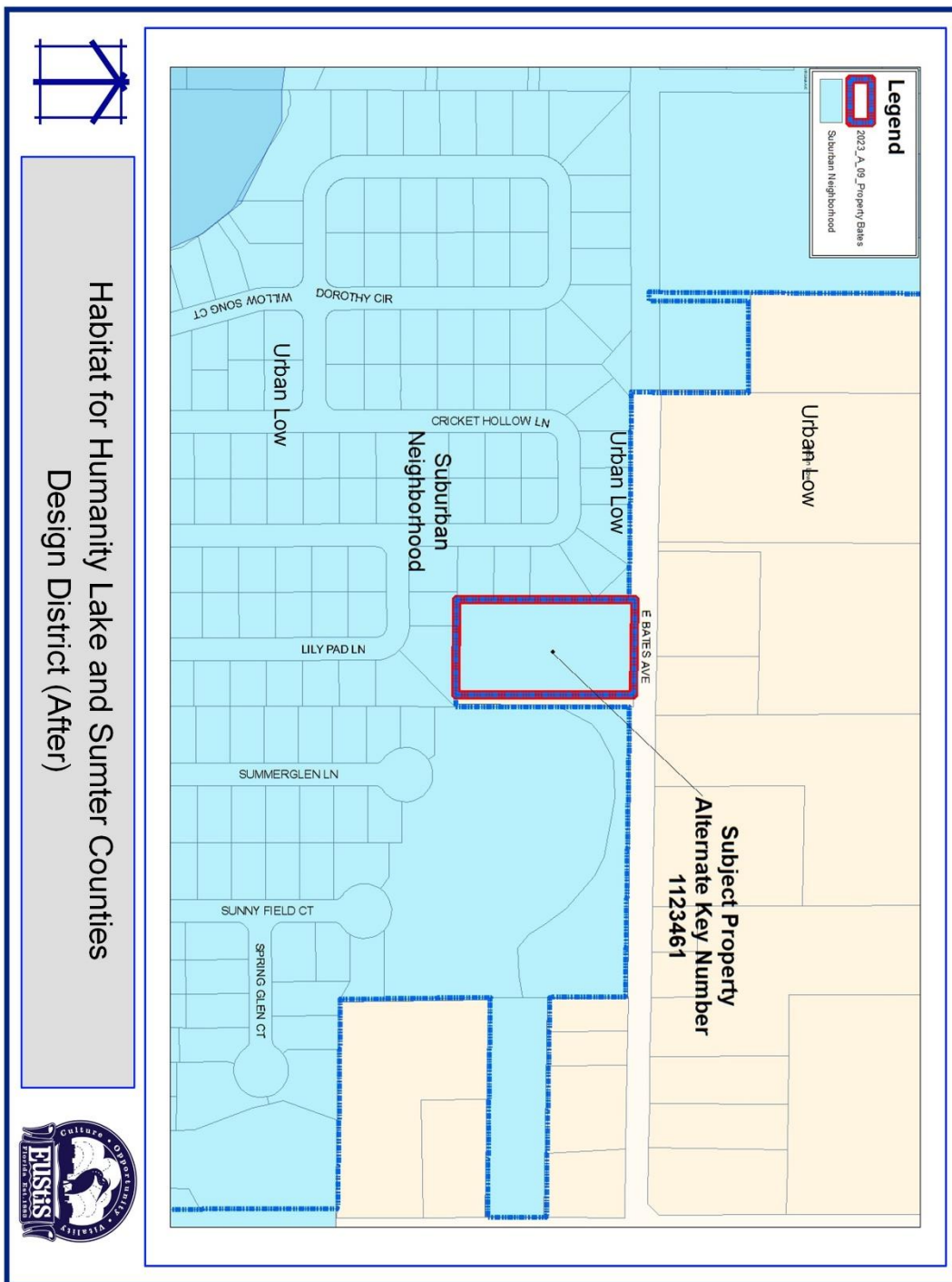
\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 24-04 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk

### Exhibit A







# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: March 7, 2024

RE: **SECOND READING**

ORDINANCE NUMBERS 24-08, 24-09, AND 24-10: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS WITH ALTERNATE KEYS 1784069, 2814128 AND 2814144

*Ordinance Number 24-08 – Voluntary Annexation*

*Ordinance Number 24-09 – Comprehensive Plan Amendment*

*Ordinance Number 24-10 – Design District Assignment*

---

## **Introduction:**

Ordinance Number 24-08 provides for the voluntary annexation of approximately 13.72 acres of land located on the south side of Gelford Road, east of Coolidge Street and west of Gatch Road (Alternate Key Numbers 1784069, 2814128 and 2814144). Provided the annexation of the subject property is approved, via Ordinance Number 24-08, Ordinance Number 24-09 would change the future land use designation from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis, and Ordinance Number 24-10 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 24-08 is denied, then there can be no consideration of Ordinance Numbers 24-09 and 24-10.

## **Background:**

1. The site contains approximately 13.72 acres and is located within the Eustis Joint Planning Area.
2. The proposed annexation properties are within an enclave area of the City and are contiguous to the City boundaries at several points represented on the Location map, herein.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 24-09 would change the land use designation to Suburban Residential (SR) in the City of Eustis.



Surrounding properties have the following land use designations:

Location	Existing Use	Future Land Use	Design District
<b>Site</b>	Vacant	Urban Low (Lake County)	N/A
<b>North</b>	Single-Family/ Vacant	Urban Low (Lake County)	N/A
<b>South</b>	Single-Family / Vacant	Urban Low (Lake County)	N/A
<b>East</b>	Cat Protection Society	Lake County (Urban Low)	N/A
<b>West</b>	Single-Family	Suburban Residential & Lake County (Urban Low)	Suburban Neighborhood & N/A

**Applicant’s Request**

The applicant and property owners, Thomas Zahn, Lake RC, Inc. wish to annex the referenced property, change the future land use to Suburban Residential (SR), and assign a design district of Suburban Neighborhood.

The current Lake County future land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses of up to 4 dwelling units per net buildable acre.

The property owner has requested the City of Eustis Suburban Residential future land use designation with the annexation. The SR future land use provides for residential uses up to five (5) dwelling units per acre.





## Analysis of Annexation Request (**Ordinance Number 24-08**)

1. Resolution Number 87-34 – Joint Planning Area Agreement with Lake County:

“The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

***The subject property is located within the Eustis-Lake County Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested Suburban Residential future land use designation.***

2. Florida Statutes Voluntary Annexation - Chapter 171.044(1):

“The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

***The Eustis-Lake County Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lies within that planning area; the property is part of a “partial” enclave, it is contiguous to the City limits on a portion of the the western boundary, and the owner petitioned for annexation.***

3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

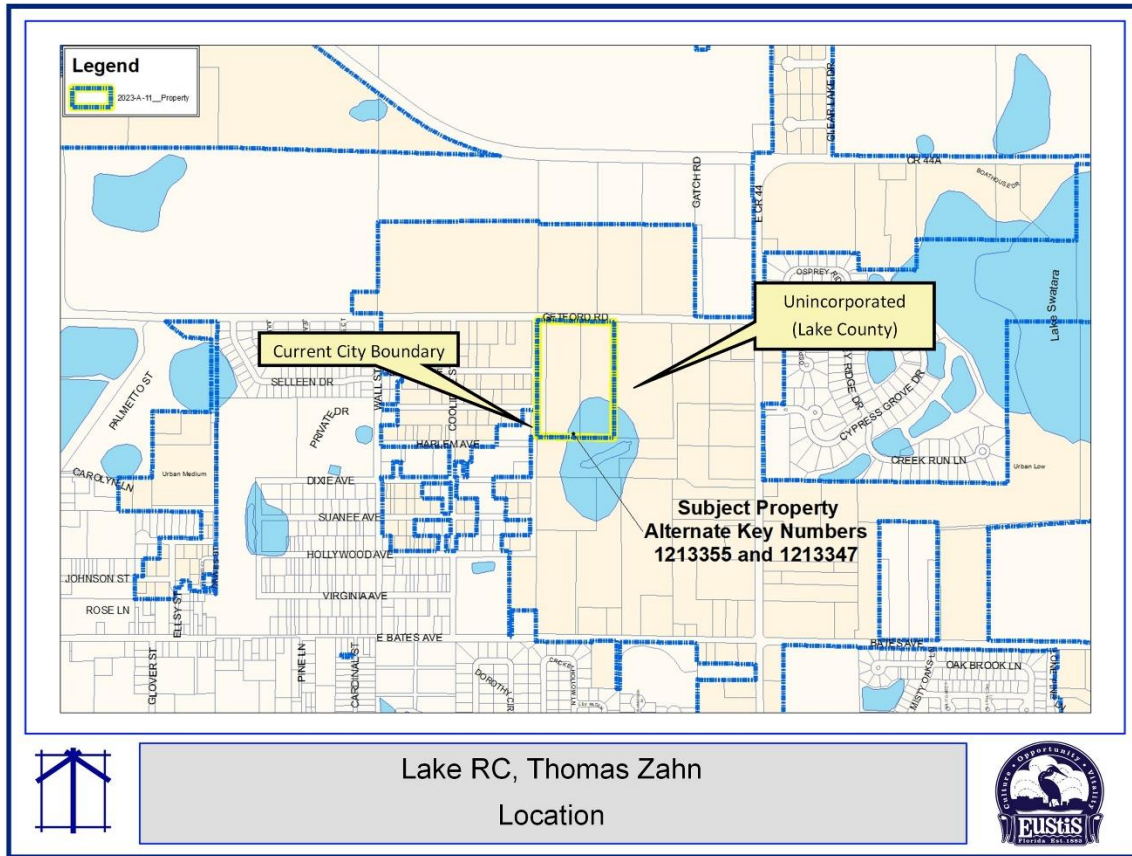
“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

***The department published notice of this annexation in the Daily Commercial following the established requirements on February 6, 2024, and again on February 12, 2024.***

4. Florida Statutes Voluntary Annexation - Chapter 171.044(5):

“Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

***Annexation of the subject property does not create an enclave as defined by the Florida Statutes. The subject properties are included in a portion of the city that can be considered a “partial” or open enclave.***



5. Florida Statues Voluntary Annexation - Chapter 171.044(6):

“Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located...”

***The department provided notice to the Lake County Board of County Commissioners on January 26, 2023, via email and by Certified Mail on January 26, 2023, received and signed for by Lake County on January 29, 2024***

Analysis of Comprehensive Plan/Future Land Use Request (**Ordinance Number 24-09**)

In accordance with the Florida Statutes Chapter 163.3177.9.:

*Discourage Urban Sprawl:*

Primary Indicators of Sprawl:

The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:



## Review of Indicators

## 1. Low Intensity Development:

Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

***This indicator does not apply. The requested future land use will provide for a higher density (5 du/acre) and the SR designation allows the infill of development types similar to the existing patterns at similar densities.***

## 2. Urban Development in Rural Areas:

Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

***This indicator does not apply. The subject properties are located in an enclave area and will require city services to develop.***

## 3. Strip or Isolated Development:

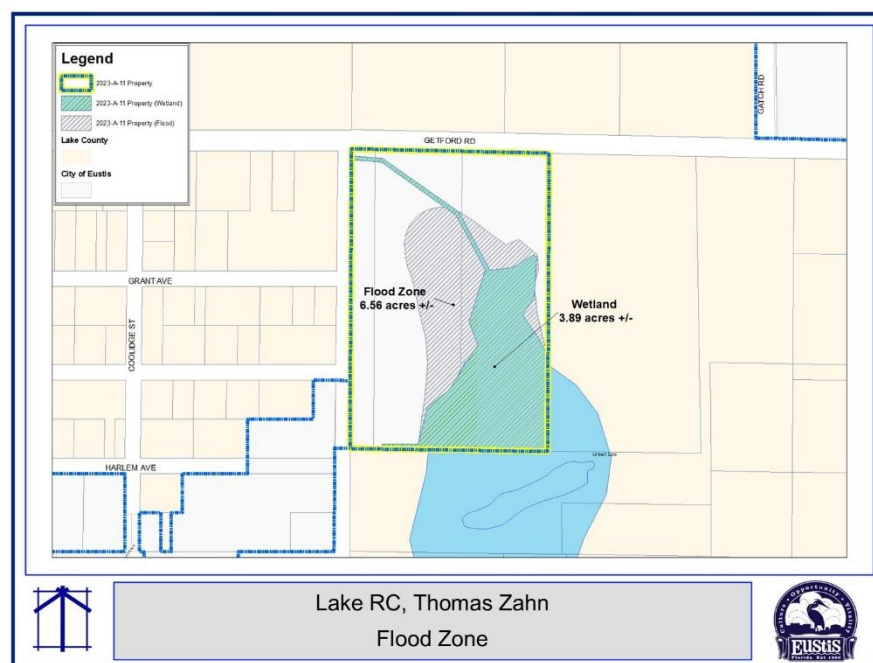
Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

***This indicator does not apply. The subject properties are located in an enclave area and will require city services to develop.***

## 4. Natural Resources Protection:

Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

***The subject property is subject to flood zone A (6.5 acres +/-). Approximately 2.8 acres +/- of flood zone "A" is outside of the wetland. The property does contain wetland areas (3.8 acres +/-). The upland, non-flood area of the property is approximately 7.2 acres +/-.*** ***The Comprehensive Plan and the Land Development***



**Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.**

5. Agricultural Area Protection:

Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

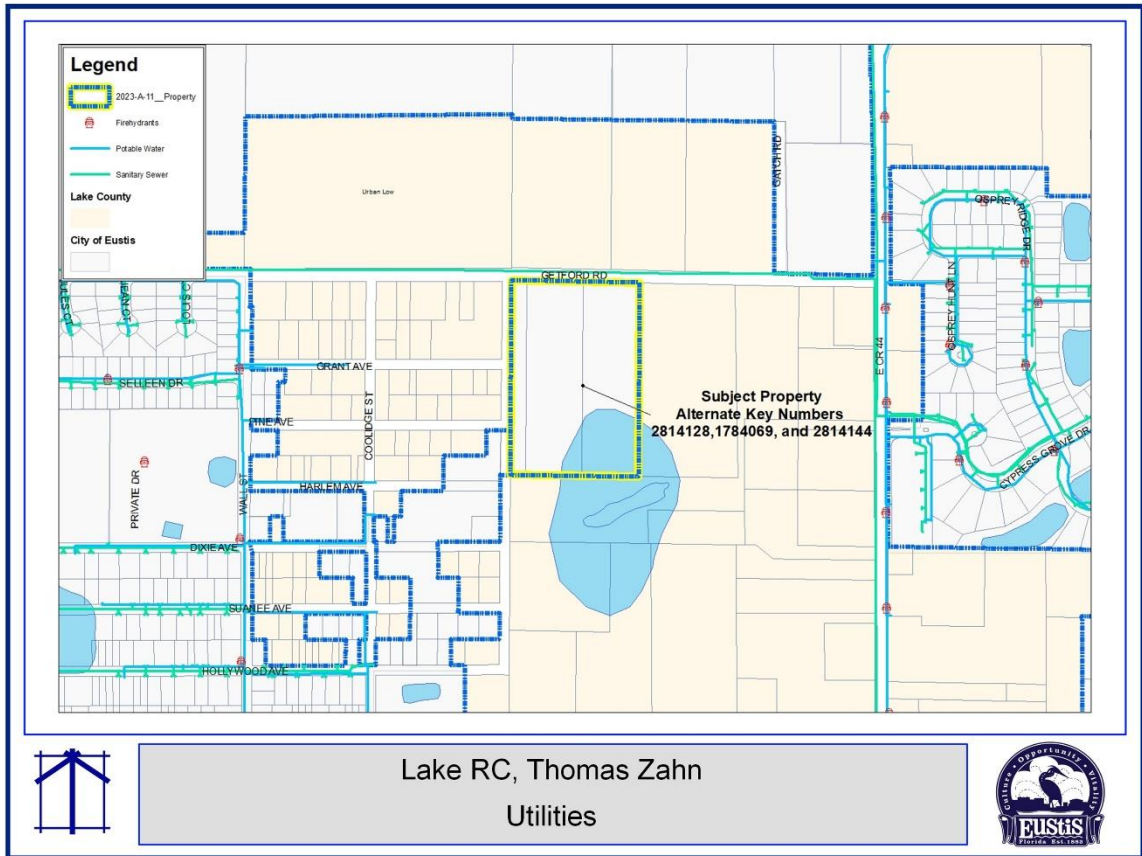
***This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed and further developing area.***

6. Public Facilities:

Fails to maximize the use of existing public facilities and services.

***This indicator does not apply. City water is available to serve the property. Development of this parcel will maximize the use and efficiency of the City water services. City Sewer is available with adequate capacity to serve the property and will be addressed via the site development process.***

**The Coolidge Street/Rosenwald Garden area is the target for a city-planned improve project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.**



7. Cost Effectiveness and Efficiency of Public Facilities:

Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

***This indicator does not apply. Adequate capacity is available to serve the existing and future development.***

8. Separation of Urban and Rural:

*Fails to provide a clear separation between rural and urban uses.*

***This indicator does not apply. No nearby properties contain active agricultural activities or use. The surrounding area is developed or has development entitlements attached to the land. These developments have densities and intensities that are clearly suburban uses.***

## 9. Infill and Redevelopment:

Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

***This indicator does not apply. This property will promote infill development by allowing access to public facilities.***

## 10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

***This indicator does not apply. The site is surrounded by single-family development on the adjacent properties, which is consistent with permitted uses in the area.***

## 11. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

***This indicator does not apply. The Land Development Regulations include provisions to provide adequate access and linkage between related uses. City Departments will ensure compliance with these standards at the time of development review.***

## 12. Open Space:

Results in the loss of significant amounts of functional open space.

***This indicator does not apply. The site does not contain functional open space and is not connected to regionally significant open space. The subject properties are existing residential lots.***

## 13. Urban Sprawl:

The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

## a. Direction of Growth:

Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

***The site is adjacent to existing suburban development patterns and is a logical infill of the urban development boundary. The Comprehensive Plan and Land Development Regulations have provisions to protect natural resources and ecosystems at the time of site plan approval.***

## b. Efficient and Cost-Effective Services:

Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

***Water and Sewer service is available. The development of the property will further encourage the efficient provision of services.***

***The Coolidge Street/Rosenwald Garden area is the target for a city-planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.***

## c. Walkable and Connected Communities:

Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

***At the time of development, the site must meet the City's Land Development Regulations including the creation of streets and street connections where they do not currently exist.***

***The Coolidge Street/Rosenwald Garden area is the target for a city-planned improvement project that includes street improvements and sidewalks.***

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

***The development of the site must meet City development and Florida Building Code standards that will require energy and water-efficient appliances.***

e. Agricultural Preservation:

Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

***Not applicable; this site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed residential area.***

f. Open Space:

Preserves open space and natural lands and provides for public open space and recreation needs.

***This is not applicable. The site does not provide or contribute to functional open space or natural areas on a regional basis. Open space and park areas are required to be provided as part of the development of the property.***

g. Balance of Land Uses:

Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

***The proposed land use is consistent with the surrounding area the site is not positioned to front primary or secondary corridors that would encourage commercial development.***

h. Urban Form Densities and Intensities:

Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

***Not applicable.***

### **In Accordance with Comprehensive Plan Future Land Use Element Appendix:**

All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the

Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

*Major Categories of Plan Policies:*

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the major categories of Plan policies as follows:

1. General Public Facilities/Services:

Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

a. Emergency Services Analysis:

***Eustis Emergency Services already provides emergency response to other properties in the area. Any development consistent with the Suburban Residential future land use designation would not have a significant negative impact on the operations of Eustis emergency services.***

b. Parks & Recreation:

***In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity analysis as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population of 20,015. The current population is approximately 24,500. Pursuant to Comprehensive Plan policies and Land Development Regulations, residential development will be required to provide on-site park amenities.***



c. Potable Water & Sanitary Sewer:

***Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property.***

***The Coolidge Street/Rosenwald Garden area is the target for a city-planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems.***

d. Schools:

***The proposed change should not negatively impact schools. At the time of development application verification of capacity will be required from Lake County Schools.***

e. Solid Waste:

***The City contracts with Waste Management for the hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in the delivery of services.***

f. Stormwater:

***The Comprehensive Plan and Land Development Regulations include the level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes improvements and additions to address stormwater management for the vicinity.***

g. Transportation Network Analysis:

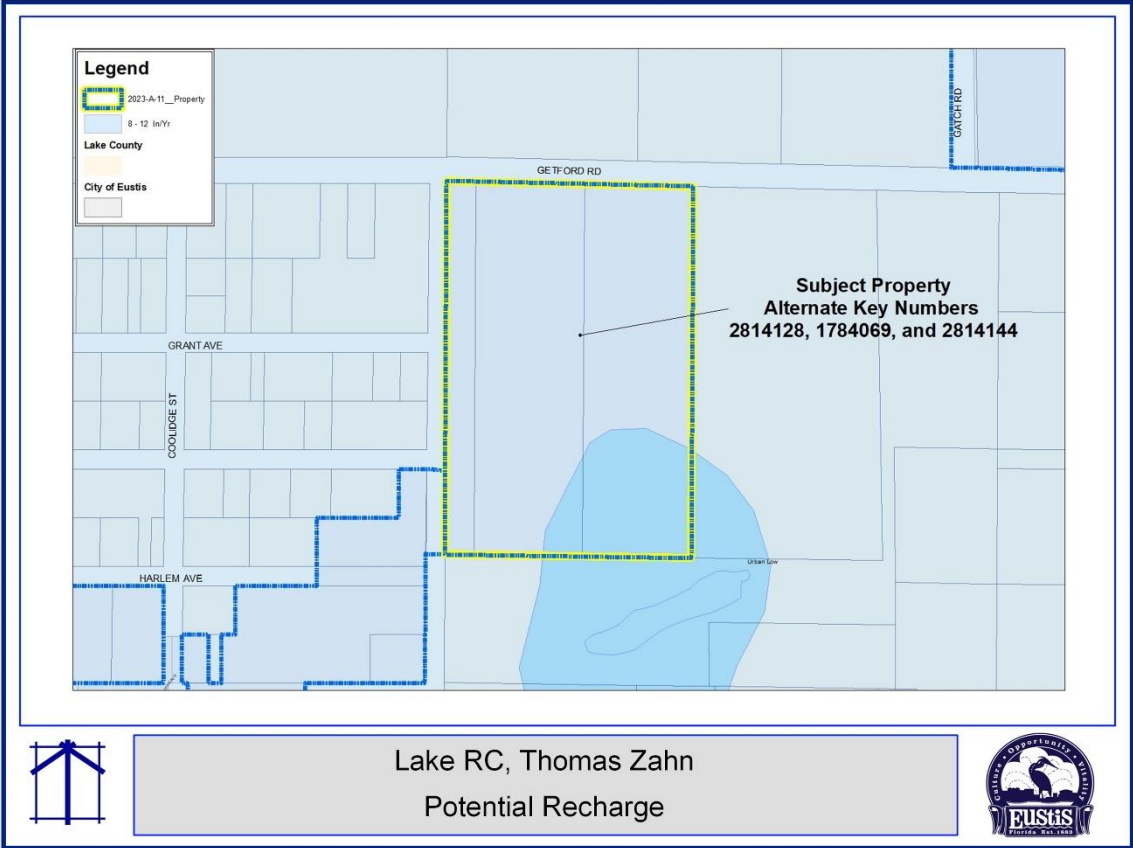
***This potential annexation and the subsequent development of the property will not add additional impacts as the parcels being annexed include existing platted lots.***

2. Natural Resources/Natural Features:

The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically, each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

a. Groundwater recharge areas:

***The site may be within a recharge area (8-12 inches per year), and a site-specific geotechnical and hydrologic study will be needed to determine the site-specific***



b. Historical or archaeological sites:

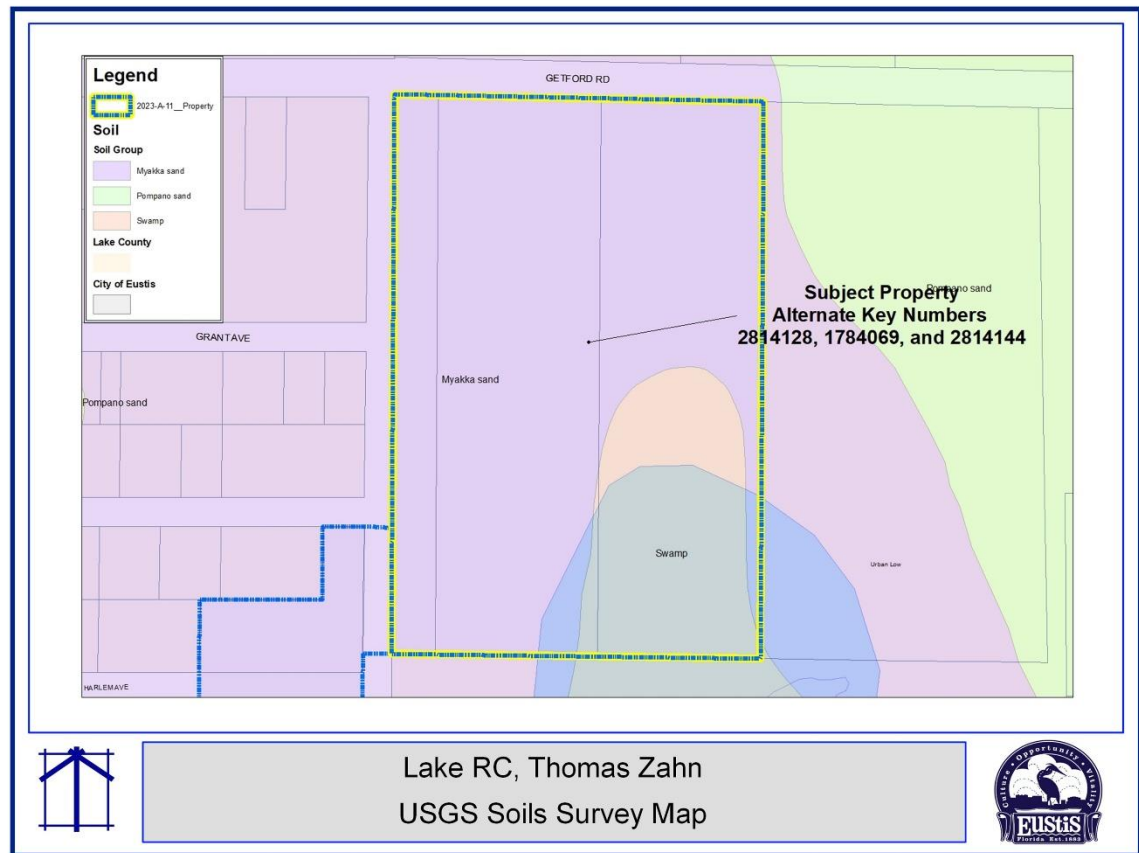
***The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.***

c. Flood zones:

***The subject property is subject to flood zone A (6.5 acres +/-). Approximately 2.8 acres +/- of flood zone "A" is outside of the wetland. The property does contain wetland areas (3.8 acres +/-). The upland, non-flood area of the property is approximately 7.2 acres +/-.*** The Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

d. Soil and topography:

***The site soils are primarily Myakka sands and Swamp. These sands are all typically moderately to very poorly drained soils.***



### 3. Comprehensive Plan Review:

Additional criteria and standards are also included in the Plan that describe when, where, and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

#### ***Existing Land Use According to the Lake County Comprehensive Plan:***

The existing Lake County future land use designation of the property is Urban Low, which provides for residential uses at up to 4 dwelling units per acre as well as supporting commercial and institutional uses.

#### ***Proposed Land Use According to the Eustis Comprehensive Plan:***

***The Suburban Residential (SR) land use designation is provided to accommodate the majority of residential development within the City. The general range of uses include: a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted. Suburban Residential***

*lands may be developed up to a maximum density of 5 dwelling units per net buildable acre.*

### **Comparison of Lake County Development Conditions**

*The land use designations of residential properties within the City of Eustis in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac).*

*The surrounding properties, immediately adjacent to the north and east, are unincorporated areas are designated Urban low with a maximum density of 4 dwelling units per net buildable acre.*

### **Proposed Residential Land Uses.**

The City shall limit these uses adjacent to incompatible commercial or industrial lands unless sufficient mitigation, such as buffering and setbacks is provided and available, which lessens the impact to the proposed residences.

***This area is predominantly residential in nature the proposed use of the land will continue to be residential.***

### **Proposed Non-Residential Land Uses.**

The City shall generally not permit new industrial uses to be located adjacent to existing or planned residentially designated areas.

### ***Not applicable.***

#### 1. Transportation:

Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

***The use of the land is already residential in nature and was previously platted the increase in traffic should be negligible.***

#### 2. Water Supply:

Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

***City water service and other services are available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.***

In Accordance with Chapter 102-16(f), Land Development Regulations

#### *Standards for Review:*

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

#### a. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

***The proposed amendment is consistent with the Comprehensive Plan.***

b. *In Conflict with Land Development Regulations:*

Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

**The proposed amendment is not in conflict with the Land Development Regulations. At the time of development, there will be further review for compliance.**

c. *Inconsistent with Surrounding Uses:*

Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

**The existing land uses in the immediate area are residential and the proposed use of the land is continued residential.**

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

**The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water. These changed conditions warrant a change in the land use designation.**

e. *Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

**City water and sewer services are available and, close to the site. Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation.**

**The Coolidge Street/Rosenwald Garden area is the target for a city-planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.**

**Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.**

f. *Impact on Environment:*

Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

**The annexation and assignment of Future Land Use and Design District to the property does not in and of itself constitute a negative impact. The subject property is subject to flood zone A (6.5 acres +/-). Approximately 2.8 acres +/- of flood zone "A" is outside of the wetland. The property do**

**contain wetland areas (3.8 acres +/-). The upland, non-flood area of the property is approximately 7.2 acres +/-.** The future development of the property may include design challenges, however the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

*g. Orderly Development Pattern:*

Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

***The site is contiguous to the City limits. The development patterns already exist in the area and the future building on the previously platted lots will not cause incompatibilities with those development patterns.***

*h. Public Interest and Intent of Regulations:*

Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

*The purpose and intent of the Land Development Regulations is as follows:*

“The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the City's Comprehensive Plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small-town community character and lifestyle.”

***The requested designation of SR land use will provide for orderly growth and development. This designation would advance the public interest by potentially providing additional housing, and the application of the LDRs to future development will ensure consistency with the community character and lifestyle of the city.***

*i. Other Matters:*

Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

***No other matters.***

**Analysis of Design District Request (Ordinance Number 24-10):**

**Form-Based Code:**

The City's Land Development Regulations is a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes



into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban, and rural transect

1. *Standards for Review:*

The Land Development Regulations include the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider: Whether the amendment is in conflict with any applicable provisions of the Code.

a. *Section 102-17(a) "...Section 109-3 Design Districts:*

identifies the definition, structure, and form of each design district. The assignment of design district must follow the district pattern and intent."

***The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban neighborhood definition, structure, and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.***

b. *Sec. 109-3.4. Suburban development pattern intent statements:*

Intent. Suburban development pattern...relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. The street layout, comprised of streets with fewer vehicular connections, helps to reduce cut-through traffic and establishes distinct boundaries for residential communities/subdivisions. Each land use provides for pedestrian and bicycle connections.

Design districts – Suburban Neighborhood

a. Definition. Predominately residential uses with some neighborhood-scale commercial services.

b. Structure. Interconnected trails, bikeways, and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood-supporting retail, parks and civic spaces as focal points in the neighborhoods.

***The Suburban development patterns statement above indicates that residential uses are primarily located on streets with fewer vehicle connections. A Suburban Neighborhood designation follows the district pattern and intent outlined in the Land Development Regulations and is consistent with the existing transect in the area.***

c. *Section 102-17(a)*

The following guidelines must be followed when proposing the reassignment of the design district:

Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

***Reassignment is not being proposed; a City of Eustis design district designation must be assigned to annexed property; the proposed design district is compatible with the surrounding design districts.***

d. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all elements of the comprehensive plan.

***The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns, and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.***

e. *Consistent with Surrounding Uses:*

Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

***The Suburban Neighborhood definition, structure, and form are compatible with the existing uses and any proposed uses permitted under the Suburban Residential future land use designation.***

f. ***Changed Conditions:***

Whether there have been changed conditions that justify amending the design district.

***The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County without central services to a site within the City of Eustis with municipal services.***

g. ***Public Facilities.***

Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

***A redistricting is not proposed. Assigning a design district to an annexation property will not change the demand impact on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also, see the analysis of public facilities in the above sections of this report.***

h. *Impact on Environment:*

Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

***The proposed Design District designation for this property does not change the development potential of the parcel. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity, and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment. As building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.***

i. *Property Values:*

Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

***Redistricting is not being proposed; a Eustis design district designation must be assigned to the annexed property. This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.***

j. *Orderly Development Pattern:*

Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

***The request is the assignment of a design district to an annexation parcel, not redistricting. However, the proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5 of the Land Development Regulations. Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.***

k. *Public Interest and Intent of Regulations:*

Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

***The request is the assignment of a design district to an annexation parcel, not redistricting. The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.***

l. *Other Matters:*

Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

***The request is the assignment of a design district to an annexation parcel, not redistricting. The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land use, densities, intensities, or required open space. The districts, therefore, must be consistent and follow the urban, suburban, and rural transects. This request assigns a Suburban Neighborhood design district designation to an annexation parcel, which is consistent with the existing transect.***

## Applicable Policies and Codes

1. Resolution Number 87-34

Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law..... The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

2. Florida Statutes Chapter 171.044: Voluntary Annexation:

- a. “The owner or owners of real property in an unincorporated area of a county is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”
- b. “Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

### 3. Comprehensive Plan – Suburban Residential (SR)

This designation is provided to accommodate the majority of residential development within the City.

General Range of Uses: This designation is intended to provide for a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density/Intensity: Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.

#### Special Provisions:

- (1) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in the Suburban Residential (SR) classification where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent. A density bonus may also be allowed for energy conservation or green certification as provided for in the LDRs. The combined density bonus for affordable housing and energy conservation/green certification is limited to a total increase of 15%.
  - (2) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:
    - a. all such housing is attached to foundations as in the case of conventional site-built construction; and
    - b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.
  - (3) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.
4. Land Development Regulations Section 109-5.5(b)(1): The Suburban Neighborhood Design District has predominately residential uses with some neighborhood-scale commercial services with interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

5. Land Development Regulations Section 109-3 (Table 1) and Section 109-4 Suburban Residential land use has a maximum density of 5 units to one acre. The Suburban Residential designation is intended to regulate the character and scale of allowed uses so as to minimize their impacts on adjacent roadways and promote their compatibility with adjacent or nearby land uses.

### **Sec. 121-3. Wetlands protection standards.**

Application for a wetlands alteration permit when required by the city may be required to meet the following wetlands protection standards and regulatory agency criteria:

- (1) There shall be no net loss of wetland function, and wetlands shall be protected or used in a manner that does not adversely affect their beneficial functions.
- (2) Wetlands shall be protected from sedimentation during development activities. Specific criteria for such protection are provided in section 121-19 of this chapter.
- (3) Impacts to the city's wetlands resulting from a proposed development shall be considered unavoidable only when all involved state and federal regulatory agencies concur that such impacts are unavoidable. Mitigation then shall be required for such impacts to an extent determined by state or federal agency mitigation requirements. When mitigation requirements differ among agencies, the city shall employ that mitigation plan producing the greater acreage of natural habitat, whether through preservation or enhancement of existing habitats or creation of new habitats.
- (4) Wetlands shall be buffered through preservation or planting of a suitable width of native upland vegetation, based on the criteria of section 121-4 of this chapter.
- (5) Wetlands, whether endemic or artificially created or otherwise altered, may be placed in a conservation easement and maintained in accordance with F.S. ch. 704.06, and legally described and recorded in the Public Records of Lake County. Dedication of the conservation easement shall be offered successively to the city, which reserves the right of first refusal, St. Johns River Water Management District, or applicable state environmental regulatory agencies, and private, nonprofit ecological preservation societies until one party agrees to assume the easement. Failure to accept the easement of all of these agencies, after proof of offer being submitted, will result in nullification of the easement. Barring any defects inherent in the land such as, but not limited to, clouds on the title, hazards, and contamination.

Regarding the potential impacts on floodplain and wetlands City of Eustis' Comprehensive Plan Policies relating to the disposition of wetland and floodplain areas were reviewed relating to this request. The pertinent policies include those policies under **Objective 2.3 Wetlands, CON 1.1.4, CON 1.1.5, and CON 1.1.6** pertaining to **Floodplains, and FLU 5.1.5 Open Space Priority and Assignment**. **The requests for annexation, the assignment of future land use, and the design district do not directly conflict with these policies.**

### **Recommended Action:**

Development Services recommends approval of Ordinance Numbers 24-08, 24-09, and 24-10. To annex the subject property, and assign the Suburban Residential Land Use and the Suburban Residential Design District.

**Policy Implications:**

None

**Alternatives:**

1. Approve Ordinance Numbers 24-08 (Annexation), 24-09 (Comp. Plan Amendment), and 24-10 (Design District Designation).
2. Deny Ordinance Numbers 24-08, 24-09, and 24-10.

**Budget/Staff Impact:**

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

**Prepared By:**

Jeff Richardson, AICP, Deputy Development Services Director

**Reviewed By:**

Mike Lane, AICP, Development Services Director



**ORDINANCE NUMBER 24-08**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 13.72 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBERS 1784069, 2814128 AND 2814144, ON THE SOUTH SIDE OF GETFORD ROAD, EAST OF COOLIDGE STREET AND WEST OF GATCH ROAD.**

**WHEREAS**, The property owner, Lake RC, Inc., Thomas Zahn, applicant, has made an application for voluntary annexation of approximately 13.72 acres of real property located on the south side of Getford Road, east of Coolidge Street and west of Gatch Road., more particularly described as:

Parcel Alternate Keys: 1784069, 2814128 and 2814144

Parcel Identification Numbers: 06-19-27-0003-000-00700, 06-19-27-0003-000-00701 and

06-19-27-0003-000-00702

Legal Description: W 75.0 FT OF N 3/4 OF GOV LOT 6 ORB 5263 PG 122 AND E 278.98 FT OF W 353.98 FT OF N 3/4 OF GOV LOT 6 ORB 5263 PG 122 AND E 278.98 FT OF W 632.96 FT OF N 3/4 OF GOV LOT 6 ORB 5943 PG 2298

**WHEREAS**, the subject property is reasonably compact and contiguous; and

**WHEREAS**, the annexation of this property will not result in the creation of enclaves; and

**WHEREAS**, the subject property is located within the City of Eustis Planning Area, and water service is available to the property; and

**WHEREAS**, on February 15, 2024, the City Commission held the 1<sup>st</sup> Public Hearing to consider the voluntary annexation of the property contained herein; and

**WHEREAS**, on March 7, 2024, the City Commission held the 2<sup>nd</sup> Public Hearing to consider the voluntary annexation of the property contained herein

**NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:**

**SECTION 1.**

That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 13.72 acres of real property, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit "A".

**SECTION 2.**

That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

**SECTION 3.**

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 4.**

That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

**SECTION 5.**

That should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**SECTION 6.**

That this Ordinance shall become effective upon passing.

**SECTION 7.**

That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 7<sup>th</sup> day of March, 2024.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

---

Michael L. Holland  
Mayor/Commissioner

**ATTEST:**


---

Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:  
Notary Serial Number:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

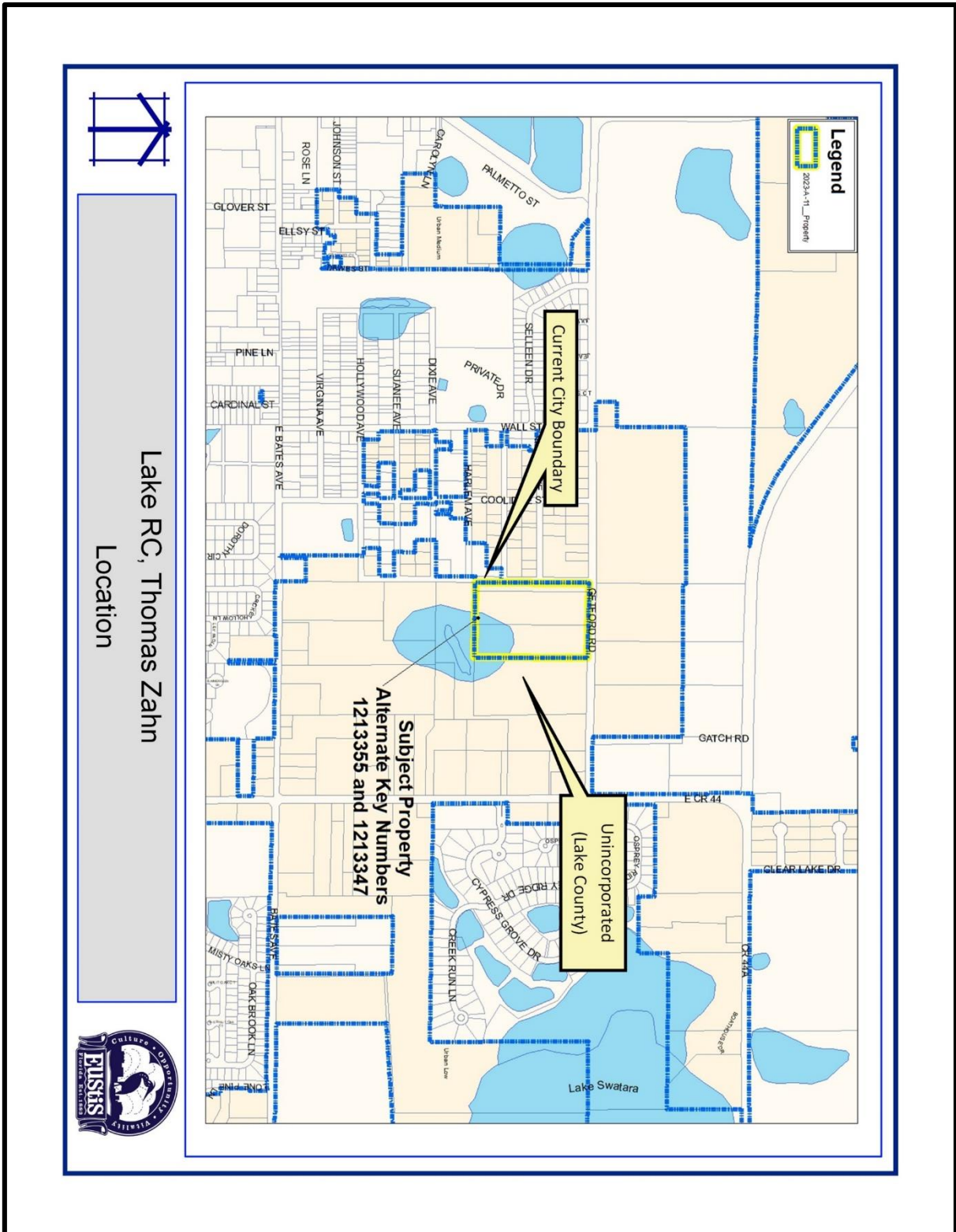
\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 24-08 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk

### Exhibit A







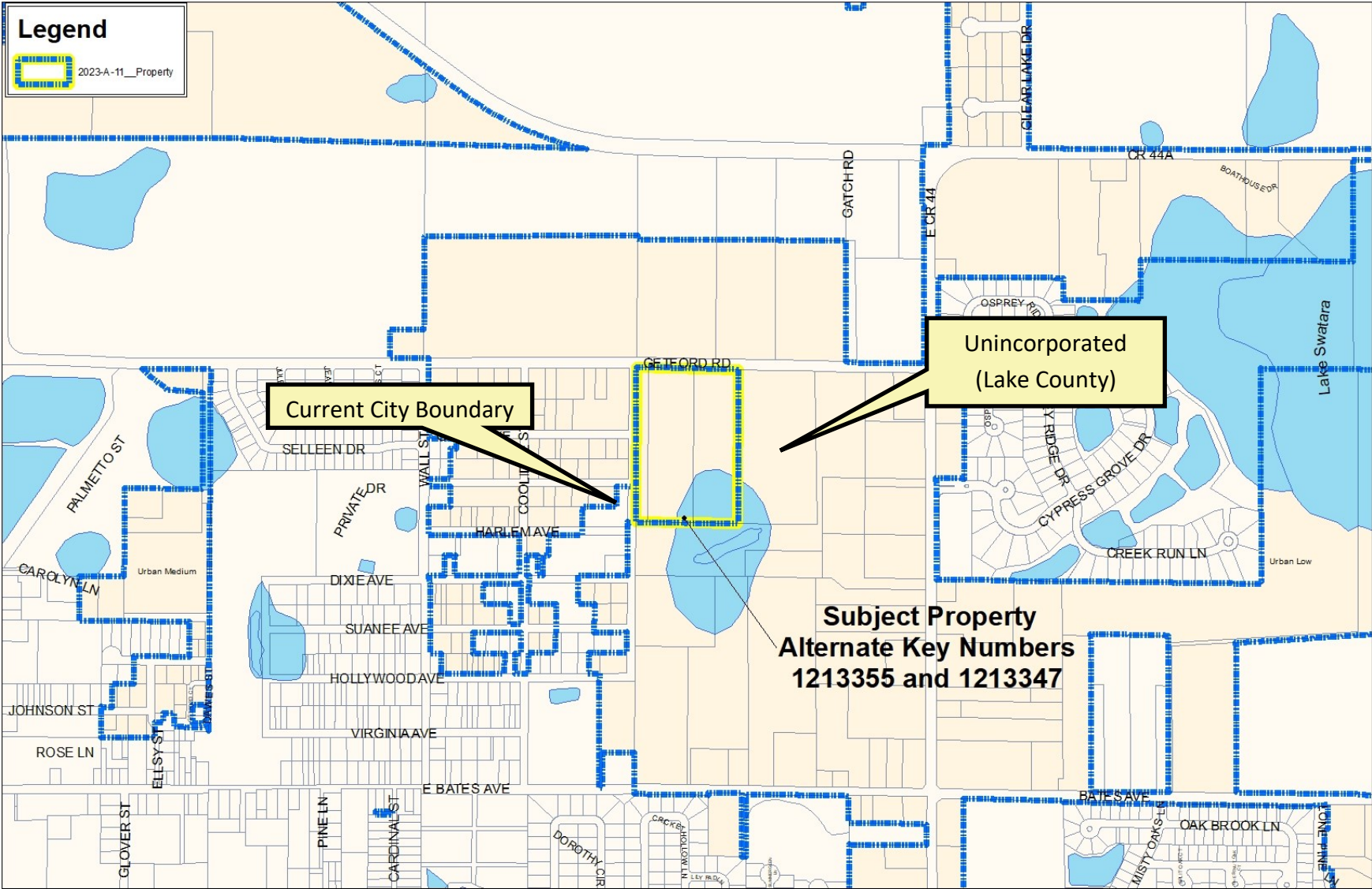
Subject Properties



Lake RC, Thomas Zahn  
Aerial Location







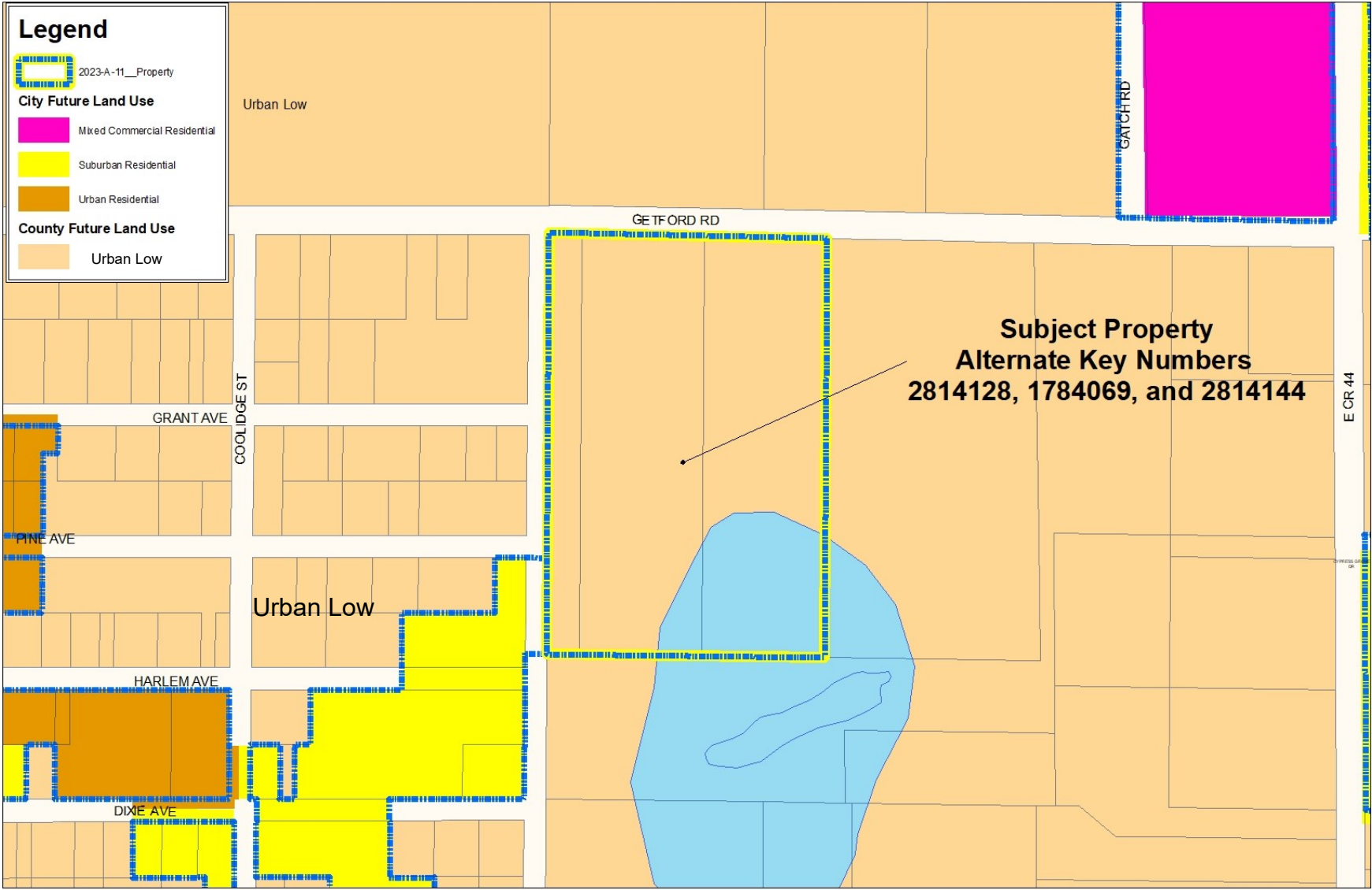
Lake RC, Thomas Zahn  
Location





**Legend**

-  2023-A-11\_Property
- City Future Land Use**
  -  Mixed Commercial Residential
  -  Suburban Residential
  -  Urban Residential
- County Future Land Use**
  -  Urban Low

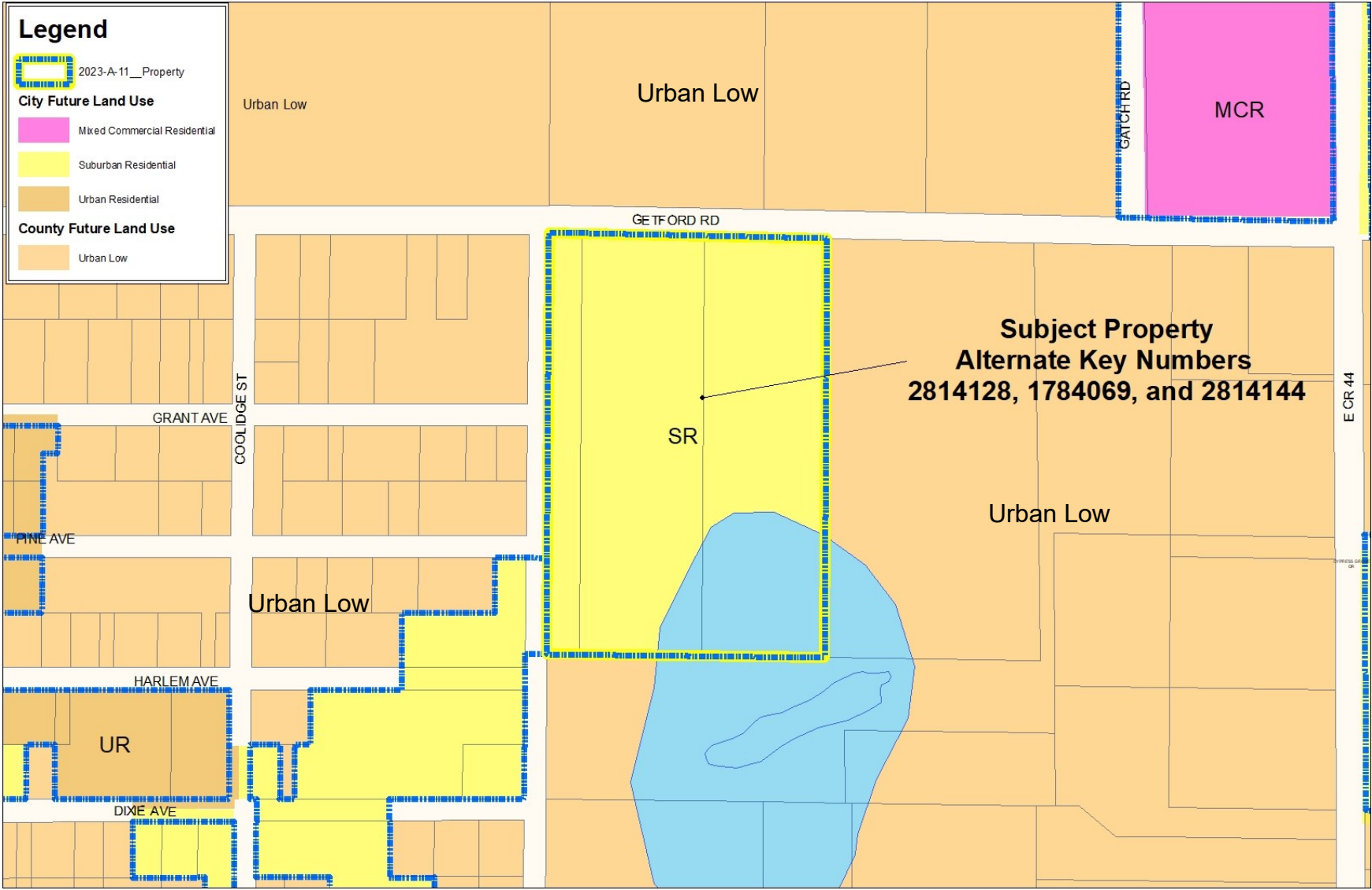


Lake RC, Thomas Zahn  
Future Land Use (Current)



**Legend**





-  2023-A-11\_\_Property
- City Future Land Use**
  -  Mixed Commercial Residential
  -  Suburban Residential
  -  Urban Residential
- County Future Land Use**
  -  Urban Low

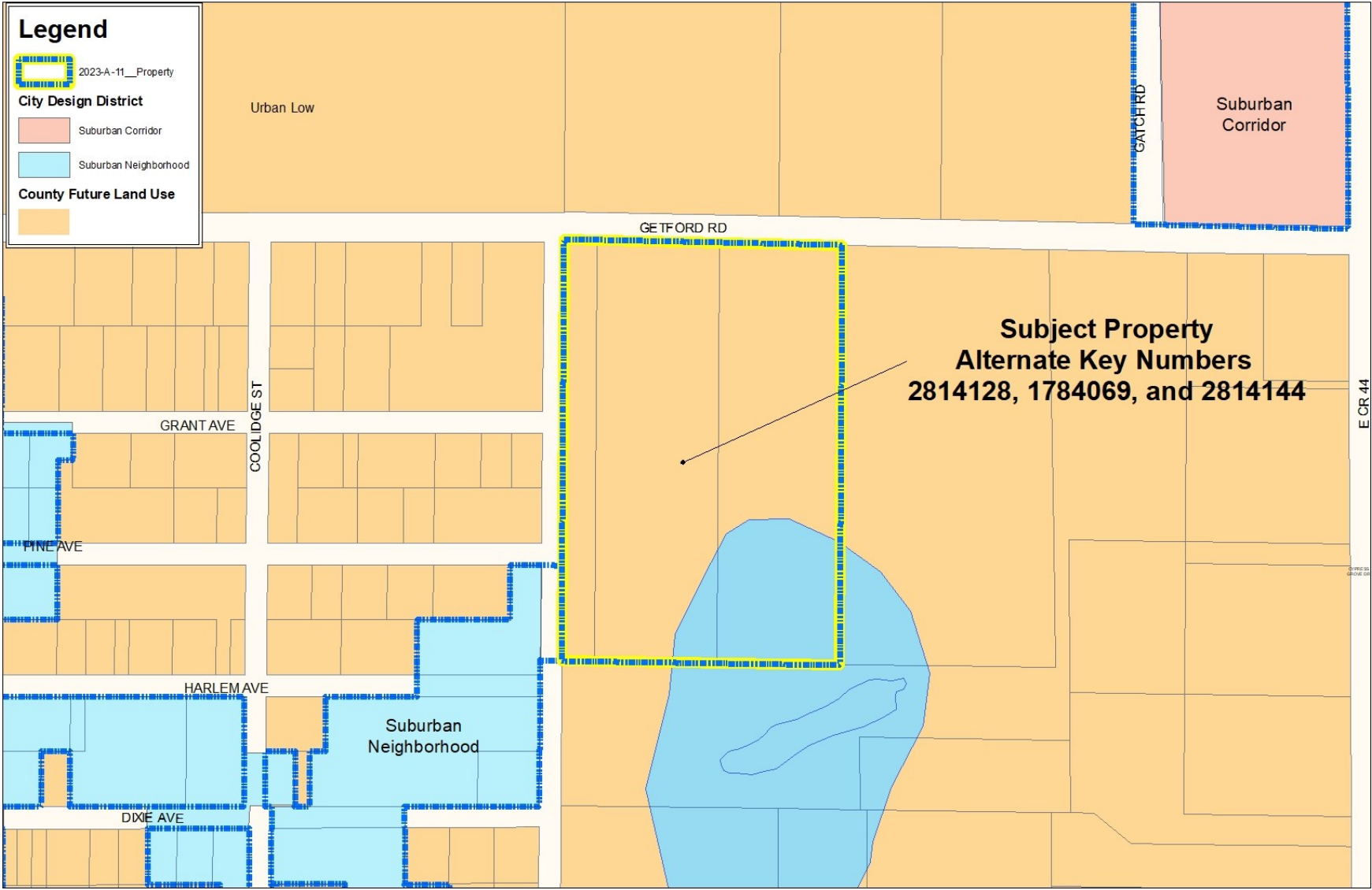


Lake RC, Thomas Zahn  
Future Land Use (Proposed)



**Legend**





-  2023-A-11\_Property
- City Design District**
  -  Suburban Corridor
  -  Suburban Neighborhood
- County Future Land Use**
  -  Urban Low

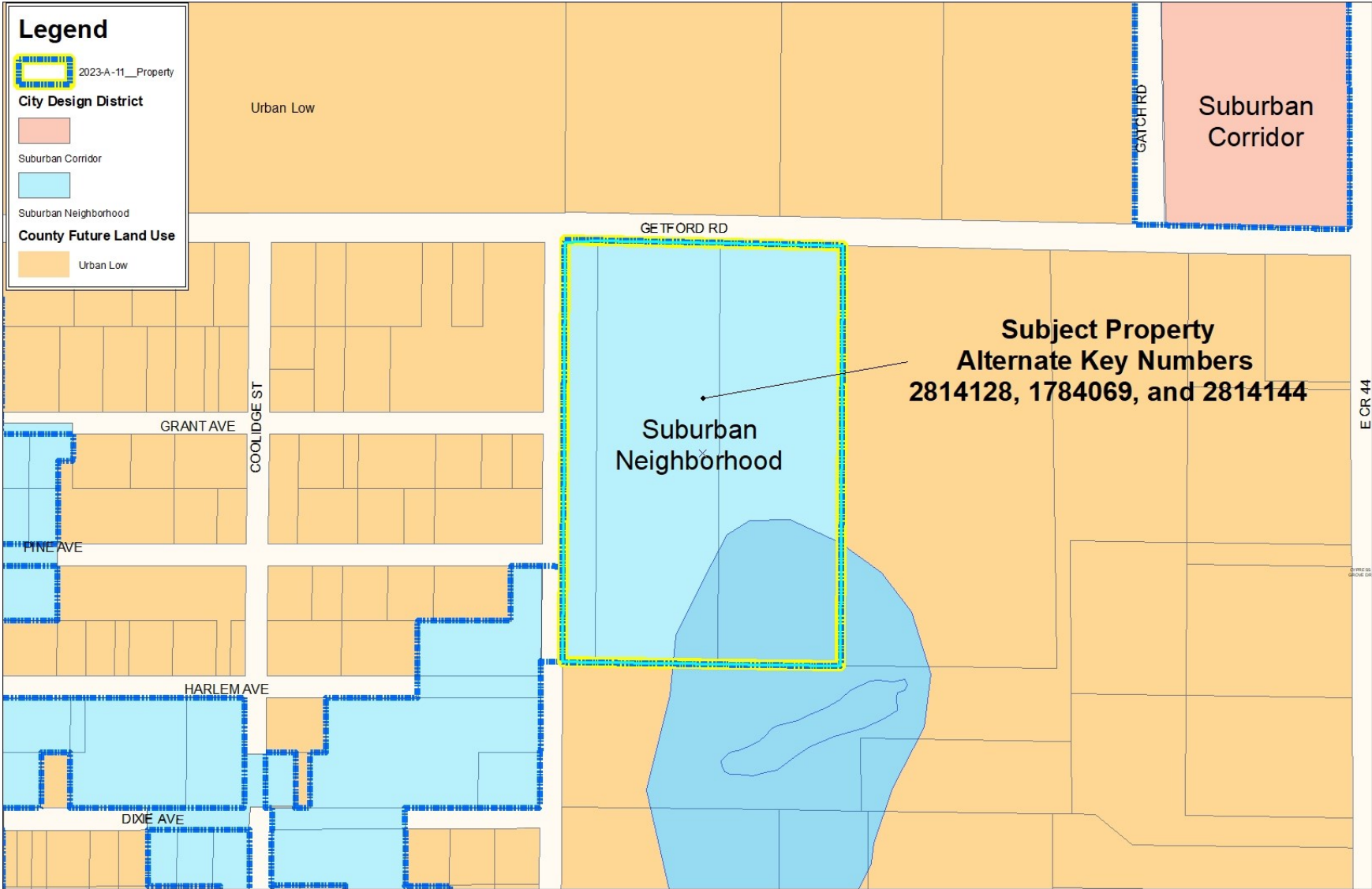


Lake RC, Thomas Zahn  
Design District (Before)



**Legend**

-  2023-A-11\_Property
- City Design District**
-  Suburban Corridor
-  Suburban Neighborhood
- County Future Land Use**
-  Urban Low



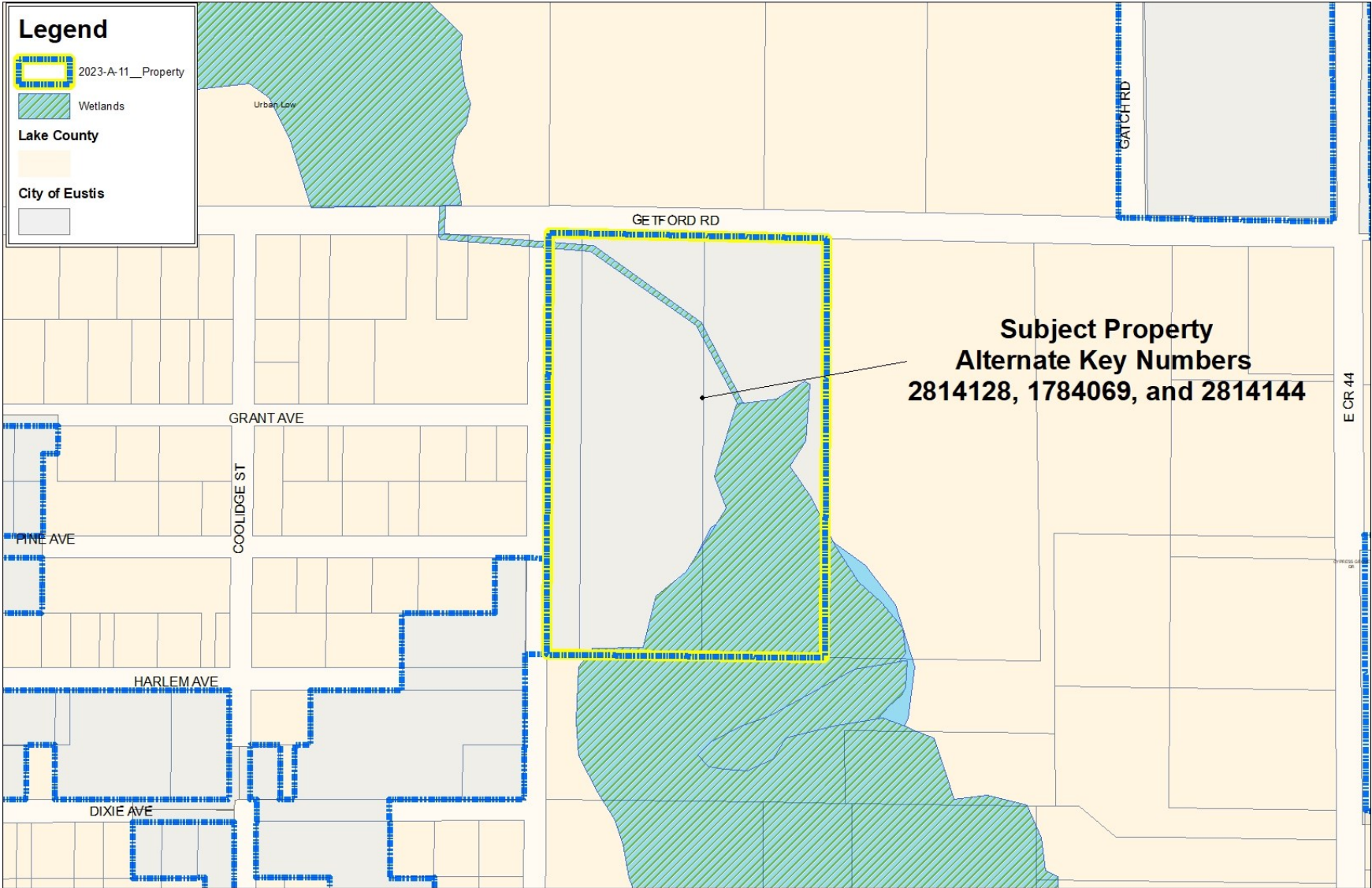
Lake RC, Thomas Zahn  
Design District (After)





**Legend**

-  2023-A-11\_\_Property
-  Wetlands
- Lake County**
- 
- City of Eustis**
- 




**Subject Property**  
**Alternate Key Numbers**  
**2814128, 1784069, and 2814144**



Lake RC, Thomas Zahn  
 Wetland Map




**Legend**


 2023-A-11\_\_Property

**Flood Zones**


**Zone**

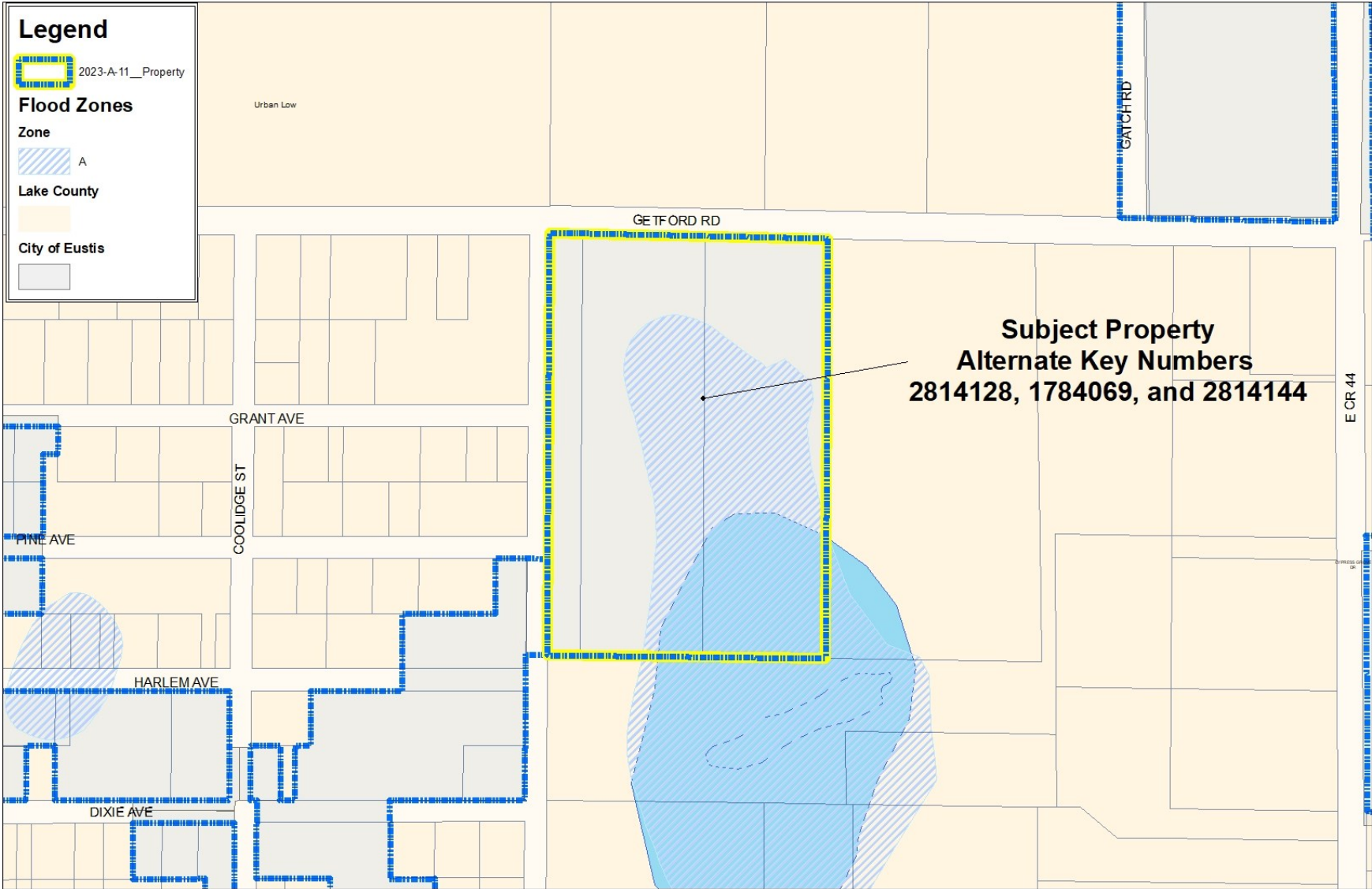
 A

**Lake County**



**City of Eustis**

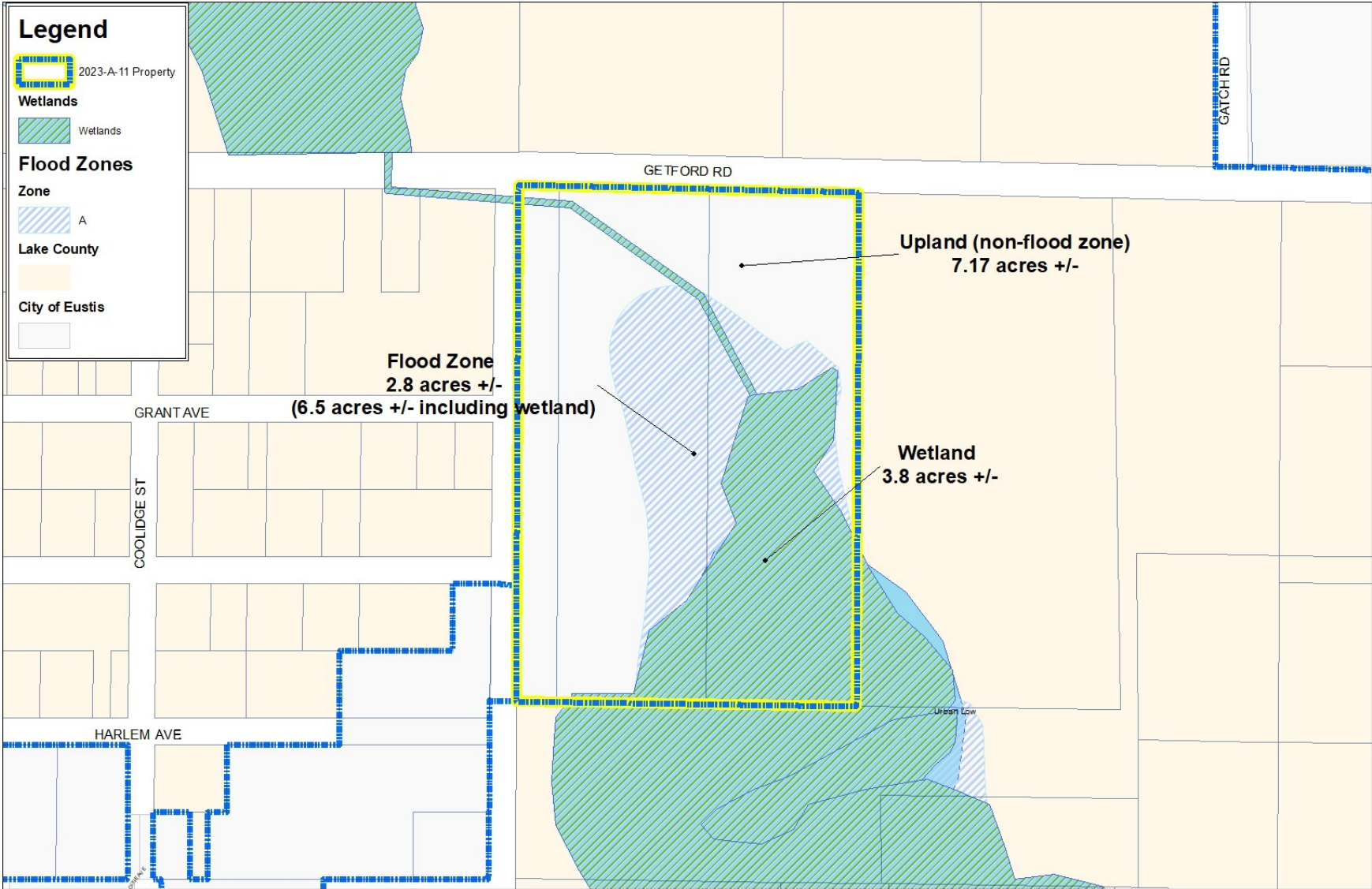




Lake RC, Thomas Zahn  
Flood Zone












Lake RC, Thomas Zahn  
Flood Zone




**Legend**

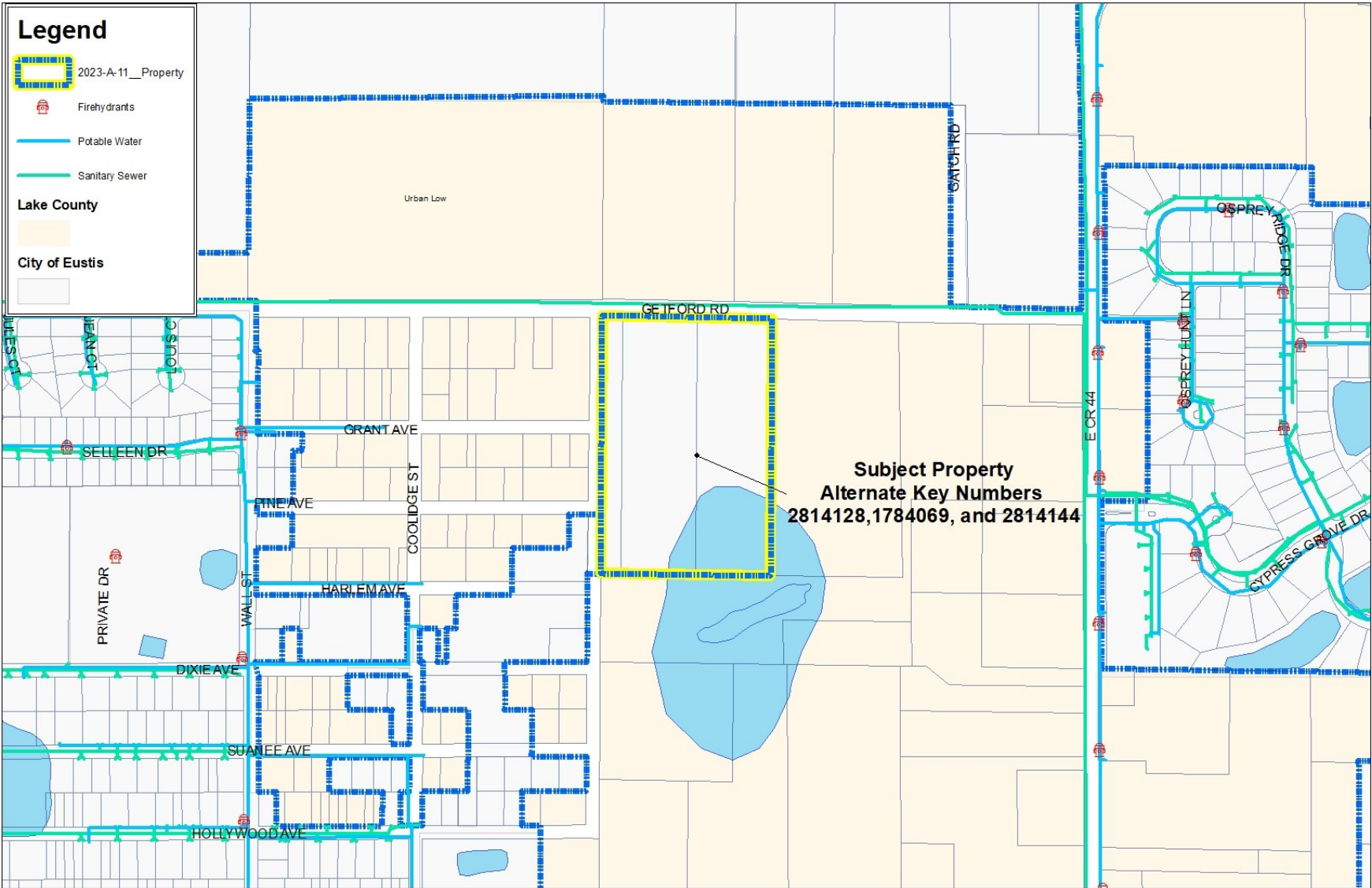
-  2023-A-11\_Property
-  Firehydrants
-  Potable Water
-  Sanitary Sewer

**Lake County**

-  Urban Low

**City of Eustis**





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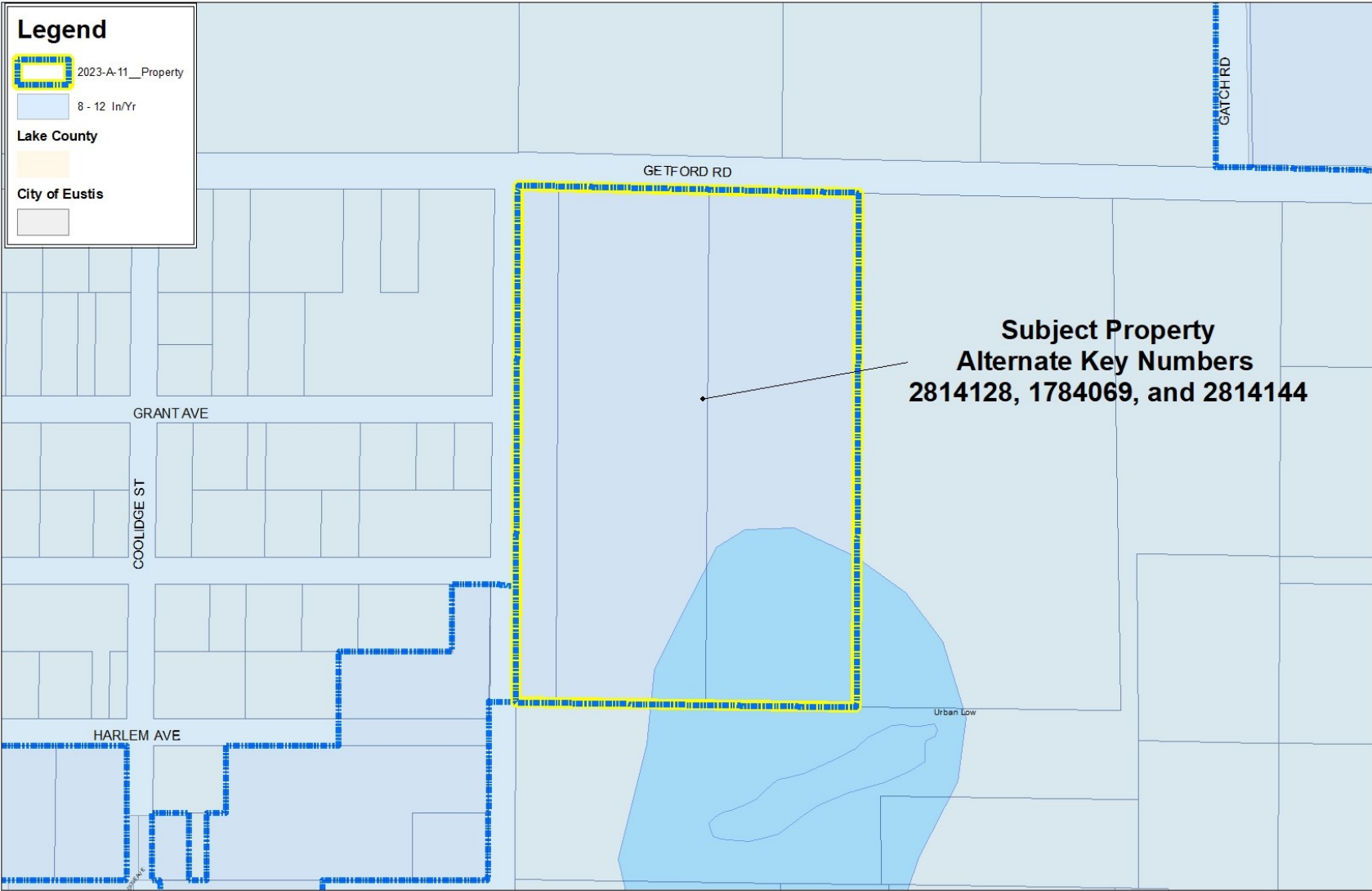


Lake RC, Thomas Zahn  
Utilities



**Legend**

-  2023-A-11\_Property
-  8 - 12 In/Yr
- Lake County**  

- City of Eustis**  


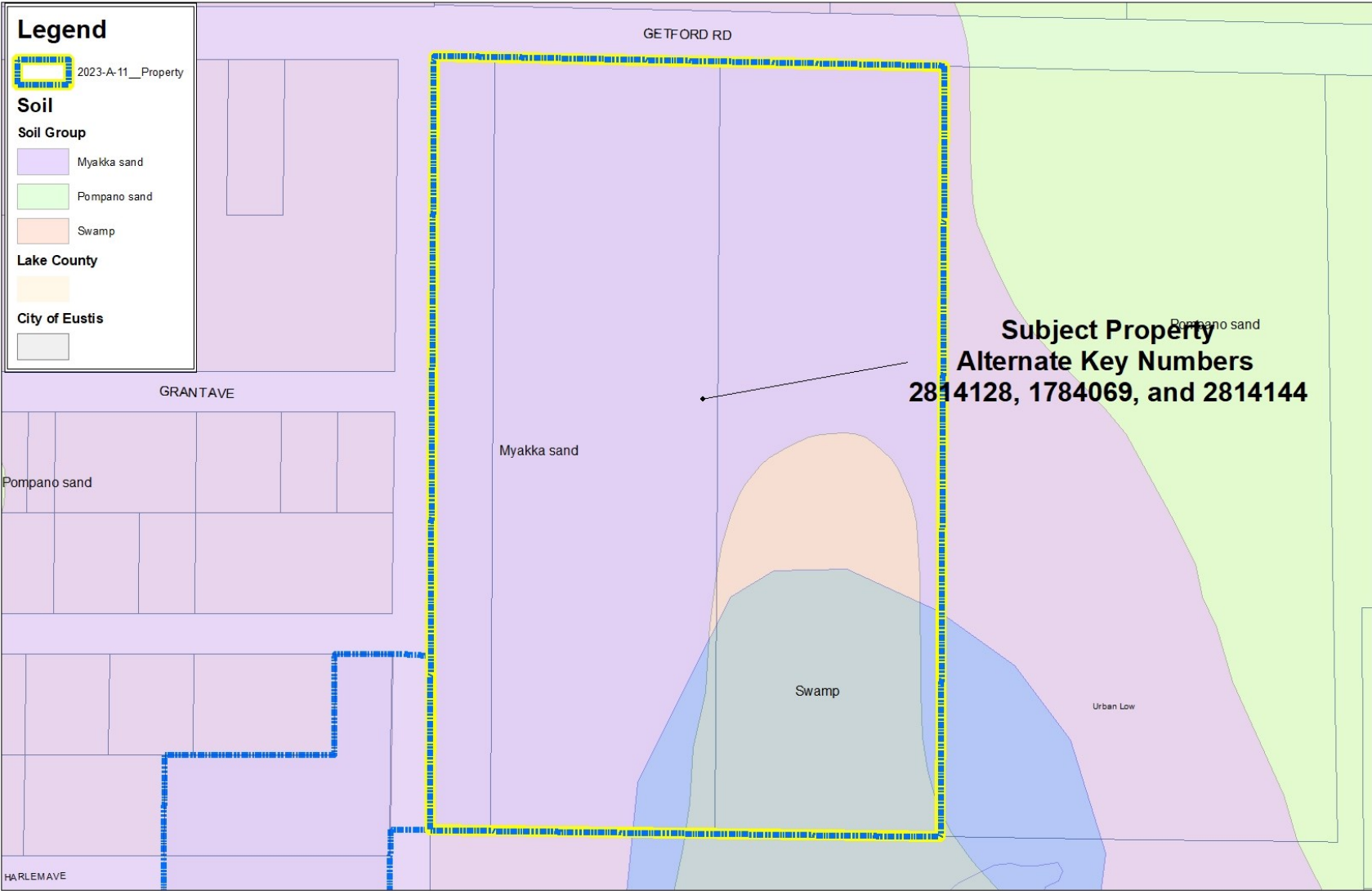


Lake RC, Thomas Zahn  
Potential Recharge



**Legend**

- 2023-A-11\_Property
- Soil**
- Soil Group**
  - Myakka sand
  - Pompano sand
  - Swamp
- Lake County**
- City of Eustis**



Lake RC, Thomas Zahn  
USGS Soils Survey Map



**ORDINANCE NUMBER 24-09**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 13.72 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBERS 1784069, 2814128 AND 2814144, ON THE SOUTH SIDE OF GETFORD ROAD, EAST OF COOLIDGE STREET AND WEST OF GATCH ROAD FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL IN THE CITY OF EUSTIS.**

**WHEREAS**, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

**WHEREAS**, State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

**WHEREAS**, the City of Eustis periodically amends its Comprehensive Plan in accordance with Chapter 163.3187 and 163.3191, Florida Statutes; and

**WHEREAS**, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 13.72 acres of real property at Lake County Property Appraiser's Alternate Key Numbers 1784069, 2814128, and 2814144, on the south side of Getford Road, east of Coolidge Street and west of Gatch Road., and more particularly described herein; and

**WHEREAS**, on **February 15, 2024**, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

**WHEREAS**, on **February 15, 2024**, the City Commission held the 1<sup>st</sup> Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

**WHEREAS**, on **March 7, 2024**, the City Commission held the 2<sup>nd</sup> Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein;

**NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:**

**SECTION 1.**

**Land Use Designation:** That the Future Land Use Designation of the real property as described below shall be changed from Urban Low in Lake County to Suburban Residential within the City of Eustis:

Parcel Alternate Keys: 1784069, 2814128 and 2814144

Parcel Identification Numbers: 06-19-27-0003-000-00700, 06-19-27-0003-000-00701 and

06-19-27-0003-000-00702



Legal Description: W 75.0 FT OF N 3/4 OF GOV LOT 6 ORB 5263 PG 122 AND E 278.98 FT OF W 353.98 FT OF N 3/4 OF GOV LOT 6 ORB 5263 PG 122 AND E 278.98 FT OF W 632.96 FT OF N 3/4 OF GOV LOT 6 ORB 5943 PG 2298

**SECTION 2.**

**Map Amendment and Notification:** That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

**SECTION 3.**

**Conflict:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 4.**

**Severability:** That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**SECTION 5.**

**Effective Date:** The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity 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 Department of Economic Opportunity.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 7<sup>th</sup> day of March, 2024.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**



**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2024, by Christine Halloran, City Clerk, who is personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:  
Notary Serial Number:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

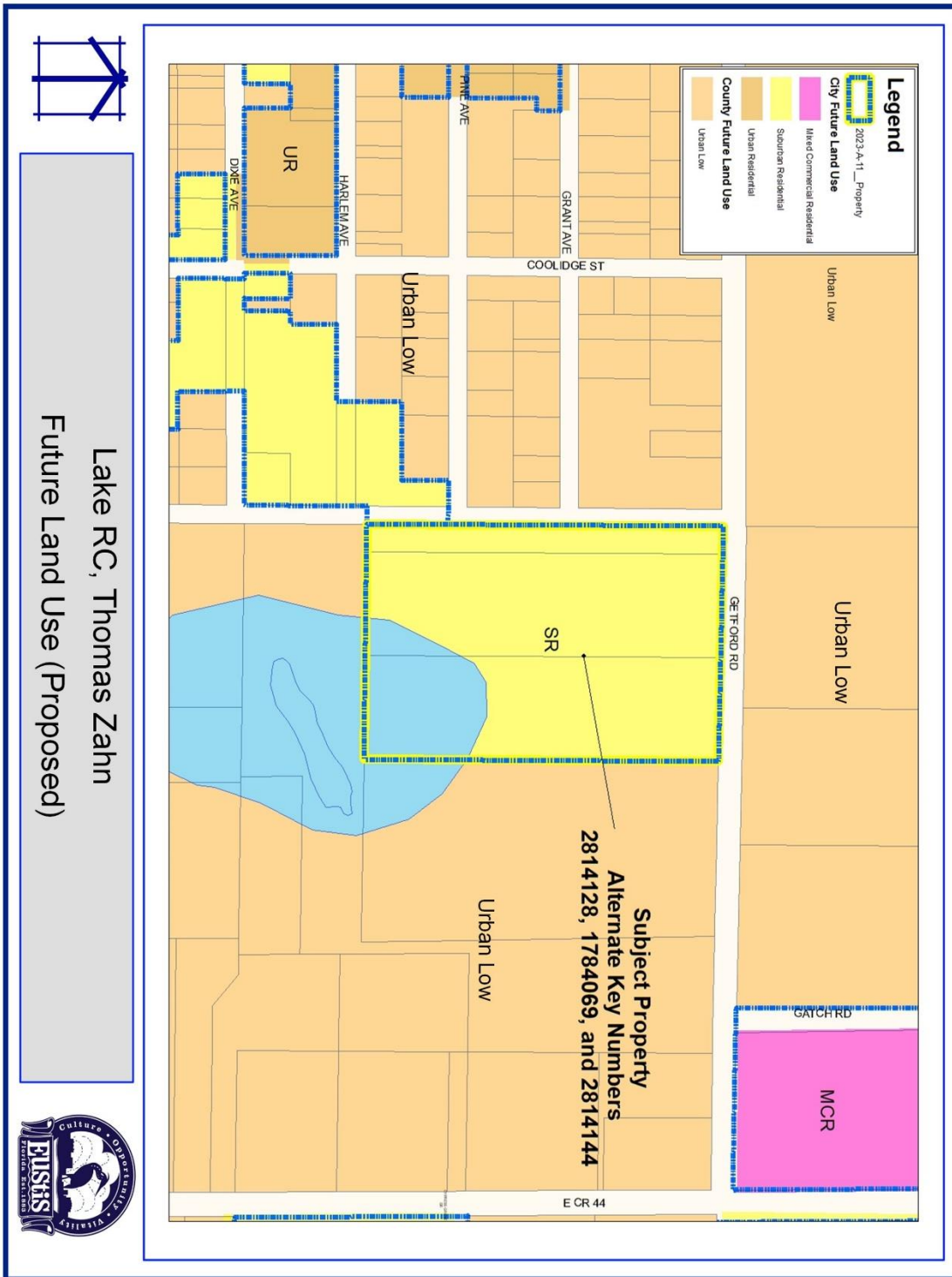
\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 24-09 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk

### Exhibit A



## ORDINANCE NUMBER 24-10

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 13.72 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBERS 1784069, 2814128 AND 2814144, ON THE SOUTH SIDE OF GETFORD ROAD, EAST OF COOLIDGE STREET AND WEST OF GATCH ROAD.**

**WHEREAS**, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Neighborhood to approximately 13.72 acres of recently annexed real property further described below, and

**WHEREAS**, on February 15, 2024, the City Commission held the 1<sup>st</sup> Public Hearing to consider the Design District Amendment contained herein; and

**WHEREAS**, on March 7, 2024, the City Commission held the 2<sup>nd</sup> Public Hearing to consider the adoption of the Design District Amendment contained herein;

**NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:**

### **Section 1. Design District Designation**

That the Design District Designation of the real property described below and shown on Exhibit A shall be Suburban Neighborhood:

Parcel Alternate Keys: 1784069, 2814128 and 2814144

Parcel Identification Numbers: 06-19-27-0003-000-00700, 06-19-27-0003-000-00701

and

06-19-27-0003-000-00702

Legal Description: W 75.0 FT OF N 3/4 OF GOV LOT 6 ORB 5263 PG 122 AND E 278.98 FT OF W 353.98 FT OF N 3/4 OF GOV LOT 6 ORB 5263 PG 122 AND E 278.98 FT OF W 632.96 FT OF N 3/4 OF GOV LOT 6 ORB 5943 PG 2298

### **Section 2. Map Amendment**

That the Director of Development Services shall be authorized to amend the Design District Map to incorporate the change described in Section 1.

### **Section 3. Conflict**

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

### **Section 4. Severability**

That should any section, phrase, sentence, provision, or portion of this

Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**Section 5. Effective Date**

That this Ordinance shall become effective upon annexation of the subject property through approval of Ordinance Number 24-10.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 7<sup>th</sup> day of March, 2024.

**CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:  
Notary Serial Number:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 24-10 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

---

Christine Halloran, City Clerk

### Exhibit A

