



# City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: February 15, 2024

RE: Discussion regarding allowance of Kurt Street Townhomes Preliminary Subdivision Plat to be reheard before the 9-month waiting period

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## **Introduction:**

This is a request by the Applicant for Kurt Street Townhomes Preliminary Subdivision Plat (PSP) for the City Commission to consider the allowance for reconsideration of the Kurt Street Townhomes Preliminary Subdivision Plat with changes within 9 months of denial by the City Commission.

## **Background:**

On February 1, 2024, the request for approval of the Kurt Street Townhomes Preliminary Subdivision Plat was denied by the City Commission. The request that was denied included the following recreational components: a pickleball court, dog park and walking trails throughout the property.

Pursuant to City Commission Rules of Order Section 10(e) *“No item shall be placed on an agenda which is substantially similar to an item voted upon by the Commission within the last nine months unless three or more Commissioners agree. During our business at a regular Commission meeting, the Commission shall discuss and vote on whether such an agenda item should be formally reconsidered by the Commission on a future agenda.”* For the City Commission to elect to reconsider within 9 months, the case of the Kurt Street Townhomes Preliminary Subdivision Plan, the City Commission will need to call for a vote. The election to reconsider the case will require a minimum of three consenting votes.

The applicant is proposing changes that will make the request more consistent with the City Commissioners concerns. The narrative provided is as follows:

“Request for Reconsideration to allow submittal of the Preliminary Plat of the Kurt Street Townhomes. We, as the developer heard the concerns of the City Commission because we were present at the meeting. Because the discussion moved so quickly, we weren’t sure when it would be time for us to make our presentation. Before we knew it, the City Commission had voted on the matter and denied it. We are receptive to adding the tot lot in place of the pickleball court, as one commissioner commented. We also heard another commissioner express whether the project because it’s in a Mixed Commercial Residential Land Use District should have a mixture of uses within it. We reviewed the City’s Comprehensive Plan and found the following language under the Mixed Commercial/Residential (MCR): ‘Individual properties may develop residentially or commercially, provided that all applicable criteria set forth herein are met.’ We believe that we have met all the applicable criteria set forth in the Land Development Regulations and the Comprehensive Plan.”

The revised Site Plan including the tot lot is attached to this staff report.

**Recommended Action:**

Staff is seeking direction from the City Commission on this item.

**Policy Implications:**

N/A

**Alternatives:**

- Vote to reconsider before the expiration of 9 months, minimum of three consenting votes to pass.
- Vote to reconsider before the expiration of 9 months, less than three consenting votes to fail.
- Allow for reconsideration through consensus that the proposed project is substantially different than what was presented on February 1, 2024.
- Elect not to call for vote.

**Budget Impact:**

None

**Attachments:**

Revised Kurt Street Townhomes Preliminary Subdivision Plat – Site Plan

Revised Kurt Street Townhomes PSP Landscape Plan

**Reviewed By:**

Mike Lane, AICP, Development Services Director

Tom Carrino, City Manager