



**CITY OF FRUITLAND PARK
LOCAL PLANNING AGENCY MEETING AGENDA**

April 26, 2018

City Hall Commission Chambers
506 W. Berckman Street
Fruitland Park, FL 34731

As soon as practical at 6:15 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
January 25, and February 22, 2018

4. PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the City Commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

QUASI-JUDICIAL PUBLIC HEARING

- 5. First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-006 to Correct Scrivener's Error on Ordinance 2016-023 SSCPA – 1.0± Acres - N CR 466A and W Timbertop Ln - Urban Low to Commercial – Petitioner: James Phillips, Owner (city attorney/city manager/building and zoning director)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-023 WHICH PROVIDED FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.0± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 10, 2018.)

6. First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-007 to Correct Ordinance 2016-025 – Rezoning - Petitioner: James Phillips, Owner
(city attorney/city manager/building and zoning director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-025 WHICH REZONED 1.0 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; 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 May 10, 2018.)

7. First Reading and Quasi-Judicial Public Hearing - Ordinance 2018-009 Gardenia East Subdivision Annexation - Gardenia East Subdivision – Petitioner: MRSF1 LLC, Owner
(city attorney/city manager/building and zoning director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 13.44 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 27/441 AND NORTH OF REGISTER ROAD; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. The second reading will be held on May 10, 2018.)

8. First Reading and Quasi-Judicial Public Hearing - Ordinance 2018-010 Gardenia East Subdivision Rezoning - R-1 to PUD – Petitioner: MRSF1 LLC, Owner
(city attorney/city manager/building and zoning director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 13.44 ± ACRES OF THE PROPERTY FROM LAKE COUNTY RURAL RESIDENTIAL (R-1) TO RESIDENTIAL 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 May 10, 2018.)

9. First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-011 Large-Scale Comprehensive Plan Amendment – Gardenia East Subdivision – North of Register Road Petitioner: MRSF1 LLC, Owner (city attorney/city manager/building and zoning director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY URBAN MEDIUM DENSITY TO MULTI-FAMILY LOW DENSITY ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 13.44 + ACRES OF PROPERTY GENERALLY LOCATED NORTH OF REGISTER ROAD AND EAST OF US HIGHWAY 27/441; DIRECTING THE CITY CLERK TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 10, 2018.)

END OF QUASI-JUDICIAL PUBLIC HEARING

10. NEW BUSINESS

11. PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the City Commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

12. ADJOURNMENT

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.

AN ORDINANCE OF THE (CITY ~~OR COUNTY~~) OF Fruitland Park,
 FLORIDA, DESIGNATING AND ESTABLISHING THE City Commission
 AS ITS LOCAL PLANNING AGENCY PURSUANT TO THE LOCAL GOVERNMENT
 COMPREHENSIVE PLANNING ACT OF 1975 (Chapters 163.3161 - 163.3211,
 Florida Statutes); SETTING FORTH SAID AGENCY'S DUTIES AND RESPON-
 SIBILITIES; ESTABLISHING SAID AGENCY'S ORGANIZATION, RULES AND
 PROCEDURES; REQUIRING THAT ALL MEETINGS BE PUBLIC AND PROVIDING
 FOR THE KEEPING OF PUBLIC RECORDS; PROVIDING FOR FINANCIAL
 SUPPORT; PROVIDING FOR SEVERABILITY OF ANY PORTION DECLARED
 INVALID; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND
 PROVIDING FOR THE EFFECTIVE DATE HEREOF. *THIS IS AN EMERGENCY
 ORDINANCE EFFECTING THE WELFARE OF THE CITIZENS.*
 BE IT ORDAINED BY THE City Commission OF
 THE (CITY ~~OR COUNTY~~) OF Fruitland Park, FLORIDA:

Section 1. AUTHORITY. This ordinance is enacted pursuant to
 and in accordance with, provisions of Chapter 163, Florida
 Statutes (Local Government Comprehensive Planning Act of 1975).

Section 2. DESIGNATION AND ESTABLISHMENT OF LOCAL LAND
 PLANNING AGENCY. Pursuant to, and in accordance with, Section
 163.3174, of Florida Statutes (the Local Government Comprehen-
 sive Planning Act of 1975) the City Commission
 is hereby designated and established as the local planning
 agency for the ~~(City)~~ incorporated territory of Fruitland Park,
 Florida.

Section 3. DUTIES AND RESPONSIBILITIES OF THE LOCAL PLANNING
 AGENCY. The local planning agency, in accordance with the
 Local Government Comprehensive Planning Act of 1975, Section
 163.3161-3211, Florida Statutes, shall:

- (a) Conduct the comprehensive planning program and prepare
 the comprehensive plan or elements or portions thereof
 for the (City ~~OR COUNTY~~) of Fruitland Park;
- (b) Coordinate said comprehensive plan or elements or portions
 thereof with the comprehensive plans of other appropriate
 local governments and the State of Florida;

- (c) Recommend said comprehensive plan or elements or portions thereof to the City Commission for adoption; and
- (d) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the City Commission such changes in the comprehensive plan as may be required from time to time.

Section 4. ORGANIZATION, RULES AND PROCEDURES OF THE AGENCY.

Members of the local planning agency shall continue to be appointed and follow such rules of procedure, methods of choosing officers, setting of public meetings, providing of financial support, and accomplishing its duties as provided in The City Charter.

Section 5. PUBLIC MEETINGS AND RECORDS. All meetings of the local planning agency shall be public meetings and all agency records shall be public records. The local planning agency shall encourage public participation.

Section 6. The City Commission shall appropriate funds at its discretion to the local planning agency for expenses necessary in the conduct of its work. The local planning agency may, in order to accomplish the purposes and activities required by the Local Government Comprehensive Planning Act of 1975, expend all sums so appropriated and other sums made available for use from fees, gifts, state or federal grants, state or federal loans, and other sources; provided acceptance of loans or grants must be approved by the City Commission.

Section 6. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by an court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not effect the validity of the remaining portions thereof.

Section 7. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.

All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.

Section 8. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption, as an emergency ordinance.

PASSED AND ADOPTED BY THE City Commission OF THE (CITY ~~OF~~) OF Fruitland Park, FLORIDA, THIS 24 DAY OF June, A.D., 1976

Jack Deulh
Mayor or Chairman

ATTEST:

Lois A. Lowery, City Clerk

FIRST READING: June 24, 1976

SECOND READING: Waived

THIRD READING: Waived

**FRUITLAND PARK LOCAL PLANNING AGENCY
MEETING MINUTES
January 25, 2018**

A meeting of the City of Fruitland Park Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 25, 2018 at 6:00 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; City Treasurer; Jeannine Racine; Police Chief Michael A. Fewless; Interim Fire 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.

1. CALL TO ORDER

Mayor Cheshire called the meeting to order at 6:05 p.m.

2. ROLL CALL

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

3. APPROVAL OF MINUTES

On motion of Commissioner Lewis, seconded by Vice Mayor Gunter and unanimously carried, the LPA approved the January 11, 2018 minutes as submitted.

QUASI-JUDICIAL PUBLIC HEARING

4. First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-002 – Rezoning and Development Agreement – Petitioner: First Baptist Church of Leesburg Inc.

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2018-002, the substance of which is as follows and swore in Mr. Greg Beliveau, LPG Urban and Regional Planners Inc, to give testimony on same:

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 February 8, 2018.)

Mr. Beliveau referred to the LPA's continuation at its January 11, 2018 meeting on proposed Ordinance 2018-002 (Rezoning and Development Agreement) to the LPA workshop; the January 18, 2018 LPA workshop on the rezoning and master development agreement was reviewed and revised, and the direction to LPG to prepare an estimate of impact fees generated by the subject project, and the email dated January 24, 2018 from Ms. Sherie Lindh, LPG, regarding the estimated impact fees to be generated by the proposed development; namely, water impact fee, \$880,305; sewer impact fee, \$2,752,690; police impact fee, \$289,601, and fire impact fee \$560,684; copies of the respective documents were filed with the supplemental papers to the minutes of this meeting.

Mr. Beliveau reviewed the proposed agreement in question; pointed out subsections 5.i. and j., Residential Development Standards and compared the language provided by LPG (based on the LPA's consensus reached at its January 18, 2018 workshop and the applicant's attorneys (a more well-defined version) . He addressed the applicant's intent to amend the master plan based on the outcome of this evening's meeting and prior to the second reading.

In acknowledging the satisfactory project, Vice Mayor Gunter voiced concerns on the desire to initially develop multi-family projects as opposed to single family residences; the responsibility for fire related services to the proposed multi-story buildings and the fire assessment impact fees of \$560,000 for The Villages' residents to be borne by the citizens of Fruitland Park. He pointed out Commissioner Ranize' reference to Interim Fire Chief Donald Gilpin's recommendation made at the January 18, 2018 LPA workshop on the needed fire rescue ladder truck and personnel at an approximate cost of \$1.3 million.

Vice Mayor Gunter referred to the applicant's power-point presentation made at the January 11, 2018 LPA meeting on the Village Park Campus of First Baptist Leesburg and the proposed use on the subject site and believed that the proposed project could be worked on.

At Mayor Cheshire's request, Mr. Ayris was sworn-in to give testimony by Ms. Geraci-Carver.

Commissioner Bell, in agreement with Vice Mayor Gunter's remarks, voiced concerns on the proposed agreement; recognized the plan to build five stories, and indicated that adequate fire protection services ought to be established before future revenues are realized. He recalled previous PUDs before the elected body outlining future development with the favorable review of the initial conceptual master plan and referred to the applicant's January 11, 2018 power-point presentation depicting same.

In response, Mr. Beliveau outlined the process to be involved with the conceptual master "bubble" plan as an attachment to the subject PUD – whereby it would be eliminated at the site plan level as it relates to the church property; thus, the elected body would need to make its wishes known requiring more detail -- and mentioned the potential general categories which would surround the church property, appropriate for submittal according to the city's code.

Mr. Beliveau, in response to Mayor Cheshire's concerns, explained that Westminster Communities of Florida's site plan preparation would be a specific preliminary plat, in future, which would be before the elected body for consideration;

After Commissioner Bell voiced preference for the potential six five-story buildings (shown as a bubble) to be separated from residential with a 200-foot setback requirement from the property line, Mr. Beliveau indicated that it would be dependent upon the applicant, if that is their intent to implement same.

Commissioner Lewis gave reasons why he believed Westminster would bring value to the city and felt the concerns raised at the January 18, 2018 workshop were addressed; however, he pointed out Ms. Lindh's January 25, 2018 email regarding First Baptist Church's estimated impact fees and noted where it would leave the city short of about \$1 million. He mentioned meeting the city's needs and what the over 35-foot building would bring to the city's fire protection and voiced his concurrence with Commissioner Cheshire's comments that such costs are not to be borne by the current city residents as same needs to stand on its own.

In pointing out Ms. Geraci-Carver's conversations on the need for the developer to abide by and cross over a building construction threshold before construction, Commissioner Lewis addressed preference for the matter to be before the city commission and not the city's building official.

With respect to the four-story buildings in the institutional zoning designated area, he addressed the need to allow flexibility and for Westminster to conduct a market study to meet its business plan to allow the city to deliver in terms of services as the PUD is approved; thus, the building would meet the fire protection standards.

Mayor Cheshire expressed concerns on the slow process (the estimated amount of \$.5 million towards impact fees; the applicant's 15-year plan, and the expected fire special assessment fee paid in increments) and voiced his agreement with Vice Mayor Gunter's reference to the comments made by Mr. Chris Wickberg, Westminster Communities of

Florida, at the January 18, 2018 LPA workshop that Westminster is not ready to construct immediately.

Commissioner Ranize recognized the applicant working on the subject project for more than a year and a half and his awareness of the subject matter in four weeks of which he is attempting to make a decision where he has had no prior knowledge other than the possibility of the project being developed. He pointed out the January 11, 2018 power-point presentation depicting the planned buildings, parking, future growth and stages of the building and commercial along CR 466A on site plan; recalled that said presentation was not made before the Planning and Zoning (P&Z) Board members, and agreed with Mr. Ayris', when viewing Westminster's properties, that locating a company to fit the community appears to be financially sound.

Commissioner Ranize referred to the January 11, 2018 power-point presentation showing Brookstone Subdivision area on the site plan; recalled the LPA's consensus reached at the January 18, 2018 LPA workshop for landscaping and property boundaries abutting the existing residential homes (Brookstone Subdivision). He recollected the dimensions between said area and where the proposed five story buildings would begin; referred to his visit to the site noting that 200 feet to be inadequate, and voiced his concurrence with the LPA on its priority to protect the residents. Commissioner Ranize mentioned the need to envision where the proposed multi-story project would be built; thus, his concerns about the liability issue with the fire department; relayed his concerns expressed at the workshop on the current traffic conditions on Pine Ridge Dairy Road and Mr. Ayris' confirmation to resolve same to which Mayor Cheshire, in agreement, conveyed the citizens' comments to him not wanting five story buildings.

Ms. Rebecca "Becky" Wilson, attorney, Lowndes Drosdick Doster Kantor Reed, PA, representing Westminster Communities, addressed the need for an agreement to be made on the setback requirements, lot sizes, types of uses in different locations, and pointed out the recent proposed agreement, subsection 6.j., recognized the maximum building heights limited to 35 feet for single family; at the conclusion of the second reading, Westminster's entitlement in building up to 35 feet and questioned the provision under subsection 6.j. . . *provided adequate fire protection measures* She recognized the city's purchase of a new fire truck, Westminster not gaining the benefit of constructing for another five years, and its appearance before the elected body for the final determination for the five stories. Ms. Wilson addressed the inability for Westminster to purchase or close on the proposed without certainty of constructing at least six five-story buildings.

Ms. Wilson referred to subsection 6.1., *Development adjacent to the Brookstone Subdivision shall consist of one row of single family lots*; recognized that the city's land development regulations with the subject agreement would provide for single family detached and for duplexes and would match the height and type of building.

In order to proceed with the subject project, Ms. Wilson requested that the LPA recommend the approval for first reading and that Westminster representatives continue to work with

staff, Mr. La Venia and Ms. Geraci-Carver to address the concerns raised and work on the details of the five story building.

Commissioner Lewis pointed out the word “provided”; and if it not available to build the five stories, the city would need to determine how much capital funds would be required in the budget for the fire truck purchase capable of handling the exposure created by the five story building not utilized for the remaining city residents, to which Commissioner Ranize interjected three story buildings.

After Interim Fire Department Chief Gilpin was sworn in by Ms. Geraci-Carver to give testimony, he responded in the affirmative to Commissioner Lewis’ inquiry that the fire department’s truck is currently equipped to provide fire rescue services to a three story building.

Commissioner Bell acknowledged the prior collection of fire impact fee estimated taking up to five years and questioned how long the proposed five-story building would take; addressed the need for the elected body to evaluate its position in the provision of fire protection services (\$1.2 million in the first special fire assessment funds and the need for approximately another 200,000.

Following much discussion and after Ms. Wilson mentioned the review of the three stories which cannot be achieved on what is required in the proposed development area, Commissioner Ranize recalled the mutual aid agreement with Lake County fire services (receiving and extending firefighting across jurisdictional boundaries) and the mutual aid for fire suppression outside the Villages Community Development District (VCDD) (extending primary first response for fire suppression within the development), and recognized the insurance service office (ISO) public protection classification rating currently at 3.0 where at 10, the city’s ISO rate would increase.

After discussion, Commissioner Bell expressed his willingness to allow the words in the proposed agreement *add the fire protection* to remain; suggest that Mses. Geraci-Carver and Wilson by the second reading, provide further clarification; his preference for six-five story buildings “bubble concept” describing the location of the building within the property for first reading, and for the draft concept plan, reflected in the January 11, 2018 power-point presentation, to be adopted.

At Mayor Cheshire’s request, Ms. Geraci-Carver swore in Mr. Greg Crawford, Florida Engineering Group Inc. to give testimony. He outlined, in response to Vice Mayor Gunter’s inquiry, the general concept on the placement of the six five-story buildings and mentioned their acknowledgement of a draft established on same, and indicated that the general draft concept reflects the potential work as an exploration..

Ms. Geraci-Carver swore in Mr. Wickberg to give testify. He confirmed his work on the subject project for one and a half years; addressed the need to devise a concept plan to reveal to Westminster Communities’ Board of Directors who answer to not-for-profit entities. He described the concept plan outlining in detail what could be developed, as

described, at the January 18, 2018 LPA workshop – the property purchase as first phase, the road development project to support the proposed church, and the other efforts and resources for the church arising from the property sale through Westminster. .

Mr. Wickberg addressed the challenge Westminster faces in about five years' time on predicting the market and First Baptist Church's desire on the type of properties to be constructed. He explained that Westminster is not in the position to develop more detailed plans at this time as certain thresholds are required to be met to build five story buildings; recalled from the January 18, 2018 LPA workshop the LPA's position on limiting the property to six five stories buildings (based on Westminster's attorneys' review) and how the potential location envisioned by Westminster at the top of the hill. Mr. Wickberg believed that the bubble diagram could be created (with the high rises and mid rises and defined boundaries); indicated that he could not offer any guarantees although he expressed preference where the main building would be clustered, and addressed the plan to appear before the elected body with a defined site plan.

Mr. Wickberg mentioned his willingness to meet to address the issues and make a determination on adequate fire protection services to not benefit the whole city. He believes, on a financial basis that there are other alternatives that can be incorporated within the financial purview of impact fees to allow the city to create various funding sources that can apply to Westminster's developers and not an isolated PUD for one development

Mr. Wickberg addressed the ability to build six five story (midrise) buildings together, based on the results of receiving the survey. He explained that the plan was made without taking into account the steep slopes to the wetlands, where the church owns a portion of land accessing same, which the city desires for their recreation. Mr. Wickberg identified possible locations where mid-rise skilled nursing buildings would be developed; indicated that a commitment on same could not be made at this evening's meeting, and requested that the LPA grant him with the opportunity to make a determination on same.

Mr. Wickberg mentioned the willingness to review the concept of implementing the additional 200 feet setback requirement from the property line.

After extensive discussions, a motion was made by Commissioner Gunter that the LPA recommend continuing its action on proposed Ordinance 2018-002, the substance of which is cited below, to the next meeting for more information:

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 February 8, 2018.)

Following further deliberations, Mr. Ayris gave his assurance that the language and additional bubbles on the diagram would be dealt with; explained that First Baptist Church's Board of Directors has already authorized Westminster Communities to take actions on negotiating the property's purchase and development and that Chief Financial Officer Hank Keith would finalize same; thus, the PUD agreement with the city and a separate agreement with the church.

In response to an inquiry posed by Ms. Geraci-Carver on the specified date to review the subject issue, Mayor Cheshire recognized the February 8, 2018 regular city commission meeting when Mr. La Venia would be absent and his availability at the March 8, 2018 second reading.

After Mr. Ayris voiced his willingness to work with staff and Westminster Communities on the proposed language, he requested that the LPA expedite the subject proposed project.

Following much discussion, **the motion to continue proposed Ordinance 2018-002, as previously cited, to the February 22, 2018 LPA meeting was seconded by Commissioner Bell.**

Upon Commissioner Lewis' suggestion and **by unanimous consent, the LPA agreed that the fire protection services provision would be addressed, the building development "in the bubble site plan" landscape buffer issue would be dealt with, and the applicant's obligation to the Planned Unit Development under subsection 3, Land Use/Development, where the property development -- by the Florida Engineering Group Inc. recognizing the missing date -- would be consistent with the conceptual site plan.**

Commissioner Ranize felt that if there are any concerns from the LPA, the Westminster and the city attorney would resolve same and provide a report at the next meeting.

In response to Mr. La Venia’s comments sharing individual opinions previously derived from the city commission members on the major issues; namely, the conceptual idea of the proposed site and the bubble site plan, Commissioner Ranize anticipated, when the matter is considered before the LPA, that the addition of the new bubbles and how the buffers would appear which abuts to the Brookstone Subdivision; the ongoing concern on fire rescue and emergency medical services, and Pine Ridge Dairy Road issues would be agreeable to all participants.

Following much discussion, **Mayor Cheshire called for a roll call vote on the motion that proposed Ordinance 2018-002 be continued to the February 22, 2018 LPA meeting with the LPA members voting as follows:**

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

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

Commissioner Lewis cited reasons why he voted “no” due to the issues could have been made known at first reading and not that he is against the proposed project.

Upon Mayor Cheshire’s suggestion and by unanimous consent, the LPA recessed its meeting at 8:00 p.m. and reconvened at 8:07 p.m.

- 5. First Reading – Quasi-Judicial Public Hearing - Ordinance 2018-003 Rezoning – Petitioner: WTG Properties LLC**
By unanimous consent, the LPA withdrew from this evening’s agenda its consideration of the proposed Ordinance 2018-003, the substance of which is as follows, at staff’s request:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING .66 ± ACRES OF THE PROPERTY FROM SINGLE FAMILY MEDIUM DENSITY (R-2) TO COMMERCIAL 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 February 8, 2018.)

END OF QUASI-JUDICIAL PUBLIC HEARING

6. PUBLIC COMMENTS

After Mr. Gary Beckman, The Villages (Pine Ridge) resident, referred to Section 16., Landscaping/Buffers from the master development agreement and noted that no mention was made of the western side of the property abutting Kramer Court.

Mayor Cheshire acknowledged the LPA's previous discussions prior to receiving Mr. Beckman's January 23, 2018 email regarding the borders/buffers of First Baptist Church where he expressed concerns on the lack of the western border of the site, a copy of which is filed with the supplemental papers to the minutes of this meeting.

In response, Mr. Beliveau confirmed that LPG checked the master plan development agreement where it reflects the 25-foot landscape buffer along the boundary line showing a type "A" on the PUD Exhibit Plan; relayed Mr. Beckman's desire -- expressed during recess earlier at this evening's meeting -- for same to be a bermed landscape buffer which is not listed on the plan, and noted that it is strictly a 25-foot buffer as identified in the remaining project and verified by First Baptist and Westminster Communities.

In answering Mayor Cheshire's statements that the berm landscape buffer will have natural trees, Mr. Beckman gave reasons why he is suggesting a berm due to the parked vehicles along Kramer Court at night with its lights illuminating into the homes in the area and beyond the 25 feet.

After discussion, Mr. Beliveau identified methods to address said issue when the proposed Rezoning and Development Agreement Ordinance 2018-002 is considered before the city commission; request the berm buffer along the First Baptist church property or wait until the actual site plan comes in which is not included and is not a requirement in the Land Development Regulations, and noted that either documents require fencing which is an option.

Pastor Chuck Padgett, Trinity Church of God, recalled his appearance before the city commission at its May 13, 2004 regular meeting regarding its approval of the boundary amendment and annexation agreement regarding South Myrtle Lake Avenue property and relayed the residents' concerns on the potential traffic to be generated in the neighborhood where, at that time, the city commission had no issues.

Pastor Padgett relayed his previous conversations with Chief Fewless on the current traffic problems on Myrtle Lake Avenue and CR468; the cost to slow down drivers who speed along said roadway, and his concerns on the blind driveway sign where he lives with his elderly mother. Pastor Padgett recognized the continued problems which was addressed in 2004 due to developments in the city and addressed the need for more law enforcement officers.

In response, Mayor Cheshire recalled discussions, at the January 11, 2018 regular city commission meeting, on the issue of drivers speeding in the area which Chief Fewless has been working on, and relayed the observation of increased law enforcement in that regard.

With respect to proposed Rezoning and Development Agreement Ordinance 2018-002, Ms. Brooke Shroder, The Villages (Pine Ridge) resident, described the westside of the site in question bordering the proposed church property and pointed out the proposed site plan. She depicted the the golf cart concrete path (designated on the PUD exhibit plan map), where she lives which is partially built and stops among the homes and noted that between the small wooden fence, the proposed church property does not block out light.

Ms. Shroder explained that the golf carts travelling by her home, creates noise; questioned whether the noise level could be reduced, and voiced her concurrence with Mr. La Venia's comments about the lights and the berm.

Following much discussion and in response to Mayor Cheshire's suggestion for Mr. Ayris to communicate with Ms. Shroder on the issue, Mr. Ayris agreed on the clarification to utilize the golf cart path which is still under negotiations.

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

10. ADJOURNMENT

On motion made, seconded and unanimously carried, the LPA meeting adjourned at 7:42 p.m.

The minutes were approved at the April 26, 2018 meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Chris Cheshire, Mayor

**FRUITLAND PARK LOCAL PLANNING AGENCY
MEETING MINUTES
February 22, 2018**

A meeting of the City of Fruitland Park Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, February 22, 2018 at 6:13 p.m.

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

Also Present: City Attorney Anita Geraci-Carver; City Treasurer; Jeannine Racine; Police Chief Michael Fewless, Captain Eric Luce, Police Department; Interim Fire Chief Don Gilpin; Deputy Fire Chief, Tim Yoder, Steven “Steve” R. Odgen, and Pablo Echevarria, Fire Department; Public Works Director Dale Bogle; Interim Community Development Administrative Assistant Tracy Kelley; and City Clerk Esther B. Coulson.

1. CALL TO ORDER

Mayor Cheshire called the meeting to order at 6:13 p.m.

2. ROLL CALL

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

3. APPROVAL OF MINUTES

On motion of Commissioner Bell, seconded by Commissioner Ranize and unanimously carried, the LPA approved the January 11, 2018 LPA minutes as submitted.

QUASI-JUDICIAL PUBLIC HEARING

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

Ms. Geraci-Carver read into the record proposed Ordinance 2018-002, the substance of which is as follows:

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.

Ms. Geraci-Carver reviewed the following changes to the subject rezoning and proposed master development agreement made since the January 18, 2018 LPA workshop:

- Page 2, Section 3, Land Use/Development - reflects two documents; namely the “PUD Exhibit Plan and Sample Representation PUD Plan” and the attached Exhibit “B” referred to as “Plan” or the “PUD Master Plan” or “Development Plan” currently required for the owner to develop consistent with said plans.
- Page 3, Subsection 5.i. – language has been revised to allow up to five stories and must meet the requirement regarding the fire services (under the new Section 15, Fire Impact Fees and Contributions, Page 7).
- Page 4, Subsection 5.j. - staff revised the language so that the setback requirement from the adjacent development “Brookstone Subdivision” should be 275 feet as opposed to 200 feet.
- Page 5, Subsection .8.c. – the same change (under Subsection 5.j.) was made.
- Page 7, Subsection 15, Fire Impact Fees and Contributions – (in addition to Subsection 14, Impact Fees) – requires the developer and owner to pay impact fees.

Staff reiterated, in addition to the impact fee payments, that the owner agrees that no site plans can be approved or building permits issued for buildings in excess of three stories or 35 feet unless those conditions have been met.

The owner will be:

- prepaying fire impact fees because of the Westminster Communities (also known as Westminster Pine Ridge) project before obtaining a building permit or site approval plan approval;
- making a fire contribution of up to \$700,000 utilized for the purpose of the city purchasing a fire apparatus allowing the fighting of fires for buildings in excess

of three stories and the city will choose the new equipment consistent with Lake County's for said reason;

- receiving impact fee credit (calculated by Mr. Greg Beliveau, LPG Urban Planning Inc.) for the portion of Westminster at the current rate of approximately \$504,000
 - in the event that Westminster starts the construction of the five-story buildings and someone else approaches the elected body, approval would be granted to construct a building in excess of the three stories and the purchase would proceed,
 - or an apparatus would be contributed allowing the provision of fire services (rather than requiring Westminster, the project owner, to pay the \$700,000); the person in question would pay for the fire impact fees due to the project and contribute a portion of a share of up to \$200,000);
 - adequate fire protection is defined by staff to mean: meeting the conditions set forth in Subsections 15.(a) and 15.(b), and
- having the ability, if Westminster is the first person constructing more than a three-story building, to make the fire contribution of up to \$700,000; collect some of said funds back, if others pursue them within a certain period of time, to have the required type of fire service (the fire truck apparatus) for a period of up to April 1, 2028.

After discussion and upon Mayor Cheshire's request, Ms. Geraci-Carver swore-in Mr. Art Ayris, representing the First Baptist Church of Leesburg Inc. (FBC), who intended to testify at this evening's quasi-judicial public hearing.

Mr. Ayris expressed gratitude for the support received from the city staff; cited reasons why FBC support Westminster Communities, and requested the LPA's approval of the final submittal of the PUD plan to commence the development on building the church.

Mr. Ayris mentioned his work with Westminster and Ms. Rebecca M. Wilson, attorney representing Westminster Communities and noted their efforts in complying what has been requested at previous LPA meetings.

Ms. Wilson voiced her concurrence with staff's recommendation on the subject proposed ordinance recognizing the changes that were made on the proposed master development agreement addressed before the LPA at its January 25, 2018 meeting and requested approval at this evening's quasi-judicial public hearing.

Mayor Cheshire called for interested parties to be heard.

Mr. Gary Beckman, The Villages (Pine Ridge) resident, referred his appearance before the LPA at its January 25, 2018 meeting pointing out Section 16., Landscaping/Buffers from the proposed master development agreement; indicated that no mention was made of the

western side of the property (abutting Kramer Court), and requested that a provision in that regard be added to the subject agreement.

Ms. Geraci-Carver swore-in Mr. Beliveau before giving testimony on the subject item.

Mr. Beliveau explained the provision under the proposed master development agreement that Mr. Beckman is referring has been renumbered, modified and currently relocated to Section 18, Landscaping/Buffers and identified in the PUD Exhibit Plan map; a copy of which is filed with the supplemental papers to the minutes of this meeting.

After Ms. Geraci-Carver pointed out the language describing the 25-foot buffer along the southern boundary along CR 466A and the 50 feet along the eastern boundary adjacent to the Brookstone Subdivision, Mr. Beckman relayed his request for the western boundary.

In response to Mr. Beliveau's remarks on including said language, Ms. Geraci-Carver, in concurring and in response to Mayor Cheshire's inquiry, indicated that said language would be included under Section 18, prior to the second reading.

Mr. Phil Egner, City of Fruitland Park resident (Brookstone Subdivision), indicated that he has been brought up as a member of FBC and that he has no obligation with the church. He voiced reasons why he objects to the proposed five-story buildings 275 feet from Brookstone Lane and that he has no problem with the subject item.

Ms. Debra Channel, Villages of Fruitland Park (Pineridge) resident, cited reasons objecting to the five-story buildings.

Mr. Randy Harrison, Villages of Fruitland Park (Pineridge) resident, stated reasons why he is against the proposed five-story buildings for the Pine Ridge Dairy Development; indicated that he had no objections to any of the development or the original proposal of 600 feet buffer submitted by Westminster Communities, and presented signed petitions (with approximately 200 signatures) from the City of Fruitland Park residents dated in February 2018 opposing same; copies of which are filed with the supplemental papers to the minutes of this meeting.

Mr. Ayris, in response, explained how the future residents would have very little negative impacts and voiced reasons, in response to Mayor Cheshire's inquiry why another development plan, besides Westminster's, would not be feasible.

After discussion, Ms. Wilson indicated that the proposed project currently has a comprehensive plan designation of mixed use; noted the inability for Mr. Ayris to propose a PUD plan which only allows a church, and mentioned the city's requirements of a mixed use development with minimum and maximum percentages of uses.

Following extensive discussions and in response to the LPA members' recollection of the originally proposed 600-foot landscape buffer and the question to reduce it to 400 feet, Ms. Wilson disagreed that such offer was made and questioned its origin.

Mayor Cheshire referred to proposed master development agreement under Section 10, Development Phasing; the provisions on the maximum building height, and the proposed placement of the buildings whereby the elected body would subsequently have no input on their placement.

Ms. Geraci-Carver concurred in the affirmative to Ms. Wilson's explanation that the site plan would be considered before the elected body and recognized the connection to the fees of the building location addressed in the proposed master development agreement.

After discussion and in response to Commissioner Bell's reference identifying the proposed location of the five-story buildings, Mr. Chris Wickberg, Westminster Communities, who was sworn in by Ms. Geraci-Carver to give testimony, described the general area where various types of buildings would likely be located and Ms. Wilson indicated that not all the building types would be from single family five-stories buildings.

Ms. Geraci-Carver pointed out the PUD Master Plan; explained that all the buildings located outside the proposed open space/park/recreation use, shown on the rezoning map, would meet the 275-foot buffer requirement. She cited the language under Section 3., Land Use/Development which would be the locations of the buildings desired to be built whereby the actual site plan would be presented before the elected body. Ms. Geraci-Carver explained that if the applicant desires to move the location, they would need to reappear before the elected body and amend the proposed master development agreement.

After Ms. Wilson identified six five-story buildings allowed whereby the plan is reflecting more to which Commissioner Bell stated was his previous question, Ms. Geraci-Carver referred to subsection 7.b.1), limiting the building elevation to a maximum of six buildings greater than 35 percent.

Mr. Wickberg concurred in the affirmative to Mayor Cheshire's remarks on the problem of not knowing where the buildings would located which would be within five years based on demographics and the type of residents and described the typical methods Westminster represents to where the five-story building height would be in relation to the 35-foot building type currently allowed in the code versus to where the Brookstone Subdivision is currently situated. He believed that part of the proposed master development agreement indicates that the buffer zone for landscaping needs to be opaque.

Ms. Geraci-Carver agreed with Ms. Wilson's statements clarifying that for every unit, the site plan is consistent with what is in the proposed master development agreement which would still be presented as part of the city's approval process. Ms. Geraci-Carver verified, in response to Mayor Cheshire's question that the elected body cannot deny the subject proposed project, consistent with 275-foot buffer with all the others because of its location.

Commissioner Ranize recalled the LPA's discussions at its January 18, 2018 workshop meeting regarding the proposed six five-story buildings and in response to his inquiry, Ms. Geraci-Carver confirmed that up to a maximum of six buildings of any type greater

than 35 feet, not exceeding five stories, can be built and cited the language under subsection 8c., *maximum building height . . . shall be limited to four stories*

After Commissioner Ranize mentioned his recollection of dialogue at the January 25, 2018 LPA meeting regarding the four-story buildings in the institutional zoning designated area, Mr. Beliveau explained the mixture of potential uses within the proposed structures.

Following much discussion, Mr. Wickberg addressed his understanding of said subsection allowing up to four commercial buildings which are four stories high and relayed the intent to seek up to six buildings no greater than three or five stories.

Mr. Beliveau pointed out the earlier testimony and gave reasons why the 275 setback requirement from the adjacent development “Brookstone Subdivision” makes the potential uses greater; indicated that the proposed master development agreement was addressing the worse-case scenario, and depicted the area in question on the map.

Mr. Ayris indicated that Commissioner Ranize was referencing a diagram developed approximately two years ago which was not addressed; explained that a survey was not conducted, and outlined how, after Farner Barley & Associates Inc., civil engineering firm, carried out the topography, it drastically changed.

Mr. Ayris outlined, in response to a question posed by Commissioner Lewis, how the proposed development would negatively impact FBC, if Westminster Communities’ proposal was not approved.

Following further deliberations and after identifying the proposed single-family lots and the 275-foot setback requirements shown on the graphic (and not their illustration) as being a part of the conceptual plan,

In response to Mr. Wickberg’s explanation on the finished building and the elevation levels used, Commissioner Lewis addressed the determination of the building’s maximum height.

After much discussion, Mr. Harrison pointed out the sample representation PUD plan; questioned the illustration depicting the maximum five-story building height, if it was 35-foot elevation on said buildings, and recognized the current setback requirements which would be as close to the 400 feet which he believes Commissioner Lewis was referring to where he would like to see moved back to the elevation.

Answering a question posed by Vice Mayor Gunter, Mr. Wickberg explained the likelihood of amending the language under the proposed master development agreement, suggested by Mr. Harrison, under advisement and determine whether same could be worked out by staff, FBC, and Westminster Communities.

Mr. Wickberg explained, as referenced by Mr. Ayris, the initial project with the 25-foot buffer and 200 feet with no setback requirements which increased to 200 feet and 275 feet. He pointed out the two-story residential dwelling unit as depicted on the map which may

not likely be built and explained the legitimacy of the actual document presented. Mr. Wickberg addressed the attempts and efforts made to ensure what the community needs is provided and confirmed, in response to Commissioner Lewis, the understanding that the second row of buildings and single family homes (set up for lots), addressed previously, and the first 100-foot lot as residential single homes, are what he has, as identified in the PUD plan. He addressed the single family homes attached, detached and duplexes specified on the first 100-foot lot in the proposed master development agreement.

Mr. Wickberg concurred in the affirmative with Ms. Geraci-Carver's statements that Westminster Communities would not be obligated -- where she identified the options of green spaces or a row of homes -- and gave reasons why they need and have such flexibility.

Mr. Wickberg agreed with Commissioner Ranize's statements that the building of the second row of homes may not occur; there is no time frame, and the five-story buildings with 275 feet buffer of greenspace may take place in 10 years.

Commissioner Ranize recognized the applicant working on the proposed project for two years; apologized for being aware of the subject issue until the December 16, 2017 Planning and Zoning (P&Z) meeting, and explained that the city would be taking steps to ensure that such situations do not reoccur. He believed that Westminster Communities' finances are financially sound.

Commissioner Ranize addressed his concerns on:

- the initial issue of fire and emergency medical services (EMS) presented same before the city manager and the elected body and his previous discussions with county fire chiefs and with Mr. Jerry Smith, Lake EMS Inc. on the issue of the fire truck providing fire services exceeding a three-story building serving a small subdivision;
- the few potential calls for fire rescue service;
- the purchase and maintenance of an aerial fire truck with additional staffing;
- his daily commute and observations of a three and four-story apartment complex in the area for residents over 55 years old; the five-story Villages hospital complex and adjacent adult congregate living facilities (ACLFs); the Lakes Port Leesburg's four-story building and whether such proposed development is a good fit for the city, and
- the Villages' detailed comprehensive plan, originally presented before the city, which met the city's current building regulations (where no developments are over three stories; the ultimate adjustments and approvals on lot setbacks did not meet the city's; funds given to the city for water treatment systems, connections and a lift station on CR 466A -- removing wastewater from the complex -- and the purchase of bulk water whereby the city was not required to change its current building code).

Commissioner Ranize addressed his desire for the church to be built with Westminster Communities being a part of same; explained that he cannot support a five-story building which does not have a comprehensive plan, and recognized that the subject issue is deviated whenever it is addressed by the elected body.

In recognizing the project to be viable and acknowledging the residents' concerns not preferring the concept of five-stories, Vice Mayor Gunter noted the uncertainty of the proposed project being built and recognized the investment of funds which has never been presented before during his tenure.

Mayor Cheshire voiced concerns of the fire-related services addressed at the January 25, 2018 LPA meeting; the review of the site plan, and his preference to narrow down where the six five-story buildings and the boundary line throughout the 400 feet buffer would ultimately be.

Acknowledging that Westminster Communities would need to present the subject issue before the governing body for final approval prior to the second reading, Commissioner Bell indicated that the decision to move the buffer to 400 feet and narrowing the site plan would be acceptable to him.

Commissioner Lewis reiterated his familiarity with Westminster Communities' business plan, its concept, and strengths where such project, he believes, would be ideal for the adjoining neighbors at the Brookstone Subdivision who would be abutting the single-family structures with 50 feet of natural vegetation canopy trees.

Commissioner Lewis explained that his concerns relating to fire rescue services, which he addressed at the January 25, 2018 LPA, would be resolved when a determination is made (recognizing the significant offer to the city of \$700,000 contribution towards fire rescue services, truck apparatus and the request for a score board for a soccer field). He addressed the problem of the PUD Sample Representation plan sent to him by email on February 19, 2018 from Mr. La Venia with the line of the site, was planned to be withdrawn by Westminster Communities to which Mr. La Venia indicated was not binding.

In response to Commissioner Lewis' concerns, Ms. Geraci-Carver explained that the subject issue would come before the city commission as a recommendation for denial.

By unanimous consent and upon Commissioner Lewis' suggestion, the LPA took the position to compromise with allowing the proposed development of the five-story buildings.

After discussion, a motion was made by Commissioner Lewis that the LPA recommend to the city commission the approval of proposed Ordinance 2018-002, the substance of which is as follows, and approve modifying the master development agreement to include that the first multi-story buildings to the west of the Brookstone Subdivision be a maximum of three stories in building height:

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.

In response to Ms. Wilson's indication to Commissioner Lewis' reference to the email to Mr. La Venia that the concept plan would be excluded which she verified was included, Mr. La Venia confirmed that at the meeting with her, it was not.

In apologizing and in response to Commissioner Bell's concerns with the diagram on the lack of definitions on the buildings, Ms. Wilson addressed the plan to present the 400-foot buffer to Westminster Communities' Board of Directors before the second reading.

Mr. Ayris expressed preference, with the current developer, to modify the proposed master development agreement to a 400-foot buffer and if Westminster Communities' Board of Directors are willing to accept the amendment, he addressed the plan to contact Mr. La Venia before the second reading.

Mayor Cheshire recognized that the motion proffered died for a lack of a second.

In response to Ms. Geraci-Carver's request, the LPA members disclosed the following ex-parte communications:

- Commissioner Ranize referred to the email he received on February 21, 2018 from Mr. Beckman which he but did not respond to;

- Commissioner Bell pointed out the February 22, 2018 email from Messrs. Gary Padgett and Egner (sent to the elected officials), and Crystal Mathis, City of Fruitland Park (Brookstone Subdivision) residents, objecting to the proposed five-story buildings, to which Mayor Cheshire and Commissioner Ranize concurred in the affirmative on receiving same;
- Commissioner Lewis pointed out three telephone calls received earlier this day from City of Fruitland Park (Brookstone Subdivision) residents, expressing concerns on the proposed five-story building which they felt is not a good fit;
- Mayor Cheshire referred to the emails (Messrs. Beckman, Padgett and Egner); his conversations with Mr. Ayris (by telephone and in person) on how to make the subject issue work, the fire services, and the city's insurance service office public protection classification rating working for Brookstone;
- Vice Mayor Gunter pointed out the emails received from Messrs. Beckman, Padgett and Egner, and
- Commissioner Ranize indicated that he received emails from Messrs. Beckman, Padgett, and Egner; pointed out the telephone conversations he had with Mr. Egner, and referred to his discussions with Mr. Harris, after the P&Z meeting where they did not discuss the Westminster Communities' property but addressed the original FBC issue with the First Academy which was not brought before the elected body and which he thought and still believes is a good idea this day.

A motion was made by Commissioner Bell and seconded by Commissioner Lewis that the LPA recommend to the city commission the approval of proposed Ordinance 2018-002, as previously cited, with the modification to the master development agreement to include a 400-foot setback instead of 275 feet.

In response to Commissioner Ranize' inquiry, Ms. Geraci-Carver identified the 400-foot buffer to be the setback of the five story buildings to which Commissioner Lewis recognized to be any buildings over three-stories.

At Mayor Cheshire's request on the clarification of the motion cited by the city attorney to recommend to the city commission the approval of proposed Ordinance 2018-002, as previously cited, with the modification to the master development agreement with the condition that it be a 400-foot setback rather than 275 feet for any buildings in excess of three stories, Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously .

END OF QUASI-JUDICIAL PUBLIC HEARING

5. PUBLIC COMMENTS

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

6. OTHER BUSINESS

There were no further business to come before the LPA.

7. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

The minutes were approved at the April 26, 2018 meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Chris Cheshire, Mayor



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

PHONE: 352-360-6727
FAX: 352-360-6652

Board Members: Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	Others: Greg Beliveau, LPG Tracy Kelley, CDD
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**AGENDA
PLANNING & ZONING BOARD
APRIL 19, 2018
6:00PM**

- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING: Approve meeting minutes from March 15, 2018.**
- IV. OLD BUSINESS: None**
- V. NEW BUSINESS:**
 - A. Ordinance Correcting A Scrivener's Error**
 - a. Correcting the legal description of Ordinance 2016-023 (James Phillips ALT Key #2515490)
 - b. Correcting the legal description of Ordinance 2016-025 (James Phillips ALT Key #2515490)
 - B. Resolution 2018 – 015 Accepting Title of Real Property**
 - a. A Resolution accepting title to real property being conveyed from the School Board of Lake County
 - C. Resolution 2018 – 018 Closing and Vacating a 50' Platted Right of Way**
 - a. A Resolution closing and vacating a 50' platted right of way known as Hurst Street in accordance with Resolution 2018-015
 - D. Gardenia East Subdivision (Alt Key 2872098)**
 - a. Annexation application to annex approximately 13.44 ± acres from Lake County into the City limits of Fruitland Park
 - b. Rezoning application to rezone approximately 13.44 ± acres from Lake County Rural Residential (R-1) to Residential Planned Unit Development (PUD) within the City limits of Fruitland Park



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Board Members: Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	Others: Greg Beliveau, LPG Tracy Kelley, CDD
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**AGENDA
PLANNING & ZONING BOARD
APRIL 19, 2018
6:00PM**

- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING: Approve meeting minutes from March 15, 2018.**
- IV. OLD BUSINESS: None**
- V. NEW BUSINESS:**
 - A. Ordinance Correcting A Scrivener's Error**
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 - b. Rezoning application to rezone approximately 13.44 ± acres from Lake County Rural Residential (R-1) to Residential Planned Unit Development (PUD) within the City limits of Fruitland Park

- c. Large Scale Comp Plan Amendment (LSCPA) amending the future land use designation from Lake County Urban Medium Density to Multi-Family Low Density on the Future Land Use Map of the City of Fruitland Park's Comprehensive Plan for approximately 13.44 ± acres of property generally located north of Register Road and East of US Hwy 27/441

BOARD MEMBERS' COMMENTS:

ADJOURNMENT:

- c. Large Scale Comp Plan Amendment (LSCPA) amending the future land use designation from Lake County Urban Medium Density to Multi-Family Low Density on the Future Land Use Map of the City of Fruitland Park's Comprehensive Plan for approximately 13.44 ± acres of property generally located north of Register Road and East of US Hwy 27/441

BOARD MEMBERS' COMMENTS:

ADJOURNMENT:



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

PHONE: 352/ 360-6727
FAX: 352/ 360-6652

Board Members: Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	Others: Greg Beliveau, City Land Planner Tracy Kelley, Administrative Assistant
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MINUTES
PLANNING & ZONING BOARD
MARCH 15, 2018
6:00PM

- I. **INVOCATION:** Chairwoman Bame called the meeting to order at 6:03P.M. and led the pledge of allegiance. Board member Tom Bradley gave the invocation.
- II. **ROLL CALL:** All board members present except Board member Dicus and Board member Purlee. Present LPG Beliveau and Assistant Kelley.
- III. **MINUTES FROM PREVIOUS MEETING:** Approve corrected meeting minutes from January 18, 2018. Motion to approve January 18, 2018 corrected meeting minutes by Colin Crews. Second by Board member Bradley. Approved 3-0.
- IV. **OLD BUSINESS:** None
- V. **NEW BUSINESS:**
- A. **An Ordinance Correcting A Scrivener's Error**
- a. Correcting the legal description of Ordinance 2016-024 (James Phillips ALT Key #2515490)
- LPG Beliveau gave introduction to Ordinance 2018-004 the scrivener's error in the legal description in Ordinance 2016-024 is corrected; the proceeding Planning & Zoning meeting will include the correction to the SSCPA and Rezoning Ordinances for the same scrivener's error.
- Motion to correct the scrivener's error on the legal description by Board member Bradley. Second by Board member Crews. Approved 3-0
- B. **Notice to Vacate Resolution 2018 - 005**
- a. A Resolution closing and vacating a 30' platted right of way known as Laurel Street
- LPG Beliveau gave introduction the closure is for the New Public Library Facility; that Laurel Street as platted does not exist with the new construction. Motion to approve by Board member Crews. Second by Board member Bradley. Approved 3-0

PUBLIC COMMENTS: None

BOARD MEMBERS' COMMENTS: None

ADJOURNMENT: 6:09PM

ORDINANCE 2018 – 006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-023 WHICH PROVIDED FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.0± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park desires to correct a scrivener's error in the legal description contained in Ordinance 2016-023 which assigned a City future land use designation to the property; and

WHEREAS, a petition has been received from Charles Johnson as applicant on behalf of James Phillips as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Commercial" under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fruitland Park, Florida, as follows:

Section 1: The scrivener's error in the legal description in Ordinance 2016-023 is corrected. The following described property consisting of approximately 1.0 ± acres generally located north of CR 466A and west of Timbertop Lane and more particularly described as follows:

LEGAL DESCRIPTION: From the Northwest corner of the Northeast ¼ of the Southeast ¼ of Section 6, Township 19 South, Range 24 East, in Lake County, Florida, run South 00°45'20" West along the West line of the Northeast ¼ of the Southeast ¼ a distance of 399.55 feet; thence South 89°07'10" East 90.26 feet to the Point of Beginning; thence continue South 89°07'10" East 202.0 feet; thence South 00°45'20" West 215.65 feet to the Point of Beginning.

Parcel Alternate Key No. 2515490

shall be assigned a land use designation of Commercial under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 3: The City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 4: Severability.
If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6: This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2018.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Esther Coulson, CMC, City Clerk

Vice Mayor Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

First Reading _____
Second Reading _____

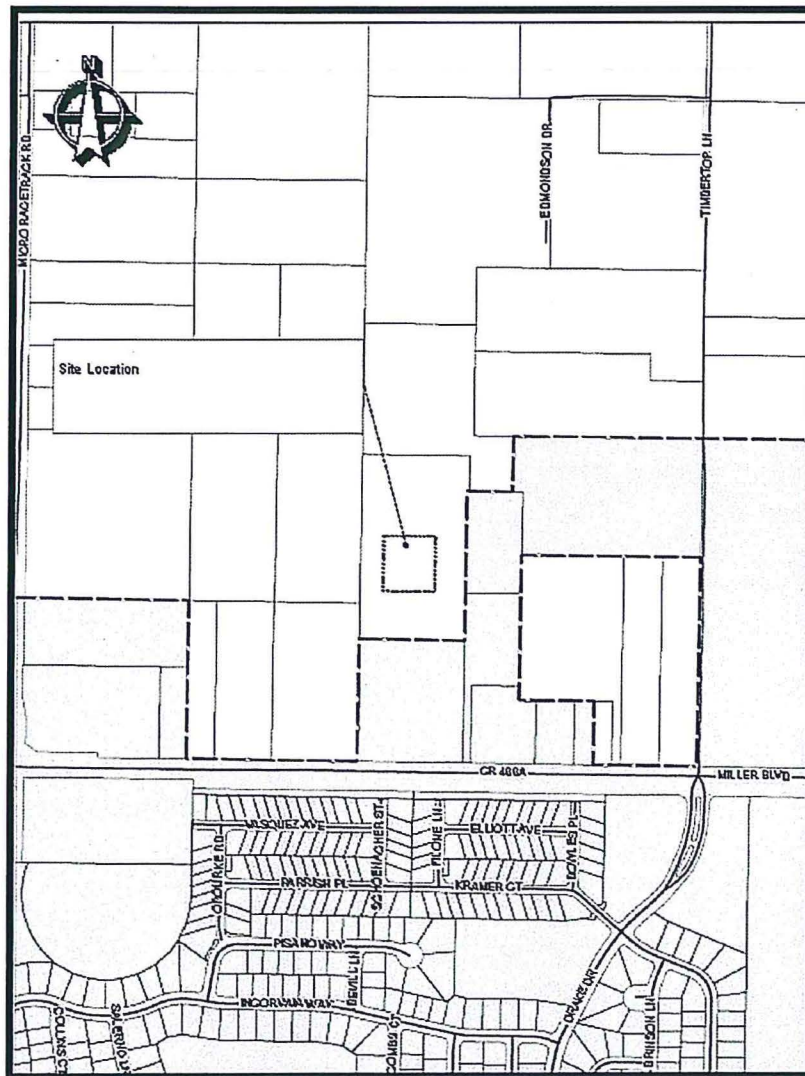
Approved as to Form:

Anita Geraci-Carver, City Attorney

EXHIBIT A
MAP DEPICTING PROPERTY AND FLU DESIGNATION

Legal Description: From the Northwest corner of the Northeast ¼ of the Southeast ¼ of Section 6, Township 19 South, Range 24 East, in Lake County, Florida, run South 00°45'20" West along the West line of the Northeast ¼ of the Southeast ¼ a distance of 399.55 feet; thence South 89°07'10" East 90.26 feet to the Point of Beginning; thence continue South 89°07'10" East 202.0 feet; thence South 00°45'20" West 215.65 feet to the Point of Beginning.

Parcel Alternate Key No. 2515490



ORDINANCE 2018 – 007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CORRECTING A SCRIVENER’S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-025 WHICH REZONED 1.0 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; 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.

WHEREAS, the City of Fruitland Park desires to correct a scrivener’s error in the legal description contained in Ordinance 2016-025 which rezoned the property from a County zoning designation to a City zoning designation; and

WHEREAS, a petition has been submitted by Charles Johnson as applicant, on behalf of James Phillips Owner, requesting that approximately 1.0 acres of real property generally located north of CR 466A and west of Timbertop Lane (the “Property”) be rezoned from Lake County Agriculture (AG) to General Commercial (C-2) within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed rezoning has been properly published; and

WHEREAS, the City Commission reviewed said petition, the recommendations of the Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fruitland Park, Florida, as follows:

Section 1. The scrivener’s error in the legal description in Ordinance 2016-025 is corrected. The following described property consisting of approximately 1.0 ± acres of land generally located north of CR 466A and west of Timbertop Lane shall hereafter be designated as C-2, General Commercial, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as:

LEGAL DESCRIPTION: From the Northwest corner of the Northeast ¼ of the Southeast ¼ of Section 6, Township 19 South, Range 24 East, in Lake County, Florida, run South 00°45’20” West along the West line of the Northeast ¼ of the Southeast ¼ a distance of 399.55 feet; thence South 89°07’10” East 90.26 feet to the Point of Beginning; thence continue South 89°07’10” East 202.0 feet; thence South 00°45’20” West 215.65 feet to the Point of Beginning.

Parcel Alternate Key No. 2515490

Section 2. That the City Manager, or designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Fruitland Park, Florida to include said designation consistent with this Ordinance.

Section 3. That the zoning classification is consistent with the Comprehensive Plan of the City of Fruitland Park, Florida.

Section 4. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This Ordinance shall become effective immediately upon the effective date of the comprehensive plan amendment for the subject property. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2018.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

Attest:

Approved as to form and legality:

Esther B. Coulson, City Clerk

Anita Geraci-Carver, City Attorney

Vice Mayor Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Lewis	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Ranize	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

First Reading _____

Second Reading _____

RESOLUTION 2018-015

A. RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING TITLE TO REAL PROPERTY BEING CONVEYED FROM THE SCHOOL BOARD OF LAKE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park has been utilizing a small piece of land owned by the School Board of Lake County as a community park; and

WHEREAS, the City desires to own in fee simple title to the real property; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds that accepting title to the real property is beneficial to the City of Fruitland Park and its residents.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Title to the real property described in the Quit Claim Deed from the School Board of Lake County, a copy of which is attached hereto, is accepted.

Section 2. The Commission directs the City Manager to reflect ownership of the property in the City's records by adding the property to the City's list of assets and providing for said property to be included on the City's insurance policies, and any other such records.

Section 3. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this ____ day of _____, 2018, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park

Chris Cheshire, Mayor

Attest:

Esther B. Coulson, City Clerk

Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

Rec 2.00
St
Sur
ind

78 7505

This Quit-Claim Deed, Executed this 8 day of March, A. D. 1978, by

THE SCHOOL BOARD OF LAKE COUNTY
first party, to
CITY OF FRUITLAND PARK, A Municipal Corporation

whose postoffice address is P.O. BOX 158
FRUITLAND PARK, FLA. 32731

second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the said first party, for and in consideration of the sum of **TEN AND NO/100 DOLLARS,** and other good and valuable in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of LAKE State of FLORIDA, to-wit:

DESCRIPTION NO. 1:

For a point of Reference begin at the SW corner of the SE 1/4 of Section 9, T.19 S, R. 24 E; thence N. 00° 35' 00" E, 1029.53 Feet along the West line of said SE 1/4; Thence Departing from said West Line Proceed S, 89° 28' 30" E, 26.51 Feet to the SW corner of Lot 5, Block 43, Town of Fruitland Park Thence N, 00° 18' 20" E, 875.44 Feet to P.O.B. No. 1.

From P.O.B. No. 1 proceed S 89° 51' 30" E, 250.03 Feet to the terminus. Described Line Being the centerline of a 20' perpetual easement for ingress, egress and Utilities.

DESCRIPTION NO. 2 - Fee Simple

For a Point of Reference Begin at the above described P.O.B. No. 1 proceed Thence N. 00° 18' 20" E, 10.00 Feet; Thence S, 89° 51' 30" E, 250.00 Feet along the South Line of Mirror Lake Manor as recorded P.B. 23, PG. 51 of the Public records of Lake County, Fla.

From P.O.B. No. 2, Continue along said South line S 89° 51' 30" E, 100.00 Feet; Thence S. 90° 08' 30" W, 125.00 Feet, Thence N 89° 51' 30" W, 100.00 Feet; Thence N, 00° 08' 30" E, 125.00 Feet to the P.O.B., Containing 0.287 Acres.

DESCRIPTION NO. 3:

For a point of Reference begin at the above described P.O.B. No. 2, proceed thence S, 89° 51' 30" E, 100.00 Feet along the South line of said Mirror Lake Manor; Thence S, 90° 08' 30" W, 10.00 Feet to P.O.B. No. 3.

From P.O.B. No. 3 proceed S, 89° 51' 30" E, 585.29 Feet; thence S, 30° 16' 00" E, 286.96 Feet to the terminus described line being the centerline of a 20' wide perpetual Utility Easement. If any of the above property ceases to be used by the Grantee over-

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of: THE SCHOOL BOARD OF LAKE COUNTY

Juan L. McClelland
Diana J. Misk

James R. Dunaway
CHAIRMAN, James R. Dunaway
Sam B. Commander
SECRETARY, Sam B. Commander

STATE OF FLORIDA, FLORIDA
COUNTY OF Lake

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

JAMES R. DUNAWAY AND SAM B. COMMANDER to me known to be the person described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 8th day of March A. D. 1978.

Notary Public, State of Florida at Large
My Commission Expires Nov. 7, 1981
Bonded by American Fire & Casualty Company



This instrument prepared by: RICHARD O. SPRINGER

Address ATTY
27 S. DEWEY ST.
EUSTIS, FLA. 32726

MAR 21 11 01 AM '78

for Public Utility purposes and the Grantee so declares his intention, said property to revert to the Grantor.



10	7505	7.00	RC
1		.60	RC
002 ²	1008	3/21/78	.55 RC
			8.15 TL



(CA)

To

Quit Claim Deed

RAMCO FORM B

WARRANTY DEED

Rec 6.00
St 1.80
Sur 6.00
Cont 2.00

This Indenture, Made this 26th day of February, 1975,
Between CLYDE ROGERS, joined by his wife, ESTHER ROGERS, GLENN
ROGERS, joined by his wife, LOIS J. ROGERS, and REGENT R. WEBER,
a woman, of the county of Lake, State of Florida, grantors,
and THE SCHOOL BOARD OF LAKE COUNTY,
whose post office address is 201 West Burleigh Boulevard, Tavares, Florida,
grantee,

WITNESSETH, That said grantors, for and in consideration
of the sum of TEN AND NO/100 DOLLARS, and other good and
valuable considerations to said grantors in hand paid by
said grantee, the receipt whereof is hereby acknowledged, have
granted, bargained and sold to the said grantee, and grantee's
heirs and assigns forever, the following described land,
situate, lying and being in the County of Lake, State of Florida,
to-wit:

From the SW corner of the SE 1/4 of Section 9, Township
19 South, Range 24 East, Lake County, Florida, run
North 0°35'00" E. along the West line of the SE 1/4 a
distance of 1029.53 ft., thence South 89°28'30" E. 26.51
ft. to the SW corner of Lot 5, Block 43, Town of Fruitland
Park, Florida, and the Point of Beginning of this description;
run thence North 0°18'20" E. 885.44 ft., thence South
89°51'30" E. 941.02 ft., thence South 30°16'00" E.
298.55 ft., thence North 89°51'30" W. 125.60 ft., thence
South 0°30'10" W. 634.41 ft., thence N. 89°28'30" West
965.10 ft., to the P.O.B., containing 20.00 acres.

and said grantors do hereby fully warrant the title to said
land and will defend the same against the lawful claims of
all persons whomsoever.

IN WITNESS WHEREOF, grantors have hereunto set grantors'
hands and seals the day and year first above written.

Signed, sealed and delivered
in our presence:

Arthur E. Roberts

Imogene K. Merrill
As to Clyde Rogers and wife,
Esther Rogers

Clyde Rogers (SEAL)
CLYDE ROGERS

Esther Rogers (SEAL)
ESTHER ROGERS

MAR 14 2 10 PM '75
RECORDED AND INDEXED
CLERK CIRCUIT COURT
LAKE COUNTY, FLA.

Esther E. Roberts

Imogene K. Merrill
As to Glenn Rogers and wife,
Lois J. Rogers

Imogene K. Merrill
Esther E. Roberts
As to Regent R. Weber

Glenn Rogers (SEAL)
GLENN ROGERS

Lois J. Rogers (SEAL)
LOIS J. ROGERS

Regent R. Weber (SEAL)
REGENT R. WEBER

STATE OF FLORIDA
COUNTY OF LAKE

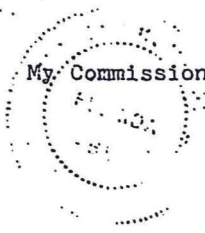
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared CLYDE ROGERS and wife, ESTHER ROGERS; GLENN ROGERS and wife, LOIS J. ROGERS; and REGENT R. WEBER, to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 26th day of February, 1975.

Imogene K. Merrill
Notary Public

Notary Public, State of Florida at Large
My Commission Expires March 26, 1976
Bonded by American Fire & Casualty Co.,

My Commission Expires:



LAKE COUNTY
077869



DOCUMENTARY SUR TAX
68.00

STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT. OF REVENUE
MAR 14 75
180.00

1
2
3 **RESOLUTION 2018-018**

4 **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY,**
5 **FLORIDA; CLOSING AND VACATING A 50' PLATTED RIGHT OF WAY KNOWN AS HURST STREET,**
6 **THE NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43,**
7 **AND THE SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6, AND 7, BLOCK**
8 **43, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY;**
9 **PROVIDING FOR DIRECTION TO THE CITY CLERK TO INCLUDE RECORDATION; PROVIDING FOR**
10 **AN EFFECTIVE DATE.**

11 **WHEREAS, the City Commission is empowered pursuant to §166.042, *Florida Statutes*, to vacate**
12 **public rights of ways within its municipal boundaries; and**

13
14 **WHEREAS, the Planning and Zoning Board has recommended approval of this resolution; and**

15
16 **WHEREAS, the City of Fruitland Park finds and determines that there is no public necessity for**
17 **retaining, now or in the future, the right of way lying within Block 43, known as Hurst Street as**
18 **shown on Block 43, as recorded in Plat Book 3 , Page 8; and**

19
20 **WHEREAS, the City of Fruitland Park, Florida, has determined that it is in the public interest to**
21 **abandon the same as a right-of-way; and**

22
23 **WHEREAS, this Resolution has been properly advertised in a newspaper of general circulation not**
24 **less than two weeks prior to the City Commission public hearing on this Resolution and property**
25 **owners within a 150 foot radius of the property were provided written notice delivered by U.S.**
26 **Mail, Return Receipt Requested.**

27
28 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF**
29 **FRUITLAND PARK, FLORIDA, as follows:**

30
31 **Section 1.** The petition for right of way vacation filed by The City of Fruitland Park for property,
32 in the City of Fruitland Park, Florida more particularly described as follows:

33
34 That 50 foot wide Right of Way as shown on the Plan of Fruitland Park as Recorded
35 in Plat Book 3, Page 8, Public Records of Lake County, Florida; The said north Right of Way
36 line abutting the South line of Lots 2, 3, and 4, Block 43, and the said South Right of Way
37 line abutting the North line of Lots 5, 6, and 7, Block 43; Being bounded on the West by the
38 Easterly Right of Way line for Olive Avenue as shown on said Plan of Fruitland Park and being
39 bounded on the East by the Easterly line of that certain parcel of land in favor of the School
40 Board of Lake County, Florida, as recorded in Official Records Book 584, Page 477, of the
41 Public Records of Lake County, Florida as shown on **Exhibit A.**

42
43 Is hereby granted and such right of way is accordingly closed and vacated.
44

45 **Section 2:** Title to said vacated right-of-way shall vest in accordance with law.

46
47 **Section 3:** Upon passage of this Resolution, the City Clerk is hereby directed to publish notice of
48 adoption of this resolution one time, within 30 days following its adoption, in one issue of a
49 newspaper of general circulation published in the county. The City Clerk is further directed to
50 record in the public records of Lake County, Florida, the proof of publication of notice of public
51 hearing, the resolution as adopted, and the proof of publication of the notice of the adoption of
52 such resolution.

53
54 **Section 4.** This Resolution shall become effective immediately upon passage by the City
55 Commission of the City of Fruitland Park.

56
57 **PASSED AND RESOLVED** in regular session of the City Commission of the City of Fruitland Park,
58 Lake County, Florida, this _____ day of _____, 2018.

59
60 _____
61 Chris Cheshire, Mayor
62 City of Fruitland Park, Florida

63
64
65 ATTEST: Approved as to Form:
66
67
68 _____
69 Esther Coulson, CMC, City Clerk Anita Geraci-Carver, City Attorney

70
71
72
73 Vice-Mayor Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
74 Commissioner Ranize _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
75 Commissioner Lewis _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
76 Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
77 Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

78
79
80
81
82
83 Passed First Reading _____
84 (SEAL)

SKETCH OF DESCRIPTION

(NOT A FIELD SURVEY)

DESCRIPTION:

THAT 50 FOOT WIDE ROAD RIGHT OF WAY AS SHOWN ON THE PLAN OF FRUITLAND PARK AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THE SAID NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43, AND THE SAID SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6 AND 7, BLOCK 43; BEING BOUNDED ON THE WEST BY THE EASTERLY RIGHT OF WAY LINE FOR OLIVE AVENUE AS SHOWN ON SAID PLAN OF FRUITLAND PARK AND BEING BOUNDED ON THE EAST BY THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND IN FAVOR OF THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 584, PAGE 477, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS THEY BEAR THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST, AS BEING NORTH 00°35'00" EAST, PER DEED (ASSUMED MERIDIAN).
3. THE DESCRIPTION WAS PREPARED BY THIS FIRM AT THE CLIENT'S REQUEST AND IS BASED UPON INFORMATION PROVIDED.
4. THIS SKETCH MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.051 FAC.
5. THIS SKETCH WAS PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
6. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/200 OR SMALLER.
7. HORIZONTAL DATUM SHOWN HEREON IS IN U.S. FEET.

CERTIFIED TO:

CITY OF FRUITLAND PARK

Jennings E. Griffin

 JENNINGS E. GRIFFIN, PROFESSIONAL LAND SURVEYOR
 FLORIDA REGISTRATION NO. 4486

DATE: 05/26/18

SHEET 1 OF 2	
CLIENT	CITY OF FRUITLAND PARK
JOB NO.	081040.0049
ACAD FILE	Hurst Street Vacation
DATE	03-28-18
CHECKED BY:	JEG
DRAWN BY:	JEG
F.L.D. BOOK:	
REVISIONS	DATE

SKETCH OF DESCRIPTION

SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST
LAKE COUNTY, FLORIDA

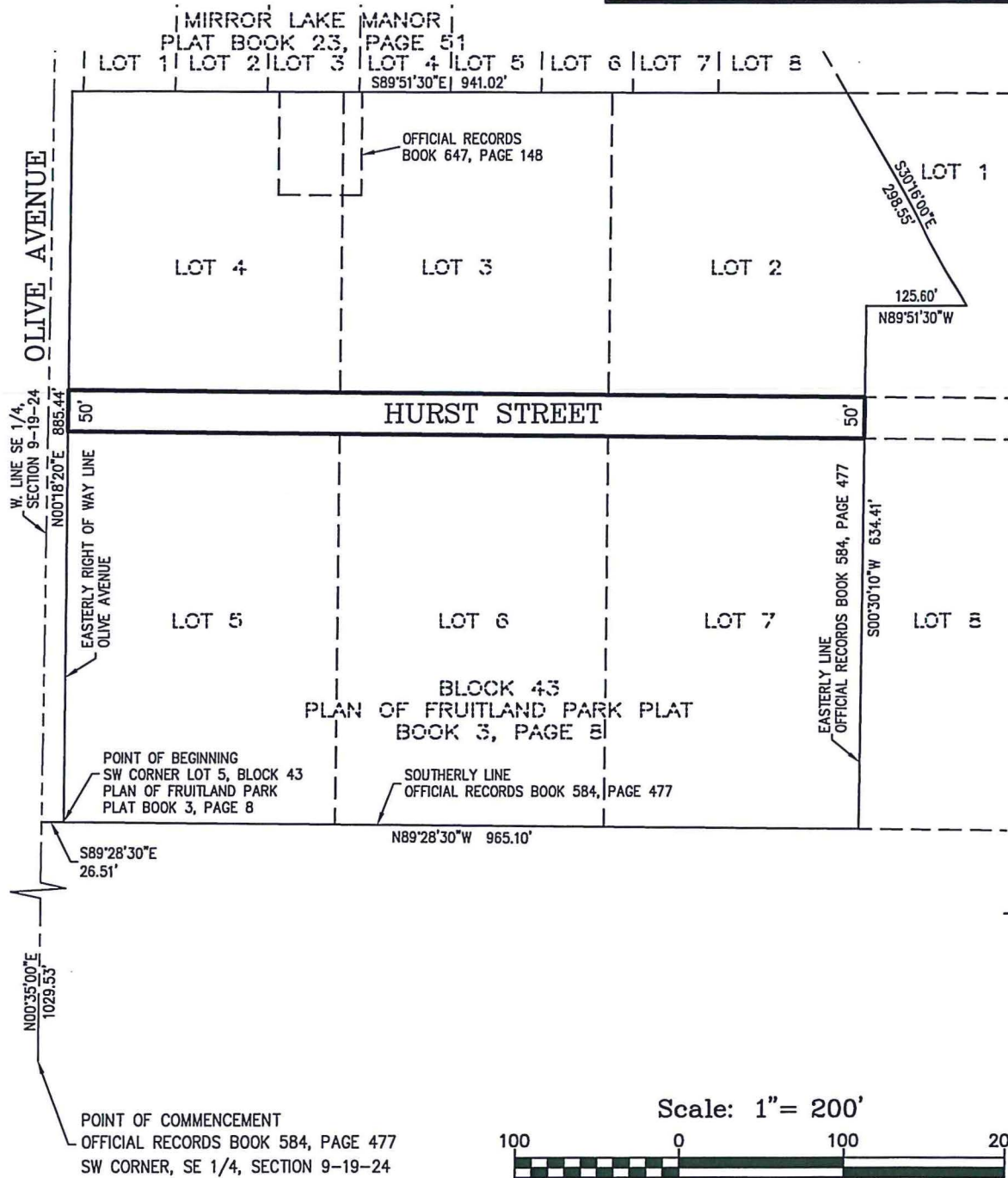
PLAN OF FRUITLAND PARK
HURST STREET RIGHT OF WAY VACATION



BEACH ENGINEERS & SURVEYORS, INC.
 802 North Beach Ave. Office 321-241-8481
 Titusville, Florida 32781 Fax 321-241-8482
 www.beachch.com
 ENGINEERS SURVEYORS PLANNERS
 LICENSED BUSINESS 7914

SKETCH OF DESCRIPTION

(NOT A FIELD SURVEY)



LEGEND

LB LICENSED BUSINESS
ID IDENTIFICATION

SHEET 2 OF 2	
CLIENT	CITY OF FRUITLAND PARK
JOB NO.	061040.0049
ACAD FILE	Hurst Street Vacation
DATE	03-25-18 CHECKED BY: JEG
DRAWN BY:	JEG FLD. BOOK:
REVISIONS	DATE

SKETCH OF DESCRIPTION
SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST
LAKE COUNTY, FLORIDA

PLAN OF FRUITLAND PARK
HURST STREET RIGHT OF WAY VACATION

SOUTH POINT SURVEYING & PLANNING, INC.
822 North Bridge Ave. Office 321.343.8841
Tallahassee, Florida 32378 Fax 321.343.8840
www.bsosch.com
LICENSED SURVEYORS PLANNERS
LICENSED BUSINESS 7514



Community Development Department
506 W. Berckman St.
Fruitland Park FL 34731

Tel. (352) 360-6727
Fax. (352) 360-6652

STAFF REPORT

Project: Gardenia East Subdivision
Project Owner: MRSF-1
2409 Rick Whinery Drive
Austin Texas 78728
Project Address: Vacant Property
(near Register Road and across from the Subdivision known as Chelsea's Run)
Alternate Key#: 2872098
Proposed: Residential PUD

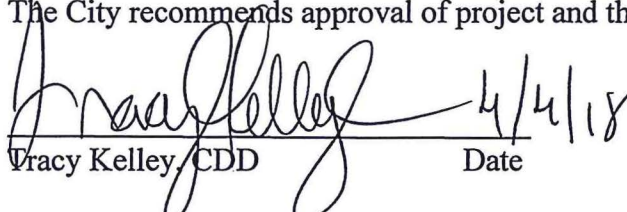
The property is located adjacent to the City limits along the southern property boundary across Register Road. The property owners are seeking annexation, large scale comprehensive plan amendment and rezoning of a PUD for the development of 49 lots with RV/boat storage for the residences and guests only for the Subdivision to be known as Gardenia East.

The property is 13.447 ± acres and allows for multi-family low density (8 units/acre) with the proposed development density of 4.6 units/acre.

The site is designated as Urban Medium Density (13.44 ± acres) on the Lake County FLU Map and is proposed to designate the entire site as multi-family low density on the City's FLU Map. The proposed amendments consistent with the City's Future Land Use Policies 1-1.2; 1-1.5; and 1-2.1.

All required studies have been submitted and reviewed by City Land Planner LPG and City Land Planner LPG recommends approval of the annexation and the proposed rezoning to a PUD. Also recommended for approval the waiver to place the cul-de-sac right of ways within the landscape buffer, as no impervious surface is associated with the right of way of the cul-de-sacs and no plant material is eliminated within the buffer areas.

The City recommends approval of project and the contents of Master Developer's Agreement.


Tracy Kelley, CDD

4/4/18
Date

cc: File

**CITY OF FRUITLAND PARK
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, INC.**

ANNEXATION, LSCPA AND REZONING

Owner: MRSF-1

General Location: East of US 27/441 and north of Register Road

Number of Acres: 13.447 ± acres

Existing Zoning: Lake County Rural Residential (R-1)

Proposed Zoning: Residential PUD

Existing Land Use: Urban Medium Density (7 units/acre)

Proposed Land Use: Multi-family Low Density (8 units/acre)

Date: March 28, 2018

Description of Project

The owners are seeking annexation, large scale comprehensive plan amendment and a zoning of PUD for the development of 49 lots with RV/boat storage for residences and guest only known as Gardenia East. The subject site is currently undeveloped. The proposed density of the development is 4.6 units/acre which is well below the land use density of 8 units/acre.

	Surrounding Zoning	Surrounding Land Use
North	County R-1 and R-6	Urban Medium Density
South	R-3 and C-2	Multi- Family High Density (15 units/acre) and General Commercial
East	County R-1	Urban Medium Density
West	County Planned Commercial (CP)	Urban Medium Density

Assessment

ANNEXATION AND PUD ANALYSIS

The subject site is located adjacent to the city limits along the southern property boundary across Register Road, therefore annexation is feasible. The site is within an Urban area in which public services and facilities are available (i.e. water, sewer, fire, and police). Residential development in the area ranges from 7800 square foot lots (Chelsea's Run) toward the south, one-half (½) acre lots to the north within Lake County and 1 acre lots to the east and west (Lake County). Commercial developed property is located along the western boundary (flea market) with vacant commercial property located to the southwest. Multi-family is typically utilized as a transition of density from commercial to single family residential.

The proposed typical lots as shown on the conceptual development plan are 4,000 square feet (40 x 100) and the proposed minimum single family structure is 1,200 square feet. The proposed maximum building coverage within the LDRs is 30%; however, the applicant is requesting 40%.

The conceptual plan indicates a 15' perimeter buffer; however, the proposed cul-de-sacs encroach into the buffer. Please be advised that pursuant to the LDRs only passive recreation is allowed within the buffer areas (Chapter 164, Section 164.030(c) the use within the buffers will be limited to passive recreation. The buffer can contain pedestrian, bike, or equestrian trails constructed of pervious material. If any impervious surface is located within the buffer, the buffer width will be increased an equal amount. The additional use within the buffer is allowed only if no plant material is eliminated and the total width of the buffer is maintained. Parking areas are not allowed within the buffer.

Pursuant to a conversation with the applicant, the applicant is requesting a waiver to allow the right of way of the cul-de-sacs within the buffer area. For compensation of the impact, the applicant has increased the southern buffer boundary from 10' to 15'. The applicant is aware that if the waiver is not granted, a redesign will be required which could reduce the number of lots within the northern and western property limits.

A traffic impact study by Griffey Engineering was submitted based on the PUD of 52 units (see attached). The roadway analysis shows that some segments will be operating beyond their adopted LOS capacity for future condition. This is primarily due to background growth. The amount of project traffic for each of these roadway segments is less than 1% of capacity, which is a de minimis impact. Also, the CR 466A road segment is scheduled for 4-laning in the Lake County 5-Year Transportation Construction Program and the US 441 segments are planned for 6-laning by FDOT.

The intersection analysis presented in this report indicates that for the existing and future conditions the Register Road (N) approach, at its intersection with US 27, has long delay times.

The US 27 approaches operate at an acceptable LOS in both the existing and future condition. The project is not expected to add any traffic to the Register Road approach at this intersection. Also, Register Road is not part of the TMS. Therefore no mitigation is proposed.

The Register Road (S) approach at its intersection with US 27 will experience an increase in delay due to the addition of project traffic. US 27 at this location is not adversely affected by the project traffic. Additionally, due to its proximity with this intersection, the traffic signal at N. Dixie Ave. will provide gaps for the right turn movements from Register Road (S) onto US 27. Therefore no mitigation is proposed.

The applicant submitted a school public facilities determination which indicates that there is school capacity currently available for the proposed PUD.

The applicant submitted an environmental assessment which indicates that there are no wetlands onsite. Evidence of gopher tortoise burrows were observed onsite and the site is within the sand skink consultation area.

COMPREHENSIVE PLAN CONCURRENCY ANALYSIS

For comprehensive plan purposes, a worst case scenario was utilized based on maximum density. The proposed land use is expected to generate less PM peak hour traffic than the existing land use as outlined below.

TRIP GENERATION ANALYSIS

Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	107	210	1019	107	67	40
TOTAL GROSS TRIPS (PROPOSED)			1,019	107	67	40

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	94 units	210	895	94	59	35
Commercial	20,000 SF	820	854	74	24	25
TOTAL GROSS TRIPS (EXISTING)			1,749	168	83	60

Net Difference (Proposed Net Trip Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-61	-16	-20

The school impact analysis for comprehensive plan purposes is outlined below. The proposed land use will generate an additional 4 students. The analysis concludes that the proposed amendment will not cause a deficiency in school facilities.

Existing County Land Use Residential Units: 94 SF units

Proposed Development Residential Units: 107 SF units

The anticipated number of students generated by the existing land use is shown in Table 2.

**TABLE 2
STUDENTS GENERATED BASED ON EXISTING DEVELOPMENT**

Lake County Student Generation Rates	
Single Family	
Type	Student Multipliers per Dwelling Unit
High School	0.102
Middle School	0.074
Elementary School	0.152
Total	0.328

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	94	0.152	14	0	0.143	0	14
MIDDLE	94	0.074	7	0	0.063	0	7
HIGH	94	0.102	10	0	0.077	0	10
GRAND TOTAL							31

The anticipated number of students generated by the proposed land use is shown in Table 3.

**TABLE 3
STUDENTS GENERATED BASED ON PROPOSED DEVELOPMENT**

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	107	0.152	16	0	0.143	0	16
MIDDLE	107	0.074	8	0	0.063	0	8
HIGH	107	0.102	11	0	0.077	0	11
GRAND TOTAL							35

Potable Water Analysis

The subject site is within the City of Fruitland Park's Utility Service Area. The City currently owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.879 MGD and the permitted consumptive use permit capacity is 1.4645 MGD. The City has a current available capacity of .3985 mgpd and an analysis was conducted of the proposed amendment based on maximum density land use and the City's Level of Service (LOS) standards. The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of .3493 mgpd.

Sanitary Sewer Analysis

The subject site is within the City of Fruitland Park's Utility Service area. The City currently owns, operates, and maintains a central sanitary sewer system. The permitted plant capacity is 100,000 gpd and the current available capacity is 51,000 gpd and an analysis was conducted of the proposed amendment based on maximum density land use and the City's Level of Service (LOS) standards. The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining capacity of 16,108 gpd.

Recommendation

ANNEXATION AND PUD

Staff recommends approval of the annexation and the proposed rezoning to PUD. Staff recommends approval of the waiver to place the cul-de-sac right of ways within the landscape buffer, since no impervious surface is associated with the right of way of the cul-de-sacs and no plant material is eliminated within the buffer areas.

A gopher tortoise relocation permit will be required prior to development. A sand skink survey or exemption must be provided prior to development.

COMPREHENSIVE PLAN

It is recommended that the proposed comprehensive plan amendment be approved and the amendment meets the following FLU policies:

- Policy 1-1.2: **Density and Intensity Standards.** The Future Land Use Map Series shall designate areas for the uses listed in Table 1-1 and shall not exceed the maximum density and intensity contained in the Table.
- Policy 1-1.5: **Multiple-Family Low Density.** Development in this land use category shall be limited to single-family detached, single-family attached, two-family (duplex), multi-family homes, and mobile homes. However, mobile homes shall only be permitted in mobile home parks subdivisions. Density shall not exceed 8 dwelling units/acre; however, density shall be limited to 4 dwelling units/acre unless a centralized sanitary sewer system is provided. Small scale commercial uses may be permitted adjacent to major highways provided they are intended to provide for the daily needs of residents within the development and the adjoining residential area. Such businesses will generally not exceed 15,000 sq. ft. in size and will require Planned Unit Development (PUD) zoning.
- Policy 1-2.1: **Promote Orderly, Compact Growth.** Land use patterns delineated on the Future Land Use Map shall promote orderly, compact growth. The City shall encourage growth and development in existing developed areas where public facilities and services are presently in place and in those areas where public facilities can provide the most efficient service.

In addition, the subject amendment will not degrade level of service standards for public facilities (i.e. water, sewer, solid waste, schools, stormwater and roads).

Amx

ORDINANCE 2018 - 009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 13.44 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 27/441 AND NORTH OF REGISTER ROAD; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Ryan Hinricher, as Applicant, on behalf of MRSF1, LLC, Owner, requesting that approximately 13.44 ± acres of real property generally located east of US Highway 27/441 and north of Register Road (the "Property") be annexed to and made a part of the City of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed annexation has been properly published; and

WHEREAS, the Property is contiguous to the City limits and is reasonably compact.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fruitland Park, Florida, as follows:

Section 1.

The following described property consisting of approximately 13.44 acres of land generally located east of US Highway 27/441 and north of Register Road, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: That part of the Northwest ¼ of the Northwest ¼ of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows: Begin at a point on the West line of said Section 3 that is 914.4 feet South of the Northwest corner of said Section 3, run thence South along said West line 405.6 feet; thence East 274 feet; thence North 405.6 feet; thence West 274 feet to the point of beginning. Also begin at a point 274 feet East of the Southwest corner of the said Northwest ¼ of the Northwest ¼; run thence East 101 feet; thence North 521 feet; thence East 334 feet; thence North 341 feet; thence West 435 feet to a point North of the point of beginning; thence South 862 feet to the point of beginning. Also, the South 258 feet of the West 506 feet of the East 611 feet of the Northwest ¼ of the Northwest ¼ and the West 334 feet of the East 945 feet of the South 521 feet of the Northwest ¼ of the Northwest ¼, all in Section 3, Township 19 South, Range 24 East, in Lake County, Florida. Less that part of the above described parcels conveyed to Lake County by deed recorded in Official Record Book 335, page 586, Public Records of Lake County, Florida.

Also:

That part of the Northwest ¼ of the Northwest ¼ of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows: From the Southwest corner of the Northwest ¼ of the Northwest ¼ of said Section 3, run North 89° 52' 25" East 375.0 feet for a point of beginning, thence North 00° 15' 30" East 521.0 feet, thence North 89° 52' 25" East 5.73 feet, thence South 00° 27' 55" West 521.0 feet, thence West to the point of beginning.

Parcel Alternate Key No. 2872098

Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department of State of Florida within seven (7) days after its passage on second and final reading.

Section 3. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. The property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 5. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2018.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Vice-Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)

ORDINANCE 2018 - 010

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 13.44 ± ACRES OF THE PROPERTY FROM LAKE COUNTY RURAL RESIDENTIAL (R-1) TO RESIDENTIAL 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.

WHEREAS, a petition has been submitted by Ryan Hinricher, as Applicant, on behalf of MRSF1, LLC, Owner, requesting that approximately 13.44 acres of real property generally located east of US Highway 27/441 and north of Register Road (the "Property") be rezoned from Lake County Rural Residential (R-1) to Residential Planned Unit Development (PUD) within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed rezoning has been properly published; and

WHEREAS, the City Commission reviewed said petition, the recommendations of the Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fruitland Park, Florida, as follows:

Section 1. The following described property consisting of approximately 13.44 ± acres of land generally located east of US Highway 27/441 and north of Register Road shall hereafter be designated as PUD, Residential Planned Unit Development, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described and depicted as set forth on Exhibit "A" and as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

Section 2. That the City Manager, or designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Fruitland Park, Florida to include said designation consistent with this Ordinance.

Section 3. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2018.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Vice-Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)

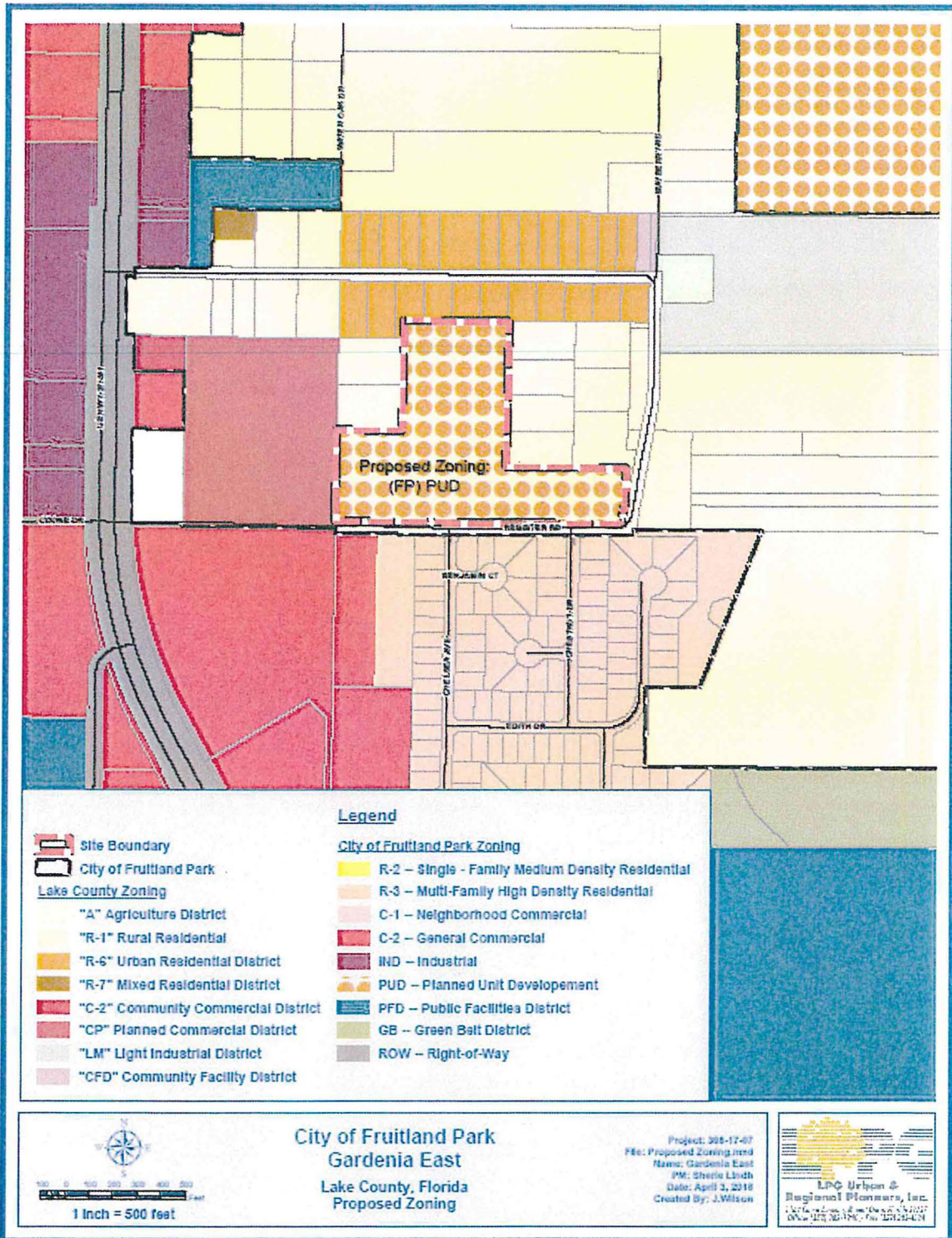
EXHIBIT "A"
LEGAL DESCRIPTION

That part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows: Begin at a point on the West line of said Section 3 that is 914.4 feet South of the Northwest corner of said Section 3, run thence South along said West line 405.6 feet; thence East 274 feet; thence North 405.6 feet; thence West 274 feet to the point of beginning. Also begin at a point 274 feet East of the Southwest corner of the said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; run thence East 101 feet; thence North 521 feet; thence East 334 feet; thence North 341 feet; thence West 435 feet to a point North of the point of beginning; thence South 862 feet to the point of beginning. Also, the South 258 feet of the West 506 feet of the East 611 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the West 334 feet of the East 945 feet of the South 521 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, all in Section 3, Township 19 South, Range 24 East, in Lake County, Florida. Less that part of the above described parcels conveyed to Lake County by deed recorded in Official Record Book 335, page 586, Public Records of Lake County, Florida.

Also:

That part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows: From the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 3, run North $89^{\circ} 52' 25''$ East 375.0 feet for a point of beginning, thence North $00^{\circ} 15' 30''$ East 521.0 feet, thence North $89^{\circ} 52' 25''$ East 5.73 feet, thence South $00^{\circ} 27' 55''$ West 521.0 feet, thence West to the point of beginning.

EXHIBIT "B"



ORDINANCE 2018 -~~XXX~~ 011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY URBAN MEDIUM DENSITY TO MULTI-FAMILY LOW DENSITY ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 13.44 ± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF REGISTER ROAD AND EAST OF US HIGHWAY 27/441; DIRECTING THE CITY CLERK TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Ryan Hinricher as applicant, on behalf of MRSF1, LLC as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Multi-Family Low Density" under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the required notice of the proposed large scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1: The following described property consisting of approximately 13.44 ± acres generally located north of Register Road and west of US Highway 27/441 as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Multi-family low density under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

Section 2: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 3: Transmittal

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity and the East Central Florida Regional Planning Council, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental agency in

the State of Florida that has filed a written request with the Clerk of the City of Fruitland Park, Florida.

Section 4: The City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 5: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7: This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2018.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Vice-Mayor Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Ranize	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Lewis	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

Passed First Reading _____

Passed Second Reading _____
(SEAL)

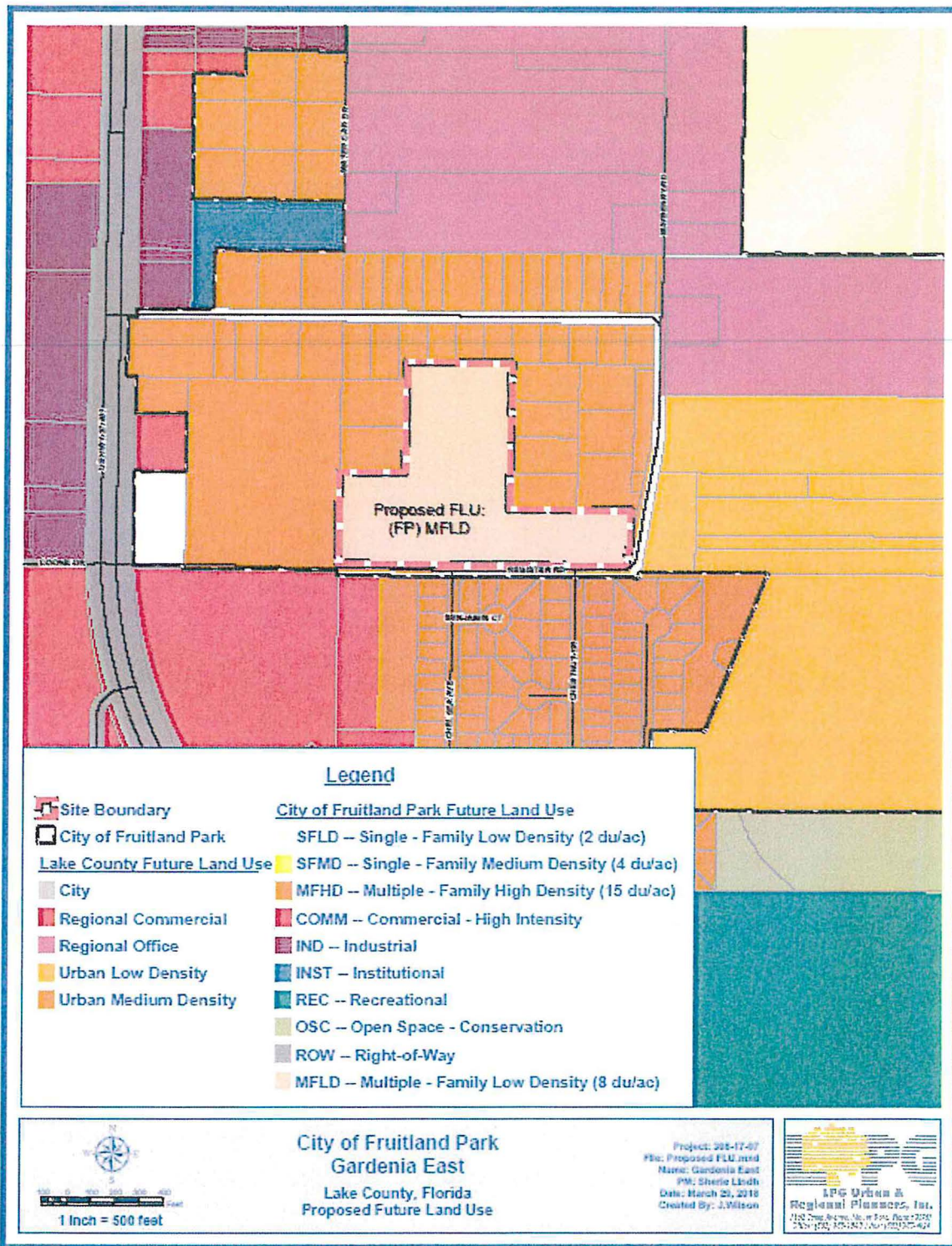
EXHIBIT A

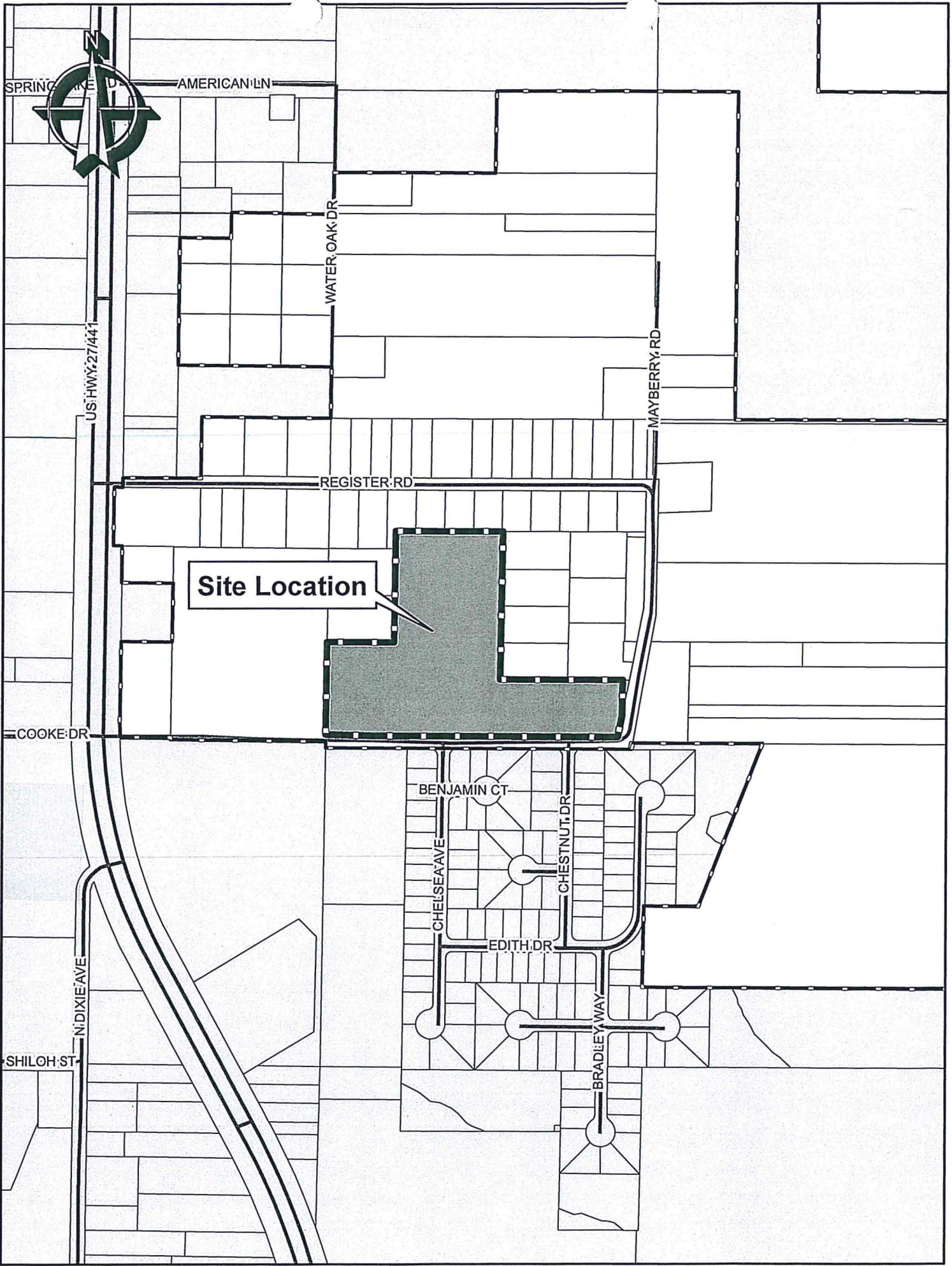
That part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows: Begin at a point on the West line of said Section 3 that is 914.4 feet South of the Northwest corner of said Section 3, run thence South along said West line 405.6 feet; thence East 274 feet; thence North 405.6 feet; thence West 274 feet to the point of beginning. Also begin at a point 274 feet East of the Southwest corner of the said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; run thence East 101 feet; thence North 521 feet; thence East 334 feet; thence North 341 feet; thence West 435 feet to a point North of the point of beginning; thence South 862 feet to the point of beginning. Also, the South 258 feet of the West 506 feet of the East 611 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the West 334 feet of the East 945 feet of the South 521 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, all in Section 3, Township 19 South, Range 24 East, in Lake County, Florida. Less that part of the above described parcels conveyed to Lake County by deed recorded in Official Record Book 335, page 586, Public Records of Lake County, Florida.

Also:

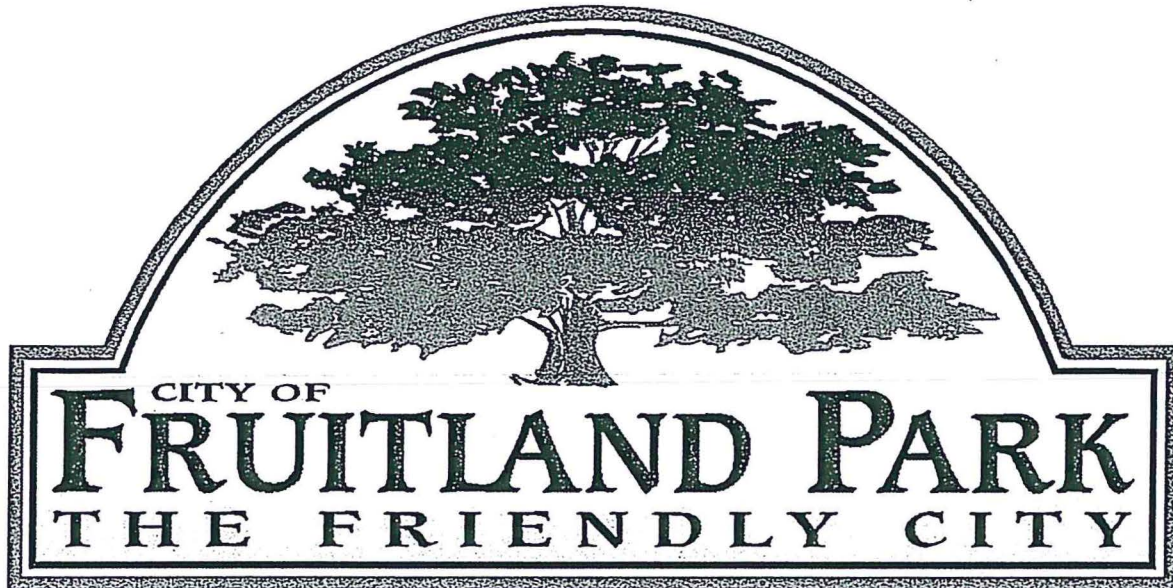
That part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows: From the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 3, run North $89^{\circ} 52' 25''$ East 375.0 feet for a point of beginning, thence North $00^{\circ} 15' 30''$ East 521.0 feet, thence North $89^{\circ} 52' 25''$ East 5.73 feet, thence South $00^{\circ} 27' 55''$ West 521.0 feet, thence West to the point of beginning.

EXHIBIT B





Site Location



**LARGE SCALE COMPREHENSIVE PLAN AMENDMENT
APRIL 2018**

Prepared By:

LPG Urban & Regional Planners, Inc.
1162 Camp Avenue
Mt. Dora, Florida 32757
(352) 385-1940

**City of Fruitland Park
Gardenia East
Large Scale Comprehensive Plan Amendment**

Executive Summary

The proposed large scale comprehensive plan map amendment consists of 13.44 ± acres and is located north of Register Road and east of US 27/441 (Figure 1). The subject site was recently annexed into the City of Fruitland Park and is considered infill development as it is located in close proximity to existing approved residential and commercial development.

The site is designated as Urban Medium Density (13.44 ± acres) on the Lake County Future Land Use Map (Figure 2). It is proposed to designate the entire site as Multi-family low density on the City's future land use map (Figure 3). For purposes of the comprehensive plan amendment, a worst case development scenario was analyzed. Under the Lake County Urban Medium Density (7 units/acre) future land use the property could have been developed at a worst case scenario of ninety-four (94) residential units and 20,000 square feet of commercial (Table 1). Under the city's proposed Multi-family low density land use utilizing a maximum density of 8 units/acre results in 107 units (Table 1). The amendment would result in an increase of 13 residential units and a decrease of commercial of 20,000 square feet.

Residential Needs Analysis

The subject site is considered infill development as it is located in close proximity to existing approved residential development known as Chelsea's Run and commercial development to the west and commercial designation to the southwest. The City's future land use element indicates that there is a projected demand for 5,460 housing units by 2035. This demand was projected to be met by mixed use development and single use development. The addition of 13.44 acres would assist in meeting the city's project housing demand.

Potable Water Analysis

The subject site is within the City of Fruitland Park's Utility Service Area. The City currently owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.879 MGD and the permitted consumptive use permit capacity is 1.4645 MGD. The City has a current available capacity of .3985 mgpd and an analysis was conducted of the proposed amendment based on land use and the City's Level of Service (LOS) standards (Table 2). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of .3493 mgpd.

Sanitary Sewer Analysis

The subject site is within the City of Fruitland Park's Utility Service area. The City currently owns, operates, and maintains a central sanitary sewer system. The permitted plant capacity is 100,000 gpd and the current available capacity is 51,000 gpd and an analysis was conducted of the proposed amendment based on land use and the City's Level of Service (LOS) standards (Table 3). The analysis concludes that the proposed amendment will not cause a deficiency in and the City will have a remaining capacity of 16,108 gpd.

Solid Waste Analysis

The LOS for solid waste is twice a week collection. The City utilizes a private waste hauler through a franchise agreement. The proposed development will produce 240,856 pounds of solid waste per year. The proposed amendment will not cause a deficiency in the LOS.

Transportation Impact Analysis

For comprehensive plan purposes, a worst case development scenario was utilized. The proposed land use is expected to generate less daily trips and less PM peak hour traffic than the existing land use as outlined below. The proposed amendment will not cause a deficiency in the LOS.

TRIP GENERATION ANALYSIS

Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	107	210	1019	107	67	40
TOTAL GROSS TRIPS (PROPOSED)			1,019	107	67	40

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	94 units	210	895	94	59	35
Commercial	20,000 SF	820	854	74	24	25
TOTAL GROSS TRIPS (EXISTING)			1,749	168	83	60

Net Difference (Proposed Net Trip Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-61	-16	-20

Environmental Analysis

An environmental analysis was conducted by Ray and Associates (Appendix A). The subject site contains no wetlands or 100 year flood areas. Gopher tortoise burrows were observed and the site is within the sand skink consultation area. Prior to development, appropriate regulatory permits will be required.

Comprehensive Plan Compliance

The proposed amendment is in compliance with the following policies of the City of Fruitland Park Comprehensive Plan. The amendment will further the City's goals in meeting projected housing demand through 2035.

Future Land Use

- Policy 1-1.2: **Density and Intensity Standards.** The Future Land Use Map Series shall designate areas for the uses listed in Table 1-1 and shall not exceed the maximum density and intensity contained in the Table.
- Policy 1-1.5: **Multiple-Family Low Density.** Development in this land use category shall be limited to single-family detached, single-family attached, two-family (duplex), multi-family homes, and mobile homes. However, mobile homes shall only be permitted in mobile home parks subdivisions. Density shall not exceed 8 dwelling units/acre; however, density shall be limited to 4 dwelling units/acre unless a centralized sanitary sewer system is provided. Small scale commercial uses may be permitted adjacent to major highways provided they are intended to provide for the daily needs of residents within the development and the adjoining residential area. Such businesses will generally not exceed 15,000 sq. ft. in size and will require Planned Unit Development (PUD) zoning.
- Policy 1-2.1: **Promote Orderly, Compact Growth.** Land use patterns delineated on the Future Land Use Map shall promote orderly, compact growth. The City shall encourage growth and development in existing developed areas where public facilities and services are presently in place and in those areas where public facilities can provide the most efficient service.

Table 1 – Maximum Development Analysis

Ordinance #	Acres	Existing Land Use	Existing Intensity of Development	Proposed City Land Use	Proposed Maximum Development	Net Change in Development Potential
*2018-	13.44	County Urban Medium (7 unit/acre)	94 Residential Units 20,000 SF Commercial	Multi-Family Low Density (8 units/acre)	107 SF units	+ 13 Units -20,000 SF Commercial
TOTAL	13.44					+ 13 Units -20,000 SF Commercial

* Annexation Ordinance No

Existing Lake County Urban Medium - Max. Density- 7 units/acre per FLU Policy 1-1.3.3 and 20,000 SF Retail Commercial per FLU Policy 1-1.3.1.4

Proposed City Multi-family low density – Max. Intensity –8 units/acre per FLU Policy 1.1.5

Table 2 – Water Analysis

Ordinance #	Acres	Existing County Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Fruitland Park Permitted Capacity						1.4645
City of Fruitland Park Current Capacity						.3985
*2018-	13.44	County Urban Medium	Multi-family low density (8 units/acre)	107 units	0.0492	.3493

* Annexation Ordinance No

Projected population – 286 (107 x 2.67 pph)

Estimated water demand based on PF Policy 4-10.1 of LOS of 172 gpdpc

Table 3 – Wastewater Analysis

Ordinance #	Acres	Existing County Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Fruitland Park Permitted Capacity						100,000 gpd
City of Fruitland Park Current Capacity						51,000 gpd
*2018	13.44	County Urban Medium	Multi-family low density (8 units/acre)	107 units	34,892 gpd	16,108 gpd

* Annexation Ordinance No

Projected population – 286 (107 x 2.67 pph)

Estimated wastewater demand based on PF Policy 4-2.1 of LOS of 122 gpdpc

Figure 1

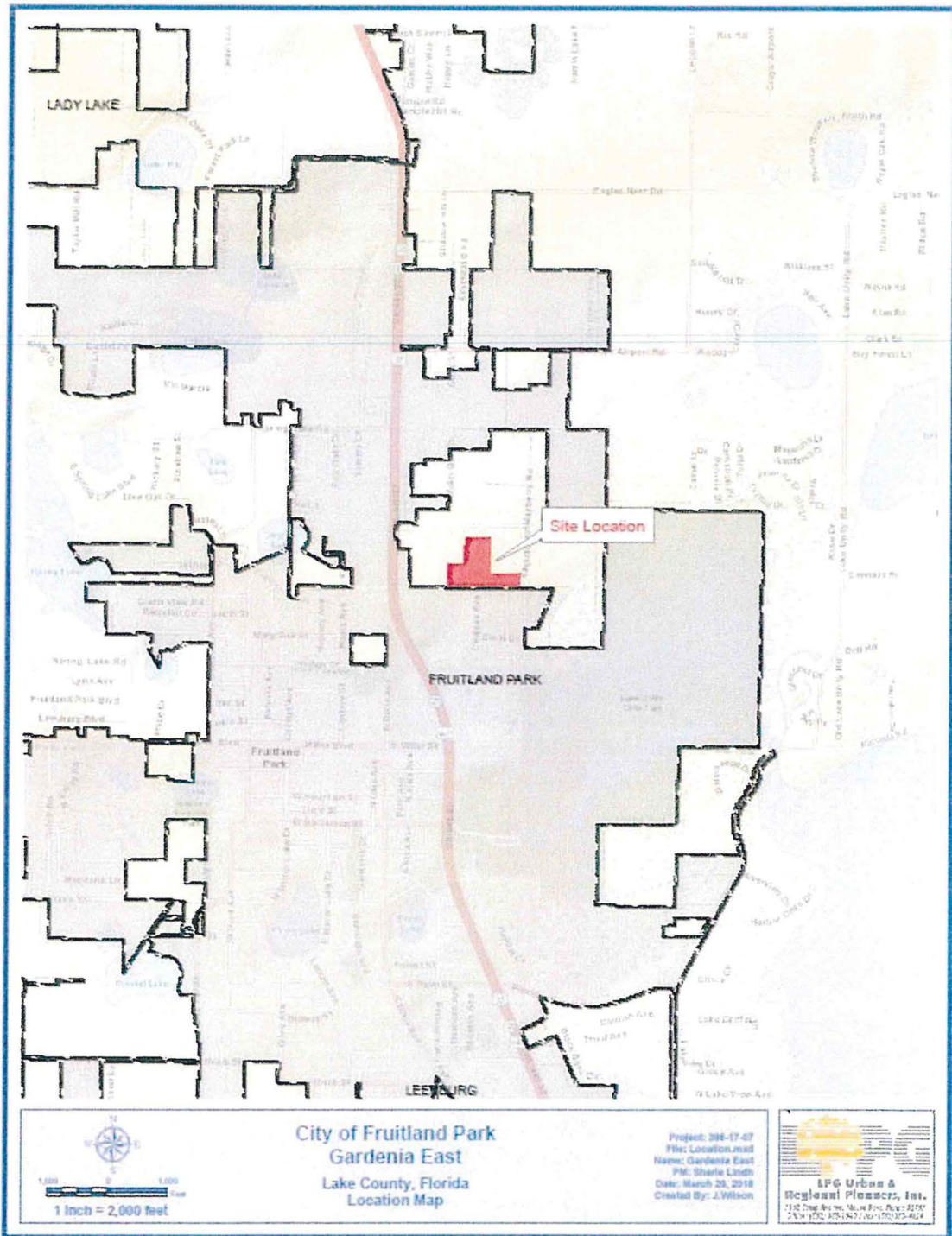


Figure 2

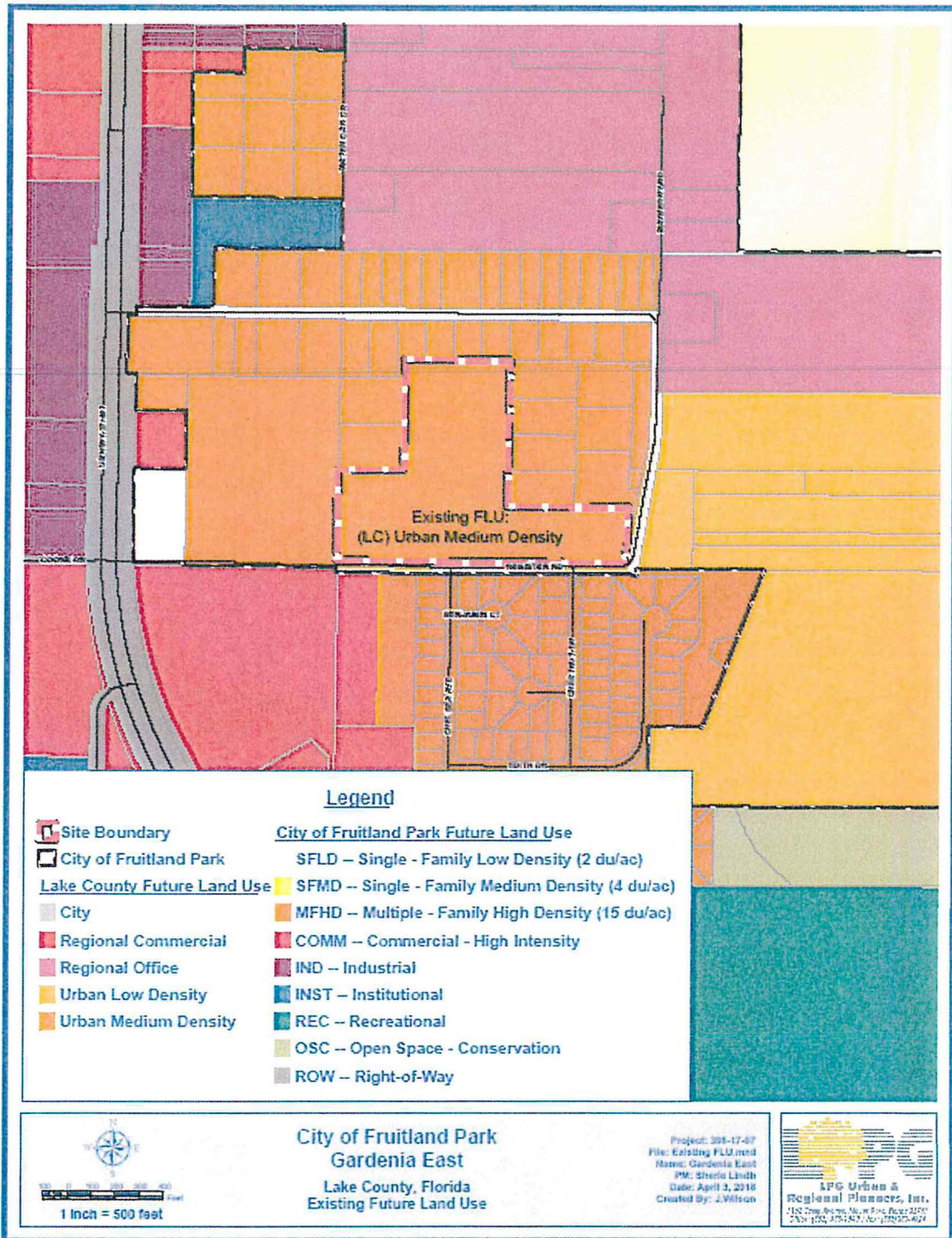
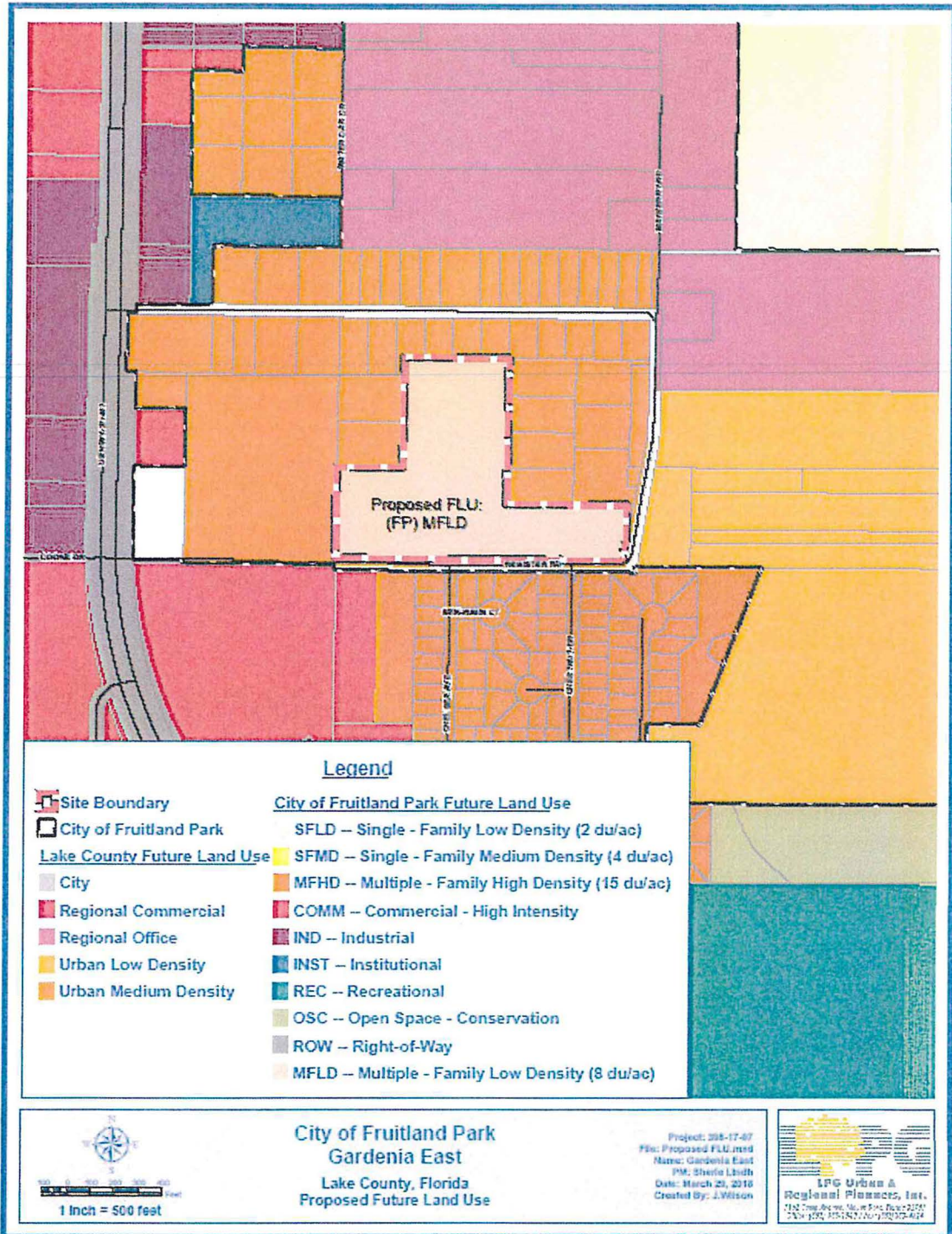


Figure 3



Appendix A

Record and Return to:
City of Fruitland Park
Attn: City Clerk
506 W. Berckman Street
Fruitland Park, Florida 34731

MASTER DEVELOPMENT AGREEMENT

THIS AGREEMENT is entered into and made as of the ____th day of _____, 2018, between the CITY OF FRUITLAND PARK, FLORIDA, a Florida municipal corporation, (hereinafter referred to as the "City"), and MRSF1, LLC, a Delaware limited liability company (hereinafter referred to as the "Owner").

RECITALS

1. The Owner desires to rezone approximately 13.44 + acres of property within the City of Fruitland Park, described and depicted as set forth on Exhibit "A" attached to and incorporated in this Agreement (hereafter referred to as the "Property").
2. The Property is currently located within the City of Fruitland Park and is currently zoned Lake County Rural Residential (R-1) with a future land use designation on the City of Fruitland Park Future Land Use Map of "Multi-family low density."
3. Owner has filed applications for rezoning for the Property as a residential planned unit development.
4. Owner represents that it is the sole legal owner of the Property and that it has the full power and authority to make, deliver, enter into, and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.
5. The City of Fruitland Park has determined that the rezoning of the Property and the proposal for its development presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.
6. Owner will fund certain public improvements and infrastructure to facilitate the development of the Property.
7. The Property is within the City's Chapter 180, Florida Statutes, utility district, and Owner has requested and City desires to provide water and sewer as well as other municipal services to the Property.

ACCORDINGLY, in consideration of the mutual benefits and the public interest and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals. The above recitals are true and correct, are hereby incorporated herein by reference,

and form a material part of this Agreement. All exhibits to this Agreement are hereby deemed a part thereof.

Section 2. Conditions Precedent. Owner has filed an application for rezoning for the Property. It is understood and agreed to by the City and the Owner that this Agreement shall not be binding or enforceable as to any party unless and until: a) the City duly adopts the Agreement and adopts an ordinance rezoning the Property. The parties hereto understand and acknowledge that the City is in no way bound to rezone the Property. The City shall have the full and complete right to approve or deny the application for rezoning.

Section 3. Land Use/Development. Development of the Property shall be substantially consistent with the "Conceptual Site Plan" prepared by Wicks Engineering Services, Inc., dated _____, and attached as Exhibit "B" (the "Plan"). All development shall be consistent with City's "PUD" (Planned Unit Development/Mixed Use) zoning district and, subject to City approval. As set forth further below, all land use issues addressed herein must be adopted by City through its regular procedures before being effective.

Section 4. Permitted Uses. Permitted Uses shall include:

- a. Single family detached residential dwelling units.
- b. Passive and Active Recreation Facilities.
- c. Boat and RV storage within the designated area as shown on the plan.
- d. Residential units shall not exceed 49.

Section 5. Residential Development Standards. Development Standards shall be as follows:

- a. The minimum living area shall be 1,200 square feet for the single family detached homes.
- b. The minimum lot size shall be 4,000 square feet for the detached single family homes.
- c. Minimum lot width for detached single-family shall be 40 feet with a minimum lot depth of 100 feet.
- d. Minimum Setback requirements for detached residential units shall be:

Front: Local Roadways - Twenty feet (20')
Garage Setback from Roadway - Twenty-five feet (25')

Side: Local Roadways - Twenty feet (20')
Another Lot - Five feet (5')

Rear: Local Roadway - Twenty feet (20')
Another Lot - Ten feet (10')

Accessories Setback: All accessory structures shall be located no closer to the property line than five feet (5').
- e. Maximum building height shall be limited to thirty five feet (35') for single family; however, if adequate fire protection measures are provided the height limitation may be exceeded, after review by the City Fire Inspector and Building Official with final determination by the City Commission.
- f. Parking: The Applicant will be required to meet the parking requirements of the Fruitland Park Land Development Code.
- g. The maximum building coverage shall not exceed forty percent (40%).

Section 7. Residential Design Standards. Design Standards shall be as follows:

- a. **Architectural features** - All buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the single family units. Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc. Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc. Designs may vary throughout the development.
- 1) Dormers
 - 2) Gables
 - 3) Recessed or raised entries
 - 4) Covered porch entries
 - 5) Cupolas
 - 6) Pillars or decorative posts
 - 7) Bay window (minimum 12 inch projections)
 - 8) Eaves (minimum 6-inch projections)
 - 9) Front windows with arched glass tops and minimum 4-inch trim
- b. **Building Materials** - Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
- 1) At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 - 2) At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a "cementitious" lap siding. (A "cementitious" lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
 - 3) All textured stucco, provided there are unique design features such as recessed garages, tile or metal roofs, arched windows etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Community Development Director for compliance.

Section 8. Development Phasing. The proposed project may be constructed in phases in accordance with the Planned Unit Development Master Plan (attached as part of these conditions). Changes to the Development Plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Unit Development review process.

Commented [AG1]: The plan needs to be attached.

Section 9. Site Access and Transportation Improvements. Vehicular access to the project site shall be provided by a minimum of two access points on Register Road. Other potential vehicular and pedestrian accesses will be reviewed during the development review process.

- a. The Permittee shall provide all necessary improvements within and adjacent to the development as required by Lake County and City of Fruitland Park.

- b. All roads within the development shall be designed and constructed by the developer to meet the City of Fruitland Park requirements including curb and gutter.
- c. Sidewalks shall be provided on both sides of the local internal roads and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain the sidewalks. All sidewalks shall be constructed in accordance with City of Fruitland Park Codes.
- d. The City of Fruitland Park will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements.
- e. Should the Permittee desire to dedicate the proposed project's internal road system to the City of Fruitland Park; the City, at its discretion, may accept or not accept the road system. Prior to acceptance, the Permittee shall demonstrate to the City the road system is in suitable condition and meets City of Fruitland Park requirements. As a condition of accepting the roadway system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project, and may require bonds or other financial assurance of maintenance for some period of time
- f. A traffic/transportation study shall be submitted prior to preliminary subdivision plan approval for review and determination of any necessary access improvements if required by Lake County. Said improvements will be the responsibility of the Permittee.

Section 10. Lighting. All exterior lighting shall be arranged to reflect light away from adjacent properties to the greatest extent possible while providing lighting adequate to ensure safety on road right of way and parking areas.

Section 11. Water, Wastewater, and Reuse Water. Subject to the terms herein, Owner and their successors and assigns agree to obtain water, reuse water, irrigation water, and wastewater service (hereafter, "Utilities") exclusively through purchase from City. Owner covenants and warrants to City that it will not engage in the business of providing such Utilities to the Property or within City's F.S. Chapter 180 utility district. Notwithstanding the foregoing, private wells for irrigation purposes will be allowed within the Property so long as such wells are approved and permitted by the St. Johns River Water Management District (the "District") and comply with the rules and regulations of the District. Owner shall construct, at Owner's expense, all on-site utility facilities (e.g. lift stations and lines) as well as pay for the extension of facilities from City's current point of connection. Owner shall also construct, at Owner's expense, "dry" utility lines for reclaimed water purposes. All such improvements must be constructed to City requirements and transferred to City as a contribution in aid of construction.

Section 12. Impact Fees. Owner shall be required to pay impact fees as established by City from time to time, including water and wastewater impact fees. The amount to be paid shall be the adopted impact fee rate at the time the building permit is issued.

Owner agrees to pay all other impact fees and any impact fees adopted after the execution of this Agreement as building permits are issued. If impact fees increase from the time they are paid until the building permit is issued, Owner shall pay the incremental increased amount at the time building permits are issued. Prepayment of utility impact fees and acceptance by City of such fees shall reserve capacity. No capacity is reserved until or unless such fees have been paid pursuant to an agreement with City. Owner agrees and understands that no capacity has been reserved and that Owner assumes the risk that capacity will be available. Accordingly, if capacity is available at the time of site plan and City is willing

to allocate such capacity to Owner, Owner shall enter into a reservation agreement and any other utility agreements or easements related to the Property as requested by City from time to time.

Section 13. Easements. Owner shall provide the City such easements or right of way in form acceptable to the City Attorney, as the City deems necessary for the installation and maintenance of roads, sidewalks, bikeways, street lighting or utility services, including but not limited to sewer, water, drainage and reclaimed water services.

Section 14. Landscaping/Buffers. Developer has reviewed City's Land Development Regulations relating to landscaping and agrees to comply with such regulations. Owner shall install and maintain a fifteen foot (15') landscape buffer along the perimeter property boundary as shown on the Conceptual Plan consisting of four (4) canopy trees, two (2) understory trees, and fifteen (15) shrubs per one hundred feet (100'). All landscaping and tree protection shall comply with Chapter 164 of the City of Fruitland Park Land Development Regulations.

Owner shall, at its sole expense, install underground irrigation systems on all common areas of the Property, as well as exercise any other measures reasonably necessary to ensure the long-term maintenance of the landscaping.

Owner acknowledges City's goal of achieving a greater level of tree preservation within the City. In aid of such goal, Owner agrees to comply with all applicable City of Fruitland Park Land Development Regulations pertaining to tree removal and replacement.

Section 15. Stormwater Management. Owner agrees to provide at Owner's expense a comprehensive stormwater management system consistent with all regulatory requirements of the City and the St. John's River Water Management District. Impacts to flood plains are allowed in accordance with the Water Management District procedures for compensating storage and will be based on the 100-year floodplain established by Lake County.

Section 16. Other Municipal Facilities/Services. The City hereby agrees to provide, either directly or through its franchisees or third party providers, police and fire protection, emergency medical services, and solid waste collection, disposal, and recycling services to the Property under the same terms and conditions and in the same manner as are afforded to all other commercial property owners within the City.

Section 17. Environmental Considerations. The Owner agrees to comply with all federal, state, county, and city laws, rules and regulations regarding any environmental issues affecting the Property.

Section 18. Signage. Owner shall submit a master sign plan as a component of the final site plan (i.e., construction plan) application for the Property. Such plan shall be in compliance with all applicable regulations contained within the City of Fruitland Park Land Development Regulations, unless City grants a waiver or variance pursuant to the City's Land Development Regulations. Alternatively, the Owner, in the Owner's discretion, may apply to amend the PUD to incorporate a Master Signage Plan at the time that the Owner desires to install signage at the development.

Section 19. Title Opinion. Owner shall provide to City, in advance of the City's execution of this Agreement, a title opinion of an attorney licensed in the State of Florida, or a certification by an abstractor or title company authorized to do business in the State of Florida, showing marketable title to the Property to be in the name of the Owner and showing all liens, mortgages, and other encumbrances not satisfied or released of record.

Section 20. **Compliance with City Laws and Regulations.** Except as expressly modified herein, all development of the Property shall be subject to compliance with the City Land Development Regulations and City Code provisions, as amended, as well as regulations of county, state, local, and federal agencies. All improvements and infrastructure shall be constructed to City standards.

Section 21. **Due Diligence.** The City and Owner further agree that they shall commence all reasonable actions necessary to fulfill their obligations hereunder and shall diligently pursue the same throughout the existence of this Agreement. The City shall further provide all other municipal services to the Property as are needed by Owner from time to time in accordance with the City's applicable policies for the provision of said services.

Section 22. **Enforcement/Effectiveness.** A default by either party under this Agreement shall entitle the other party to all remedies available at law. This is a non-statutory development agreement which is not subject to or enacted pursuant to the provisions of Sections 163.3220 - 163.3243, *Florida Statutes*.

Section 23. **Governing Law.** This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any action hereunder shall be in the Circuit Court of Lake County, Florida.

Section 24. **Binding Effect; Assignability.** This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their assigns. This Agreement shall be assignable by the Owner to successive owners. Owner shall, however, provide written notice to the City of any and all such assignees. The rights and obligations set forth in this Agreement shall run with the land and be binding on all successors and/or assignees. Owner consents to the placement of a claim of lien on the Property upon default in payment of any obligation herein without precluding any other remedies of City. The parties hereby covenant that they will enforce this Agreement and that it is a legal, valid, and binding agreement.

Section 25. **Waiver; Remedies.** No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, not will any single or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

Section 26. **Exhibits.** All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 27. **Notice.** Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses or such other address as the parties shall provide from time to time:

As to City:	City Manager City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone
Copy to:	Chris Cheshire, City Mayor City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone

	Anita Geraci-Carver Law Office of Anita Geraci-Carver, P.A. 1560 Bloxam Avenue
	Clermont, Florida 34711 352-243-2801 Telephone 352-243-2768 Facsimile
As to Owner:	MRSF1 LLC 2409 Rick Whinery Dr. Austin, TX 78728
Copy to:	

Section 28. **Entire Agreement.** This Agreement sets forth all of the promises, covenants, agreements, conditions, and understandings between the parties hereto, and supersedes all prior and contemporaneous agreements, understandings, inducements or conditions, express or implied, oral or written, except as herein contained. However, the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Owner from complying with the law governing said permitting requirements, conditions, terms or restrictions.

Section 29. **Term of Agreement.** The term of this Agreement shall commence on the date this Agreement is executed by both the City and Owner, or the effective date of the annexation of the Property, whichever occurs later, and shall terminate twenty (20) years thereafter; provided, however, that the term of this Agreement may be extended by mutual consent of the City and the Owner, subject to a public hearing.

Section 30. **Amendment.** Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

Section 31. **Severability.** If any part of this Developer's Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not effect the other parts of this Developer's Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be effected. To that end, this Developer's Agreement is declared severable.

IN WITNESS WHEREOF, the Owner and the City have executed this Agreement as of the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

MRSF1 LLC

Witness Signature

By: _____
Manish Patel, Member

Print Name

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____ by Gary Teague and Arthur A. Ayris who are personally known to me or who have produced _____ as identification and who did (did not) take an oath.

Notary Public
Notary Public - State of Florida
Commission No _____
My Commission Expires _____

ACCEPTED BY THE CITY OF FRUITLAND PARK

Approved as to form and
legality for use and reliance
by the City of Fruitland Park

By: _____
Chris Cheshire, Mayor

Date: _____

Anita Geraci-Carver
City Attorney

ATTEST: _____
Esther B. Coulson
City Clerk

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ____ day of _____ by _____, _____, City Clerk of the City of Fruitland Park, Florida, who are personally known to be me and they acknowledge executing the same freely and voluntarily under authority vested in them and that the seal affixed thereto is the true and corporate seal of the City of Fruitland Park, Florida.

Notary Public
Notary Public - State of Florida
Commission No _____
My Commission Expires _____

EXHIBIT "A"
LEGAL DESCRIPTION

That part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows: Begin at a point on the West line of said Section 3 that is 914.4 feet South of the Northwest corner of said Section 3, run thence South along said West line 405.6 feet; thence East 274 feet; thence North 405.6 feet; thence West 274 feet to the point of beginning. Also begin at a point 274 feet East of the Southwest corner of the said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; run thence East 101 feet; thence North 521 feet; thence East 334 feet; thence North 341 feet; thence West 435 feet to a point North of the point of beginning; thence South 862 feet to the point of beginning. Also, the South 258 feet of the West 506 feet of the East 611 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the West 334 feet of the East 945 feet of the South 521 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, all in Section 3, Township 19 South, Range 24 East, in Lake County, Florida. Less that part of the above described parcels conveyed to Lake County by deed recorded in Official Record Book 335, page 586, Public Records of Lake County, Florida.

Also:

That part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows: From the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 3, run North $89^{\circ} 52' 25''$ East 375.0 feet for a point of beginning, thence North $00^{\circ} 15' 30''$ East 521.0 feet, thence North $89^{\circ} 52' 25''$ East 5.73 feet, thence South $00^{\circ} 27' 55''$ West 521.0 feet, thence West to the point of beginning.

EXHIBIT "B"

THE PLAN
