

RESOLUTION NUMBER 23-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A SITE PLAN WITH WAIVER (TO SECTION 115-9.3.2(A) SUBURBAN DESIGN DISTRICT STANDARDS – SUBURBAN LANDSCAPE) FOR THE DUKE ENERGY – EUSTIS SOUTH SUBSTATION ON APPROXIMATELY 5.22 ACRES LOCATED WEST OF SOUTH BAY STREET AND NORTH OF PLAZA DRIVE (ALTERNATE KEY NUMBER 1240336).

WHEREAS, Poulos and Bennett, LLC, the applicant on behalf of the property owner, Duke Energy Center, has made an application for a Site Plan with waivers to permit site additions and modifications to the Duke Energy Eustis Substation on approximately 5.22 acres located west of South Bay Street and North of Plaza Drive, more particularly described as:

Alternate Key Number: 1240336

Parcel Identification Number: 23-19-26-0002-000-00100

BEG AT NW COR OF SE 1/4 OF NW 1/4, RUN E TO HWY R/W, S'LY & W'LY ALONG R/W TO W LINE OF SE 1/4 OF NW 1/4, N ALONG W LINE OF SE 1/4 OF NW 1/4 TO POB.

WHEREAS, the property described above has a Land Use Designation of General Commercial (GC) and a Design District Designation of Suburban Corridor; and

WHEREAS, public service/utilities is a permitted use in the General Commercial (GC) land use designation; and

WHEREAS, the proposed site plan as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, the proposed waiver to the Land Development Regulations meets the general intent of the regulations; does not jeopardize the health, safety, or welfare of the public; and includes appropriate mitigation; and

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

SECTION 1.

That the Site Plan for the site additions and modifications to the Duke Energy Eustis Substation, and attached hereto as Exhibit A is hereby approved with the following waivers:

1. Waiver to landscape buffer requirement of fifteen feet along public streets to allow a brick wall in lieu of landscaping for a buffer (Section 115-9.3.2);

SECTION 2.

That the Site Plan Approval shall be subject to the owner/developer complying with the following conditions:

- a. Obtaining Final Construction and Engineering Plan approval within one year, and developing the property in accordance with the approved Site Plan as referenced in Section 1 and attached hereto as Exhibit A.
- b. Obtaining and providing copies of all applicable permits from other jurisdictional agencies.
- c. Meeting applicable concurrency requirements prior to the approval of a final development order.

Section 3.

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

Section 4.

That this Resolution shall become effective upon filing.

DONE AND RESOLVED this 1st day of June, 2023, 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 1st day of June, 2023, 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, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-39 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: SITE PLAN

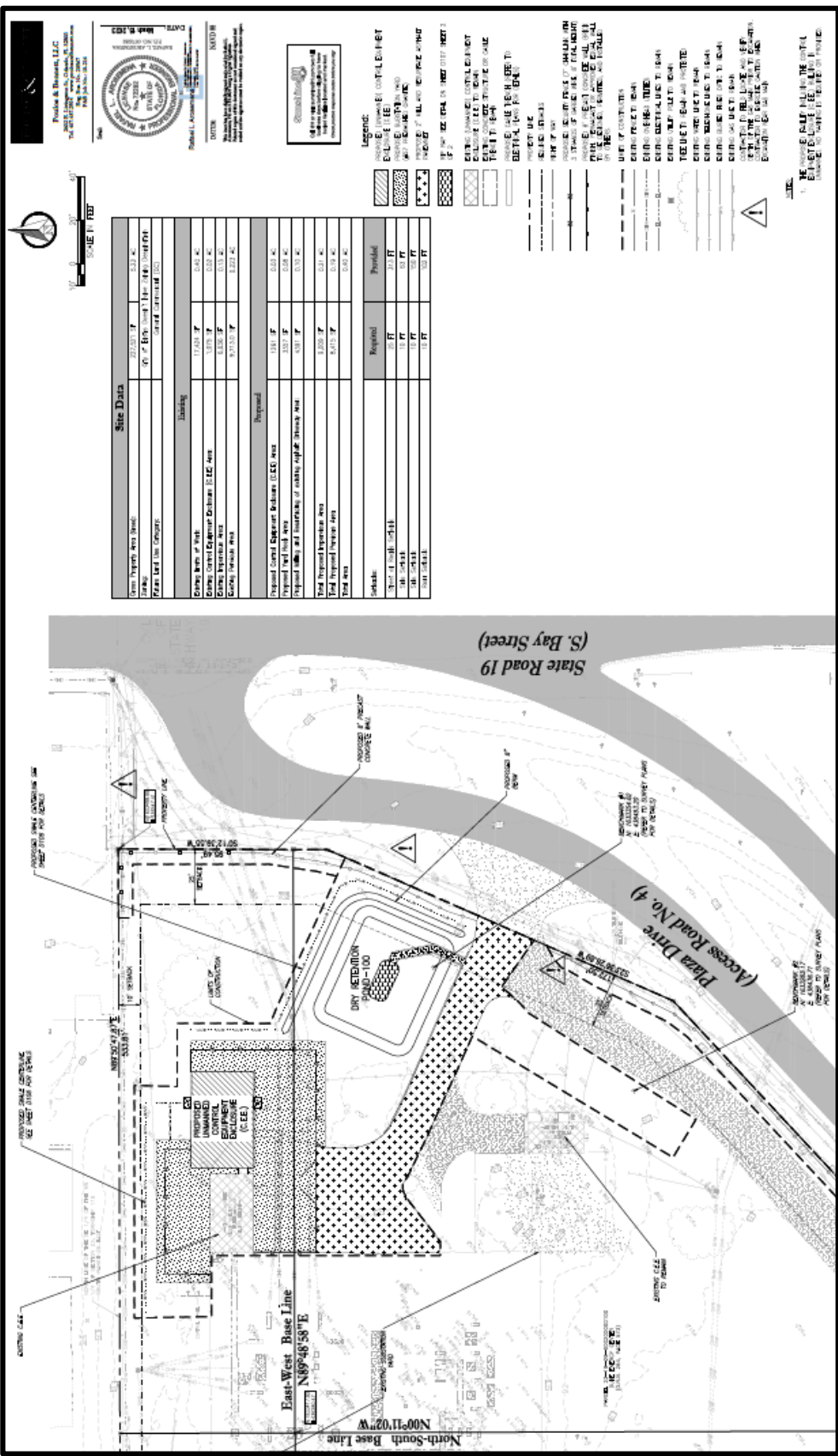


EXHIBIT B: PROPOSED WALL ELEVATIONS

