

ORDINANCE NUMBER 22-37

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY FOR TM MULTI-FAMILY PUD PURSUANT TO SECTION 102-29 AND 109-2.8 OF THE LAND DEVELOPMENT REGULATIONS; APPROVING A PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN FOR A 230-UNIT SINGLE-STORY MULTI-FAMILY PROJECT, ON 24.94 GROSS ACRES ON THE SOUTH SIDE OF WAYCROSS AVENUE AND WEST SIDE OF SR 44, ESTABLISHING PERMITTED USES AND DEVELOPMENT STANDARDS, PROVIDING FOR A PD MASTER PLAN, PROVIDING FOR CONDITIONS OF APPROVAL, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, TM BTR, LLC has made an application for a Planned Unit Development Overlay for a 230-unit single-story multi-family residential development on 24.94 gross acres on the south side of Waycross Avenue and west of SR 44, more particularly described as follows:

LCPA PARCEL ID# 19-19-27-0001-000-00100 and 18-19-27-0004-000-02000

A PARCEL OF LAND LYING IN SECTIONS 18 AND 19, TOWNSHIP 19 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 18, ALSO BEING THE NORTHEAST CORNER OF SAID SECTION 19; THENCE RUN NORTH 89°57'52" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19 AND THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18 FOR A DISTANCE OF 633.02 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF STATE ROAD 44 / COUNTY ROAD 44B AS RECORDED IN MAP BOOK 13, PAGES 74 THROUGH 94 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH AND SOUTH LINE RUN SOUTH 00°18'56" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 429.04 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE RUN NORTH 89°54'58" WEST FOR A DISTANCE OF 545.84 FEET; THENCE RUN NORTH 01°12'55" EAST FOR A DISTANCE OF 428.68 FEET TO A POINT ON THE AFORESAID NORTH AND SOUTH LINE OF SAID SECTIONS 19 AND 18; THENCE RUN NORTH 89°57'52" WEST ALONG SAID NORTH AND SOUTH LINE FOR A DISTANCE OF 385.03 FEET; THENCE DEPARTING SAID NORTH AND SOUTH LINE RUN NORTH 00°09'12" EAST FOR A DISTANCE OF 813.27 FEET; THENCE RUN SOUTH 89°57'53" EAST FOR A DISTANCE OF 201.97 FEET; THENCE RUN NORTH 00°20'24" EAST FOR A DISTANCE OF 363.61 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF WAY CROSS AVENUE AS RECORDED IN MAP BOOK 5, PAGES 99 THROUGH 103 OF THE AFORESAID PUBLIC RECORDS BEING A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF

911.09 FEET, WITH A CHORD BEARING OF SOUTH 50°57'00" EAST AND A CHORD DISTANCE OF 838.88 FEET; THENCE RUN THE FOLLOWING COURSES ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE: SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 54°49'19" ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 871.75 FEET TO A POINT ON A NON TANGENT LINE; THENCE RUN NORTH 66°27'40" EAST FOR A DISTANCE OF 5.00 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 916.09 FEET, WITH A CHORD BEARING OF SOUTH 20°14'27" EAST AND A CHORD DISTANCE OF 105.41 FEET; THENCE RUN SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 06°35'46" ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 105.47 FEET TO A POINT ON A NON TANGENT LINE; THENCE RUN SOUTH 16°56'34" EAST FOR A DISTANCE OF 61.31 FEET TO THE INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF STATE ROAD 44 / COUNTY ROAD 44B; THENCE RUN SOUTH 00°18'56" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 493.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,086,468 SQUARE FEET OR 24.94 ACRES, MORE OR LESS.

WHEREAS, Section 102-29 of the Eustis Land Development Regulations provides for a Planned Unit Development Overlay (PUD) to create planned sustainable communities, provide an opportunity for flexibility and innovation and to encourage a higher level of design and amenity than is possible to achieve under the current regulations; and

WHEREAS, the unique site characteristics of the TM Multi-family PUD property and the development objectives warrant a departure from the standard land use and design district regulations; and

WHEREAS, the proposed PUD complies with the density limitations under the assigned Mixed Commercial/Residential District (MCR) land use; and

WHEREAS, departures from the assigned Suburban Neighborhood design district regulations are necessary to address the desired PUD development standards to accomplish the development of the single-story multi-family development on a single lot, which differs from any of the City's current lot types and to provide a higher level of amenity and design; and

WHEREAS, the resulting development is consistent with the character of the surrounding area and the overall planning objectives of the city; and

WHEREAS, the existing and planned infrastructure is adequate to support the development; and

WHEREAS, the development incorporates best management practices for stormwater management and water and energy efficiency; and

WHEREAS, the development protects, preserves, and manages areas of significant natural resources; and

WHEREAS, the arrangement of the proposed use better integrates future development into the surrounding neighborhood; and

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

SECTION 1. PLANNED UNIT DEVELOPMENT OVERLAY

That the TM Multi-Family Planned Unit Development Overlay for 230-unit single-story multi-family residential project located on south side of Waycross Avenue and west of SR 44, with conditions provided for in Section 4.

SECTION 2. PLANNED UNIT DEVELOPMENT MASTER PLAN

That the TM Multi-Family Planned Unit Development Master Plan, attached hereto as Exhibit "A", is hereby approved with the following development standards:

Permitted Uses:

CLUBHOUSE/ CABANA
CONSTRUCTION TRAILERS
DETACHED GARAGES
DOG PARK
HOME OCCUPATIONS
MAINTENANCE BUILDINGS
MODEL HOMES
PARKS
POOL
PUBLIC SERVICE/ FACILITIES
LEASING/MANAGEMENT OFFICE
RETENTION PONDS
MULTI-FAMILY DETACHED RESIDENTIAL
MULTI-FAMILY ATTACHED RESIDENTIAL
TRAILS

Design Standards Table

PUD	Proposed
Maximum Density	9.22 dwelling units/acre
Maximum Units	230
Minimum Living Area	600 SF (under air/heat)
Detached Garages	.35 garage spaces per unit Up to 5 individual garages can be attached. The minimum area for each garage is 214 square feet
Minimum Building Separation	10'
Maximum Height	One Story
Lot Width	N/A
Lot Depth	N/A
Lot Size	N/A
Open Space	27% Minimum
Parking	2 Spaces Per Unit
Minimum Building Setbacks	
Eastern Boundary - SR 44	25'
Northern Boundary - Waycross	25'
Western Boundary	25'
Southern Boundary	25'

Landscape Buffers:

Enhanced landscape buffers shall be provided, as shown on the PUD Master Plan and outlined below:

- A. Landscaping
 1. A 15-foot wide landscape buffer with enhanced plantings to be provided along the southern property line adjacent to E. Moonlight Lane (the 44 Gables neighborhood) and along the eastern boundary adjacent to Orange Branch Road (easement).
 2. A 15-foot wide landscape buffer with enhance plantings will be located along Waycross Avenue and SR 44.
- B. Wall/Fencing – a six-foot-tall fence or wall shall be included along the landscape buffer at the perimeter. The fence/wall shall be a decorative PVC fence or pre-cast type wall with decorative stone-finished columns and column caps (or similar) or some combination of the two materials. A six-foot-tall pre-cast type wall will be located within a 15-foot landscape buffer with enhanced plantings along E. Moonlight Lane (the 44 Gables neighborhood).

Recreational Amenities

- A. Dog Park - 0.20-acre
- B. Amenity Area – 0.74-acre
- C. Park Space – 1.59-acres
- Total - 2.53-acres

SECTION 3. TERM

The term of this Planned Unit Development Overlay shall be ten (10) years from the effective date.

SECTION 4. CONDITIONS

That a Site Plan approval and Final Engineering/Construction Plan approval shall be consistent with the Land Development Regulations, except as provided for herein.

SECTION 5.

That this Ordinance shall become effective upon passing.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____ 2022.

**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 _____ day of _____, 2022, by Michael L. Holland, Mayor, and Christine Halloran, CMC, 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 Ordinance Number 22-37 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, CMC, City Clerk

Exhibit A – PUD Master Plan