

**FRUITLAND PARK LOCAL PLANNING AGENCY
MEETING MINUTES
January 11, 2018**

A meeting of the City of Fruitland Park's Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, October 26, 2017 at 6:15 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Ray Lewis, and Rick Ranize.

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver; City Treasurer; Jeannine Racine; Police Chief Michael A. Fewless and Captain Eric Luce, Police Department; Interim Fire Chief Don Gilpin; Deputy Fire Chief, Tim Yoder, Fire Department; Parks and Recreation Department Director Michelle Yoder; Public Works Director Dale Bogle; Fruitland Park Library Director Jo Ann Glendinning; Community Development Administrative Assistant Tracy Kelley; and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Cheshire called the meeting to order at 6:04 p.m.

2. ROLL CALL

At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was declared present.

3. APPROVAL OF MINUTES

On motion of Commissioner Bell, seconded by Commissioner Ranize and unanimously carried, the LPA approved the October 26, 2017 minutes as submitted.

QUASI-JUDICIAL PUBLIC HEARING

4. Ordinance 2018-002 – Rezoning and Development Agreement – Petitioner: First Baptist Church of Leesburg Inc.

It now being the time advertised to hold a public hearing to consider Ordinance 2018-002, and after Ms. Geraci-Carver read into the record the title the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 14.95 ± ACRES OF THE PROPERTY FROM GENERAL COMMERCIAL (C-2) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; REZONING 52.70 +/- ACRES OF PROPERTY FROM PUBLIC FACILITIES DISTRICT (PFD) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; REZONING 85.44 +/- ACRES OF PROPERTY FROM SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL (R-2) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE

CITY LIMITS OF FRUITLAND PARK; REZONING 17.00 +/- ACRES OF PROPERTY FROM HIGH DENSITY RESIDENTIAL/NEIGHBORHOOD COMMERCIAL (R-3A) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; REZONING 33.98 +/- ACRES OF PROPERTY FROM GREENBELT DISTRICT (GB) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 25, 2018.)

Ms. Geraci-Carver administered the oath to Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., consultant retained by the city, who intend to testify on the subject issue.

Mr. Beliveau described the subject sub-development of regional impact (DRI) which complies with the mixed community land use designation, noted that the current mixed community land use designation identifies the requirements in filing Planned Unit Developments (PUDs) before the LPA -- namely, The Villages, as a DRI; the First Baptist Church of Leesburg, owner/applicant, and Westminster Pine Ridge, co-ed applicant -- was placed on the property when the comprehensive plan was rewritten and prior to The Villages' purchase of 750 acres, the remnant of which is being considered before the LPA at this evening's meeting. Mr. Beliveau described the application's review process and the applicant's actions to reduce the sub-development DRI levels.

Mr. Beliveau depicted the project's components and proposed uses of the multi-use property zoning on the PUD Exhibit Plan; relayed the discussions held at the December 13, 2017 Planning and Zoning (P&Z) Board Meeting on the displacement of the existing green belt rezoning, and recognized that the comprehensive plan requirements for maximum allowable density for non-residential floor area ratio (FAR) is 0.70 and the maximum allowed impervious surface ratio (ISR) is 0.80 which is not included in the development order which he believes need to be added.

Mr. Beliveau reported that out of the three separate mailings (41 notices) to the affected area residents involving (61 property owners in total), 14 letters were returned citing opposition and two were received in support of the subject proposed project.

Mayor Cheshire recognized the number of concerns relating to the subject project and the Florida Sunshine open government laws restricting the ability for the LPA to discuss same except in an open forum. He relayed Mr. Beliveau's remarks to him on other municipal agencies conducting a workshop prior to making a decision on projects of such magnitude before making a determination and suggested holding a workshop.

In response to Vice Mayor Gunter's concerns, Ms. Geraci-Carver opined that the PUD and master development agreement ought to be considered simultaneously by the LPA.

Commissioner Lewis voiced his concerns on the buildings height and locations; disclosed ex-parte communications that the residents of the Brookstone Subdivision at The Villages of Fruitland Park had with him on a five-story building with a 25-foot buffer and concurred with Vice Mayor Gunter's remarks on the lack of specifics to the questions that came to him.

After Mayor Cheshire identified inquiries he had on the proposed buffer zones, drainage by the Brookstone Subdivision, maximum building heights, fire impact fees and other numerous questions, Commissioner Lewis disclosed ex-parte oral communication he had with Lake County Property Appraiser Carey Baker by telephone earlier this day and noted questions he had of the developer.

Commissioner Ranize indicated that he has 27 bullet points of inquiries; disclosed ex-parte communication he had with several residents in the Brookstone Subdivision, and reported on his attendance at the December 13, 2017 P&Z Board meeting regarding the subject item where he had concerns at that time. He addressed concerns on the major traffic flow where the property in question crosses Pine Ridge Dairy Road and believed that the workshop, opened to the public, ought to be held at another venue where once a consensus on the project is reached, the LPA can make a decision. Commissioner Ranize reported that he visited the website as it related to Westminster properties which is all over the state and cited his agreement with Commissioner Lewis that it fits the area.

Commissioner Ranize expressed concerns on the following:

- the city's insurance services office rating standards on fire protection;
- the proposed five-story building and the utilization of the city's current equipment;
- disclosed ex-parte oral communication he had with Mr. Jerry Smith, Lake Emergency Medical Services Inc. Executive Director, on the number of transportation services provided to the retirement centers which will severely impact medical services, and
- the green belt zoning surrounding the subject affected properties including The Villages Brookstone Subdivision.

Commissioner Ranize indicated that he would be in favor of continuing the subject item to a workshop.

Commissioner Bell believes that the property owners' concepts and ideas before the LPA set a precedent for future development and noted that same has not been considered and guidelines and rules and not been established by the city to accommodate said projects which he believed need to be monitored closely.

A motion was made by Commissioner Lewis and seconded by Vice Mayor Gunter that the LPA recommend holding a workshop to address Rezoning and Development Agreement Ordinance 2018-002 as previously cited.

By unanimous consent, and in response to the city attorney's request proposed by Mr. Greg Beliveau, LPG Urban and Regional Planners Inc, Mayor Cheshire called for the applicant to make a presentation before the LPA.

After discussion, an amended motion was made by Commissioner Lewis, seconded by Vice Mayor Gunter and unanimously carried, the LPA recommended the continuation of Rezoning and Development Agreement Ordinance 2018-002 as previously cited, to a workshop to meet at the first available opportunity.

By unanimous consent, the LPA agreed for the applicant to make a presentation before the LPA.

Ms. Geraci-Carver requested that the LPA forward written documents received on the subject item as part of their ex-parte communication to Ms. Coulson.

Mr. Art A. Ayris, representing First Baptist Church of Leesburg, who was not previously sworn, gave a historical background of his grandparents who lived in the City of Fruitland Park; reviewed the power-point presentation on the Village Park Campus of First Baptist Leesburg and the proposed use on the subject site; identified the major components, and thanked staff for their assistance. (A copy of the power-point presentation is filed with the supplemental papers to the minutes of this meeting.)

Mr. Chris Wickberg, representing Westminster Communities of Florida, who was not previously sworn, gave a power-point presentation on the Village Park PUD outlining examples of various homes in a number of communities that they constructed and the proposed use previously addressed at the P&Z meeting and the willingness to review same at the forthcoming workshop to satisfy the residents' concerns. (A copy of the power-point presentation is filed with the supplemental papers to the minutes of this meeting.)

Mayor Cheshire suggested that Mr. La Venia reach out to the applicants on the date; noted the concerns on the venue, and relayed Ms. Geraci-Carver's communication with him recommending not to hold city commission meetings at faith-based organizations. He addressed the likelihood, due to more space, of holding future meetings at the Fruitland Park Elementary school taking into consideration the recording equipment, and suggested that Mr. La Venia and Ms. Coulson work on the venue.

Upon Mayor Cheshire's suggestion and by unanimous consent, the LPA recessed its meeting at 6:47 p.m. and reconvened at 6:57 p.m.

5. Mesos Medical Office –Site Development Plan Submittal (Major) - Petitioner: Carrie Ross Blevins

Mr. Beliveau reviewed the site plan approval for construction of a medical office building in accordance with the land development code and relayed the Planning and Zoning board and staff's recommendation of approval.

After extensive discussions, and there being no public comments, **a motion was made by Commissioner Bell, seconded by Commissioner Lewis and unanimously carried, the LPA approved recommending the site plan, as previously cited, to the city commission.**

6. Ordinance 2018-001 – Site Specific Comprehensive Plan – FLUE Petitioner: Terry F. and Rachel Ann Ross

It now being the time advertised to hold a public hearing to consider Ordinance 2018-001, and after Ms. Geraci-Carver read into the record the title the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA PURSUANT TO 163.3187(1), FLORIDA STATUTES; CHANGING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY PROVIDING TEXT AMENDMENTS SPECIFIC TO LOTS 15 – 19, BLOCK B, FIRST ADDITION TO DREAM LAKE SUBDIVISION, CONSISTING OF LESS THAN 10 ACRES IN SIZE, LOCATED ON SUNSET WAY, FOREST STREET AND PENNSYLVANIA AVENUE, SPECIFYING ALLOWABLE USES ON THE PROPERTY; AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE DESIGNATION TO MULTI-FAMILY LOW DENSITY AS LIMITED BY THE SITE SPECIFIC AMENDMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 25, 2018.)

Ms. Geraci-Carver explained that in order to ensure that the subject use of duplexes are consistent with the comprehensive plan amendment and with the land development regulations (LDRs), she addressed the need, when reviewing same, to conduct a comprehensive plan amendment – noted the proper future land use designation to be multifamily, and due to the type of other uses that would be allowed in the future land use, she explained that they are inconsistent with that area of development; thus, the applicant desires to build duplexes as expressed.

Ms. Geraci-Carver reported that staff implemented a sites amendment in order that allowable uses on such properties are limited to single family dwelling units detached; single family residence can be erected, and if the petitioner change their minds, they could

also have two-family duplex dwelling unit consistent with the city's LDRs. She explained that information on the site for the subject specific special exception use will be available at the next LPA meeting; noted that the project in question would change the future land use designation for the parcels and relayed staff's recommendation of approval.

After Commissioner Ranize referred to Section 2, Comprehensive Plan Amendments of the subject proposed ordinance which reflected property lots 15 through 19 and following the city commission's question on lots 12 through 15, in concurring, Ms. Geraci-Carver believed that same were included in the provision and identified the property of the daughter and son-in-law of the petitioner. Ms. Geraci-Carver confirmed in the affirmative on her intent to rectify the remaining lots, and verified that the notice sent to surrounding property owners, that were amended and distributed, included the additional lots; a copy of which is filed with the supplemental papers to the minutes of this meeting.

After Mr. Brad Clark, City of Fruitland Park, appeared before the LPA regarding his concerns on animal control, Mayor Cheshire advised that he would have the opportunity to speak on that matter during the public comments on this evening's city commission agenda.

Mr. Carl Burch, City of Fruitland Park resident, referred to Ms. Geraci-Carver's statements at a previous meeting on the duplexes' dimensions once they are constructed;

After reviewing the special exceptions use, Ms. Geraci-Carver cited the requirements on the minimum living area of 600 square feet on each side of the duplex total area for lots 18 and 19 and 1,200 square feet to remain as they were constructed for lots 18 and 19.

Mr. Burch gave his opinion on the neighborhood's long-term plans for the area for single family home; indicated that he has not seen any compelling reason for such, and recognized the attempts to improve the neighborhood. He explained that he does not see the purpose for increasing the density; noted that the roads are narrow, and indicated that Sunset Way has been that way for 70 years; thus, no current owners have complained about repairs other than drainage. He requested that the LPA oppose the item; that the two built properties be separated, and his desire for no like properties to be developed in the future.

Mr. Nathan Johnson, City of FP resident voiced his concurrence with Mr. Burch's comments.

Commissioner Ranize indicated that he would like to reserve addressing his comments at the regular city commission meeting.

By unanimous consent, Mayor Cheshire closed the public hearing.

A motion was made by Vice Mayor Gunter and seconded by Commissioner Bell that the LPA recommend the approval of proposed Ordinance 2018-001 as previously cited with the following LPA members voting as follows:

Commissioner Bell	Yes
Commissioner Lewis	Yes
Commissioner Ranize	No
Vice Mayor Gunter	Yes
Mayor Cheshire	Yes

Mayor Cheshire declared the motion carried on a four-to-one (4-1) vote.

END OF QUASI-JUDICIAL PUBLIC HEARING

7. NEW BUSINESS

There was no new business to come before the LPA at this time.

8. PUBLIC COMMENTS

No one from the public appeared before the LPA at this time.

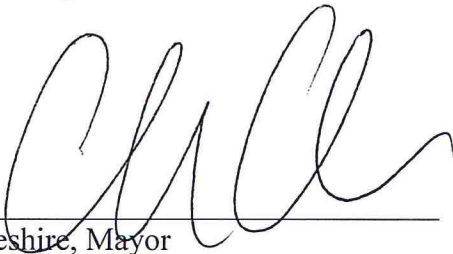
9. ADJOURNMENT

There being no further business to come before the LPA at this time, on motion made, second and unanimously carried, the meeting adjourned at 7:09 p.m.

The minutes were approved at the January 25, 2018 meeting.

Signed 

Esther B. Coulson, City Clerk

Signed 

Chris Cheshire, Mayor