

**FRUITLAND PARK LOCAL PLANNING AGENCY
WORKSHOP MEETING MINUTES
January 18, 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, January 18, 2018 at 7:00 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; Police Chief Michael A. Fewless, Police Department; Interim Fire Department Chief Don Gilpin; Deputy Fire Chief, Tim Yoder, Fire Department; Public Works Director Dale Bogle; Community Development Administrative Assistant Tracy Kelley, and City Clerk Esther B. Coulson.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Cheshire called the meeting to order at 7:11 p.m. and led in the pledge of the allegiance to the flag.

QUASI-JUDICIAL PUBLIC HEARING

Mayor Cheshire announced the purpose of this evening's workshop meeting relates to proposed Quasi-Judicial Public Hearing Ordinance 2018-002 (the title of which is as follows) and the rezoning and development agreement requested from The First Baptist Church of Leesburg Inc. (FBC), the petitioner:

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.)

At Mayor Cheshire's request, Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., reviewed the following recitals from the revised master development agreement and noted the problem of "single family detached dwelling units cited below in Ms. Geraci-Carver's email dated January 4, 2018 to Mr. Beliveau; a copy of which is filed with the supplemental papers to the minutes of this meeting:

'The (205.76+ acre) property currently zoned "General Commercial" (C-2), Public Facilities District (PFD), Single Family Medium Density Residential (R-2), High Density Residential/ Neighborhood Commercial (R-3A), and Greenbelt District (GB) with a future land use designation on the city's Future Land Use Map (FLUP) of "Mixed Community."

Subsection 4.(e), Permitted Uses, ACLF. *The maximum number of beds shall not exceed 150*

Mr. Art A. Ayris, representing First Baptist Church of Leesburg (FBC), addressed the likelihood of the Adult Congregate Living Facilities (ACLF) not dedicated to one building and indicated that 15 beds would not be the entire complex but likely be multiple units located on different floors or at other buildings.

Subsection 4.(q), Conversion of Residential Units to ACLF or Nursing Home

Mr. Chris Wickberg, on behalf of Westminster Communities of Florida, compared calculations on the number of congregate beds to the amount of residential dwelling unit; explained how certain ACLF facilities have been repurposed to duplexes; noted the conversion of independent living dwelling units to assisted living facilities (ALFs - skilled nursing) home facilities or to independent living, and defined the difference in the amount of care provided based on resident needs.

After Commissioner Lewis pointed out the January 11, 2018 LPA meeting and recognized the lack of a specific site plan and detailed analysis, **the LPA agreed, by unanimous consent, to consider beforehand the stipulation of a specific site plan and detailed analysis to meet the criteria in the Planned Unit Development.**

Subsection 4.(e), ACLF. *Maximum number of beds shall not exceed 150.*

After Mayor Cheshire addressed the importance of including buffers, setback requirements building size in the PUD and Commissioner Bell questioned Commissioner Ranize' acceptance on the maximum number of beds not exceeding 150, Ms. Geraci-Carver recognized the total number of beds throughout the subject proposed project for ACLF.

Mr. Beliveau agreed in the affirmative to Commissioner Lewis' statements on the options of building mixture of designs featuring the total number of beds.

In answering Commissioner Bell's inquiry, Messrs. La Venia and Beliveau outlined how a portion of a building's square footage would be determined and become exempt from taxation if skilled nursing home was involved.

Subsection 4.(f), Nursing Homes

Mr. Beliveau confirmed, in answer to Mayor Cheshire's question, the deletion on the provision for the number of beds for nursing homes.

Subsection 4.(m), Residential units shall not exceed 900 units.

At Mayor Cheshire's request, Mr. Wickberg addressed, in response to Commissioner Ranize's question, the purpose of PUDs and the typical number of beds in skilled nursing home buildings; the ratio of assisted living units and independent living with the provision of continued care retirement communities for residents, and how institutional square footage was established to build facilities within the general guidelines and perimeters. He noted the primary function to be independent living as the highest and best use of the communities and residents as a taxable property.

Subsection 4.(p), Total institutional square footage shall not exceed 240,000 square feet. . . .

Mr. Beliveau noted FBC's acceptance of 240,000 square feet. He defined, in response to Commissioner Bell's inquiry, the Residential Professional (RP), Central Business District (C-1) zoning districts, special exception use and permitted use under Chapter 155, Conditional Uses and Special Exceptions under the Land Development Regulations (LDRs). (A copy of which is filed with the supplemental papers to the minutes of this meeting.)

Upon Mayor Cheshire's request and **by unanimous consent, the LPA accepted the recommendation from LPG Urban Planning Inc.'s Executive Director to remove banks, convenience stores with fuel operations, restaurants, and athletic/sports facilities from special exception uses under Chapter 155, Conditional Uses and Special Exceptions from the Land Development Regulations.**

After discussion and in response to Vice Mayor Gunter's inquiry, Mr. Wickberg described possible location of dining room facilities in a separate building as a commercial space or situated as a stand-alone set aside for the residents under the residential designation to which Mr. Ayris indicated would be determined during site plan review.

Mr. Richard Pretrunty, former commercial contactor (Independence Construction of West Virginia LLC), relayed the previous question proffered by Messrs. La Venia and Wickberg, on not seeking the height of the four-story building under the commercial designation (noting that the highest elevation on the front to be about 28 feet maximum) and that the church would not be located in the rear.

After Commissioner Lewis voiced concerns on the four-story building, Mr. Beliveau confirmed that the provisions on the maximum building height limited to four stories was still included in FBC's draft master development agreement.

Subsection 4.(q), ' . . . residential units may be converted to ACLF or a nursing home facility based on one unit equals three beds; however, in no case shall the maximum number of beds be exceeded as stated in item (e) above.'

Commissioner Lewis noted the LPA's previous consideration on the proposed property -- from the power-point presentation made on January 11, 2018 -- abutting the Brookstone Subdivision; the method of implementing PUD whereby the properties would remain as private individual single-family dwelling units and converted on a ratio basis to ACLF units as depicted in the Village Park PUD.

After much discussion, Mr. Beliveau agreed with Commissioner Bell's statements that the adopted residential height requirements of 35 feet or less could be two stories. and Mr. Wickberg voiced his concurrence with Commissioner Lewis' preference for single-family homes (reflected under subsections 4. a., b., c., and d.) to be located adjacent to the Brookstone Subdivision.

Subsection 16., Landscaping/Buffers

In response to Commissioner Bell's inquiry, Mr. Beliveau identified the maintenance of the 25-foot landscape buffer along the property boundaries and conveyed the request made at the December 13, 2017 Planning and Zoning (P&Z) Board meeting by the Brookstone Subdivision residents' homeowners' association (HOA) for 50 feet.

Vice Mayor Gunter referred to the January 11, 2018 email he received from the Brookstone HOA president requesting at least 100 feet to which Commissioner Bell stated that in addition would be a rear setback requirements of the homes; a copy of the respective email is filed with the supplemental papers to the minutes of this meeting. .

After discussion, Mr. Beliveau quoted from the draft master development agreement the conceptual plan consisting of four canopy trees, two understory trees, and 15 shrubs (which includes CR 466A roadway) to comply with Chapter 164 of the LDRs. He addressed the augmentation of allowing existing vegetation which is encouraged and noted the additional width of 50 feet of natural buffer.

Upon the Mayor's suggestion and **by unanimous consent, the LPA agreed with the land development regulations for landscaping and that the property boundaries abutting the existing residential homes (Brookstone Subdivision) to be an additional width of fifty (50) feet, acceptable by the applicant.**

After Mayor Cheshire referred to the January 11, 2018 email received from the Brookstone Subdivision residents regarding concerns relating to storm water runoff and drainage in the area, Mr. Robert "Bob" E. Farner, Farner Barley & Associates Inc., noted the requirements from the city and state and the standards for drainage; addressed how water is intercepted after certain storm events occur on the property, and mentioned the existing water off the property which should be eliminated when development occurs.

In response to Commissioner Ranize' concerns on rectifying a current situation where development (Urlick Street and Mirror Lake Drive) within the city has met all the standards, Mr. Farner recognized the need to conduct a study to meet compliance.

Mr. La Venia referred to his previous communication with St. John's River Water Management District staff who plans to send design engineers; pointed out his letter (composed by Ms. Geraci-

Carver) and sent earlier this day to Mr. Justin Green, State of Florida Division of Water Resource Management, and relayed the conversations held with Mr. Jimmy Crawford, attorney representing Lake Saunders Grove LLC, on the necessary enforcement to correct the situation. (A copy of the letter is filed with the supplemental papers to the minutes of this meeting.)

Subsection 5.(j)., Residential Development Standards

After much discussion, and **upon Commissioner Bell's suggestion, the LPA accepted changing the provision under subsection 5.(j)., Residential Development Standards to read: 'Maximum building height for the multi-family uses (garden apartments and condominiums) shall not exceed five (5) stories (from finished grade) including parking garage provided adequate fire protection measures are provided as reviewed by the city's fire inspector and building official with final determination by the city commission.**

After discussion, and in response to Mayor Cheshire's reference to the main issue on fire protection, Commissioner Ranize referred to his conversations with several individuals including the City of Ocala Fire Rescue Department and The Villages Community Development District's (VCCDD's) Public Safety Fire Chief Edmund A. Cain; addressed the requirement for the City of Fruitland Park to have an aerial truck. He recognized the following potential impacts (which he has not shared with Interim Fire Chief Gilpin) on:

- the fire department staff,
- the city's fire rescue services,
- the city's insurance service office (ISO) public protection classification rating,
- the developer when it exceeds the residential height requirements of 35 feet, and
- the relocation of the truck when the fire department (public safety building) is constructed.

At Mayor Cheshire's request, Interim Fire Chief Gilpin addressed how the city would be required to possess a type of aerial device equipment (the fire truck), if a five-story building was developed within the city; recognized the current interlocal agreements with The City of Leesburg for the provision of automatic aid and fire protection and other emergency services and VCCDD for firefighting, rescue and emergency medical equipment with associated personnel, and identified the fire rescue truck's distance which potentially reduces the city's ISO rating where in return, the insurance rates for homeowners and businesses would potentially increase.

Interim Fire Chief Gilpin outlined why he recommended the aerial truck with the appropriate personnel to serve buildings of two stories or more; noted the costs involved of approximately \$1.3 million, and mentioned the potential fire rescue response times when the community is built-out.

After discussion, Commissioner Ranize expressed concerns on the increase in the 55+ community over the past two years, the potential rise in fire service rescue calls, and the impact to the city which he previously verified in conversations with Mr. Jerry Smith, Lake Emergency Medical Services (EMS) Inc. Executive Director, to which Commissioner Lewis relayed his previous discussions also with Mr. Smith on his anticipation on the need for additional incomes.

Mayor Cheshire conveyed his previous remarks to Mr. La Venia on the solution, if the subject project becomes a positive cash flow for the city whereby the fire impact fees would pay for a fire

track and the fire fees would pay for the additional staff needed which the city commission needs to consider. He explained that unless the subject issue is a net zero for the city residents (not located in VCCDD Number 11), he explained that general funds generated from them would not be allocated towards fire protection services for VCCDD 11 which he considered would be unfair. Mayor Cheshire addressed the need for the city commission to determine the allocation of fire fees collected from VCCDD 11 to adequately cover the additional fire department staff and fire rescue operations needed in said district.

Following further discussion and in response to Vice Mayor Gunter's comments on the proposed skilled nursing home's zero tax base, Mr. Beliveau recognized it as tax exempt.

After much discussion and in response to the LPA's concerns raised on traffic impacts to Pine Ridge Dairy Road, Mr. Beliveau cited one of the comments -- from the Lake County Public Works Department Engineering Division, Design and Development Section -- referenced in a letter dated November 15, 2017 written to Community Development Director Mr. Charlie Rector regarding the Notice of Public Hearing -- Fruitland Park -- First Baptist Church (PUD rezoning (a copy which is filed with the supplemental papers to the minutes of this meeting):

Pine Ridge Dairy Rd is currently a clay road that crosses through the center of the proposed PUD. The PUD concept plans shows improvements along this road and will be required to design and construct these improvements to Lake County paved road standards. Additional improvements maybe required at the intersection of Pine Ridge Dairy and CR 468 with further evaluation for determination to be performed during future development permitting stages.

After Commissioner Lewis questioned how public safety impact fees would be applied to property development, Ms. Geraci-Carver concurred with his statements that computed figures projected for public safety, fire services protection and equipment would meet the needs of population growth generated from the proposed multi-story building where such permitted use would be a source of funds as capital.

Subsequent to Mr. Wickberg's explanation to Vice Mayor Gunter on the determination made by the state on the measurement of the building and certification of the proposed skilled nursing home facility, Commissioner Lewis conveyed the conversations Lake County Property Appraiser Cary Baker had with him on its annual review and assessment of same.

In answering Commissioner Bell's inquiry regarding the exemption and the possibility of amending the square footage. Mr. Wickberg outlined the project's typical required standards and noted, at Mayor Cheshire's request, the mission statement to provide senior housing services recognizing Westminster Communities as a church-based not-for-profit organization, which is tax exempt.

For the skilled nursing home facility, Commissioner Lewis recognized it as the value and is tax exempt; noted for the entire project, impact fees are paid as fire capital items, and acknowledged that the city has a fire assessment fee as an institutional solution where churches are not assessed for fire assessment fees and that the city will not collect from the county. He stated that he believed

that the city does not have any skilled nursing home facilities; questioned how the city's fire assessment applies for nursing homes and whether it would be exempt from state law, and gave reasons why he felt that it should be part of the city's assessment fee for fire rescue services.

Mayor Cheshire recognized the city's cap and noted the need for the LPA to address same if there are proposed buildings at 100,000 square feet.

Commissioner Lewis, in referencing Vice Mayor Gunter's remarks, addressed his understanding from Mr. Baker on the exemption of such facility on whether it would be acceptable for ad valorem taxes and questioned the exemption from other tax revenue assessment annual fees.

In response, Mr. La Venia addressed his intent to find out more information from Ms. Sandi Wilson, Government Services Group Inc. (consultant retained by the city who conducted the fire assessment study), as to whether skilled nursing home facilities would be exempt from ad valorem taxes and the payment of franchise fees for electricity, solid waste disposal, and water and wastewater services.

Commissioner Lewis questioned whether any objections were received regarding the projected building height from an aesthetic viewpoint and inquired if it would be amenable to the city. After noting the typography and variance, Mr. Farner described the highest proposed building elevation.

Following Commissioner Ranize's reference to Westminster Communities' website, Mr. Wickberg addressed the typical number of buildings with heights of mainly five to seven stories and acknowledged Westminster's attempts to balance same away from residential properties noting that the highest point is away from the Brookstone Subdivision. He described the developments and combinations of certain types of model buildings and parking to accommodate the residents, and pointed out the power-point presentation made at the January 11, 2018 LPA meeting depicting same. Mr. Wickberg indicated that he found the best-selling and the most cost effective properties to be four or five-story buildings; referred to the original application for seven stories, and believed that such height decision underneath grade would have to be referred back to Westminster Communities managing board members.

Following ensuing discussions, Mr. Wickberg described plans for the subject proposed development project -- not knowing how many garden apartments or single-family homes would be needed depending on future market -- and indicated that Westminster Communities is not ready to construct for three years other than the affected roadway.

Mr. Ayris reported on First Baptist Church's process with the site plan -- development of lots and the church multi-purpose building -- as the first phase to which Commissioner Ranize voiced concerns on not being knowledgeable about the intent of the subject project.

After much discussion and depending on the uses and intent, Mr. Farner described the outparcels location and roadway access for the subject project before the first phase.

Following extensive deliberations, Mr. Ayris concurred with Vice Mayor Gunter's suggestion to include in the master development agreement (under Section 5., Residential Development Standards) at least 200 feet setback requirements from the Brookstone Subdivision.

Following Commissioner Bell's inquiry on Westminster Communities' acceptance of the initial PUD plans; its subsequent decision to sell the five-story buildings, and its provisions on protections against same, Ms. Geraci-Carver responded that such perimeters could be included in the master development agreement; however, with the PUD being null and void, the city cannot enforce same.

Mr. Beliveau explained that if the property (any type of configuration) is sold and 55+ is still in the master development agreement, the properties would need to be redesigned to accommodate said age group.

By unanimous consent, the LPA accepted under subsection 6.i., . . . Maximum building height for multi-family uses (garden apartments and condominiums) shall be four five-stories

Mr. Wickberg addressed the plan to construct six multi-family buildings (three garden-sized apartments and three midrise type buildings); however, he indicated that he does not where they would ultimately be located and addressed Westminster Communities' intent to develop mixed-type styles of living, smaller apartments, larger midrise, and mixed use single-family residential homes based on the market plan and demographics.

In response, Ms. Geraci-Carver explained that the number of multi-family dwellings can be varied depending upon where they are located if that was the concern.

Commissioner Ranize addressed his acceptance of the initial project when it was previously addressed before the LPA. Messrs. Beliveau and Ayris concurred with Commissioner Ranize stated that he believed the LPA addressed the separation of the five to six multi-story dwellings from Brookstone Subdivision, and if over 75 feet in addition to the 25 feet setback requirements from the single family homes' property lines, currently at 200 feet from the property line (six five-story buildings); thus, not knowing when development would occur.

In answering, Ms. Geraci-Carver voiced her belief on the LPA's earlier commitment on the single-family attached duplexes and single-family properties to be the only location adjacent to the Brookstone Subdivision.

Responding to Commissioner Bell identifying said location reflecting four residential properties, Mr. Wickberg explained that such rendering was made two years ago; identified the subject project to be a long-term plan, and noted that development is anticipated to take place within 20 years where there will be changes.

Mr. Wickberg explained, in response to Mr. Ayris' question that accepting six five story buildings would need to be addressed before Westminster Communities' senior management/chief executive officer board.

As the current owner on the PUD, Mr. Ayris mentioned his plan to make an appeal on whatever number is arrived at to which Mr. Wickberg addressed the intent to be involved in the subject project long-term and indicated that the properties cannot be purchased until they receive the guidelines.

In response to Mr. Beliveau on the LPA's decision, Mr. Wickberg addressed Westminster Communities' willingness to purchase six buildings of up to five stories; however, future PUDs or site plan of six stories greater than 35 feet may be interpreted differently. He accepted no greater than five but greater than three to which Mr. Beliveau stated up to five.

After Mayor Cheshire verified Mr. Wickburg's statements of six five-story buildings and noted that the developer's desire to build three story buildings is already included in the city's current code, Mr. Beliveau addressed the need for the LPA to change the language.

Mr. Wickberg, in response, explained that it would be easier for the Westminster Communities' senior management/chief executive officer board to accept no more than six buildings and no greater than three stories which he defined as "four or five story buildings" and that Mr. Ayris could convey same as First Baptist Church is the property owner.

After Mr. Beliveau confirmed the limit of six buildings and no greater than 35 feet, Ms. Geraci-Carver noted the maximum of six buildings greater than three stories but no greater than five stories and agreed with his remarks of greater than 35 feet but no higher than four stories.

Section 8, Commercial and Institutional Development Standards

After discussion, **and upon Mayor Cheshire's suggestion, the LPA agreed, by unanimous consent, with LPG Urban and Regional Planners Inc.'s recommendation to include the following language:**

- **subsection 8.c., changed and under subsection 8.f. added *two stories*;**
- **subsection 8.g., the City of Fruitland Park's Comprehensive Plan's Floor Area Ratio (FAR) and Impervious Surface Ratio (ISR) were not transferred into the Planned Unit Development and the maximum FAR in the comprehensive plan requirements are .7 (building parking in the ground) and the ISR is .8 (80 percent of the site can be covered whereby building and parking and 20 percent correlates to the open space requirements totaling 100 percent.**

In response, Mr. Wickberg noted the need to address the maximum and minimum building height listed as "commercial and institutional" and the additional portion and suggested including two stories of commercial on CR 466A which would provide Westminster Communities flexibility.

After discussion and with reference to Mr. Beliveau's statement regarding the height of the steeple or cross to be 95 feet, he suggested limiting the front minimum setback requirements for commercial.

Following Mayor Cheshire's reference to the six five story buildings with a couple of four story buildings, Mr. Wickberg indicated that it may be used as an administrative space to that effect .

Section 11, Site Access and Transportation Improvements

Commissioner Ranize referred access on Pine Ridge Dairy and Cutoff Road; pointed out his conversations with Mr. La Venia and county staff who relayed that they have no interest in funding said roadway, and recognized the traffic conditions during peak hours. Commissioner Ranize expressed concerns on safety to which Mr. Wickberg indicated that would be based on church services.

After Mr. Ayris noted the plans for the other property with two ingress and egress, Mr. Beliveau recognized the different trip requirements by the United States Housing and Urban Development for full emergency access after the church is developed. He pointed out the January 2, 2018 letter from Seth Lynch, Lake County Public Works Department, Engineering Division, Design and Development Section, regarding notice on the subject issue and the county's comments on county roads and potential improvements required from the PUD; thus, the possible need for additional improvements to Pine Ridge Dairy Road to which Mr. Ayris confirmed in agreement and Mr. La Venia indicated that same would be conducted by Westminster Communities. (A copy of the letter is filed with the supplemental papers to the minutes of this meeting.)

In response to Commissioner Ranize' inquiries on bringing the roadway up to standards namely; the property-line paved portion to Pine Ridge Dairy Road, Mr. Beliveau explained that arrangements had been made for other developers to conduct analysis and trips on the paved area to other county roadways and pointed out his conversations with them on the implementation of existing pavement width requirements to meet county standards to which Mr. Wickberg cited said language from the letter in question:

... improvements along this road and will be required to design and construct these improvements to Lake County paved road standards. Additional improvements maybe required at the intersection of Pine Ridge Dairy and CR 468. ...

Mr. Beliveau confirmed, in response to Commissioner Lewis' comments, LPG staff's intent to bring same up to code and indicated that the standard wide paving is emergency access only. He referred to the concerns raised at the January 11, 2018 regular meeting regarding the dangers of speeding in the area of Pine Ridge Dairy Road and voiced his opinion on the difficulty of the roadway maintaining such traffic, to which Mr. Ayris voiced reasons why he believed that ALFs for 60-80 year-olds would generate less traffic.

Mr. Beliveau believed, referencing the January 2, 2018 letter, that instead of improving the whole Pine Ridge Roadway, a portion of the paved section would be fixed.

After Mr. Wickberg addressed Westminster Communities payment of the impact fee based on the number of trips, Mr. Beliveau confirmed in response to Mr. Ayris question on the paved portion of Pine Ridge Road that the February 2, 2018 letter identified the intersection of CR 468.

After Commissioner Lewis voiced his agreement with Commissioner Bell's inquiry that the entire portion of Cutoff Road and Pine Ridge Dairy Road needs to be improved, **the LPA, by unanimous consent, agreed with LPG Urban and Regional Planners Inc.'s recommendation that said roadway would be limited for emergency access.**

Following Commissioner Ranize' statements recognizing that Cutoff Road has been placed on the bottom of the priority list of substandard roads in the county, he believed that city would not be responsible for any of the subject roads.

Section 13., Water, Wastewater, and Reuse Water

Later in the meeting and following Commissioner Bell's reference on the installation of underground irrigation system, Mr. Wickberg concurred with Mayor Cheshire's statements on the need to include the provision to install additional landscape buffer ensuring that it is maintained and language relating to code enforcement is included.

Section 14., Impact Fees

Following some discussion, Ms. Geraci-Carver explained the method of documenting state permit and impact fees; questioned the city's intent on setting the impact fee amount at current rates, and addressed the need for the LPA to consider conducting an impact fee study every five to seven years as those amounts may change especially during the long term development of the subject project. She recommended that language be revised to reflect the payment of impact fees whenever application is made for the building permit.

Upon Commissioner Ranize' request, Ms. Coulson referred to the email she submitted earlier this day regarding wastewater impact fees which involved three ordinances that were previously enacted by the city commission -- namely, Wastewater Capital Charge Ordinance 2005-028, Fire Rescue Impact Fee Ordinance 2006-004, and Law Enforcement Impact Fee Ordinance 2006-005 -- were not included in the city's code. (A copy of the email is filed with the supplemental papers to the minutes of this meeting.)

After Ms. Coulson explained that the application relating to the increase of cost of living price index not regularly conducted by municipalities needs to be included, Commissioner Ranize indicated that the city commission ought to consider same and Mayor Cheshire referred to the provision on the requirement for the owner to pay "all other impact fees" (police, fire, and wastewater impact fees).

Section 15., Easements and Section 16., Landscaping/Buffers

In response to Mayor Cheshire's inquiry, Mr. Beliveau indicated that language can be included under section 16 to reflect 50 feet buffer along Brookstone Subdivision and 200 feet under setback requirements.

In response to the Mayor Cheshire's question, Ms. Geraci-Carver referenced the final options and indicated that the petitioner will provide the city with a title opinion to ensure that everything relating to the project is in order.

Mr. Ayris anticipated receiving an answer from Mr. Wickberg on Westminster Communities' senior management/chief executive officer board's decision on the number of buildings and addressed the plan to communicate with Mr. La Venia on January 19, 2018.

In response, Mayor Cheshire confirmed that the master development agreement will be considered at first reading on the January 25, 2018 regular city commission agenda and confirmed, in answer to Mr. Ayris' inquiry, that the second reading and quasi-judicial public hearing will be held on February 8, 2018.

After Vice Mayor Gunter questioned the anticipation of community activities, Mr. Wickberg identified Westminster Communities' Foundation advertisement whereby the subject project would be transmitted to same.

Mr. Beliveau addressed the plan to update the master development agreement by coordinating same with Ms. Sherie Lindh, LPG Urban and Regional Planners and subsequently communicating same with Ms. Geraci-Carver.

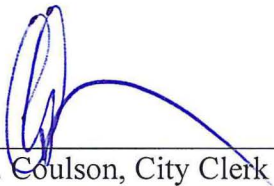
OTHER BUSINESS

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

ADJOURNMENT

There being no further business, the meeting adjourned at 9:34 p.m.

The minutes were approved at the March 22, 2018 meeting.

Signed  _____
Esther B. Coulson, City Clerk

Signed  _____
Chris Cheshire, Mayor