

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

January 26, 2023

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

6:00 p.m.

- 1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**
Invocation – Chaplain Tom Cruze, John Gella Memorial Unit 219 American Legion

Pledge of Allegiance – Police Chief Erik Luce
- 2. ROLL CALL**
- 3. SPECIAL PRESENTATIONS**
 - (a) Love Week Proclamation – February 11-19, 2023** (city clerk)
 - (b) Delegation - Petitioner’s Annexation Request Discussion** (city manager)
Mr. Dan Tatro, Grizzard Commercial Real Estate Group LLC, regarding annexation of 5.5 units an acre of high-density multi-family dwelling units on an existing agricultural site (platted Oliver Lane site) near J. C. Burke property.
- 4. LOCAL PLANNING AGENCY** (city clerk)
On or before 6:15 p.m. recess to the local planning agency.
- 5. COMMUNITY REDEVELOPMENT AGENCY** (city clerk)
On or before 6:30 p.m. recess to the community redevelopment agency.
- 6. CONSENT AGENDA**
Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on remaining item(s); and (3) Discuss each pulled item separately and vote.
 - (a) Approval of Minutes** (city clerk)
- January 12, 2023 regular and workshop

- (b) **Resolution 2023-010 Soccer Field 6th Am. – NW Lake Community Park** (city attorney/city manager/parks and recreation director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SIXTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE.

- (c) **Resolution 2023-009 Gazebo for Fruitland Park Community Center’s Courtyard** (city attorney/city manager/parks and recreation director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING FIFTHROOM QUOTE DATED MAY 9, 2022 QUOTE NO. 3038599-B IN THE AMOUNT OF \$33,018.00 TO PURCHASE A GAZEBO FOR THE COMMUNITY CENTER COURTYARD; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the January 12, 2023 regular meeting.)

7. REGULAR AGENDA

- (a) **Resolution 2023-011 Gazebo Installation for Fruitland Park Community Center’s Courtyard** (city attorney/city manager/parks and recreation director)

Forthcoming.

- (b) **Golf Cart Quotes – Parks and Recreation** (city manager/parks and recreation director)

Motion to consider staff’s recommendation on one of the following golf cart quotes:

- Mid Florida Golf Carts	\$11,998.00
- Cart World	\$15,076.93
- Club Car	\$17,809.00
- EZ Go	\$20,269.00

PUBLIC HEARING

- (c) **Public Hearing – Resolution 2023-007 Crystal Lake Vista Preliminary Plat – Myrtle Lake Avenue – Petitioner: Crystal Lake Land Holdings LLC** (city attorney/city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAT APPROVAL OF CRYSTAL LAKE VISTA GENERALLY LOCATED NORTH OF MYRTLE LAKE AVENUE, SOUTH OF PINE RIDGE DAIRY ROAD, AND WEST OF COUNTY ROAD 468, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

- (d) **Public Hearing – Resolution 2023-006 Arbor Park Phases II and III Preliminary Plan – South of Urick St and East of CR 468 – Petitioner: S. Gupta** (city attorney/city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAN APPROVAL OF ARBOR PARK - PHASES TWO AND THREE GENERALLY LOCATED WEST OF U.S. HWY 27/441, EAST OF COUNTY ROAD 468, NORTH OF GRIFFIN ROAD AND SOUTH OF URICK STREET, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

- (e) **First Reading and Public Hearing - Ordinance 2023-001 Boundary Amendment (Annexation) - 19.10+ Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC** (city attorney/city manager/community development)

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 19.10 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; 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 SCRIVENER'S

ERRORS, SEVERABILITY AND CONFLICTS;
PROVIDING FOR AN EFFECTIVE DATE.

- (f) **First Reading and Public Hearing Ordinance 2023-002 SSCPA – 19.10+ Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE 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, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

QUASI-JUDICIAL PUBLIC HEARING

- (g) **First Reading and Quasi-Judicial Public Hearing - Ordinance 2023-003 Rezoning - South of Urick Street and West of Thomas Avenue Petitioner: Kimaya, LLC** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.10 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) TO CITY OF FRUITLAND PARK R-10 WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

(h) Second Reading and Quasi-Judicial Public Hearing – Ordinance 2022-019 PUD – Lake Ella Road and East of Rolling Acres Road – Petitioner: Daryl M. Carver, Trustee of Lake Eller Road Land Trust (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 158 +/- ACRES OF PROPERTY FROM PLANNED UNIT DEVELOPMENT TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF LAKE ELLA ROAD AND EAST OF ROLLING ACRES ROAD; APPROVING A MASTER DEVELOPMENT AGREEMENT; DIRECTING THE CITY MANAGER OR DESIGNEE TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on September 22, 2022.)

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

- 8. (a) City Manager**
- i. Economic Development Status Update**
 - ii. Farmer's Market**
Orange Blossom Market Company's proposal.
- (b) City Attorney**
- i. City of Fruitland Park v. State of Florida Department of Management Services**
 - ii. Michael and Laurie Fewless v. City of Fruitland Park**
 - iii. U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845**
 - iv. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628**
 - v. Fruitland Park Official City Code**
 - vi. Kaitlin Delong vs. City of Fruitland Park, Lake County Case No. 2022-CA-00463:**

9. UNFINISHED BUSINESS

10. 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.

11. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

(b) Commissioner Bell

(c) Commissioner Gunter

(d) Vice Mayor DeGrave

12. MAYOR'S COMMENTS

13. ADJOURNMENT

DATES TO REMEMBER

- February 9, 2023, City Commission regular at 6:00 p.m.;
- February 10, 2023, LCLC, *TBD*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida at 12:00 p.m.;
- February 13, 2023, Parks, Recreation and Trails Advisory Board, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- February 11, 2023 5k Love Run, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;
- February 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- February 22, 2023 – LS~MPO, Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;
- February 23, 2023, City Commission regular at 6:00 p.m.;

Please note that in addition to the city commission meetings, more than one city commissioner may be present at the above-mentioned events.

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

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 3a-b**

ITEM TITLE: Special Presentations

MEETING DATE: Thursday, January 19, 2023

DATE SUBMITTED: Thursday, January 26, 2023

SUBMITTED BY: See below

BRIEF NARRATIVE: Special Presentations:

- a. ***Love Week Proclamation – February 11-19, 2023*** (city clerk)

- b. **Delegation - Petitioner’s Annexation Request Discussion** (city manager)
Mr. Dan Tatro, Grizzard Commercial Real Estate Group LLC, regarding annexation of 5.5 units an acre of high-density multi-family dwelling units on an existing agricultural site (platted Oliver Lane site) near J. C. Burke property.

FUNDS BUDGETED: None

ATTACHMENTS: Proclamation and events.

RECOMMENDATION:

ACTION:



Proclamation

WHEREAS, since 2015, *Love Week* has been held annually during the second week in February in the City of Fruitland Park, Florida with a series of family and community-based activities; and

WHEREAS, *Operation Bless Fruitland Park*, launched on January 8, 2015 -- supported by the City of Fruitland Park Commission as an ongoing program -- has been meeting periodically as a group of volunteers represented by local churches, businesses, civic groups, community organizations, leaders, and individuals from Fruitland Park and The Villages to coordinate their efforts, make a difference, and create an atmosphere of generosity within the community; and

WHEREAS, *Bless Fruitland Park* has continuously committed in working together within the community with the intentional effort to focus on impacting the Fruitland Park schools, its students, families and school staff and has mimicked the same programs and services to those in need, and

WHEREAS, *Operation Bless Fruitland Park* has worked with city staff in promoting partnerships to maximize resources and fostered teamwork with volunteer groups to engage with the community and address some immediate needs impacting all who live in the Fruitland Park area; and

WHEREAS, in subsequent years, *Operation Bless Fruitland Park*, in a united effort from surrounding communities in, expanded its *Love Week* activities by committing to work together to make a difference and create an atmosphere of partnership and generosity within our Fruitland Park Community; and

WHEREAS, *Operation Bless Fruitland Park's* initial projects allowed it to address some immediate needs and gives a chance to work together as a community, maximize resources as well as create new relationships along the journey; and

WHEREAS, *Operation Bless Fruitland Park* will extend various acts of kindness to the community and focus on the local school where its efforts will impact everyone who lives in the Fruitland Park area;

NOW THEREFORE be it proclaimed that I, Chris Cheshire, Mayor of the City of Fruitland Park, Florida, on behalf of the city commissioners, do hereby proclaim the week of February 11 to 19, 2023 as *LOVE WEEK* to offer support in joining the community to perform acts of kindness by making a difference in creating an atmosphere of partnership and generosity within our city.

Dated this 26th day of January 2023.

Chris Cheshire, Mayor
Attest:

Esther Coulson, City Clerk

Saturday
February 11th
@8AM

5K Love RUN



Fruitland Park
Gardenia Center
205 W. Berckman Street
Fruitland Park, FL 34731
352-360-6734

**\$40 LATE
REGISTRATION
AFTER JAN. 30
NO SHIRT
GUARANTEED**

\$30

**FREE KIDS
FUN RUN**

Sponsored by
CITIZENS FIRST
BANK



Register at Raceroster.com

Our Love Run is a family friendly 5K presented by The City of Fruitland Park. The Love Run 5K is in collaboration with LOVE WEEK. Each year, a week is set aside to promote generosity thru communities, businesses, schools, churches, and other organizations. This year, the Love Run will benefit The Rock. The Rock is a faith-based program created to meet the needs of all students where they are. The Rock is fully funded by Community donations and in-kind giving.

Join us in a race for a cause.

Register early online by clicking the link below.

Registration is open now-Jan 30th, 2023.

Early online registration \$30. Day-of-registration \$40. FREE Kids fun run.

(Runner shirt not guaranteed for Day-of Race registrants.)

Sponsor support is always needed. If you are interested in sponsoring this community event, please email us at ccopen@fruitlandpark.org



Cruisers & Rocketships

A FRUITLAND PARK POLICE BENEFIT FOR THE
FRUITLAND PARK ELEMENTARY SCHOOL CHALLENGERS



LOVE WEEK DONATION DRIVE

Donations accepted for the full month of February

ITEMS NEEDED:

BOYS SHOES SIZE: 1-4

BOYS + GIRLS SOCKS AND
UNDERWEAR

HEADPHONES

PLAYDOUGH / PAINTBRUSHES

VORTEX FOOTBALLS
KICKBALLS
SOCCER BALLS
CONTRACTORS TAPE

DROP BOX LOCATIONS:

FRUITLAND PARK CITY HALL
506 W. BERCKHAN ST.

FRUITLAND PARK COMMUNITY CENTER
205 W. BERCKHAN ST.

FRUITLAND PARK LIBRARY
504 W. BERCKHAN ST.

INFINITY FITNESS
3200 US 441 FRUITLAND PARK

ETHRIDGE CHIROPRACTIC
3261 US 441 FRUITLAND PARK

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 4**

ITEM TITLE: Local Planning Agency (LPA) Meeting

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Thursday, January 19, 2023

SUBMITTED BY: City Clerk

BRIEF NARRATIVE: LPA Chapter 163, Florida Statutes.

FUNDS BUDGETED: No

ATTACHMENT

RECOMMENDATION: As soon as practical, recess to the Local Planning Agency meeting.

ACTION: None

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 5**

ITEM TITLE: Community Redevelopment Agency (CRA) Meeting

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Thursday, January 19, 2023

SUBMITTED BY: City Clerk

BRIEF NARRATIVE: CRA Chapter 163, Florida Statutes.

FUNDS BUDGETED: No

ATTACHMENT

RECOMMENDATION: As soon as practical, recess to the Community Redevelopment Agency meeting.

ACTION: None

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6a-c

ITEM TITLE: Draft Meeting Minutes and Resolutions 2023-010, and 2023-009

MEETING DATE: Thursday, January 19, 2023

DATE SUBMITTED: Thursday, January 26, 2023

SUBMITTED BY: See below

BRIEF NARRATIVE: Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on remaining item(s), and (3) Discuss each pulled item separately and vote.

(a) Approval of Minutes (city clerk)
- January 12, 2023 regular and workshop

(b) Resolution 2023-010 Soccer Field 6th Am. – NW Lake Community Park
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SIXTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE.

(c) Resolution 2023-009 Gazebo for Fruitland Park Community Center’s Courtyard (city attorney/city manager/parks and recreation director)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING FIFTHROOM QUOTE DATED MAY 9, 2022 QUOTE NO. 3038599-B IN THE AMOUNT OF \$33,018.00 TO PURCHASE A GAZEBO FOR THE COMMUNITY CENTER COURTYARD; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the January 12, 2023 regular meeting. Budget – 20511-60636 CRA - \$33,018.00.)

FUNDS BUDGETED: See above.

ATTACHMENTS: Draft minutes, proposed resolution (forthcoming), and submitted application.

RECOMMENDATION: Approve the minutes as submitted and adopt Resolutions 2023-010, 2023-009, and 2023-008.

ACTION: Approve the consent agenda items.

**FRUITLAND PARK CITY COMMISSION REGULAR
DRAFT MEETING MINUTES
January 12, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 12, 2023 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor Patrick DeGrave, Commissioners Chris Bell, John L. Gunter Jr., and John Mobilian.

Also present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Messrs. Michael “Mike” Rankin (Interim Community Development Director), LPG Urban Regional Planners Inc. (consultant retained by the city); Public Works Director Robb Dicus; Parks and Recreation Director Michelle Yoder; Deputy Finance Director Gary Bachman; Deputy City Clerk Candice Dennis, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Cheshire called the meeting to order; Pastor Chuck Padgett, Trinity Assembly of God, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:04:01 p.m. No action was taken.

2. ROLL CALL

Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present.

Mayor Cheshire recognized the following changes to this evening’s agenda:

4.(b) Resolution 2023-004

Addendum, a copy of which was distributed for the record and filed with the supplemental papers to the minutes of this meeting.

5.(a) Resolution 2023-001

To be considered after Item 5c.

5.(d) Resolution 2023-009

To be postponed at staff’s request.

ACTION: 6:05:59 p.m. **By unanimous consent and upon Mayor Cheshire’s suggestion, the city commission accepted the above-captioned changes to this evening’s agenda.**

3. COMMUNITY REDEVELOPMENT AGENCY

On or before 6:15 p.m. recess to the community redevelopment agency.

ACTION 6:06:32 p.m. By unanimous consent, the city commission recessed its meeting at 6:07 p.m. to the community redevelopment agency and reconvened at 6:15 p.m.

4. CONSENT AGENDA

The city commission considered its action to approve the following consent agenda items:

(a) Approval of Minutes

Regular meeting minutes:

- December 8, 2022
- November 10, 2022

(b) Resolution 2023-004 Lemon Street Baffle Box - LCWA 2022-23 Cooperative Stormwater Initiative Grant

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT A COOPERATIVE STORMWATER INITIATIVE GRANT APPLICATION IN THE AMOUNT OF \$330,000 TO THE LAKE COUNTY WATER AUTHORITY FOR A BAFFLE BOX TO BE INSTALLED AROUND MIRROR LAKE, PROVIDING FOR AN EFFECTIVE DATE. (Ratified at the November 10, 2022 regular meeting.)

ACTION 6:14:38 p.m. On motion of Vice Mayor DeGrave, seconded by Commissioner Bell and unanimously carried, the city commission approved the previously cited consent agenda as amended to include Resolution 2023-004.

By unanimous consent, the city commission took the following items out of order on this evening's agenda:

5. REGULAR AGENDA

(b) Resolution 2023-002 Civil Engineering and Surveying - Spring Lake Road Water Line Extension – Halff Inc. Agreement/Proposal

Ms. Geraci-Carver read into the record the proposed Resolution 2023-002, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AGREEMENT/PROPOSAL FOR SPRING LAKE ROAD WATER LINE EXTENSION DATED NOVEMBER 1, 2022 FROM HALFF IN AN AMOUNT NOT TO EXCEED \$26,500.00 FOR ENGINEERING AND SURVEYING SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

ACTION 6:15:43 p.m. After discussion, a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-002 as previously cited.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(c) Resolution 2023-003 Patricia Avenue Water Main – Halff Inc. Agreement/Proposal

Ms. Geraci-Carver read into the record proposed Resolution 2023-003, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AGREEMENT/PROPOSAL FOR PATRICIA AVENUE DATED NOVEMBER 1, 2022 FROM HALFF IN AN AMOUNT NOT TO EXCEED \$35,577.50 FOR ENGINEERING AND SURVEYING SERVICES FOR THE PATRICIA AVENUE WATER MAIN; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

ACTION 6:18:15 p.m. After further discussion, a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-002 as previously cited.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(a) Resolution 2023-001 and Budget Amendment BT2023-002 Spring Lake Road Line Extension and Patricia Avenue Water Main Line Extension Construction Projects – FY 2022-23

Ms. Geraci-Carver read into the record proposed Resolution 2023-001, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2022/2023 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE TRANSFER IN FROM WATER IMPACT FUND REVENUE BUDGET AND THE WATER MAIN CONSTRUCTION AND LINE EXTENSION EXPENSE BUDGETS; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION 6:20:49 p.m. After much discussion, a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-001 as previously cited.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(d) Resolution 2023-009 Gazebo for Fruitland Park Community Center's Courtyard

The city commission considered its action to adopt Resolution 2023-009 Gazebo for Fruitland Park Community Center's Courtyard.

ACTION 6:23:30 p.m. On motion made by Vice Mayor DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission postponed its action to adopt Resolution 2023-009 to the next meeting at staff's request.

(e) Resolution 2023-008 - Gardenia Park and Veterans Park Pavilions Roof Replacements

Ms. Geraci-Carver read into the record proposed Resolution 2023-008, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SALES CONTRACT FROM ROOFING COVENANT CONSTRUCTION IN THE AMOUNT OF \$41,547.00 TO REPLACE TWO PAVILION ROOFS; AUTHORIZING THE MAYOR TO EXECUTE THE SALES CONTRACT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:23:46 p.m. A motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-008 as previously cited.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(f) CRA Redevelopment Taxes FY 2023

The city commission considered its action to approve the payment of invoices from the general fund for the Community Redevelopment Agency FY 2023 redevelopment taxes.

ACTION: 6:24:54 p.m. After discussion and on motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the invoices as previously cited.

(g) **Comprehensive Plan and Redistricting Map - LPG Professional Consulting Services Proposal Discussion**

Mr. La Venia recalled the city commission's previous discussions regarding LPG Urban & Regional Planners Inc.'s proposal for the City of Fruitland Park.

Mr. La Venia addressed the need for redistricting maps to be changed based on population before January 1, 2024; mentioned his preference for the map to be completed by July 2023, and pointed out the city's comprehensive plan updates that was addressed at a previous CRA meeting.

In concurrence, Mr. Rankin requested the city commission's consideration to update the city-wide redistricting maps and any other data and outlined the elements to be addressed in the comprehensive plan to be combined in one proposal at a cost not to exceed \$40,000.

ACTION: 6:25:41 p.m. Following further discussion and **by unanimous consent, the city commission accepted LPG Urban & Regional Planners Inc.'s proposal for the City of Fruitland Park's Comprehensive Plan Updates and Redistricting Map and for a resolution to be drafted for consideration at the next meeting.**

By unanimous consent, Mayor Cheshire opened the public hearings.

PUBLIC HEARING

(h) **Second Reading and Public Hearing – Ordinance 2022-015 LSCPA – 68.55± Acres Timbertop Lane – Petitioners: Stephanie Bailey Bouis and Patricia Bouis Thompson**

It now being the time advertised to hold a public hearing to consider Ordinance 2022-015, after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM CITY OF FRUITLAND PARK COMMUNITY MIXED USE TO GENERAL MIXED USE OF 68.55 +/- ACRES OF PROPERTY GENERALLY LOCATED ON TIMBERTOP LANE; DIRECTING THE CITY MANAGER OR DESIGNEE 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, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN

CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 13, 2022.)

ACTION: 6::31:27 p.m. After extensive discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Bell that the city commission enact Ordinance 2022-015 to become effective immediately as provided by law.**

Mr. Carl Yauk, The Villages of Fruitland Park (Pine Hills resident), posed questions on the entrances into the subject project location and the restrictions affecting wetlands shown on the site plan.

In response, Ms. Tara L. Tedrow, Attorney, Lowndes, Drosdick, Doster, Kantor & Reed, PA, on behalf of the applicant, confirmed that the developer is not proposing to build in any of the required setbacks; will not be imposing on the wetland boundaries -- which will be protected as part of the required permitting -- and that their design would not allow for any active recreation or building footprint areas.

With respect to working with Mr. Seth Lynch, Lake County Public Works Department Engineering Division, Ms. Kelly Froelich, Intram Investments Inc. representing the applicant, answered that the access roads and their initial plans are currently being coordinated with the county.

After extensive discussions and **by unanimous consent, Mayor Cheshire closed the public hearing.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(i) Second Reading and Public Hearing - Ordinance 2022-014 Rezoning 68.55± Acres Timbertop Lane — Petitioners: Stephanie Bailey Bouis and Patricia Bouis Thompson

It now being the time advertised to hold a public hearing to consider Ordinance 2022-014, after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 68.55 ± ACRES OF PROPERTY FROM CITY OF FRUITLAND PARK PUD TO CITY OF FRUITLAND PARK MIXED USE PLANNED UNIT DEVELOPMENT (MUPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING AN AMENDED MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING

ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING
FOR AN EFFECTIVE DATE. (The first reading was held on
October 13, 2022.)

In response to Mayor Cheshire's inquiry, Ms. Geraci-Carver cited the following changes made to the amended master development agreement since the first public hearing:

- Subsection 5.A., Permitted Uses and Development Standards, Non-Residential Uses, struck the words *self-storage facilities* as permitted uses;
- Subsection 5.B., Permitted Uses and Development Standards, Residential Uses:
 - o removed the provision *condominium dwelling units (for rent or fee simple ownership)*;
 - o left *Single-family attached residential dwelling units (townhomes for rent or fee simple ownership)*, and
 - o left *Multi-family residential dwelling units* and included (*Garden Apartments*) and
- Subsection 5.D., Permitted Uses and Development Standards, Residential Uses: removed the provisions under *Use Variation* and replaced with *Open Space*,
- Section 6., Property Owners Association. Added the last sentence to read: *A property owner association(s) shall be required to set up and maintain a reserve account for road maintenance, repair and replacement.*
- Section 8, Road Improvements, language added to include: *The roadway widths shall be constructed to meet city code, or where applicable, county standards. At a minimum the owner will dedicate forty (40') feet right of way for Timbertop Lane extension with a 15-ft. trail. All roads within the property, other than roads within any gated residential portions of the property, shall be for the benefit of the public. All roads within the property shall be owned by and the responsibility of the owner and its successors and assigns, or property association(s).*
- Section 10, Water, Wastewater, and Reuse Water, provisions added to read: *Owner shall design, permit and construct, at owner's expense, all on-site utility facilities (e.g. lift stations and lines) as well as off-site improvements to extend utility lines to the property. All specifications and plans must be submitted to the city for review and approval prior to permitting and construction. Construction of all improvements shall be in accordance with the City of Fruitland Park's requirements, FDEP standards and sound engineering practices.* and
- Section 19, Solid Waste Disposal Facilities, removed the word *condominiums*.

Later in the meeting and in response to Mr. Yauk's inquiry, Ms. Tedrow referred to the Miller Park PD plan delineating the total site and developable area of 3.22 acres wetland and lake area; pointed out the future land use plan and zoning map amendments on parcel identifications regardless of water bodies and explained that there is no city designation for future land use or water code.

ACTION: 6:46:48 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission enact aforementioned Ordinance 2022-014 with the amended provisions to the amended master development agreement cited by the city attorney to become effective immediately as provided by law.**

After discussion and by **unanimous consent, Mayor Cheshire closed the public hearing.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

END OF PUBLIC HEARING

10. (a) City Manager –

i. Economic Development Status Update

Mr. La Venia indicated economic development was addressed earlier this evening at the CRA meeting.

ACTION: 6:54:06 p.m. No action was taken.

ii. Land Development Regulations – Signs

Mr. La Venia referred to the city commission's previous discussions on signs and relayed, since his recent meeting with Ms. Geraci-Carver, that advertisements on parked vehicles can be permitted on parking lots. He referred to his previous conversations with Mr. Clay Rector, property owner on the intersection of Dixie Avenue and CR466 A, regarding the need to meet compliance by January 16, 2023 to the following before the matter proceeds to the special magistrate:

- remove the trucks off from the front of the property on CR 466A;
- convey to his tenant to complete, submit and pay the business tax receipt,
- complete the site plan application which would reveal the location of the parked vehicles, and
- obtain the sign permit.

ACTION: 6:54:19 p.m. After much discussion and **by unanimous consent, the city commission directed the city attorney to draft language in the land development regulations on site plans**

requirements as it relates to regulating new businesses with associated vehicles to park their vehicles in designated parking space(s) not visible from the roadway.

(b) City Attorney

i. City of Fruitland Park v. State of Florida Department of Management Services

Ms. Geraci-Carver had nothing to report on the State of Florida Department of Management Services matter.

ACTION: 7:06:36 p.m. No action was taken.

ii. Michael and Laurie Fewless v. City of Fruitland Park

Ms. Geraci-Carver explained that mediation will take place on January 19, 2023 on the Michael and Laurie Fewless case.

ACTION: 7:06:36 p.m. No action was taken.

iii. U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845

Ms. Geraci-Carver had nothing to report on the U.S. Bank National Association v. Robert Moore Case No. 2022-CA-00845.

ACTION: 7:06:36 p.m. No action was taken.

iv. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628

Ms. Geraci-Carver had nothing to report on the Wayne Goodridge and Tammy Goodridge Case No. 2022-CA-1628.

ACTION: 7:06:36 p.m. No action was taken.

v. Fruitland Park Official City Code

Ms. Geraci-Carver had nothing to report on the official city code.

ACTION: 7:06:36 p.m. No action was taken.

vi. Kaitlin Delong vs. City of Fruitland Park, Lake County Case No. 2022-CA-00463:

Ms. Geraci-Carver had nothing to report on the Kaitlin Delong Lake County Case 2022-CA-00463.

ACTION: 7:06:36 p.m. No action was taken.

11. UNFINISHED BUSINESS

There was no unfinished business to come before the city commission at this time.

ACTION: 7:07:29 p.m. No action was taken.

12. PUBLIC COMMENTS

After Mr. Yauk referred to the \$1.7 trillion Omnibus Spending Bill which includes \$3.6 million from the department of transportation highway infrastructure program funding to complete roadway improvements on CR 466A and questioned whether the project's timeframe would change or result in fewer funding already allocated in that regard, Mr. La Venia described the source of funding.

ACTION: 7:07:30 p.m. No action was taken.

13. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian – CR 466A Funding

Commissioner Mobilian addressed his plan to relay Mr. Yauk's previous question to the Lake~Sumter Metropolitan Planning Organization Governing Board at its February 22, 2023 meeting.

ACTION: 7:10:30 p.m. No action was taken.

(b) Commissioner Bell - LCLC

i. LCLC

Commissioner Bell announced the Lake County League of Cities' (LCLC's) luncheon meeting to take place at the City of Fruitland Park's Recreation Center on January 22, 2023 and encouraged everyone to attend.

ACTION: 7:10:42 p.m. No action was taken.

(c) Commissioner Gunter, Jr. – Excused Absence

Commissioner Gunter announced that he will not be in attendance at the February 23, 2023 regular meeting.

ACTION: 7:11:07 p.m. No action was taken.

(d) Vice Mayor DeGrave

Vice Mayor DeGrave had nothing to report at this time.

ACTION: 7:11:23 p.m. No action was taken.

14. MAYOR'S COMMENTS –

(a) President's Day

Mayor Cheshire announced that President's Day is recognized on February 20, 2023; relayed a request for the city commission to consider observing same as a holiday, and cited the presidents day observances on February 20, 2023

by the Cities of Belleview, Eustis, Leesburg, Mascotte, Mount Dora, Tavares, Wildwood, the Town of Lady Lake, Lake County, all state and federal governmental offices, and financial institutions:

After lengthy discussion, the city commission discussed and voiced concerns on the request proposed by Human Resources Director Betty McHale.

ACTION: 7:11:26 p.m. No action was taken.

(b) Dates to Remember

Mayor Cheshire announced the following events:

- January 13, 2022 Organizational Meeting, LCLC, Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 12:00 p.m.;
- January 16, 2023, City Hall Closed - Dr. Martin Luther King Jr. Holiday;
- January 20, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- January 22, 2023, City Commission regular at 6:00 p.m.;
- January 24, 2023, Employee Service and Safety Luncheon, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 12:00 p.m.;

- February 9, 2023, City Commission regular at 6:00 p.m.;
- February 10, 2023, LCLC, TBD, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida at 12:00 p.m.;
- February 13, 2023, Parks, Recreation and Trails Advisory Board, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- February 14, 2023 – *Love Week*
- February 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- February 22, 2023 – LS~MPO, Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;
- February 23, 2023, City Commission regular at 6:00 p.m.;

ACTION: 7:16:40 p.m. No action was taken.

15. ADJOURNMENT

The meeting adjourned at 7:18 p.m.

The minutes were approved at the January 26, 2023 regular meeting.

Signed
Esther B. Coulson, City Clerk, MMC

Signed
Chris Cheshire, Mayor

**FRUITLAND PARK CITY COMMISSION REGULAR
DRAFT WORKSHOP MEETING MINUTES
January 12, 2023**

A workshop meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 12, 2023 immediately upon the conclusion of the regular meeting.

Members Present: Mayor Chris Cheshire, Vice Mayor Patrick DeGrave, Commissioners Chris Bell, John L. Gunter Jr., and John Mobilian.

Also present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Messrs. Michael “Mike” Rankin (Interim Community Development Director), LPG Urban Regional Planners Inc. (consultant retained by the city); Public Works Director Robb Dicus; Parks and Recreation Director Michelle Yoder; Deputy Finance Director Gary Bachman; Deputy City Clerk Candice Dennis, and City Clerk Esther B. Coulson.

1. CALL TO ORDER

Mayor Cheshire called the meeting to order.

ACTION: 7:17:37 p.m. No action was taken.

2. ROLL CALL

Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present.

ACTION: 7:17:58 p.m. No action was taken.

3. CHARTER OVERVIEW

Ms. Geraci-Carver gave a report on her review of the city charter, last updated by referendum in 2014 and described the procedures involved in implementing the changes on the ballot before the voters for approval. She noted that the charter mainly is consistent with the National Civic League’s Model Charter; however, she recognized the few provisions which are inconsistent with Florida law and Lake County; noted that each local government has the authority to be unique and govern what is needed throughout the process, and referred to the charter with the following suggestions:

- **ARTICLE III., LEGISLATIVE, Sec. 3.11 Procedure, (a), Meetings.** *Special meetings . . . upon no less than 12 hours’ notice to each member and the public*
Follow the special meetings notice requirements under the Government-in-the-Sunshine which requires no less than 24 (preferably at least 72) hours reasonable notice to the public and the advertising of same to the local news media.

- **Sec. 3.06. - Compensation.** . . . *mayor and city commissioners elected*
Later in the meeting, consider a housekeeping change to reflect *selected* instead of *elected*.
- **Sec. 3.12 Action Requiring an Ordinance**
Adopt by resolution, one reading, which is not contrary to the law; however, the city's preference for the opportunity to hear twice by ordinance is not contrary to the law which is within the city's purview.
- **Sec. 3.12 (6) Convey or lease or authorize by administrative action the conveyance or lease of any lands of the city.**
Adopt by resolution, one reading, as implemented by most jurisdictions.
- **ARTICLE IV. – ADMINISTRATIVE**
Consider appointing the administrative responsibility of the clerk and treasurer under the purview of the manager who has the hiring authority and day-to-day oversight (current charter is uncommon and unusual as the elected body typically retains an auditor municipal attorney; thus, under the model charter, the city manager selects the clerk who is approved by the elected body).
 - **Sec. 4.08 - Personnel System.** Personnel policies and procedures are adopted in two readings and consideration by the elected body ought to be monetary provisions; otherwise, the city manager would have the authority to make changes in compliance with the law and departments' creation, changes, and restructuring may receive approval or consensus.
- **ARTICLE VII. - PLANNING AND ZONING BOARD**
 - **Sec. 7.01. - Planning and Zoning Board**
Required by state statutes and ordinance.
- **ARTICLE VIII. - NOMINATIONS AND ELECTIONS**
 - **Sec. 8.03. - Form of ballots.**
Currently does not comply with the law.
 - **Sec. 8.04. – Elections, (a) Multiple Candidates . . . "Run-off election" to be held on the second Tuesday following the date of the regular city election.**
Housekeeping change as the time-frame does not comply with the statute.

Ms. Geraci-Carver believes that a single list can be incorporated as one entire referendum; indicated that she will obtain confirmation as to the recent changes in the law on advocating with constituents as it relates to referendum and the media would receive a copy of the respective ordinance.

ACTION 7:18:15 p.m. **By unanimous consent, the city commission directed the city attorney to provide the National Civic League's Model City Charter and the**

proposed official city charter language and synopsis of recommended changes with supporting explanation for the March 2023 meeting for consideration.

• **OTHER BUSINESS**

There was no other business to come before the city commission at this time.

ACTION: 7:40:18 p.m. No action was taken.

• **ADJOURNMENT**

The meeting adjourned at 7:40 p.m.

The minutes were approved at the January 26, 2023 regular meeting.

Signed

Esther B. Coulson, City Clerk, MMC

Signed

Chris Cheshire, Mayor

RESOLUTION 2023-010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SIXTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland owns and operates Northwest Lake Community Park, located at 200 Shiloh Street, Fruitland Park, Florida (hereinafter referred to as the “Park”); and

WHEREAS, on December 20, 2016, the City of Fruitland Park and the Lake County entered into an interlocal agreement regarding the joint development of a soccer field at the Northwest Lake Community Park (“Interlocal Agreement”) which has been previously amended on February 27, 2018, June 5, 2018, March 20, 2020, October 28, 2020 and November 16, 2021; and

WHEREAS, the City has requested to amend the interlocal agreement for a sixth time to modify the contribution amount in order to provide for the construction of additional improvements at the Northwest Lake Community Park, including a concrete perimeter for the new restroom facility to include connection to existing sidewalk, a storage shed for mowers and maintenance equipment, a shade structure for bleachers, and two water fountains and site furnishings; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida desires to enter into the Sixth Amendment to the Interlocal Agreement with Lake County.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Sixth Amendment to Interlocal Agreement between Lake County, Florida and the City of Fruitland Park regarding joint development of a soccer field at Northwest Lake Community Park, **a copy of which is attached hereto**, is approved.

Section 2. The commission authorizes the mayor to execute the sixth amendment to the interlocal agreement.

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 26th day of January 2023, by the City Commission of the City of Fruitland Park, Florida.

CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA

CHRIS CHESHIRE, MAYOR

SEAL

ATTEST:

ESTHER COULSON, CITY CLERK, MMC

Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Mobilian	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

Approved as to form:

Anita Geraci-Carver, City Attorney

**SIXTH AMENDMENT TO INTERLOCAL AGREEMENT
BETWEEN LAKE COUNTY, FLORIDA AND
THE CITY OF FRUITLAND PARK
REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT
NORTHWEST LAKE COMMUNITY PARK**

This is a Sixth Amendment to an Interlocal Agreement between Lake County, Florida, a political subdivision of the State of Florida, by and through its Board of County Commissioners (hereafter the “COUNTY”), and the City of Fruitland Park, Florida, a municipal corporation organized and existing under the laws of the State of Florida (hereafter the “CITY”).

WITNESSETH:

WHEREAS, the CITY owns and operates Northwest Lake Community Park, located at 200 Shiloh Street, Fruitland Park, Florida (hereinafter referred to as the “Park”); and

WHEREAS, the CITY desires to construct improvements to the Park, including a concrete perimeter for the new restroom facility to include connection to existing sidewalk, a storage shed for mowers and maintenance equipment, a shade structure for bleachers, and two water fountains and site furnishings (collectively hereinafter referred to as the “Project”); and

WHEREAS, on December 20, 2016, the CITY and the COUNTY entered into an Interlocal Agreement regarding the Joint Development of a Soccer Field at the Northwest Lake Community Park (“Interlocal Agreement”); and

WHEREAS, on February 27, 2018, the CITY and the COUNTY entered into an Amendment to Interlocal Agreement Between Lake County, Florida and the City of Fruitland Park Regarding Joint Development of a Soccer Field at Northwest Lake Community Park (“First Amendment”) providing for an extension of time for the Project; and

WHEREAS, on June 5, 2018, upon request of the CITY, a Second Amendment to the Interlocal Agreement was executed by the parties so the City could purchase and install sports lighting on the newly constructed soccer field; and

WHEREAS, on March 20, 2020, upon request of the CITY, a Third Amendment to the Interlocal Agreement was executed by the parties so the City could install concrete walkways, bleacher pads, handicap accessible parking and other ancillary concrete work; and

WHEREAS, on October 28, 2020, upon request of the CITY, a Fourth Amendment to the Interlocal Agreement was executed by the parties to provide accessibility features and install concrete pads and walkways; and

WHEREAS, on November 16, 2021, upon request of the CITY, a Fifth Amendment to the Interlocal Agreement was executed by the parties to modify the contribution amount in order to provide restroom facilities on the soccer field site; and

WHEREAS, the CITY requests the Interlocal Agreement be amended for a Sixth Amendment to modify the contribution amount in order to construct additional improvements to the Park, including a concrete perimeter for the new restroom facility to include connection to existing sidewalk, a storage shed for mowers and maintenance equipment, a shade structure for bleachers, and two water fountains and site furnishings (collectively hereinafter referred to as the “Project”); and

WHEREAS, the contemplated Project is in the mutual benefit of the Parties and is in the best interests of the residents of Lake County and Fruitland Park.

NOW, THEREFORE, for and in consideration of the mutual covenants, promises, conditions and payments contained herein, the parties agree as follows:

1. **Legal Findings.** The foregoing recitals are hereby adopted as legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and correct and are hereby made a specific part of this Sixth Amendment upon adoption hereof.

2. **Amendment.** The CITY and the COUNTY agree that the following sections of the Interlocal Agreement are hereby replaced and superseded as follows:

Section 2. Obligations of COUNTY and CITY.

A. The COUNTY agrees to reimburse the CITY for a portion of the cost of the Project. The COUNTY’s total funding reimbursement shall not exceed **Five Hundred Thousand Dollars (\$500,000.00)**, which shall be provided in seven payments as specified herein.

1. The first payment in the amount of Fifty Thousand Dollars (\$50,000.00) shall be provided between October 1, 2017, and September 30, 2018, and the second payment in the same amount (\$50,000.00) shall be provided on or before September 30, 2019.

2. The third payment in the amount of Fifty Thousand Dollars (\$50,000.00) will be provided after installation by the CITY of sports lighting at the Park. Upon completion of the installation of the sports lighting the CITY will notify the COUNTY and if the lighting is installed to the satisfaction of the COUNTY, the COUNTY agrees to make the third payment.

3. The fourth payment in the amount of Fifty Thousand Dollars (\$50,000.00) will be provided after installation by the CITY of concrete walkways and bleachers pads, other ancillary concrete work, and handicap accessible parking at Northwest Lake Community Park. Upon completion of the installation of the concrete walkways and bleachers pads, other ancillary concrete work, and handicap accessible parking, the CITY will notify the COUNTY and if installed to the satisfaction of the COUNTY, the COUNTY agrees to make the fourth payment.

4. The fifth payment in the amount of Fifty Thousand Dollars (\$50,000.00) will be provided after installation by the CITY of the concrete walkways, fencing along the perimeter of the field and landscaping, including sod, plantings and ground cover. Upon completion of this work, the CITY will notify the COUNTY and if completed to the satisfaction of the COUNTY, the COUNTY agrees to make the fifth payment.

5. The sixth payment totaling One Hundred Fifty Thousand Dollars (\$150,000.00) will be provided after purchase and installation of restroom facilities on the soccer field site. Upon completion of this work, the CITY will notify the COUNTY and if completed to the satisfaction of the COUNTY, the COUNTY agrees to make the sixth payment.

6. The seventh payment totaling One Hundred Thousand Dollars (\$100,000.00) will be provided after purchase and installation of a concrete perimeter for the new restroom facility to include connection to existing sidewalk, a storage shed for mowers and maintenance equipment, a shade structure for bleachers, and two water fountains and site furnishings. Upon completion of this work, the CITY will notify the COUNTY and if completed to the satisfaction of the COUNTY, the COUNTY agrees to make the seventh payment.

B. Funding payments made to the CITY by the COUNTY shall be subject to the following terms and conditions:

1. The CITY shall submit to the COUNTY an approved Park Master Plan for the Project prior to beginning construction on the Project.

2. The CITY shall submit requests for reimbursement to the COUNTY accompanied by documentary evidence of the CITY's expenditures incurred

through construction of the Project. Such documentary evidence shall include a detailed description of the services provided, proof that payment has been made to all contractors, subcontractors and suppliers providing any labor, materials or equipment related to the Project, as well as acceptance and approval of such labor, materials or equipment from an authorized CITY representative. Under no circumstances shall the requests for reimbursement be submitted to the COUNTY in advance of the delivery and acceptance of the services.

3. Within thirty (30) days of receipt of the request for reimbursement and the accompanying documentary evidence, the COUNTY shall provide reimbursement to the CITY subject to the terms and conditions contained herein.

4. The time of payment and the amount of funds reimbursable to the CITY by the COUNTY at any one time during the term of this Agreement is directly dependent on the costs incurred by the CITY for the Project as evidenced by the corresponding documentation specified in paragraphs B.(1.) and B.(2.) above. Notwithstanding the foregoing, in no event shall the COUNTY be obligated to reimburse to the CITY total monies in excess of Five Hundred Thousand Dollars (\$500,000.00).

5. The CITY shall comply with all of the terms and conditions of this Agreement.

Section 3. Expenditure of Funds by the CITY. The CITY understands and agrees that the COUNTY shall only provide reimbursement for costs incurred by the CITY

1. On or before August 31, 2018, for the **first** payment of up to Fifty Thousand Dollars (\$50,000.00); and
2. On or before August 31, 2019, for the **second and third** payment of up to One Hundred Thousand Dollars (\$100,000.00), for the purposes enumerated herein; and
3. On or before December 31, 2020, for the **fourth** payment of up to Fifty Thousand Dollars (\$50,000.00), for the purposes enumerated herein.
4. On or before December 31, 2021, for the **fifth** payment of up to Fifty Thousand Dollars (\$50,000.00), for the purposes enumerated herein.
5. On or before August 31, 2023, for the **sixth** payment of up to One Hundred

SIXTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY AND FRUITLAND PARK REGARDING IMPROVEMENTS TO NORTHWEST LAKE COMMUNITY PARK

Fifty Thousand Dollars \$150,000.00, for the purposes enumerated herein.

6. On or before August 31, 2025, for the **seventh** payment of up to One Hundred Thousand Dollars \$100,000.00, for the purposes enumerated herein.

3. **Effect of Amendment.** This Sixth Amendment shall be effective immediately upon execution. All other provisions of the Interlocal Agreement and prior amendments not specifically amended above, will remain in full force and effect unless otherwise formally amended by the parties. To the extent that this Sixth Amendment conflicts with the Interlocal Agreement, this Sixth Amendment will govern.

IN WITNESS WHEREOF, the parties hereto have made and executed this Sixth Amendment on the respective dates under each signature: Lake County, Florida, through its Board of County Commissioners, signing by and through its Chairman, and City of Fruitland Park, through its Mayor.

COUNTY

LAKE COUNTY, FLORIDA, through its Board of County Commissioners

ATTEST:

Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

Kirby Smith, Chairman

This _____ day of _____, 2023.

Approved as to form and legality:

Melanie Marsh
County Attorney

SIXTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY AND FRUITLAND PARK REGARDING IMPROVEMENTS TO NORTHWEST LAKE COMMUNITY PARK

CITY

CITY OF FRUITLAND PARK, FLORIDA

Christopher Cheshire, Mayor

This ____ day of _____, 2023.

ATTEST:

Esther Coulson, City Clerk

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

RESOLUTION 2023-009

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING FIFTHROOM QUOTE DATED MAY 9, 2022 QUOTE NO. 3038599-B IN THE AMOUNT OF \$33,018.00 TO PURCHASE A GAZEBO FOR THE COMMUNITY CENTER COURTYARD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Center is utilized by the community for various events, including but not limited to receptions, comedy shows, programs, all of which draws people to the City and within CRA of the City of Fruitland Park; and

WHEREAS, the City Commission desires to improve the Community Center courtyard with a gazebo; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds it is in the public's best interest to approve the quote from Fifthroom.com for the gazebo, not including installation.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Quote No. 3038599-B dated May 9, 2022 in the amount of \$33,018.00 from Fifthroom.com, **a copy of which is attached hereto**, is approved.

Section 2. The Commission authorizes the mayor to sign the quote.

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 26th day of January 2023, by the City Commission of the City of Fruitland Park, Florida.

SEAL

CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA

Chris Cheshire, MAYOR

ATTEST:

ESTHER COULSON, CITY CLERK. MMC

Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor DeGrave _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

Quote

Quote #: 3038599 - B
Date: 5/9/22
Good Until: 5/23/22

Project Advisor

Name: Robert Imbrogno
Phone: 888-293-2339 x246
Fax: 724-444-5301
Email: Robert.Imbrogno@fifthroom.com

Customer

Ref #:
Job Name:
PO #:

Quantity	Product & Description	Unit Price	Total
1	20' Vinyl Dodecagon Double Roof Gazebo	\$29,799.00	\$29,799.00
1	Standard Roof	\$0.00	\$0.00
1	Top Railing Sections	\$0.00	\$0.00
1	Straight Posts	\$0.00	\$0.00
1	Standard Braces	\$0.00	\$0.00
1	Cupola	\$0.00	\$0.00
1	Old English Pewter Asphalt Shingles	\$0.00	\$0.00
1	1 x 1 Standard Railings	\$0.00	\$0.00
1	Standard White Vinyl	\$0.00	\$0.00
1	Engineered Drawings, with Stamp; Drawing State: FL; Permit to be acquired by Customer	\$1,599.00	\$1,599.00
0	Excluded: Fan, Screens, Ceiling, Deck		

Subtotal	\$31,398.00
Shipping	\$1,620.00
Pre-Tax Total	\$33,018.00
Sales Tax	\$0.00
TOTAL	\$33,018.00



Billing Details

Company: City of Fruitland Park
Name: Michelle Yoder
Address: -
City: Fruitland Park
State: Florida
Zip Code: 34731
Phone: 352-771-3417
Email: myoder@fruitlandpark.org

Shipping Details

Company: City of Fruitland Park
Name: Michelle Yoder
Address: -
City: Fruitland Park
State: Florida
Zip Code: 34731
Phone: 352-771-3417
Email: myoder@fruitlandpark.org

Payment Terms

50% down payment to start production.
Balance due prior to shipping

Notes

- *Production will Not Begin until Stamped Engineered Drawings are Approved
- *Stamped Engineered Drawings are Currently taking 2-3 Weeks to Complete
- *No Touch Delivery Service Available = Additional \$399
- Size or number of members, types of fastener and other design items could be affected by engineering or local ordinances. Fifthroom.com reserves the right to adjust pricing based on Engineering and local code compliance.
- Fasteners: All Fasteners Included

Shipping Notes

Shipping As a kit
Method: Motor Freight
Estimated shipping 7-9 Weeks after Drawing Approval.
Estimated transit time 2-3 days.

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7a**

ITEM TITLE: Resolution 2023-0011 Gazebo Installation for Fruitland Park Community Center's Courtyard

MEETING DATE: January 26, 2023

DATE SUBMITTED: January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Parks and Recreation Director

BRIEF NARRATIVE: Resolution 2023-010 Gazebo Installation

FUNDS REQUIRED: 20511-60636 CRA - \$21,715.00

ATTACHMENTS: Proposed resolution forthcoming and proposal

RECOMMENDATION: Approval.

ACTION: Adopt Resolution 2023-010.

October 17, 2022

City of Fruitland Park
Michelle Yoder, Recreation Director
Fruitland Park City Hall
205 W. Berckman Street
Fruitland Park, FL 34731

Re: Fruitland Park Recreation Center Gazebo
Zorn Construction and Development Job No. 01799.22.1

Dear Michelle,

We have completed the estimate for the proposed foundation & erection of a new gazebo project to be located at the Recreation Center per your direction and with common local construction & foundation specifications supplied by unit vendor to use for structural integrity and to satisfy the local building department for design.

The final estimate totals are as follows:

General Building & Erection Costs	\$ 21,715
Pre-designed Foundation Cost	Inc
<u>Permit Fee Allowance (\$50.00)</u>	<u>Inc</u>
Total Construction Cost	\$21,715

The estimate breakdown with the qualifications, exclusions and allowances is attached. The anticipated construction duration is dependent solely on availability and delivery of the unit materials but once delivered onsite is anticipated at approximately 2-3 weeks total to completion. A detailed project schedule will be available after confirmed delivery of materials are verified by vendor and a manufacturing & delivery date have been assigned.

We hope this information is acceptable and to your satisfaction. We are able to start construction immediately upon the receipt of required materials pending any permits required and are looking forward to working with you on this important public project.

Most sincerely,

Steve Glasgow
Zorn Construction and Development, LLC.

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7b**

ITEM TITLE: Golf Cart Quotes – Parks and Recreation

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Thursday, January 18, 2023

SUBMITTED BY: City Manager/Parks and Recreation Director

BRIEF NARRATIVE: **Golf Cart Quotes** motion to consider staff’s recommendation on one of the following golf cart quotes:

- Mid Florida Golf Carts \$11,998.00
- Cart World Inc. \$15,076.93
- Club Car - Cart World Golf Carts \$17,809.00
- E-Z-GO (The Villages Golf Cars) \$20,269.00

FUNDS BUDGETED: \$12,000 – FY 2022-23 capital projects 30572-60640

ATTACHMENT Four quotes from the above-named companies.

RECOMMENDATION: Approve the selection of Mid Florida six-passenger golf carts quote at \$11,998.00.

ACTION: **Approve Mid-Florida Golf Carts as the lowest, most responsive and responsible bidder.**

Mid Florida Carts, llc
1100 Central Park Drive, Suite 1000
Sanford, FL 32771 US
(407)680-2711
Sales@MidFloridaCarts.com

Estimate

ADDRESS
MICHELLE YODER

SHIP TO
MICHELLE YODER

ESTIMATE # 1033
DATE 01/17/2023

MODEL	COLOR	AMOUNT
(256) ICON EV SILVER I60 LT- A0117821	(256) ICON EV SILVER I60 LT- A0117821	11,998.00

SUBTOTAL	11,998.00
TAX	0.00
TOTAL	\$11,998.00

Accepted By

Accepted Date

Cart World, Inc.

Cart World Golf Cars
 133 Hermosa Street
 Lady Lake, FL 32159

QUOTATION

Quote Number: m471

Quote Date: Jan 17, 2023

Page: 1

Voice: 352-753-1800

Fax: 352-753-1811

Quoted To:

City of Fruitland Park
 506 W. Berckman St
 Fruitland Park, FL 34731

Customer ID	Good Thru	Payment Terms	Sales Rep
352-360-6795	2/16/23	C.O.D.	

Quantity	Item	Description	Unit Price	Amount
1.00		2023 Club Car Villager 6 Electric Features: Head/Tail/Brake Lights T-Signals Horn 12 Spoke Wheelcovers Light Duv Front Bumper 8" Wheels 6 Volt Batteries DC-DC Converter IQ Plus Drive System w/500 AMP Controller On Board Hi-Frequency Charger Battery Capacity Indicator OPTIONS:	14,139.00	14,139.00
1.00		Fold Down Rear Seat Kit	1,600.00	1,600.00
1.00		Canopy - Black	1,260.00	1,260.00
1.00		Hinged Windshield	246.00	246.00
1.00		Side Mirrors	91.16	91.16
1.00		OMNIA PARTNERS DISCOUNT 20% Contract No EV2671-01	3,647.23	-3,647.23
1.00		Dealer Prep	1,200.00	1,200.00
1.00		Delivery	175.00	175.00
		STATE FEES		
6.00	B	State of Fla. Waste Batt. Fee	1.50	9.00
4.00	FLT	State of Fla. Waste Tire Fee	1.00	4.00
			Subtotal	15,076.93
			Sales Tax	
			TOTAL	15,076.93



Your Fleet Code: kefvzl

Quoted Tue Jan 17 2023

Prices valid for US only. Outside US: Different prices, duties and taxes may apply. Excludes Freight, Set Up, and Tax



Villager 6 (48VDC electric)

QUANTITY:	AS CONFIGURED:	VEHICLE TOTAL:
1	\$17,809	\$17,809
	USD	USD

OPTIONS

TIRES & WHEELS:

Standard tires

CANOPY:

Black canopy

WINDSHIELDS:

Fold-down windshield

MIRRORS:

Side mirrors

BATTERIES:

Standard batteries

BUMPERS:

Standard bumper

EXTERIOR COLOR:

White

SEATING:

Seats with Fold-Down Rear Seat
Gray seats with fold-down rear seat
Fold-Down Rear Seat Frame - White

OPTIONS/ACCESSORIES:

No Enclosure
Headlights, tail lights, horn and turn signal
Onboard charger with reel
Battery capacity indicator

SPECIFICATIONS:

Engine/Motor 48-volt DC

Controller 500 Amp - Solid State

Displacement NA

Cylinders NA

Valving NA

Cooling NA

Horsepower 3.7 hp (2.7kW) rated, Peak 20 hp (14.9 kW)

Max Torque 71 ft-lb (96.2 N-m) rated @ 1450 rpm

Lubrication / Oil Filter NA

Governor NA

Transmission Direct drive, double reduction helical gear

Gear Selection Forward/Neutral/Reverse

Gear Ratio 12.32:1

Ignition NA

Battery (8) 6-volt Flooded Lead Acid

Charger Onboard, automatic, computer-controlled 48-volt DC, 17 amp, UL and CUL listed

Headlights Dual LED Headlights with Daytime Running Lamps and Turn Signals

Tail Lights LED Tail/Brake Light

Fuel Delivery System NA

Capacity NA

Steering Mechanism Self-adjusting Rack and Pinion

Suspension - Front Independent leaf spring with dual hydraulic shocks

Suspension - Rear Independent leaf spring with dual hydraulic shocks

options

Brakes 4-wheel, mechanical drum

Park Brake Foot Operated, Multi-Lock

Body - Front & Finish ArmorFlex with automotive paint/clearcoat

Body - Rear ArmorFlex with automotive paint/clearcoat

Tires - Front 18 x 8.50-8, 6-ply rated, premium tread

Tires - Rear 18 x 8.50-8, 6-ply rated, premium tread

Wheelbase 98.5 in (250.2 cm)

Overall Height 48 in (121.9 cm)

Overall Length 124 in (315 cm)

Bed Length NA

Ground Clearance 4.5 in (11.4 cm)

Track Width (front) 34.5 in (87.6 cm)

Track Width (rear) 38.6 in (97.8 cm)

Max Width (w/o Mirrors) 47.3 in (120.1 cm)

Total Vehicle Capacity 1500 lb (680.3 kg)

Bed Load Capacity NA

Towing Capacity NA

Combined Gross Vehicle Capacity NA

Speed 15mph

Seating Capacity 6

Warranty 3 year/3000 hour limited powertrain and frame

Warranty 2 year limited remaining vehicle

Warranty 4 year limited battery warranty

Finance rates are estimates only and are subject to change without notice. Actual rates may vary. All loans are subject to credit review and approval. Please contact your local Club Car dealer for more information.

Dealer

Cart World Golf Cars
133 W HERMOSA ST
LADY LAKE, FL 32159
352-753-1800

Special quote prepared for Michelle Yoder
Email: myoder@fruitlandpark.org
Phone: 352-516-9149



The Villages of Lake Sumter
1075 Old Camp Road, The
Villages, FL 32162

2023 E-Z-GO Express S6 ELiTE Lithium

Condition: New

VIN:



Price Quote

Unique Offer Code
Expires: Jan 24, 2023

Your personal contact:
Jeffery Tutin
Sales
352-205-8909
jeffery.tutin@thevillages.com

MSRP	\$17,269.00
Destination	+ \$1,500.00
Prep/Assembly	+ \$1,500.00
Unit Price	\$20,269.00

Member Price

\$20,269.00

[Order Now](#)

[Schedule an Appointment](#)

Notes:

We don't have any S6 models in stock; however, we do have one L6 in stock. It is in metallic charcoal. Let me know if this is an option for you and I'll work on pricing. I can be reached through email at Jeffery.Tutin@TheVillages.com



**Applicable Tax, Title, Registration not included.*

Disclaimer: Features and specifications of vehicles subject to change without notice. Vehicles as photographed may include options not included on base model. Special discounts and/or incentives may require additional verification. Please confirm all offers, inventory, images and pricing with dealership personnel prior to purchase. MSRP excludes destination and handling charges, taxes, title, license, options, and dealer charges. Offers included are the available offers at the time of certificate creation. Prices and special offers are subject to change without notice. Offers included adhere to expiration dates. To take advantage of offers you must take delivery from dealer inventory by the expiration date noted on the certificate. Offers may not be available to all customers in the US. Offers do not apply to taxes, title, document fees, shipping and handling fees or similar fees. Dealers set actual prices.

The Villages of Lake Sumter respects your right to privacy. [Please view our online Privacy Policy.](#)

Fueled by  ROLLICK

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7c

ITEM TITLE: Public Hearing – Resolution 2023-007 Crystal Lake Vista Preliminary Plat – Myrtle Lake Avenue –
Petitioner: Crystal Lake Land Holdings LLC

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Tuesday, January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: Resolution 2023-007 Crystal Lake Vista Preliminary Plat request to develop the subject site into 65 single-family lots with a minimum living area of 1,200 square feet and with sanitary sewer and central water. The proposed density is 2.71 dwelling units per acre.

FUNDS BUDGETED: None

ATTACHMENTS: Proposed Resolution 2023-007, legal description, location map, preliminary plat staff’s recommendation and advertising affidavit.

RECOMMENDATION: Staff recommends approval of the preliminary plat subject to approval from engineering, the city attorney and city commission of the proposed tree removal permit. The Planning and Zoning Board recommended approval at its January 19, 2023 meeting.

ACTION:

RESOLUTION 2023-007

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAT APPROVAL OF CRYSTAL LAKE VISTA GENERALLY LOCATED NORTH OF MYRTLE LAKE AVENUE, SOUTH OF PINE RIDGE DAIRY ROAD, AND WEST OF COUNTY ROAD 468, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant has petitioned for preliminary plat approval of Crystal Lake Vista consisting of 65 single family residential lots; and

WHEREAS, the subject property consisting of 24.02 +/- acres is zoned planned unit development and has a future land use of Single-Family Medium Density; and

WHEREAS, the Planning and Zoning Board and the City Commission have considered the application in accordance with Sec. 157.060(d) of the City of Fruitland Park Land Development Code and made recommendation to the City Commission; and

WHEREAS, the City Commission of the City of Fruitland Park has considered the application in accordance with the procedures for granting preliminary plan approval set forth in Sec. 157.060(d) of the City of Fruitland Park Land Development Code; and

WHEREAS, the City Commission finds that the Preliminary Plan for Crystal Lake Vista is in compliance with the City's land development regulations.

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

Section 1. Granting of Preliminary Plat Approval.

Approval of the Preliminary Plat for Crystal Lake Vista, a copy of which is attached hereto, is **GRANTED**.

Section 2. Effective Date.

This resolution shall become effective immediately upon its passage.

PASSED AND RESOLVED this ____ day of _____, 2023, by the City Commission of the City of Fruitland Park, Florida.

SEAL

CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA

CHRIS CHESHIRE, MAYOR

ATTEST:

ESTHER COULSON, CITY CLERK, MMC

Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Mobilian	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

Approved as to form:

Anita Geraci-Carver, City Attorney

LEGAL DESCRIPTION

(PROVIDED - OR 5152, PG 1900)

That part of the North 1/2 of the Southeast 1/4 of Section 8, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows:

Commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of Section 8, Township 19 South, Range 24 East, and run North 89°20'05" West along the North 1/2 of the Southeast 1/4 of said Section 8, a distance of 988.35 feet; thence North 00°59'55" East 25.00 feet to a point on the North right-of-way line of Myrtle Lake Avenue and the Point of Beginning of this description; from said Point of Beginning run North 89°20'05" West along the North right-of-way line of Myrtle Lake Avenue 658.92 feet to a point on the West line of the East 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 8; thence North 00°57'00" East along the West line of the East 1/4 of the Northwest 1/4 of the Southeast 1/4, a distance of 1,219.46 feet to a point that is South 00°57'00" West 82.20 feet from the Northwest corner of the East 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 8; thence South 89°34'30" East parallel with the North line of the Southeast 1/4 of said Section 8 a distance of 529.99 feet; thence North 00°53'13" East 82.20 feet to a point on the North line of the Southeast 1/4 of Said Section 8; thence South 89°34'30" East along the North line of the Southeast 1/4 a distance of 1,120.29 feet to the Northeast corner of the Northeast 1/4 of the Southeast 1/4 of said Section 8; thence South 65°13'49" West, 1,099.42 feet; thence South 00°59'55" West 836.39 feet to the Point of Beginning.

The Villages®
DAILY SUN

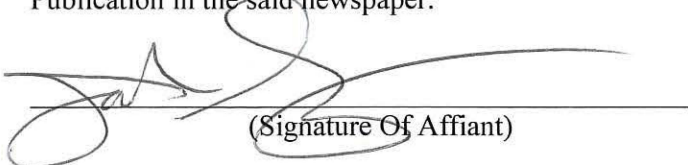
Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Joseph Szabo**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal #1104484 in the matter of

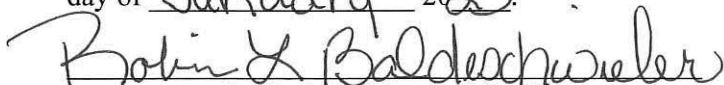
NOTICE OF PUBLIC HEARINGS
was published in said newspaper in the issues of

JANUARY 9, 2023

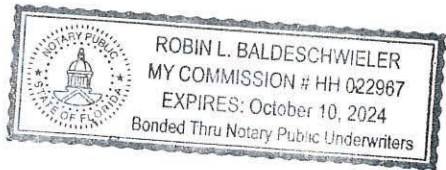
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for Publication in the said newspaper.


(Signature Of Affiant)

Sworn to and subscribed before me this 13
day of January 2023.


Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____



**NOTICE OF
PUBLIC HEARINGS**
RESOLUTION 2023-007

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAT APPROVAL OF CRYSTAL LAKE VISTA GENERALLY LOCATED NORTH OF MYRTLE LAKE AVENUE, SOUTH OF PINE RIDGE DAIRY ROAD, AND WEST OF COUNTY ROAD 468, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

The proposed Resolution will be considered at the following public meetings:

- Fruitland Park Planning & Zoning Meeting on January 19, 2023 at 6:00 p.m.
- Fruitland Park City Commission Meeting on January 26th, 2023 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued as determined by the P&Z Board and City Commission from time to time to a date certain. The proposed resolution and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed Resolution.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may

need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.
#1104484 January 9, 2023

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

PRELIMINARY PLAT REVIEW

Owner: Crystal Lake Land Holdings, LLC

Applicant: A&B Engineering Consultants, PA (Angel Rivera, PE)

General Location: Myrtle Lake Avenue

Number of Acres: 24.83 ± acres

Existing Zoning: Planned Unit Development (PUD)

Existing Land Use: Single Family Medium Density (4 units/acre)

Date: November 21, 2022

Description of Project

A preliminary plat to request to develop the subject site into 65 single family lots with a minimum living area of 1,200 square feet and with sanitary sewer and central water. The proposed density is 2.71 dwelling units per acre.

	Surrounding Zoning	Surrounding Land Use
North	County Ag and R-1	Urban Medium Density (7 units/acre)
South	County Ag and City R-2	Urban Medium & City SF Medium Density
East	County R-3	Lake County Urban Medium
West	PUD	SF Medium Density (4 units/acre)

Assessment

The subject site consists of 24.83 +/- acres currently zoned PUD (Planned Unit Development). A preliminary plat review seeking approval is requested to develop the subject site into a 65 single family lot subdivision with sanitary sewer and central water.

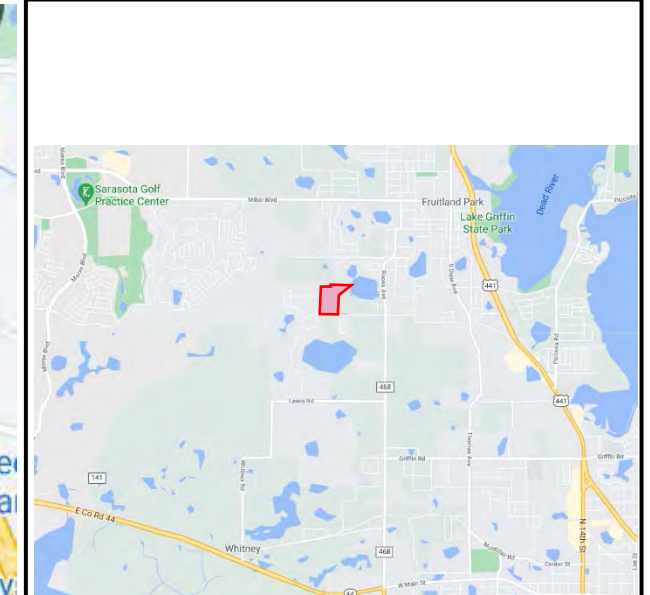
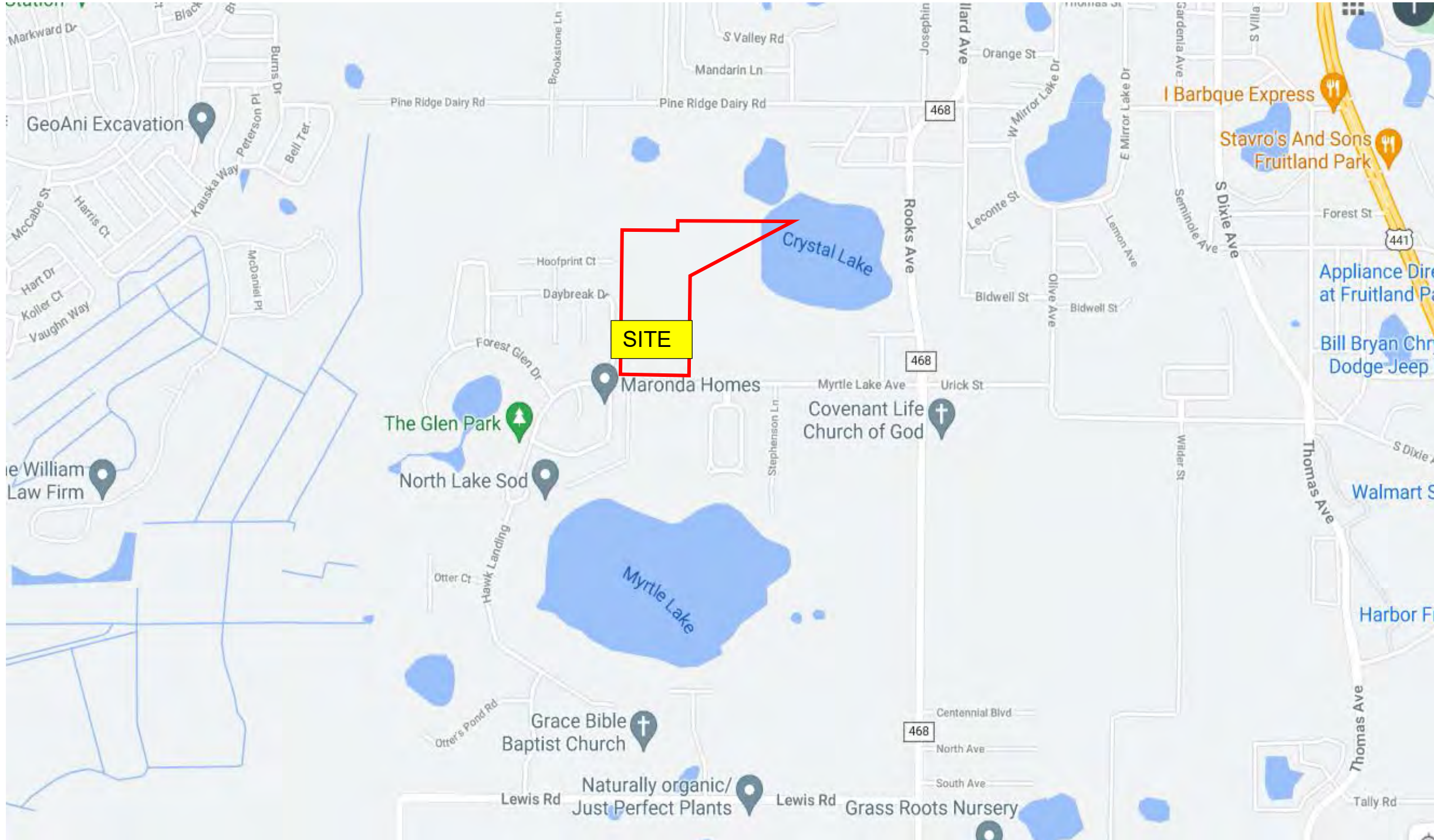
The applicant has addressed all outstanding planning issues with the final determination regarding tree removal to be addressed by the City Commission.

Recommendation

Planning staff recommends approval of the preliminary plat subject to City legal counsel approval, engineering approval and subject to City Commission approval of the proposed tree removal permit.

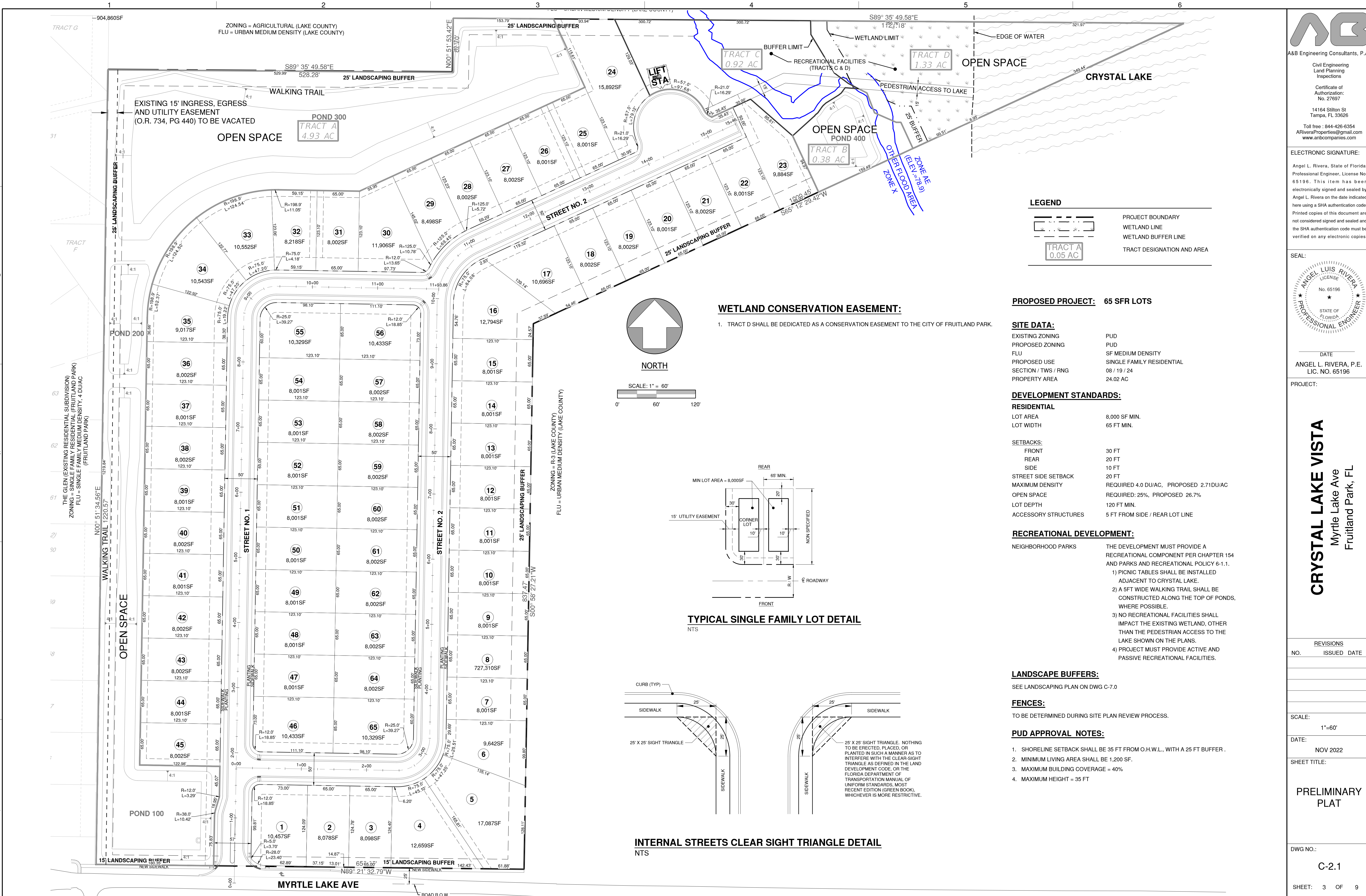
Alt Key 1288606

Myrtle Lake Ave
Fruitland Park, FL



Sheet Title:

Exhibit B
(Location Map)



LEGEND

	PROJECT BOUNDARY
	WETLAND LINE
	WETLAND BUFFER LINE
	TRACT DESIGNATION AND AREA

PROPOSED PROJECT: 65 SFR LOTS

SITE DATA:

EXISTING ZONING	PUD
PROPOSED ZONING	PUD
FLU	SF MEDIUM DENSITY
PROPOSED USE	SINGLE FAMILY RESIDENTIAL
SECTION / TWS / RNG	08 / 19 / 24
PROPERTY AREA	24.02 AC

DEVELOPMENT STANDARDS:

RESIDENTIAL

LOT AREA	8,000 SF MIN.
LOT WIDTH	65 FT MIN.

SETBACKS:

FRONT	30 FT
REAR	20 FT
SIDE	10 FT

STREET SIDE SETBACK 20 FT

MAXIMUM DENSITY REQUIRED: 4.0 DU/AC, PROPOSED 2.71 DU/AC

OPEN SPACE REQUIRED: 25%, PROPOSED 26.7%

LOT DEPTH 120 FT MIN.

ACCESSORY STRUCTURES 5 FT FROM SIDE / REAR LOT LINE

RECREATIONAL DEVELOPMENT:

NEIGHBORHOOD PARKS THE DEVELOPMENT MUST PROVIDE A RECREATIONAL COMPONENT PER CHAPTER 154 AND PARKS AND RECREATIONAL POLICY 6-1.1.

- 1) PICNIC TABLES SHALL BE INSTALLED ADJACENT TO CRYSTAL LAKE.
- 2) A 5 FT WIDE WALKING TRAIL SHALL BE CONSTRUCTED ALONG THE TOP OF PONDS, WHERE POSSIBLE.
- 3) NO RECREATIONAL FACILITIES SHALL IMPACT THE EXISTING WETLAND, OTHER THAN THE PEDESTRIAN ACCESS TO THE LAKE SHOWN ON THE PLANS.
- 4) PROJECT MUST PROVIDE ACTIVE AND PASSIVE RECREATIONAL FACILITIES.

LANDSCAPE BUFFERS:

SEE LANDSCAPING PLAN ON DWG C-7.0

FENCES:

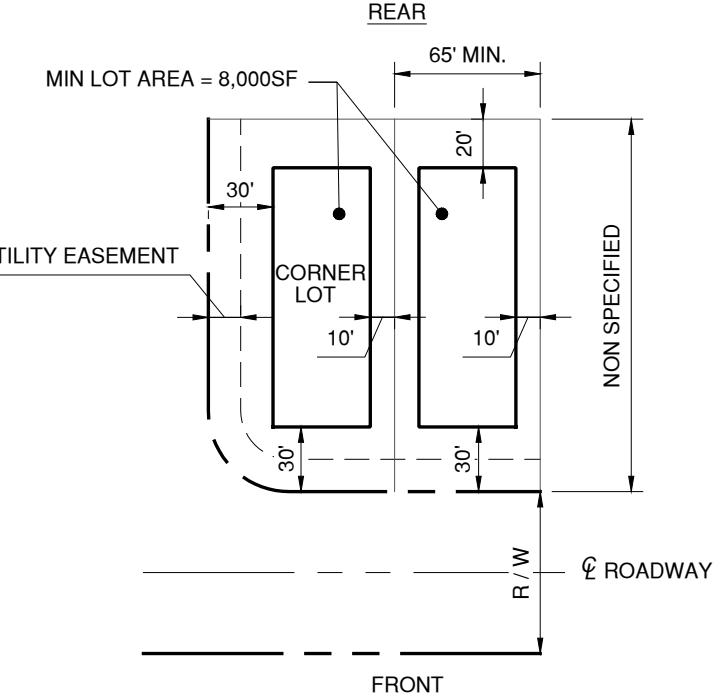
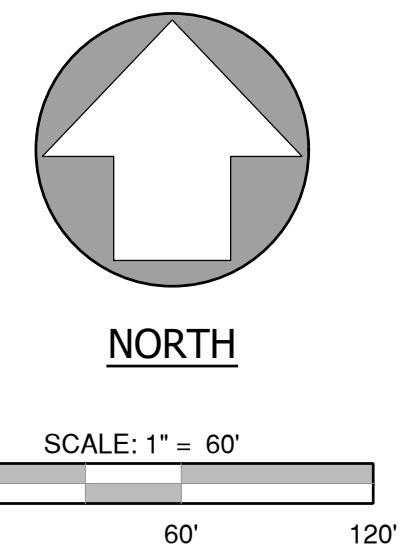
TO BE DETERMINED DURING SITE PLAN REVIEW PROCESS.

PUD APPROVAL NOTES:

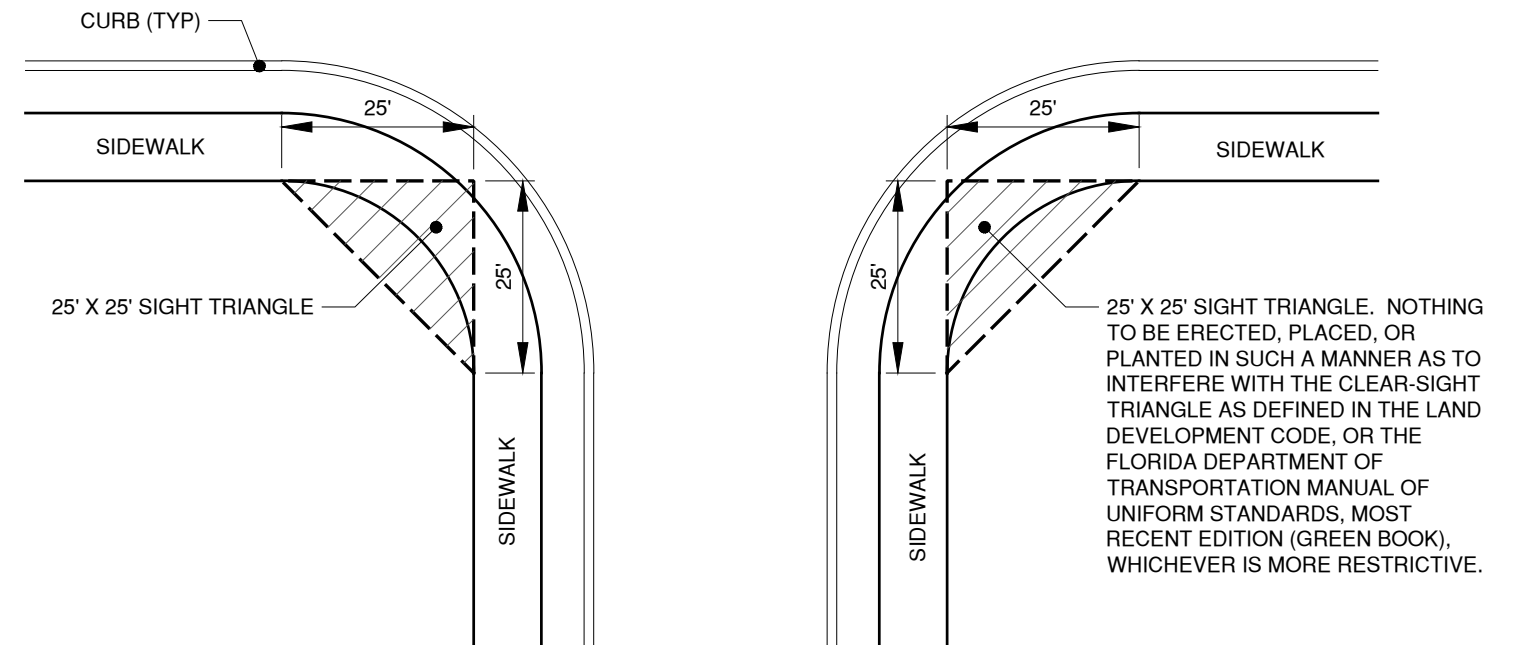
1. SHORELINE SETBACK SHALL BE 35 FT FROM O.H.W.L., WITH A 25 FT BUFFER.
2. MINIMUM LIVING AREA SHALL BE 1,200 SF.
3. MAXIMUM BUILDING COVERAGE = 40%
4. MAXIMUM HEIGHT = 35 FT

WETLAND CONSERVATION EASEMENT:

1. TRACT D SHALL BE DEDICATED AS A CONSERVATION EASEMENT TO THE CITY OF FRUITLAND PARK.



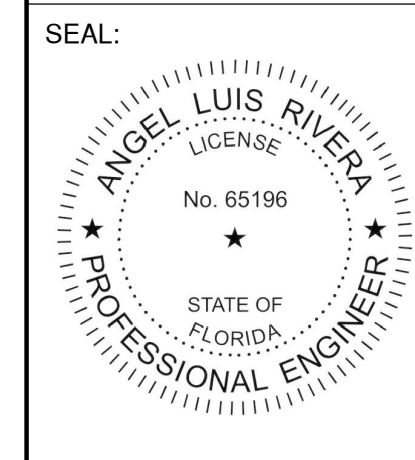
TYPICAL SINGLE FAMILY LOT DETAIL



INTERNAL STREETS CLEAR SIGHT TRIANGLE DETAIL

AB
A&B Engineering Consultants, P.A.
Civil Engineering
Land Planning
Inspections
Certificate of Authorization:
No. 27697
14164 Stilton St
Tampa, FL 33626
Toll free : 844-426-6354
ARiveraProperties@gmail.com
www.abcompanies.com

ELECTRONIC SIGNATURE:
Angel L. Rivera, State of Florida, Professional Engineer, License No. 65196. This item has been electronically signed and sealed by Angel L. Rivera on the date indicated here using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.



DATE
ANGEL L. RIVERA, P.E.
LIC. NO. 65196

PROJECT:

CRYSTAL LAKE VISTA
Myrtle Lake Ave
Fruitland Park, FL

REVISIONS

NO.	ISSUED DATE
-----	-------------

SCALE: 1"=60'

DATE: NOV 2022

SHEET TITLE:

PRELIMINARY PLAT

DWG NO.:

C-2.1

SHEET: 3 OF 9

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7d

ITEM TITLE: First Reading and Public Hearing – Resolution 2023-006 Arbor Park Phases II and III Preliminary Plat –
Petitioner: S. Gupta

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Tuesday, January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: Resolution 2023-006 Arbor Park Phases II and III Preliminary Plat formerly known as *Leesburg Fruit Company, Inc.* Planned Unit Development (PUD), a 177 ± acre mixed use planned unit development located south of Urick Street and east of CR 468. The PUD approval includes up to 700 hundred detached single family residential units, assisted living facilities up to 220 beds, a nursing home, commercial uses consistent with C-1 uses, convenience stores with fuel operations, restaurants, banks, recreation, and sport facilities with the total commercial square footage not to exceed 48,000 square feet. Approved single family lot widths varied from 50'-70'. The average lot size is listed as 7,000 square feet and the minimum lot size is listed as 6,250 square feet.

FUNDS BUDGETED: None

ATTACHMENTS: Proposed Resolution 2023-006, legal description, location map, preliminary, plat, staff report, site plan, and advertising affidavit.

RECOMMENDATION: Staff recommends approval subject to approval from engineering. The Planning and Zoning Board recommended approval at its January 19, 2023 meeting.

ACTION:

RESOLUTION 2023-006

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAN APPROVAL OF ARBOR PARK - PHASES 2 & 3 GENERALLY LOCATED WEST OF U.S. HWY 27/441, EAST OF COUNTY ROAD 468, NORTH OF GRIFFIN ROAD AND SOUTH OF URICK STREET, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant has petitioned for preliminary plan approval of Arbor Park – Phases 2 & 3 consisting of 347 single family residential lots and tracts for future development; and

WHEREAS, the subject property consisting of 106.95 +/- acres is zoned Mixed Community PUD and has a future land use of Mixed Use; and

WHEREAS, the Planning and Zoning Board and the City Commission have considered the application in accordance with Sec. 157.060(d) of the City of Fruitland Park Land Development Code and made recommendation to the City Commission; and

WHEREAS, the City Commission of the City of Fruitland Park has considered the application in accordance with the procedures for granting preliminary plan approval set forth in Sec. 157.060(d) of the City of Fruitland Park Land Development Code; and

WHEREAS, the City Commission finds that the Preliminary Plan for Arbor Park – Phases 2 & 3 is in compliance with the City’s land development regulations.

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

Section 1. Granting of Minor Subdivision Approval.

Approval of the Preliminary Plan for Arbor Park - Phases 2 & 3, a copy of which is attached hereto, is **GRANTED**.

Section 2. Effective Date.

This resolution shall become effective immediately upon its passage.

PASSED AND RESOLVED this _____ day of _____, 2023, by the City Commission of the City of Fruitland Park, Florida.

SEAL

CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA

CHRIS CHESHIRE, MAYOR

ATTEST:

ESTHER COULSON, CITY CLERK

Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Mobilian	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

Approved as to form:

Anita Geraci-Carver, City Attorney

OVERALL PROJECT LEGAL DESCRIPTION:

THE NORTH 726 FEET OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

AND:

THE SOUTH 594 FEET OF THE W 1/2 OF NE 1/4 OF NE 1/4 SECTION 16 , TOWNSHIP 19 , RANGE 24 EAST , LAKE COUNTY, FLORIDA.

AND:

THE EAST 756 FEET OF THE NORTH 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

AND:

THE SOUTH 50 FEET OF THE SOUTH 3/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS RIGHT OF WAY FOR MONTCLAIR ROAD, ALSO KNOWN AS COUNTY ROAD 468.

AND:

THAT PORTION OF BLOCK 46 IN THE TOWN OF FRUITLAND PARK, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DESCRIBED AS: BEGIN AT THE SOUTHWEST CORNER OF BLOCK 46 (S 1/4 OF SECTION 9, TOWNSHIP 19 S., RANGE 24 EAST, LAKE COUNTY, FLORIDA); RUN THENCE SOUTH 89° 46' 00" EAST ALONG THE SOUTH LINE OF BLOCK 46 FOR 400 FEET; RUN THENCE NORTH 00° 26' 10" EAST FOR 582.55 FEET; RUN THENCE NORTH 89° 33' 50" EAST FOR 36 FEET; RUN THENCE NORTH 00°26'10" EAST FOR 396.36 FEET TO THE NORTH LINE OF SAID BLOCK 46; RUN THENCE NORTH 89° 29' 50" WEST ALONG NORTH LINE OF SAID BLOCK 46 FOR 433.48 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 46; RUN THENCE SOUTH 00° 35' 00" EAST ALONG WEST LINE OF SAID BLOCK 46 FOR 980.70 FEET TO THE POINT OF BEGINNING.

AND:

A PORTION OF LOTS 1, 2 AND 3, BLOCK 46, TOWN OF FRUITLAND PARK, FLORIDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF BLOCK 46, RUN EAST 400 FEET TO POINT OF BEGINNING; NORTH 582.55 FEET, EAST 36 FEET, NORTH 396.36 FEET TO NORTH LINE OF BLOCK 46, EAST TO NORTHEAST CORNER OF BLOCK 46, SOUTH TO SOUTHEAST CORNER BLOCK 46, WEST TO POINT OF BEGINNING, SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

LESS AND EXCEPT: COMMENCE AT THE SOUTHWEST CORNER OF AFORESAID BLOCK 46 (ALSO BEING THE SOUTH 1/4 CORNER OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST); THENCE SOUTH 89°43' 16" EAST, ALONG THE SOUTH LINE OF BLOCK 46, A DISTANCE OF 400.00 FEET; THENCE NORTH 00°26'56" EAST, 342.53 FEET, FOR THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING CONTINUE NORTH 00°26'56" EAST, 239.91 FEET; THENCE SOUTH 89°33'50" EAST, 36.00 FEET; THENCE NORTH 00°25'26" EAST 396.16 FEET, TO THE SOUTH LINE OF URICK STREET (A 50 FOOT RIGHT-OF-WAY); THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°30'00" EAST, 400.00 FEET; THENCE SOUTH 00°26'10" WEST, 629.00 FEET THENCE SOUTH 89°33'50" WEST, 436.00 FEET, TO THE POINT OF BEGINNING.

AND:

W 1/2 OF NE 1/4; N 1/2 OF SE 1/4 OF NE 1/4, SECTION 16, TOWNSHIP 19, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

AND:

THE SOUTH 3/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS AND EXCEPT THE SOUTH 50 FEET THEREOF AND LESS COUNTY ROAD RIGHT OF WAY.

LESS AND EXCEPT:

THAT PORTION OF THE SOUTH 3/4 OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24

EAST, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4999, PAGES 1998-1999, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 468 AS SHOWN ON MAP BOOK 6, PAGE 150, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE NORTH LINE OF THE SOUTH 3/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN S 89°15'46" E, ALONG SAID NORTH LINE, A DISTANCE OF 300.00 FEET; THENCE LEAVING SAID NORTH LINE RUN S 00°51'09" W, A DISTANCE OF 420.52 FEET; THENCE N 89°25'43" W, A DISTANCE OF 300.00 FEET, TO THE SAID EAST RIGHT OF WAY LINE OF COUNTY ROAD 468; THENCE N 00°51'09" E, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 421.39 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT:

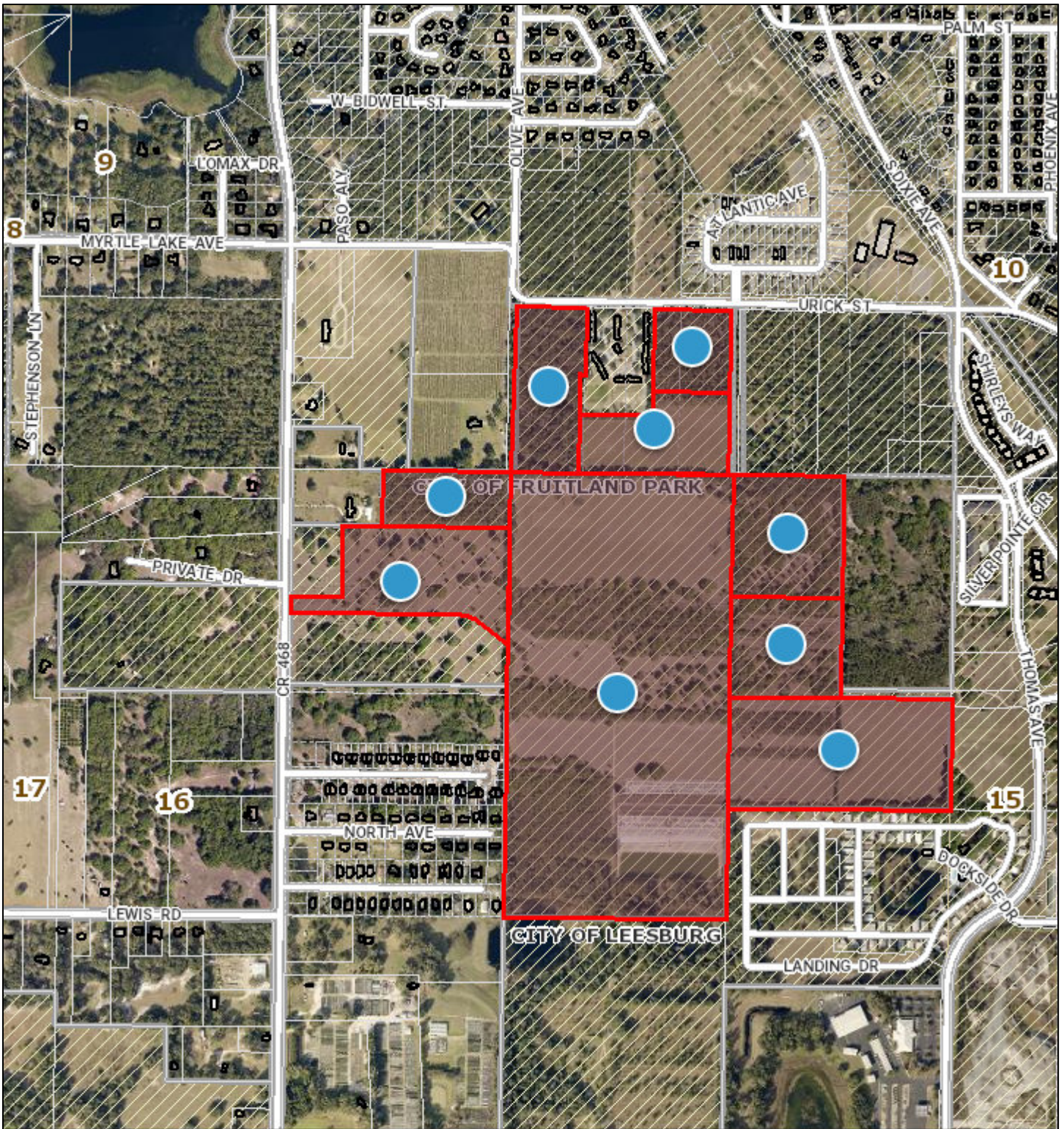
THAT PORTION OF THE SOUTH 3/4 OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4999, PAGES 1998-1999, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 468 AS SHOWN ON MAP BOOK 6, PAGE 150, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE NORTH LINE OF THE SOUTH 3/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN S 00°51'09" W, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 521.39 FEET FOR THE POINT OF BEGINNING; THENCE LEAVING SAID EAST RIGHT OF WAY LINE RUN S 89°25'43" E, A DISTANCE OF 998.71 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 200.00 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°11'51" AN ARC DISTANCE OF 133.33 FEET TO THE POINT A TANGENCY; THENCE S 51°13'51" E, A DISTANCE OF 211.21 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE S 00°58'09" W, ALONG SAID EAST LINE, A DISTANCE OF 249.11 FEET, TO THE SOUTHEAST CORNER OF SAID LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4999, PAGES 1998-1999; THENCE LEAVING SAID EAST LINE RUN N 89°22'43" W, ALONG THE SOUTH LINE OF SAID LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4999, PAGES 1998-1999, A DISTANCE OF 1288.71 FEET TO AN INTERSECTION WITH THE SAID EAST RIGHT OF WAY LINE OF COUNTY ROAD 468; THENCE N 00°51'09" E, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 421.42 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT:

THE SOUTH 50 FEET OF THE SOUTH 3/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS RIGHT OF WAY FOR MONTCLAIR ROAD, ALSO KNOWN AS COUNTY ROAD 468.

Arbor Park Phase 2 & 3



January 11, 2023

1:10,000

pointLayer

Override 1



Boat Ramps



County Parks

Street Names



Local Streets 10K



Subdivision Lots



Building Footprints

Property Name

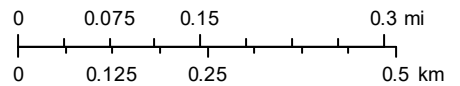
Tax Parcels

Conservation Easements

Township/Range Grid

Section Grid

City Limits In



Lake County Property Appraiser
Lake BCC

The Villages[®] DAILY SUN

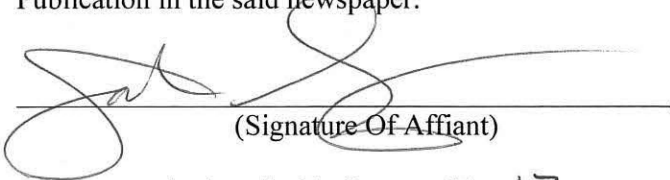
Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Joseph Szabo**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal #1104558 in the matter of

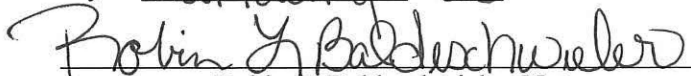
NOTICE OF PUBLIC HEARING
was published in said newspaper in the issues of

JANUARY 9, 2023

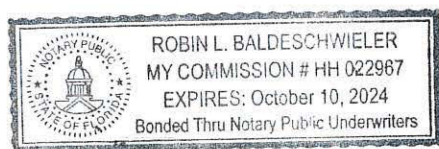
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for Publication in the said newspaper.


(Signature Of Affiant)

Sworn to and subscribed before me this 13
day of January 2023.


Robin L. Baldeschwieler, Notary

Personally Known X or _____
Production Identification _____
Type of Identification Produced _____



NOTICE OF PUBLIC HEARING RESOLUTION 2023-006

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAN APPROVAL OF ARBOR PARK - PHASES 2 & 3 GENERALLY LOCATED WEST OF U.S. HWY 27/441, EAST OF COUNTY ROAD 468, NORTH OF GRIFFIN ROAD AND SOUTH OF URICK STREET, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

Fruitland Park Planning &
Zoning Meeting on
January 19, 2023 at 6:00 p.m.

Fruitland Park City Commission
Meeting on
January 26, 2023 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued

as determined by the P&Z Board and City Commission from time to time to a date certain. The proposed resolution and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed resolution.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.

#1104558 January 9, 2023

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

PRELIMINARY PLAT

Owner(s): Park Square Homes – Suresh Gupta

Engineer: Halff Associates, Inc. – Charles Hiott, P.E.

General Location: South of Urick Street and East of CR 468

Number of Acres: 106.95 ± acres Phase II & III (Total Site 177.7 ± acres)

Existing Zoning: MUPUD

Existing Land Use: Mixed Use

Date: October 20th, 2022

Description of Project

A preliminary plat for Phase II and Phase III of Arbor Park, formerly known as Leesburg Fruit Company, Inc. Planned Unit Development, a 177 ± acre mixed use planned unit development located south of Urick Street and east of C.R. 468. The PUD approval includes up to 700 hundred detached single family residential units, assisted living facilities up to 220 beds, a nursing home, commercial uses consistent with C-1 uses, convenience stores with fuel operations, restaurants, banks, recreation, and sport facilities with the total commercial square footage not to exceed 48,000 square feet. Approved single family lot widths varied from 50’-70’. The average lot size is listed as 7,000 square feet and the minimum lot size is listed as 6,250 square feet.

The surrounding uses are provided in Table 1.

	Surrounding Zoning	Surrounding Land Use
North	R-3, R-2, R-1, PFD	SFLD, MFHD, Intuitional
South	County Agriculture	County Urban High Density
East	County Agriculture and Leesburg R-3	County Urban High Density
West	County R-1	County Urban Medium Density

Table 1. Surrounding Property Uses

Phase II & Phase III includes approval for 347 single family detached units on 106.95 ± acres. Lot widths range from 50’ to 70’, Table 2 provided the distribution of the lot widths. Ordinance 2019-003 requires 80% of the lots be 50’ wide, 10 percent of the lots to be 60’ wide, and the remaining 10 percent to be 70’ wide when the community is fully built out. The numbers

reflected from Phase I, II, and III, provide 80% 50' lots, 10% 60' lots, and 10% 70' lots as required in Ordinance 2019-003. Phase II and Phase III provide lot widths consistent with the intent of the approved PUD.

Lot width	Number of Lots in Phase II	Number of Lots in Phase III
50'	93	168
60'	21	20
70'	35	10

Assessment

Review Comments

Landscaping & Tree Preservation Review

A 25-foot landscaping buffer is provided along the perimeter of Phase II and III on all outside boundaries, and a 30' buffer is provided along Urick Street. A 5-foot pervious trail is within the 25-foot landscape buffer. Buffer landscape that is proposed is consistent with Chapter 164.

A tree survey is provided. Tree removal and proposed mitigation is addressed and meets the standards of Chapter 164.

Environmental Assessment

An environmental assessment by Austin Environmental Consultants, Inc, dated January 20, 2021, was submitted that covered 155 acres of the Leesburg Fruit PUD including the 106.95 ± acres of Arbor Square Fruitland Park Phase I and III. No bald eagle nests are located in proximity to proposed development. Active and inactive gopher tortoise's burrows were found on the subject property. It is recommended by the assessment that a 100% pedestrian survey be completed prior any construction activity. A FFWCC permit is required to relocate/trap gopher tortoises. Applicant is responsible to obtain any and all required state agency permits prior to commencing construction. No evidence of sand skinks was found on the property. However, a Sand Skink Coverboard Survey was performed by Austin Environmental Consultants, Inc. May 27th 2021. A 4-week formal coverboard survey detected a total of twenty (20) skink tracks within the project site on suitable habitat. The coverboard survey tracks, detected determined that 7.2 acres of the subject property contains occupied sand skink habitat and mitigation will be required from a USFWS approved Conservation Bank. No evidence of other species was found on the site.

The preliminary plat does not set aside habitat for sand skinks but instead they will be mitigating the impact by purchasing credits within an approved mitigation bank.

Onsite soils consist of four (4) soil types: Apopka sand 0-5 percent slopes), Candler fine sand (0-5 percent slopes), Candle fine sand (5 to 12 percent slopes), and Tavares sand (0-5 percent slopes).

Recommendation

- Staff recommends approval subject to engineering approval.

LAND USE ENTITLEMENT TABLE						
PHASE	SINGLE-FAMILY RESIDENTIAL DETACHED (DU)				COMMERCIAL (AC)	INSTITUTIONAL (AC)
	50' WIDE LOT	60' WIDE LOT	70' WIDE LOT	TOTAL		
PHASE 1	147	10	6	163	0	0
PHASE 2	93	21	35	149	0	0
PHASE 3	168	20	10	198	0	0
TOTAL	408	51	51	510	0	0
TOTAL %	80%	10%	10%	100%	-	-

- NOTES:
 1. PER PUD SECTION 4 THE NUMBER OF SINGLE-FAMILY DETACHED LOTS SHALL NOT EXCEED 700 UNITS.
 2. PER PUD SECTION 5 AT LEAST 10% OF SINGLE-FAMILY DETACHED LOTS SHALL BE 60' WIDE AND 10% SHALL BE 70' WIDE.

OVERALL SITE DATA

EXISTING ZONING: CITY OF FRUITLAND PARK MUPUD (ORD# 2019-003)
 LAND USE DESIGNATION: MIXED USE
 TOTAL PROJECT AREA: ± 160.34 AC
 FLOOD PLAIN: ZONE 'X'; ZONE 'A' PER FEMA PANEL 12069C0306E, 12069C0309E, DATED 12/18/2012
 UTILITIES PROVIDERS:
 WATER: CITY OF FRUITLAND PARK
 IRRIGATION: CITY OF FRUITLAND PARK
 SEWER: CITY OF FRUITLAND PARK
 POWER: DUKE ENERGY
 PHONE: CENTURYLINK
 CABLE: COMCAST

- NOTES:
 1. ON PLAN DENOTES LOT WIDTH.
 2. STORMWATER CONVEYANCE SYSTEM SHALL BE THROUGH SWALES AND STORM PIPE NETWORK TO RETENTION PONDS AND SHALL COMPLY WITH SJRWMD AND CITY OF FRUITLAND PARK STORMWATER DESIGN STANDARDS.
 3. ALL EASEMENTS WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
 4. LANDSCAPE BUFFERS ARE SHOWN ON PRELIMINARY PLAT. PLANT SPECIES AND PLANTINGS ARE TO MEET THE CITY OF FRUITLAND PARK LAND DEVELOPMENT REGULATIONS AND THE PUD.
 5. ALL AREAS NOT OTHERWISE DEDICATED TO THE PUBLIC OR THE CITY SHALL BE NOTED PRIVATE AND THE HOA / DEVELOPER WILL BE RESPONSIBLE FOR THEIR INFRASTRUCTURE.
 6. STREET LIGHTING SHALL BE THE DEVELOPERS RESPONSIBILITY.
 7. ALL WORK SHALL CONFORM TO THE CITY OF FRUITLAND PARK STANDARD DETAILS AND APPLICABLE LAND DEVELOPMENT REGULATIONS.

OVERALL PUD DATA	
GROSS AREA	176.76 AC
WATERBODIES	1.33 AC
BASE SITE AREA (DEVELOPABLE AREA)	175.43 AC
ALLOWABLE SINGLE-FAMILY RESIDENTIAL LOTS	700 DU
ALLOWABLE RESIDENTIAL GROSS DENSITY	3.99 DU/AC
LOT MAXIMUM IMPERVIOUS SURFACE RATIO (ISR)	60%
REQUIRED OPEN SPACE	43.86 AC 25.0%
COMMERCIAL AREA (FUTURE)	6.00 AC 3.4%
INSTITUTIONAL AREA (FUTURE)	11.65 AC 6.6%
PROPOSED DEVELOPMENT (PHASE 1, 2 & 3)	
SINGLE-FAMILY RESIDENTIAL LOTS	510
RESIDENTIAL GROSS DENSITY	2.91 DU/AC
AVERAGE LOT SIZE	7,000 SF
AREA OF OPEN SPACE	51.56 AC 29.4%
COMMERCIAL AREA	6.15 AC 3.5%
INSTITUTIONAL AREA	10.27 AC 5.9%

PHASE 2 & 3 PROJECT DATA	
GROSS SITE AREA	90.32 AC
WATERBODIES	0.00 AC
BASE SITE AREA (DEVELOPABLE AREA)	90.32 AC
IMPERVIOUS AREA	47.69 AC
PERVIOUS AREA	42.63 AC
IMPERVIOUS %	52.8%
RESIDENTIAL LOTS	347
PROPOSED GROSS RESIDENTIAL DENSITY	3.84 DU/AC
LOT MAXIMUM IMPERVIOUS SURFACE RATIO (ISR)	60%
MINIMUM LOT SIZE	6,250 SF
AVERAGE LOT SIZE	7,165 SF
AREA OF LOTS	57.07 AC 63.2%
AREA OF RIGHT OF WAY	17.50 AC 19.4%
AREA OF OPEN SPACE	15.60 AC 17.3%
AREA OF WETLANDS	0.00 AC 0.0%
AREA OTHER USES	0.14 AC 0.2%
TOTAL	90.32 AC 100.0%
AREA OF WETLANDS (ON-SITE)	0.00 AC
AREA OF WETLANDS IMPACTED (ON-SITE)	0.00 AC
AREA OF WETLANDS PRESERVED (ON-SITE)	0.00 AC
AREA OF CONSERVATION TRACTS	0.00 AC
AREA OF CONSERVATION EASEMENTS	0.00 AC
TOTAL CONSERVATION AREA	0.00 AC
AREA OF FLOODPLAIN (ON-SITE)	0.00 AC
AREA OF FLOODPLAIN IMPACTED (ON-SITE)	0.00 AC
LENGTH OF ROADS	13,997 FT
LENGTH OF SIDEWALKS	28,564 FT

PHASE 2 & 3 TRACT DATA TABLE				
TRACT	DESCRIPTION	AREA (AC)	OWNED	MAINTAINED
TRACT A	OPEN SPACE/BUFFER/STORMWATER	6.58	HOA	HOA
TRACT B	LIFT STATION	0.14	COFP	COFP
TRACT C	STORMWATER	0.06	HOA	HOA
TRACT D	STORMWATER	0.06	HOA	HOA
TRACT E	OPEN SPACE/STORMWATER	1.92	HOA	HOA
TRACT F	OPEN SPACE	0.73	HOA	HOA
TRACT G	OPEN SPACE	1.31	HOA	HOA
TRACT H	OPEN SPACE/PASSIVE RECREATION	4.83	HOA	HOA
TRACT I	STORMWATER	0.06	HOA	HOA
TRACT J	STORMWATER	0.06	HOA	HOA

REQUIRED JURISDICTIONAL AGENCY PERMITS

- ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
 - ENVIRONMENTAL RESOURCE PERMIT
- CITY OF FRUITLAND PARK
 - PRE-PLAT PLANS REVIEW
 - CONSTRUCTION PLANS REVIEW
- LAKE COUNTY
 - DRIVEWAY CONNECTION PERMIT(S)
- FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 - EXTENSION OF POTABLE WATER DISTRIBUTION SYSTEM
 - WASTEWATER COLLECTION AND TRANSMISSION SYSTEM

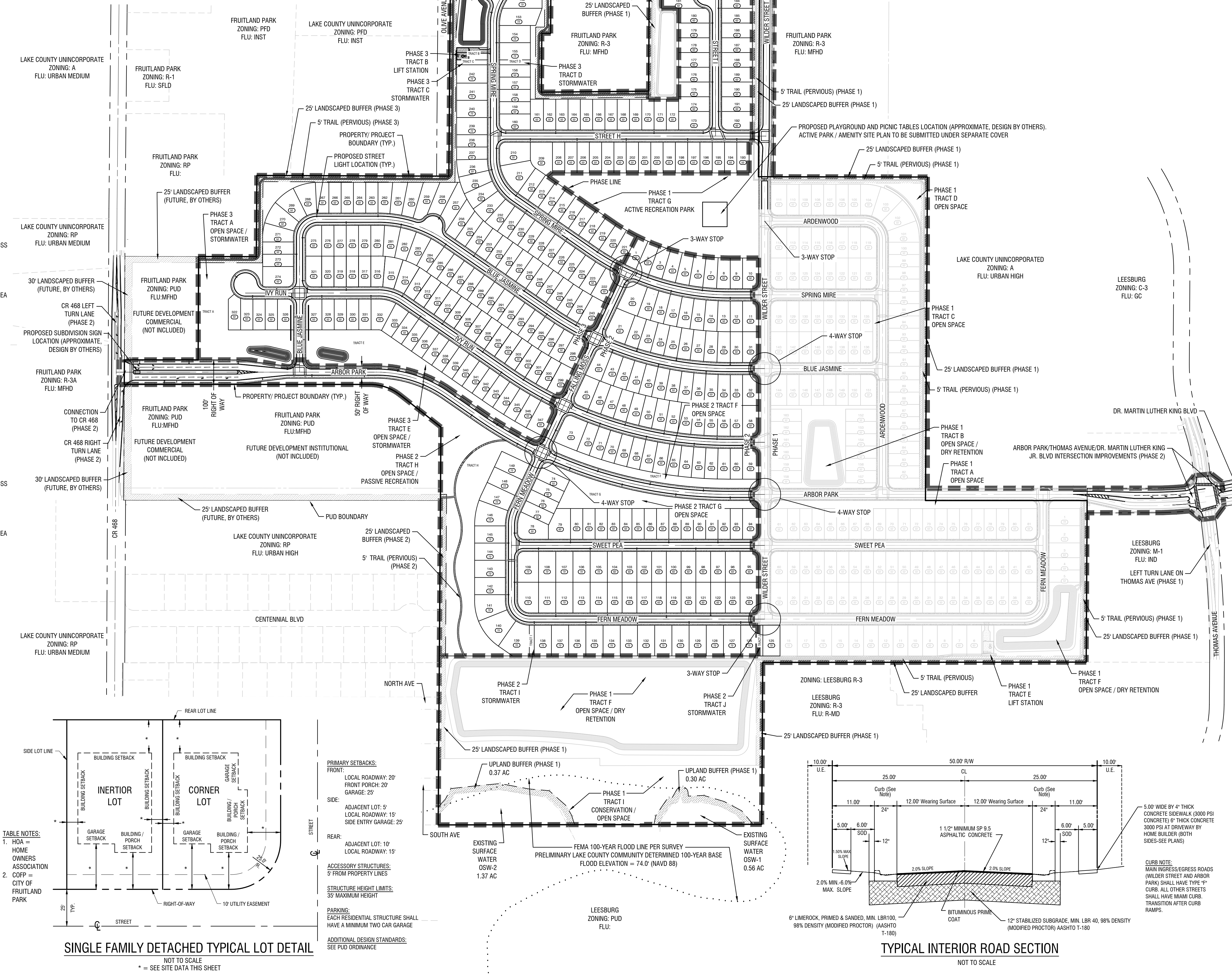
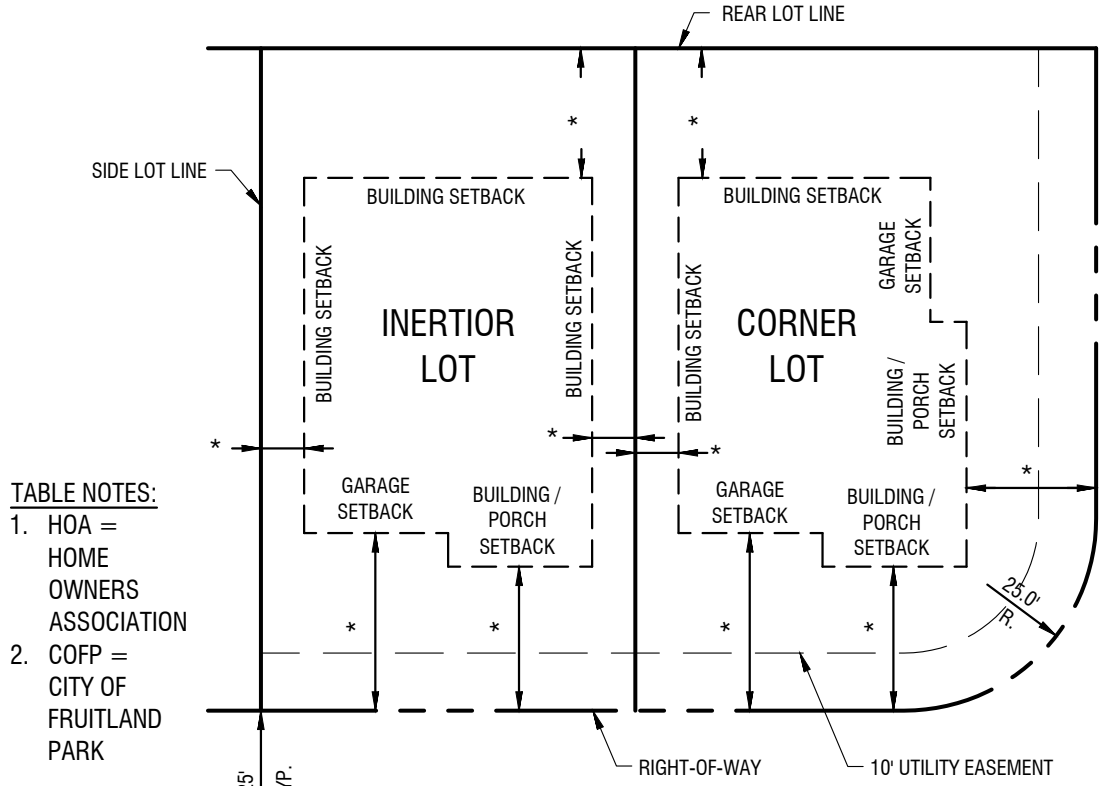
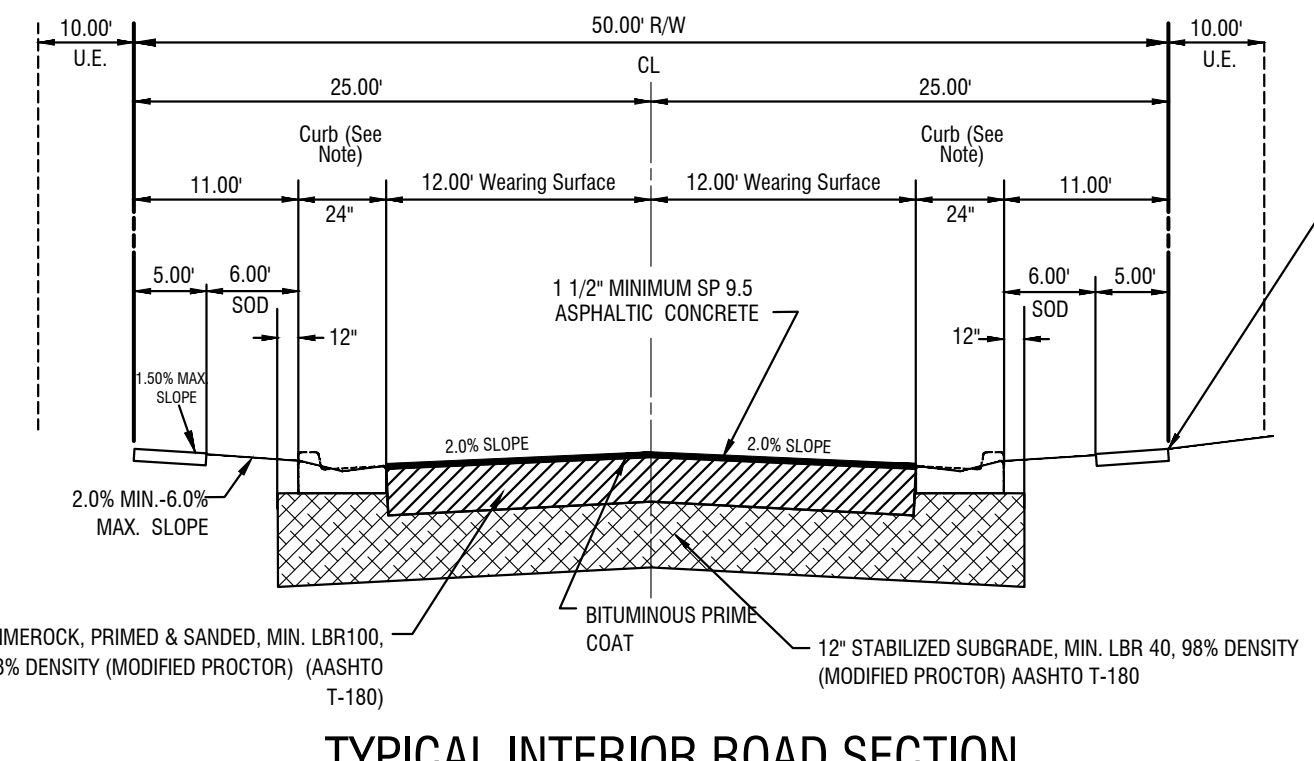


TABLE NOTES:
 1. BASE SITE AREA (DEVELOPABLE AREA) IS THE GROSS SITE AREA MINUS WATERBODIES.
 2. PERCENTAGES SHOWN ARE PERCENTAGES OF THE BASE SITE AREA (DEVELOPABLE AREA)

TABLE NOTES:
 1. BASE SITE AREA (DEVELOPABLE AREA) IS THE GROSS SITE AREA MINUS WATERBODIES.
 2. PERCENTAGES SHOWN ARE PERCENTAGES OF THE BASE SITE AREA (DEVELOPABLE AREA)



PRIMARY SETBACKS:
 FRONT: LOCAL ROADWAY: 20' FRONT PORCH: 20' GARAGE: 25'
 SIDE: ADJACENT LOT: 5' LOCAL ROADWAY: 15' SIDE ENTRY GARAGE: 25'
 REAR: ADJACENT LOT: 10' LOCAL ROADWAY: 15'
 ACCESSORY STRUCTURES: 5' FROM PROPERTY LINES
 STRUCTURE HEIGHT LIMITS: 35' MAXIMUM HEIGHT
 PARKING: EACH RESIDENTIAL STRUCTURE SHALL HAVE A MINIMUM TWO CAR GARAGE
 ADDITIONAL DESIGN STANDARDS: SEE PUD ORDINANCE



ARBOR PARK - PHASE 2 & 3
 FRUITLAND PARK, FL
 C-001
 MASTER PLAN

HALFF
 902 North Sinclair Ave.
 Tallahassee, Florida 32378
 Office: 352.343.8481
 Fax: 352.343.8485
 Certificate of Authorization Number: 33580

DATE: 10/14/2022
 DESIGNED BY: CBS
 DRAWN BY: NTD
 CHECKED BY: CBS
 JOB NO.: 45117
 C-001

CHARLES C. HIOTT, PE
 LICENSE # 54813
 PRE-PLAT SET - NOT FOR CONSTRUCTION

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7e

ITEM TITLE: First Reading and Public Hearing – Ordinance 2023-001 Boundary Amendment (Annexation) – 19.10+ Acres Multi Family Medium – South of Urick St and West of Thomas Avenue – Petitioner: Kimaya LLC

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Tuesday, January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: Ordinance 2023-001 Boundary Amendment to receive city services and develop a proposed subdivision including single family cottages, townhomes, and multi-family apartments.

FUNDS BUDGETED: None

ATTACHMENTS: Proposed Ordinance 2023-001, legal description, location map, staff report and advertising affidavit.

RECOMMENDATION: Staff recommends that a conceptual plan be submitted with the rezoning to R-10 and adequate schools determination or school concurrency reservation. The Planning and Zoning Board recommended approval at its January 19, 2023 meeting.

ACTION:

ORDINANCE 2023-001

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 19.10 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; 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 SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Vishaal Gupta, as Applicant, on behalf of Kimaya, LLC, Owner, requesting that approximately 19.10 ± acres of real property generally located south of Urick Street and west of Thomas Avenue (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, this Ordinance has been advertised as required by law with a copy of said notice sent via certified mail to the Board of County Commissioners of Lake County as provided for by statute; and

WHEREAS, the Planning and Zoning Board considered this ordinance at a public meeting; and

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

WHEREAS, the City Commission has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; and

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

Section 1. The recitals set forth above are hereby adopted as legislative findings of the City Commission of the City of Fruitland Park.

Section 2. The following described property consisting of approximately 19.10 acres of land generally located south of Urick Street and west of Thomas Avenue, 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: See attached Exhibit A.

Parcel Alternate Key No. 1289891

Section 3. Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Fruitland Park, and shall be entitled to the same privileges and benefits as other parts of the City of Fruitland Park upon the effective date of the annexation. Except that 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 4. 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. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

Section 5. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 6. 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 7. All ordinances and parts of ordinances to the extent in conflict with this Ordinance are hereby repealed.

Section 8. 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 _____, 2023.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

(SEAL)

ATTEST:

Esther Coulson, MMC, City Clerk

Approved as to Form:

Anita Geraci-Carver, City Attorney

Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor DeGrave _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____

EXHIBIT A
Legal Description

THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, SECTION 16,
TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.
LESS THE SOUTH 50 FEET THEREOF.

ALSO DESCRIBED AS:

BEGIN AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 19 SOUTH,
RANGE 24 EAST, LAKE COUNTY, FLORIDA THENCE S 00°53'57" E, ALONG THE
EAST LINE OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, A DISTANCE OF 1265.41
FEET; THENCE N 89°25'38" W, A DISTANCE OF 657.76 FEET, TO THE WEST LINE OF
THE EAST 1/ 2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, THENCE N 00°55'00"
E, ALONG SAID WEST LINE, A DISTANCE OF 1266.62 FEET, TO THE NORTH LINE
OF THE NE 1/4 OF SAID SECTION 16; THENCE S 89°19'17" E, ALONG SAID NORTH
LINE, A DISTANCE OF 657.37' TO THE POINT OF BEGINNING.

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

ANNEXATION, SSCPA, AND REZONING

Owner: Kimaya, LLC

Applicant: Vishaal Gupta

General Location: Silver Pointe Circle/ Urick St/ Thomas Ave

Number of Acres: 19.10 ± acres

Existing Zoning: Agriculture (Lake County)

Proposed Zoning: R-10 (City of Fruitland Park)

Existing Land Use: Urban High (Lake County) (12 units/acre)

Proposed Land Use: Multi-Family Medium Density (10 units/acre)

Date: December 13, 2022

Description of Project

The applicant is requesting annexation, a small-scale comp plan amendment, and a rezoning to receive city services and develop a proposed subdivision including single family cottages, townhomes, and multi-family apartments.

	Surrounding Zoning	Surrounding Land Use
North	R-15	Multi-Family High Density (15 units/acre)
South	City of Leesburg – appears to be r/w	City of Leesburg – no land use designated
East	C-3	General Commercial (City of Leesburg)
West	MUPUD	Mixed Community (6 units/acre)

Assessment

Applications

Please be advised that the concurrency application indicates 304 units; however, the maximum # of units that potentially could be allowed is 191. Please revise application.

Annexation

The subject site is adjacent to the City limits along the northern and western property boundaries and is eligible for voluntary annexation. The proposed annexation would be considered infill development. The subject site is also within the City's Utility Service Area.

Rezoning

The subject property is currently zoned Agriculture in Lake County and the proposed City zoning is R-10 (minimum lot size for single family of 8,000 square feet with central sewer being utilized, and minimum lot size for multi-family of 6,000 square feet with central sewer). The proposed zoning is compatible with the adjacent lands. The property to the North is zoned R-15, and to the west the property is zoned MUPUD (6 units/acre). The property to the South is City of Leesburg (appears to be City of Leesburg right of way), and to the east the property is zoned C-3.

Small Scale Comp Plan Amendment

For comprehensive plan purposes a maximum development scenario was utilized.

Residential Needs Analysis – The housing element data and analysis indicates the City requires a minimum of 5,460 additional dwelling units to meet the projected need through 2035. The addition of 287 units will assist in meeting this need.

School Impact Analysis – The amendment will decrease the impacts to schools, as it is a decrease in density from 12 units/acre (228 units) to 10 units/acre (191 units). The decrease in school age children is from 65 students to 54 students; a decrease of 11 students. Please provide adequate school facilities determination from Lake County Schools.

Existing County Land Use Residential Units: 228 units

Proposed Development Residential Units: 191 units

The anticipated number of students generated by the existing land use is shown in Table 1.

**TABLE 1
STUDENTS GENERATED BASED ON EXISTING DEVELOPMENT**

Lake County Student Generation Rates	
Multi-Family	
Type	Student Multipliers per Dwelling Unit
High School	0.143
Middle School	0.063
Elementary School	0.077
Total	0.283

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	0	0.152	0	228	0.143	33	33
MIDDLE	0	0.074	0	228	0.063	14	14
HIGH	0	0.102	0	228	0.077	18	18
GRAND TOTAL							65

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

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	0	0.152	0	191	0.143	27	27
MIDDLE	0	0.074	0	191	0.063	12	12
HIGH	0	0.102	0	191	0.077	15	15
GRAND TOTAL							54

Traffic Impact Analysis – The amendment will decrease traffic impacts as it is an decrease in density. The LOS for Dr Martin Luther King Jr. Blvd is “D”. Results of the trip analysis indicate that the proposed amendment will decrease the daily trips by 281 and reduce the PM Peak hour trips by 23. The proposed increase in traffic is considered de minimus.

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
MF Residential	191 units	220	1,388	105	66	39
TOTAL GROSS TRIPS (PROPOSED)			1,388	105	66	39

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
MF Residential	228 units	220	1,669	128	80	47
TOTAL GROSS TRIPS (EXISTING)			1,669	128	80	47

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

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-23	-14	-8

Solid Waste Impact Analysis – The LOS for solid waste is 2 collections per week pursuant to Public Facilities Policy 4-6.1. The City utilizes a private waste hauler through a franchise agreement. The amendment will not cause a deficiency in the LOS.

Utility Impact Analysis – The subject site is within the City of Fruitland Park Utility Service Area and central water is available. The LOS for water is 172 gallons per resident per day pursuant to Public Facilities Policy 4-10.1. The estimated population based on US Census data (estimated 2019) of 2.42 person per household is 462. The estimated water usage is 0.079.

The City 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 1.22 MGD. The City has a current available capacity of .396 mgpd and an analysis was conducted of the proposed amendment based on 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 0.317 mgpd.

The City of Fruitland Park provides sanitary sewer. The City of Fruitland Park has an agreement with the Town of Lady Lake to treat sewage and the maximum capacity is 500,000 gallons per day (0.5 mgd). The City currently has an available capacity of 430,000 gallons per day (0.43 mgd). The LOS for sanitary sewer is 122 gallons per resident per day pursuant to Public Facilities Policy 4-2.1. The estimated population based on US Census data (estimated 2019) of 2.42 person per household is 462. The estimated sanitary sewer usage is 0.056 (mgd). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining capacity of 0.374 (mgd).

Environmental Analysis – There are no wetlands or surface waters onsite. Formal surveys for the federally listed sand skink were completed in accordance with USFWS survey protocol in May 2022. A 4-week formal coverboard survey detected a total of forty-seven (47) coverboard with skink tracks within the project site on suitable habitat. The coverboard survey tracks detected determined that 7.43 acres of the subject property contains occupied sand skink habitat and if this area cannot be avoided then mitigation will be required from a USFWS approved Conservation Bank.

There were no known eagle nests observed on the property. A pedestrian survey of the subject property located potentially occupied gopher tortoise burrows. Prior to land clearing and/or construction it is advised that a 100% survey of all potentially suitable gopher tortoise habitat be performed. Prior to development, appropriate regulatory permits will be required.

Comprehensive Plan Compliance

The subject amendment is consistent with the following Comprehensive Plan policies, among others. The amendment will further the City’s goals in meeting projected housing demands through 2035.

- FLU Policy 1-1.1:** Adequate Residential Land Area.
- FLU Policy 1-1.2:** Density and Intensity Standards and Table 1-1 – Multi-Family Medium Density, 10 units/acre.
- FLU Policy 1-1.6:** Multiple-Family Medium Density.
- FLU Policy 1-2.1:** Promote Orderly, Compact Growth.

Recommendation

It is highly recommended that a conceptual plan be submitted with the rezoning to R-10. Please submit adequate schools determination or school concurrency reservation.

The Villages
DAILY SUN

Published Daily
 Lady Lake, Florida
 State of Florida
 County Of Lake

Before the undersigned authority personally appeared **Joseph Szabo**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal #1104495 in the matter of

NOTICE OF PUBLIC HEARING

was published in said newspaper in the issues of

JANUARY 9, 2023

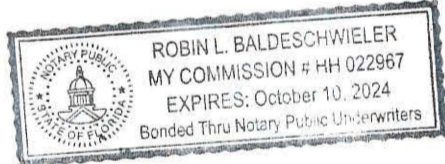
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for Publication in the said newspaper.

(Handwritten Signature)
 (Signature Of Affiant)

Sworn to and subscribed before me this 13 day of January 2023.

(Handwritten Signature)
 Robin L. Baldeschwieler, Notary

Personally Known X or
 Production Identification _____
 Type of Identification Produced _____



NOTICE OF PUBLIC HEARING

ORDINANCE 2023 - 001

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 19.10 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; 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 SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE

ORDINANCE 2023-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE 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, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

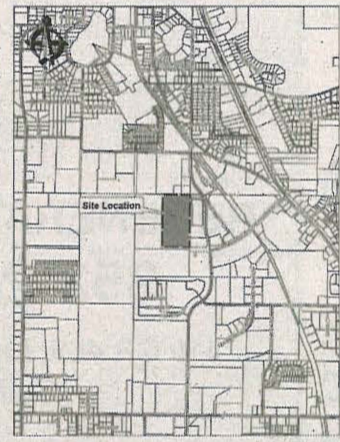
ORDINANCE 2023-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.10 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) TO CITY OF FRUITLAND PARK R-10 WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinances will be considered at the following public meetings:
 Fruitland Park Planning & Zoning Board Meeting on January 19, 2023 at 6:00 p.m.
 Fruitland Park Land Planning Agency Meeting on January 26, 2023 at 6:15 p.m.
 Fruitland Park City Commission Meeting on January 26, 2023 at 6:00 p.m.
 Fruitland Park City Commission Meeting February 9, 2023 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time/date certain. The proposed Ordinances and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed resolution.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.



AIR DUCT
 by **FRESH**
 Is your home
ALLERGIES?
 We use brand
 hepa filter
 clean
FREE
 AIR HANDLER
 INSPECTION (REG)
 We also offer: A/C Clean
 No Gas or Trip Charge
 Sanitizing • UV
 Licensed & Insured for

Breakthrough
for Headaches
and Lower

- Traditional Massage
- Chiropractic
- Specific Nutritional
- Protocols for
- Spinal Decompression
- Laser to Accelerate
- Most Insurance

CHI
 Robert Ar...

369 Colony Blvd.
 The patient and any other person responsible for payment within 72

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7f

ITEM TITLE: First Reading and Public Hearing - Ordinance 2023-002
SSCPA - South of Urick Street and West of Thomas
Avenue - Petitioner: Kimaya, LLC

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Tuesday, January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: Ordinance 2023-002 small-scale comprehensive plan amendment to receive city services and develop a proposed subdivision including single family cottages, townhomes, and multi-family apartments. The Planning and Zoning Board at its January 19, 2023 meeting recommended approval.

FUNDS BUDGETED: None

ATTACHMENTS: Proposed Ordinance 2023-002, legal description and maps. (See Item 7e for staff report and advertising affidavit.)

RECOMMENDATION: It is highly recommended that a conceptual plan be submitted with the rezoning to R-10 and that adequate schools' determination or school concurrency reservation be submitted. The Planning and Zoning Board recommended approval at its January 19, 2023 meeting.

ACTION:

ORDINANCE 2023-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE 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, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Vishaal Gupta as applicant, on behalf of Kimaya, 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 Medium Density" 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 FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1: The following described property consisting of approximately 19.10 ± acres generally located south of Urick Street and west of Thomas Avenue as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Multi-Family Medium 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. Direction to the City Manager.

Upon the Effective Date of this ordinance, the City Manager is hereby authorized to amend the comprehensive plan and future land-use map as identified herein after compliance with F.S. 163.3187 and F.S. 163.3184(11).

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: Scrivener’s Errors.

Scrivener’s errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 7. Adoption

After adoption, a copy hereof shall be forwarded to the Department of Economic Opportunity.

Section 8: 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. 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 _____, 2023.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk

Anita Geraci-Carver, City Attorney

Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice-Mayor DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)

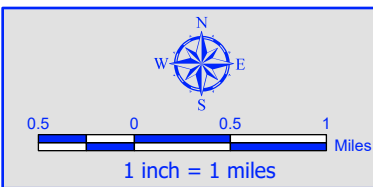
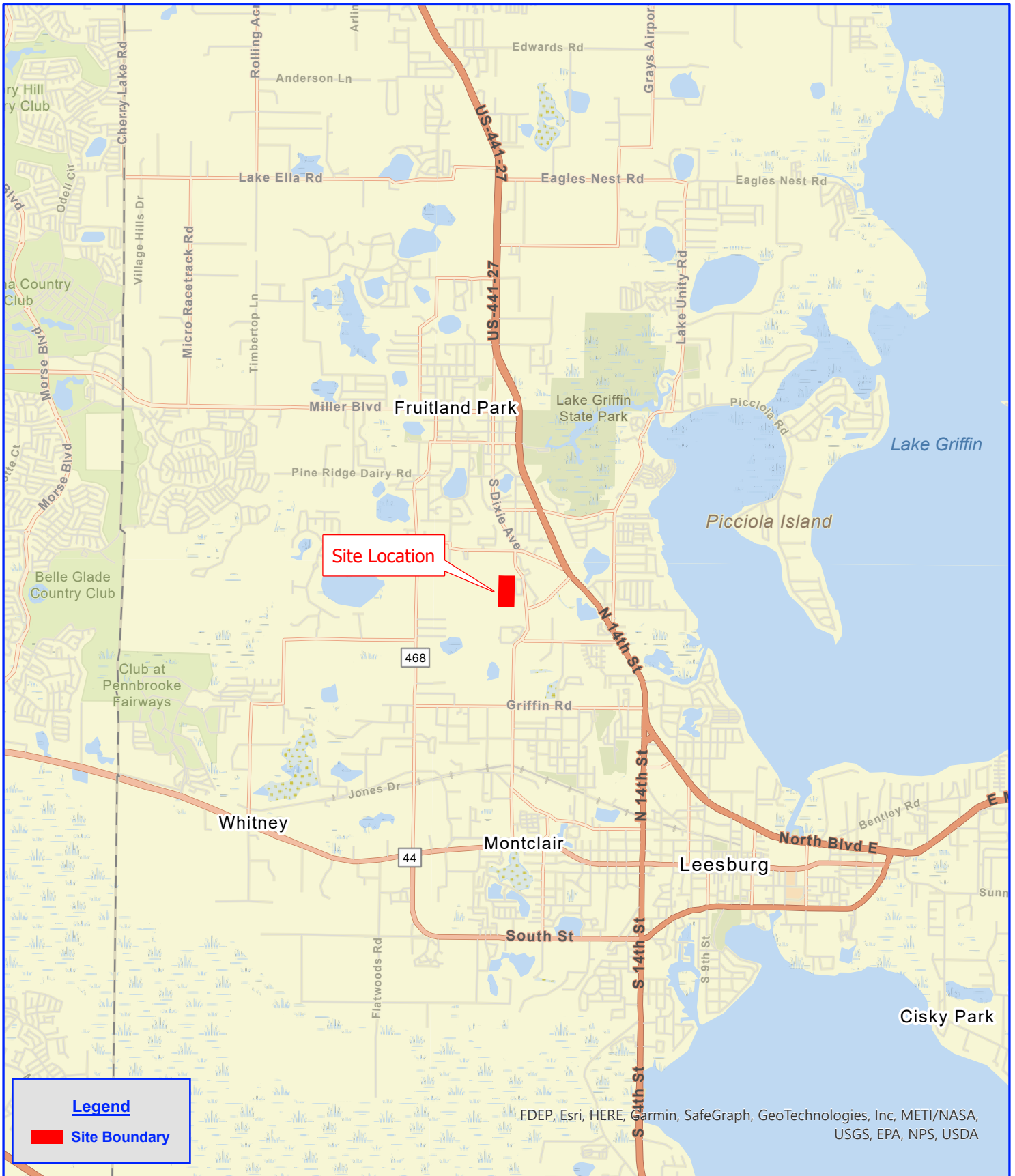
“EXHIBIT A”

THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, SECTION 16,
TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.
LESS THE SOUTH 50 FEET THEREOF.

ALSO DESCRIBED AS:

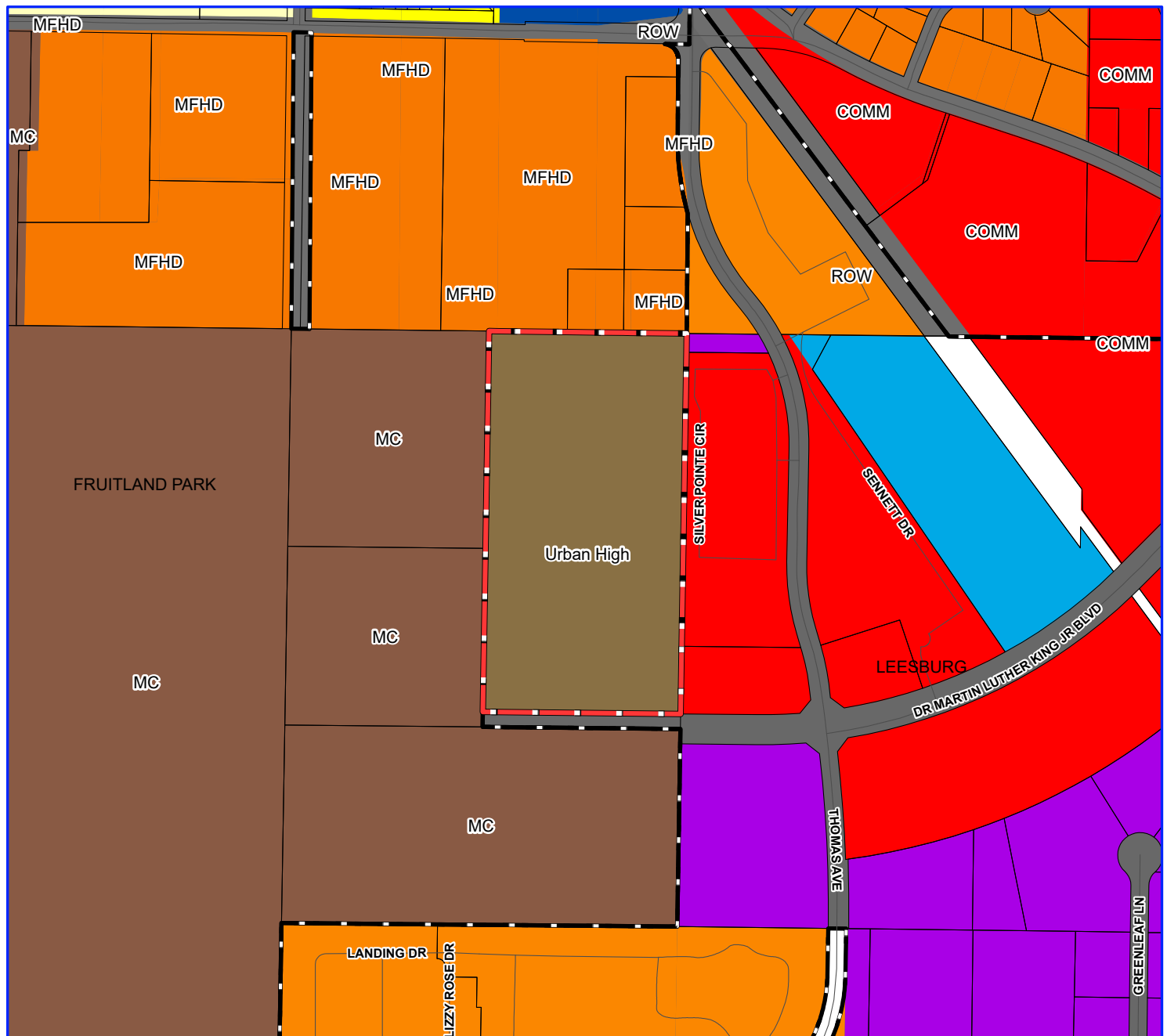
BEGIN AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 19 SOUTH,
RANGE 24 EAST, LAKE COUNTY, FLORIDA THENCE S 00°53'57" E, ALONG THE
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THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, THENCE N 00°55'00"
E, ALONG SAID WEST LINE, A DISTANCE OF 1266.62 FEET, TO THE NORTH LINE
OF THE NE 1/4 OF SAID SECTION 16; THENCE S 89°19'17" E, ALONG SAID NORTH
LINE, A DISTANCE OF 657.37' TO THE POINT OF BEGINNING.

EXHIBIT B



City of Fruitland Park
Park Square
 Lake County, Florida
 Location Map





Legend


-  Site Boundary
-  City Limits


Lake County Future Land Use


 Urban High Density

City of Fruitland Park Future Land Use


 SFLD, Single Family Low Density

 SFMD, Single Family Medium Density

 MFHD, Multiple Family/High Density


 COMM, Commercial

 MC, Mixed Community

 INST, Institutional

 ROW, Transportation

City of Leesburg Future Land Use

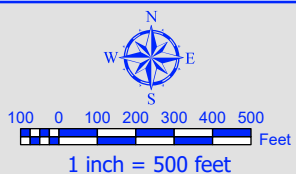
 RIGHT-OF-WAY

 GENERAL COMMERCIAL

 INSTITUTIONAL

 INDUSTRIAL

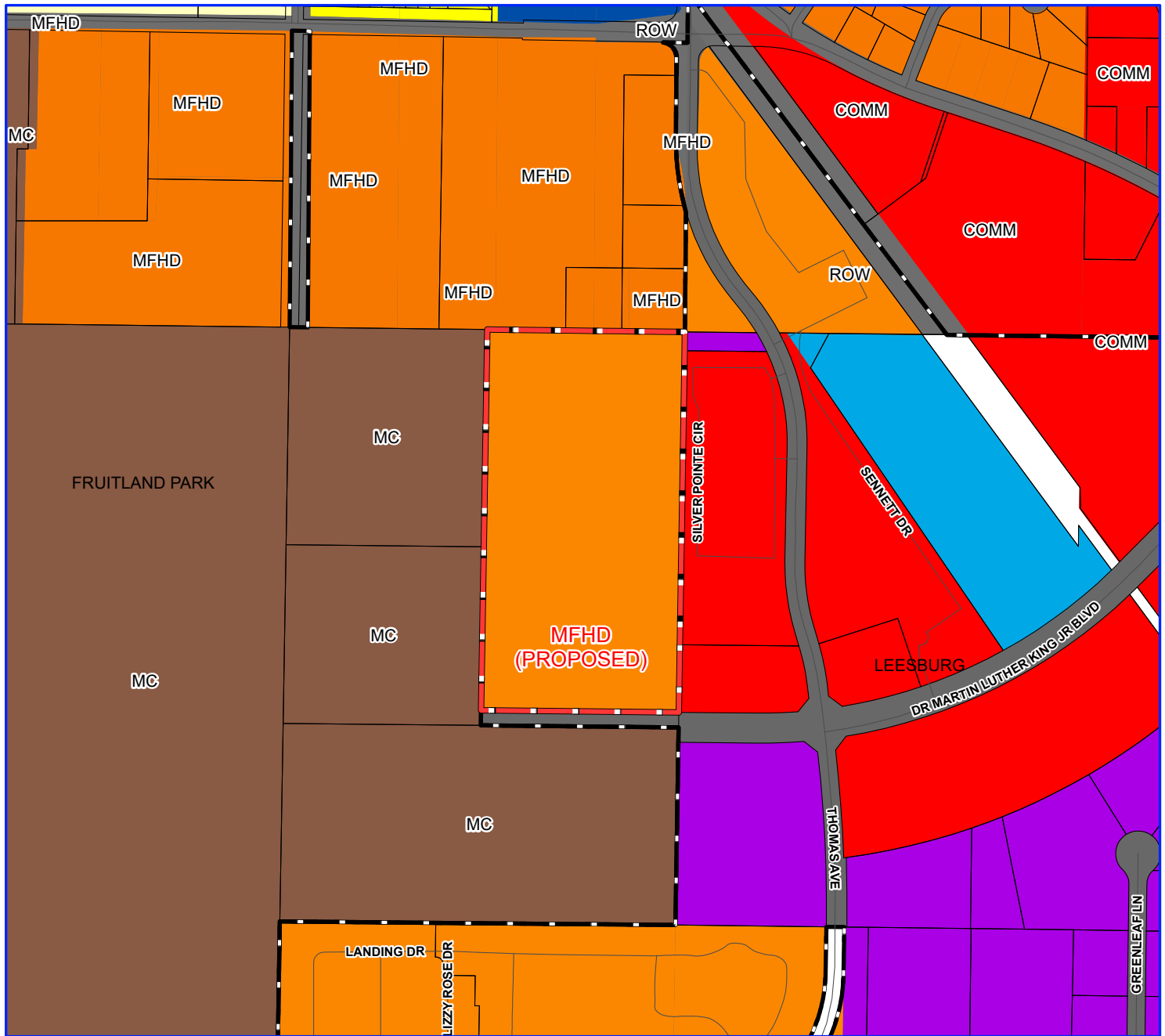
 HIGH DENSITY



**City of Fruitland Park
Park Square
Lake County, Florida
Existing Future Land Use Map**

Project: 398-22-10
File: Existing FLU
Name: Park Square
PM: Sherie Lindh
Date: December 7, 2022
Created By: J. Wilson





Legend

Site Boundary

City Limits

Lake County Future Land Use

Urban High Density

City of Fruitland Park Future Land Use

SFLD, Single Family Low Density

SFMD, Single Family Medium Density

MFHD, Multiple Family/High Density

COMM, Commercial

MC, Mixed Community

INST, Institutional

ROW, Transportation

City of Leesburg Future Land Use

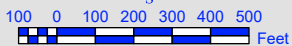
RIGHT-OF-WAY

GENERAL COMMERCIAL

INSTITUTIONAL

INDUSTRIAL

HIGH DENSITY



1 inch = 500 feet

**City of Fruitland Park
Park Square
Lake County, Florida
Proposed Future Land Use Map**

Project: 398-22-10
File: Proposed FLU
Name: Park Square
PM: Sherie Lindh
Date: December 7, 2022
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CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7g

ITEM TITLE: First Reading and Public Hearing - Ordinance 2023-003
Rezoning - South of Urick Street and West of Thomas
Avenue - Petitioner: Kimaya, LLC

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Tuesday, January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: Ordinance 2023-003 rezoning to receive city services and develop a proposed subdivision including single family cottages, townhomes, and multi-family apartments. The Planning and Zoning Board at its January 19, 2023 meeting recommended approval.

FUNDS BUDGETED: None

ATTACHMENTS: Proposed Ordinance 2023-003, legal description and maps. (See Item 7e for staff report and advertising affidavit.)

RECOMMENDATION: It is highly recommended that a conceptual plan be submitted with the rezoning to R-10 and that adequate schools' determination or school concurrency reservation be submitted. The Planning and Zoning Board recommended approval at its January 19, 2023 meeting.

ACTION:

ORDINANCE 2023-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.10 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) TO CITY OF FRUITLAND PARK R-10 WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Vishaal Gupta as applicant, on behalf of Kimaya, LLC as Owner, requesting that real property within the city limits of the City of Fruitland Park be rezoned from Lake County A to City Multi-Family Medium Density Residential (R-10) 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 zoning 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 FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1. The following described property consisting of approximately 19.10 ± acres generally located South of Urick Street and west of Thomas Avenue as described and depicted as set forth on Exhibit "A" shall hereafter be designated as R-10 "Multi-Family Medium Density Residential" as defined in the Fruitland Park Land Development Regulations.

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

Section 3. 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 4. Scrivener's Errors. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

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 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 _____, 2023.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk

Anita Geraci-Carver, City Attorney

Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Vice-Mayor DeGrave	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Mobilian	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)

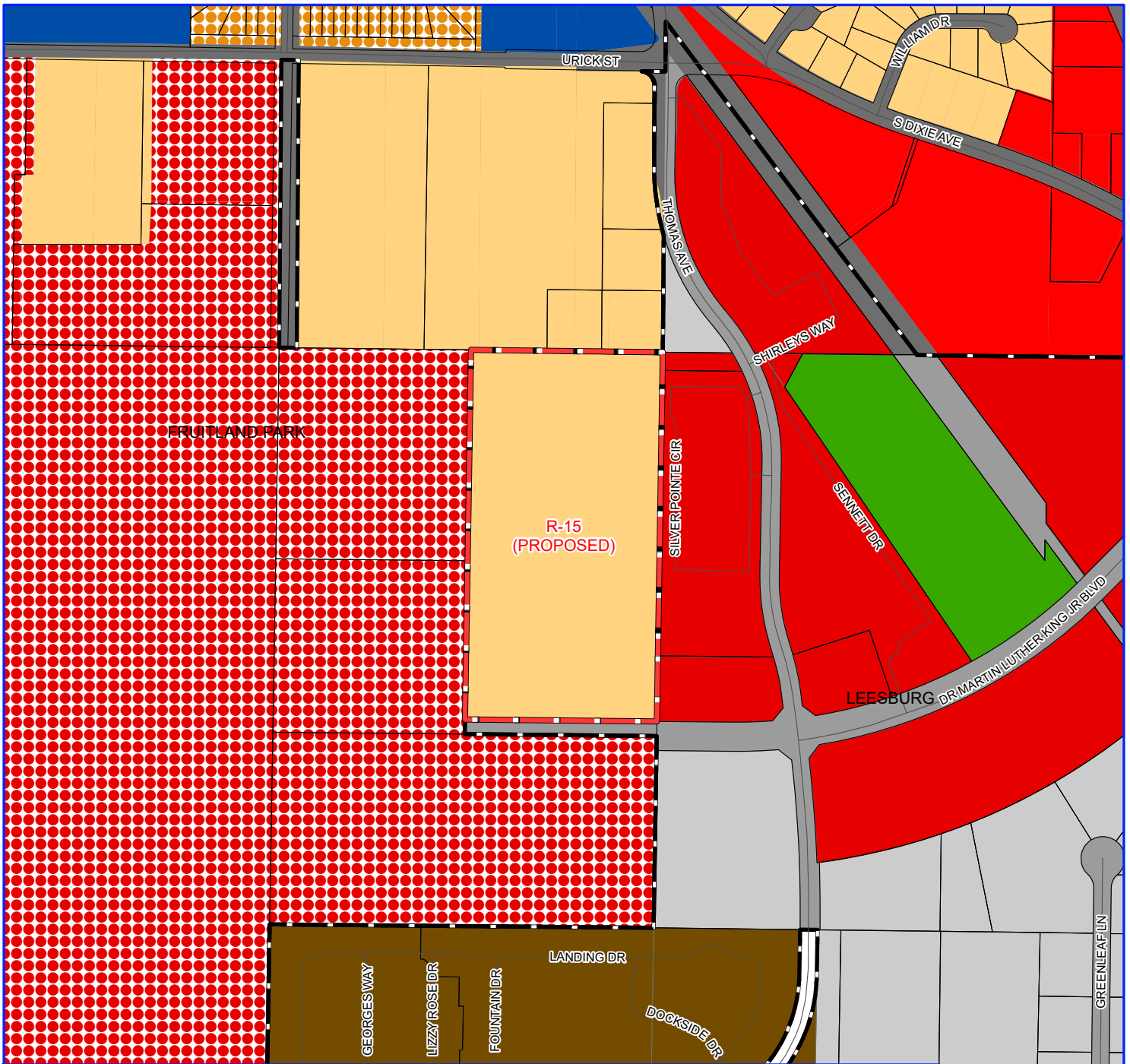
“EXHIBIT A”

THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, SECTION 16,
TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.
LESS THE SOUTH 50 FEET THEREOF.

ALSO DESCRIBED AS:

BEGIN AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 19 SOUTH,
RANGE 24 EAST, LAKE COUNTY, FLORIDA THENCE S 00°53'57" E, ALONG THE
EAST LINE OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, A DISTANCE OF 1265.41
FEET; THENCE N 89°25'38" W, A DISTANCE OF 657.76 FEET, TO THE WEST LINE OF
THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, THENCE N 00°55'00"
E, ALONG SAID WEST LINE, A DISTANCE OF 1266.62 FEET, TO THE NORTH LINE
OF THE NE 1/4 OF SAID SECTION 16; THENCE S 89°19'17" E, ALONG SAID NORTH
LINE, A DISTANCE OF 657.37' TO THE POINT OF BEGINNING.

EXHIBIT B



Legend

Site Boundary

City Limits

Lake County Zoning

Agriculture

City of Fruitland Park Zoning

R-15, Multi-Family Residential - High Density

C-2, General Commercial

PUD, Planned Unit Development

CPUD, Commercial Planned Unit Development District

PFD, Public Facilities District

ROW, Right-of-Way

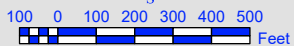
City of Leesburg Zoning

C-3

M-1

P

R-3

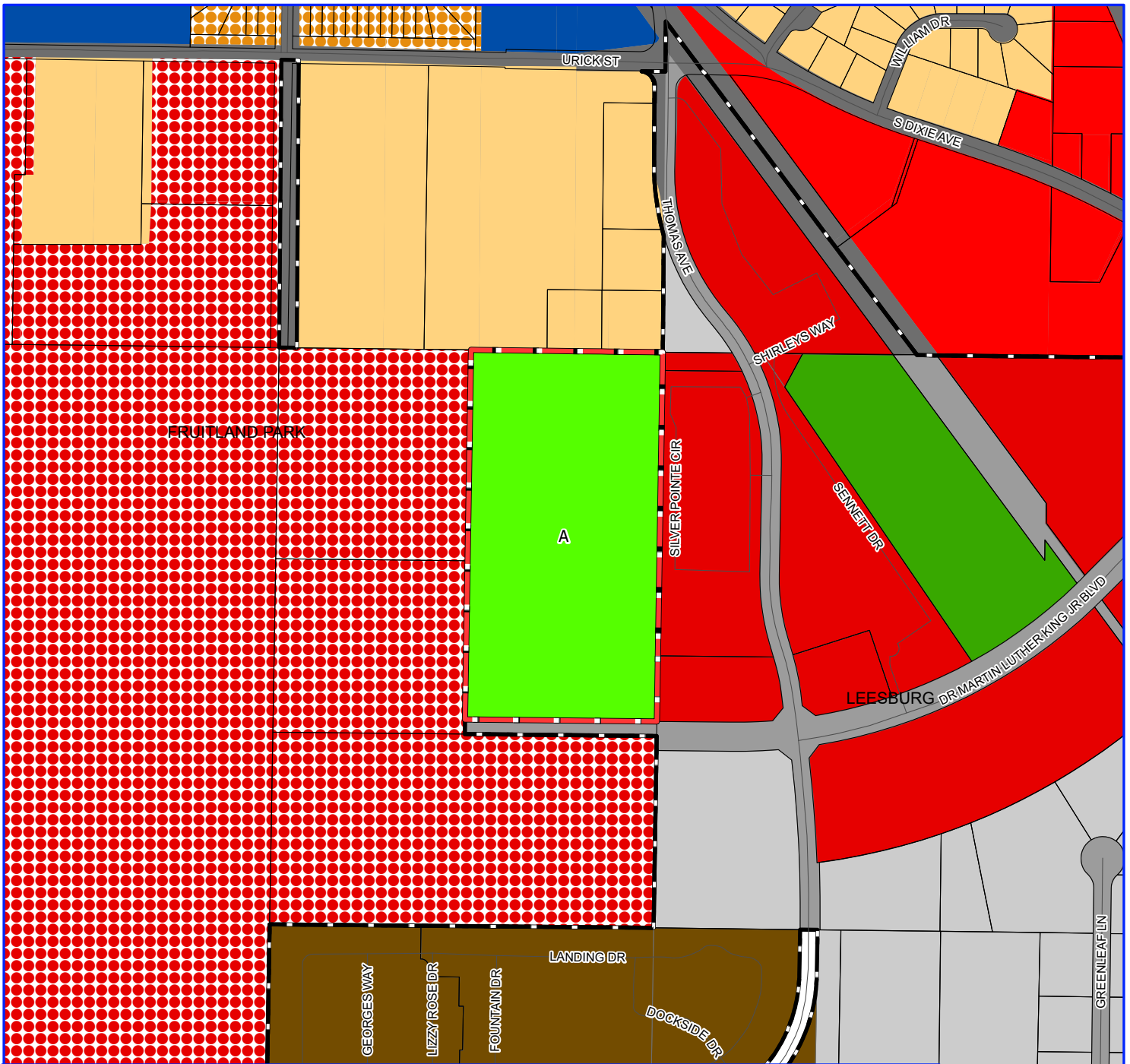


1 inch = 500 feet

**City of Fruitland Park
Park Square
Lake County, Florida
Proposed Zoning Map**

Project: 398-22-10
File: Proposed Zoning
Name: Park Square
PM: Sherie Lindh
Date: December 7, 2022
Created By: J. Wilson





Legend

Site Boundary

City Limits

Lake County Zoning

Agriculture

City of Fruitland Park Zoning

R-15, Multi-Family Residential - High Density

C-2, General Commercial

PUD, Planned Unit Development

CPUD, Commercial Planned Unit Development District

PFD, Public Facilities District

ROW, Right-of-Way

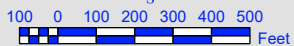
City of Leesburg Zoning

C-3

M-1

P

R-3



1 inch = 500 feet

**City of Fruitland Park
Park Square**
Lake County, Florida
Existing Zoning Map

Project: 398-22-10
File: Existing Zoning
Name: Park Square
PM: Sherie Lindh
Date: December 7, 2022
Created By: J. Wilson



CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7h

ITEM TITLE: Second Reading and Quasi-Judicial Public Hearing - Ordinance 2022-019 PUD – Lake Ella Road and East Rolling Acres Road- Petitioner: Daryl M. Carver, Trustee of Lake Eller Road Land Trust

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Tuesday, January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: **Ordinance 2022-019** Proposed development of 158+ acres consist of rentals and sale of 413 single family units (50’x120’ – 6,000 SF) and 190 townhomes (24’x120’ – 2,800 SF) for a total of 603 dwelling units at a density of 3.78 units/acre. The previous planned unit development/master development agreement (PUD/MDA) Ordinance 2007-008 expired 10 years after the date of the 2007 effective date. The previous MDA allowed 4.20 acres of commercial/institutional/public; 210 + single family dwelling units; 426 + townhomes; 50’ and 70’ lots and no apartments or multi-family rental units on the property. (The first reading was held on September 22, 2022.)

FUNDS BUDGETED: None

ATTACHMENTS: Proposed Ordinance 2022-019, MDA, concept (site) plan, maps, Lake County comments, staff report, Lake County correspondence and advertising affidavit.

RECOMMENDATION: Staff recommends approval in accordance with the negotiated conditions prescribed in the email attached between Lake County and the provisions attached (Lake County and the developer). The county states that the city would have to identify Timbertop Land and Rolling Acres Road as a collector roadway.

ACTION: Enact Ordinance 2022-019 to become effective immediately as provided by law.

ORDINANCE 2022-019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 158 +/- ACRES OF PROPERTY FROM PLANNED UNIT DEVELOPMENT TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF LAKE ELLA ROAD AND EAST OF ROLLING ACRES ROAD; APPROVING A MASTER DEVELOPMENT AGREEMENT; DIRECTING THE CITY MANAGER OR DESIGNEE TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Resibuilt Homes, LLC as applicant, on behalf of Daryl M. Carter, As Trustee of Lake Ella Road Land Trust as Owner, requesting that real property within the city limits of the City of Fruitland Park be rezoned from Planned Unit Development (PUD to City Residential Planned Unit Development (RPUD) 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 zoning 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 FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1: The following described property consisting of approximately 158 ± acres generally located south of Lake Ella Road and east of Rolling Acres Road as described and depicted as set forth on Exhibit "A" shall hereafter be designated as RPUD "Residential Planned Unit Development" as defined in the Fruitland Park Land Development Regulations.

Section 2: That the City Manager, or designee, is hereby directed to have amended, altered, and implemented the official zoning maps of the City of Fruitland Park, Florida to include said designation consistent with this Ordinance.

Section 3. 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 4. Scrivener's Errors. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

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 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 _____, 2022.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk

Anita Geraci-Carver, City Attorney

Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice-Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading September 22, 2022
Passed Second Reading _____
(SEAL)

“EXHIBIT A”

Parcel A

The West 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4, and the North 1/2 of the Southwest 1/4 of the Northeast 1/4, and the North 3/4 of the East 1/2 of the Northwest 1/4, all lying in Section 32, Township 18 South, Range 24 East, in Lake County, Florida; less right of way for Lake Ella Road.

Parcel B

The Northwest 1/4 of the Northwest 1/4 of Section 32, Township 18 south, Range 24 East and the Southwest 1/4 of the Northwest 1/4 of Section 32, Township 18 south, Range 24 East, Lake County, Florida.

Less and except the property described in Official Records Book 388, page 628, public records of Lake County, Florida.

And less and except the property described in Official Records Book 674, page 774, public records of Lake County, Florida.

And less and except the road right of way described in Official Records Book 1206, page 1595, public records of Lake County, Florida.

Parcel C

Tract "A" of SPRING LAKE PINES, PHASE 2, according to the plat thereof recorded in Plat Book 34, page 20 of the public records of Lake County, Florida.

EXHIBIT B

MASTER DEVELOPMENT AGREEMENT

THIS AGREEMENT entered into and made as of the ___ day of _____, 2023, between the **CITY OF FRUITLAND PARK, FLORIDA**, a Florida municipal corporation, (hereinafter referred to as the “City”), and **Daryl Carter, as Trustee of Lake Ella Road Land Trust** (hereinafter referred to as the “Owner”).

RECITALS

1. Owner owns approximately 158 +/- acres of property currently located in the City of Fruitland Park, Florida, described as set forth on Exhibit “A” attached to and incorporated in this Agreement (hereafter referred to as the “Property”).
2. Owner’s predecessors in interest, LAKE ELLA DEVELOPERS II, LLC, a Florida limited liability company and LAKE ELLA DEVELOPERS III, LLC, a Florida limited liability company entered into that certain Master Developer Agreement with the City dated April 26, 2007 (“Prior Development Agreement”).
3. As part of the Prior Development Agreement, the Property was annexed into the City of Fruitland Park and the Property was rezoned to Planned Unit Development (“PUD”). The terms of the Prior Development Agreement expired on April 26, 2017.
4. Owner has filed an application for a new PUD for the Property to construct 413 single-family homes and 190 townhomes for a total of 603 units.
5. 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.
6. The City of Fruitland Park has determined that the proposal for the development of the Property 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.
7. Owner will fund certain public improvements and infrastructure to facilitate the development of the Property as provided herein and per future agreement of the parties.
8. 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. Land Use/Development. Development of the Property shall be substantially consistent with the “Rolling Acres at Lake Ella” conceptual development plan dated August 2, 2022 and attached as **Exhibit “B”** (the “Plan”). All development shall be consistent with City’s “PUD” (Planned Unit Development) zoning district. Unless set forth otherwise in this Agreement, all development shall also be consistent with “R-8” (Multiple-Family Low Density Residential) zoning district and, subject to City approval after public hearings and DCA approval, City’s Multiple-Family Low Density Residential land use category for the entire Property. As set forth further below, all land use issues addressed herein must be adopted by City through its regular procedures and approved by DCA before being effective.

Section 3. Density. Overall gross density shall not exceed 3.78 units/acre.

Section 4. Development Standards. City and Owner agree that the unit mix for the development of the Property shall be substantially as follows:

- A. Single Family Detached Dwelling Units: 413 +/- units.
- B. Townhomes: 190 +/- units.
- C. Total Minimum Open Space: 25% (39.75 acres = 159 acres x 25%)

The City approved placement of above-ground water or wastewater utility improvements within areas described as “Open Space” shall still qualify as “open space” for purposes of this minimum open space requirement.

- D. Building Heights. The maximum building height within the Property is 35 feet.
- E. Setbacks:

- a. 50’ lots (Single-Family):

- Front: 30 feet

- Side: 5 feet

- Street Side: 20 feet

- Rear: 20 feet

- b. 60’ lots (Single-Family):

- Front: 30 feet

- Side: 5 feet

Street Side: 20 feet

Rear: 20 feet

c. 24' lots (Townhome):

Front: 30 feet

Side: 0 feet

Side between building pads: 10 feet

Street Side: 20 feet

Rear: 20 feet

- F. **Minimum Living Area.** Single family detached shall have a minimum living area of 1432 square feet and single family attached (townhome) shall have a minimum living area of 1833 square feet.
- G. **Minimum Lot Width.** A maximum of two hundred seventy-eight (278) single family detached lots within the development shall have a minimum lot width of fifty feet (50'). A minimum of one hundred and thirty-five lots (135) single family detached lots within the development shall have a minimum lot width of sixty feet (60'). Townhome lots (single family attached) shall have a minimum lot width of twenty-four feet (24').
- H. **Minimum Lot Depth.** The minimum lot depth for detached and attached single family shall be one hundred twenty feet (120').
- I. **Minimum Lot Area.** The minimum lot area for 50' wide lots shall be 6,000 square feet. The minimum lot area for 60' wide lots shall be 7,200 square feet. The minimum lot area for 24' wide lots shall be 2,880 square feet.
- J. **Maximum Number of Attached Townhome Lots.** The maximum number of attached townhome lots shall be six (6).
- K. **Maximum Building Coverage.** The maximum building coverage shall be 40%.
- L. **Model Homes.** Up to six (6) model homes may be constructed prior to platting but after approval of the preliminary plan, provided that the model homes are ineligible to receive certificates of occupancy for residential use until final plat approval. All off-street parking for model homes shall comply with the requirements in the City's Land Development Code.

Section 5. Residential Design Standards are 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 residential 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 6. Homeowners Association. Owner shall establish a homeowners’ association or similar entity acceptable to City (HOA), which shall be responsible for maintenance of common areas and infrastructure within the Property, including, but not limited to, parks and recreation areas, stormwater retention, open space areas, and common areas. Owner shall install all such improvements at their expense. Owner agrees to, at Owner expense, provide landscaping and improvements to the park and recreation areas located within the Property as agreed to by City at site plan approval. Owner shall record declarations satisfactory to City setting forth these requirements and detailing assessments in conjunction with the platting of the Property.

Further, Owner shall include in the covenants and restrictions notification of the private airfield located southwest of the Property and sprayfield located within close proximity to the Property.

Unless otherwise approved by the City Commission, Owner shall also include requirements for all detached single-family homes and townhomes to have a garage with a prohibition against converting such garage areas to living area. Owner shall include such other covenants and restrictions that are reasonably deemed necessary by the City Commission.

Section 7. Pedestrian and Bicycle Facilities. Owner agrees to construct sidewalks to City standards on both sides of the right of way within the Property. The sidewalks shall be separated from any and all roadway in a manner sufficient to ensure the maximum level of safety for those using such sidewalks. Further, the sidewalks shall be constructed by Owner, at Owner's expense, shall be located within the area so as not to interfere or obstruct the installation and maintenance of utilities, and shall be in addition to any other City of Fruitland Park Land Development Regulations requirements.

Owner agrees to dedicate bicycle trails as are reasonably determined by City so as to achieve a "walkable" community, including possible connectivity to the surrounding community.

Section 8. Road Improvements and Access. Owner shall be responsible for conducting a traffic study, and subsequently designing and constructing all transportation improvements based on such study and consistent with transportation concurrency requirements as determined by City. The City shall, under no circumstances, be financially responsible for the study and/or improvements.

Additionally, Owner shall enter into an Agreement with Lake County prior to Construction Plan approval to provide the following offsite road improvements:

A. Dedicate 50' (maximum) of ROW along the Property boundaries with Rolling Acres Road and 50' (maximum) along the Property boundaries with Lake Ella Road.

B. Construct/improve Rolling Acres Road along the Property boundaries to meet the requirements for a standard county two-lane road.

C. Widen/improve Lake Ella Road along the areas of the Property where the project entrance is constructed, including right and left turn lanes, 4' paved shoulders, and a minimum of 11' lanes, although 12' is preferred and will be required rather than 11' lanes if surveying and final engineering permit. These improvements must be constructed along the north Property boundaries where feasible.

D. Evaluate the installation of a traffic signal and other improvements at the intersection of Lake Ella Road and Rolling Acres Road, and if a signal is deemed feasible and warranted, install the traffic signal.

The City shall seek to amend its Comprehensive Plan and other necessary documents to designate Rolling Acres Road and Timbertop Lane as a collector road in the City.

Owner agrees to dedicate right-of-way for Timbertop Lane and Rolling Acres Road to allow for a 50-ft. right-of-way for each. Owner agrees to construct all streets within the Property, as depicted on the Plan in compliance with City standards. If required by the City or County, Owner shall improve Rolling Acres Road to City and County standards from the subdivision entrance to the intersection of Rolling Acres and Lake Ella Road, including intersection improvements and turn

lanes required by Lake County. If requested by City, Owner shall amend the Plan and construct a road or roads connecting the Property to the surrounding community. Additionally, Owner shall provide stormwater retention associated with the roads either within the right of way or on the Property.

Owner acknowledges that the City desires transportation connectivity from the Property to neighboring communities. Accordingly, Owner agrees to maintain property as undeveloped and dedicate right of way to the extent reasonably requested by City to preserve the opportunity for such connecting roadways. The City anticipates a point of connection in the location shown on Exhibit "C"; however, Owner agrees that said point of connection may be relocated at the request of the City prior to final plat approval.

Section 9. Construction. Owner shall ensure that all areas of the Property on which construction activities occur are kept sufficiently damp in order to minimize the occurrence of materials being carried, blown, or otherwise displaced beyond the confines of the Property by forces of nature.

Additionally, Owner agrees that any and all damage caused by Owner to right of way surrounding the Property during construction of the improvements contemplated in this Agreement shall be repaired in a timely manner at Owner's sole expense.

Section 10. Lighting. Owner shall submit a site lighting plan which provides "Dark Skies" street lighting in conjunction with the final site plan submittal for the Property for City approval. All exterior lighting shall be arranged to reflect light away from residential areas to the greatest extent possible while providing lighting adequate to ensure safety on road right of way. The poles and street lights within the Property shall be installed by Owner, at Owner's expense, and thereafter maintained by the HOA.

Section 11. Water, Wastewater, and Reuse Water. Owner and their successors and assigns agree to obtain water, reuse water, irrigation water, and wastewater services (hereafter, "Utilities") exclusively through purchase from City when available. 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. No private well will be allowed within the Property. Owner/Developer shall construct, at Owner/Developer'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. If any such improvements are oversized at the City's request, the City shall either provide cash or impact fee credits to reimburse Owner for the materials directly related to such oversizing. If any utility improvements serve to provide any other property with connection ability which would not exist otherwise, the City and Owner will enter into a Pioneer Agreement with the Owner to provide for a pro-rata share reimbursement payment by such other property owner upon connection to the utility facilities, to the City or Owner.

Section 12. Impact Fees. Owner shall be required to pay impact fees as established by City from time to time, subject to any applicable credits.

Owner agrees to pay all other impact fees, including parks and recreation, police and fire rescue and any impact fees adopted after the execution of this Agreement for all units as building permits are issued for such units at the then existing rate. If impact fees increase from the time they are paid until the building permit is issued, Owner/Developer shall pay the incremental increased amount at the time building permits are issued. Prepayment of the utility impact fees and acceptance by City of such fees shall reserve capacity for the prepaid units. No capacity is reserved until or unless such fees have been paid pursuant to an agreement with City. Owner/Developer agrees to and understands that no capacity has been reserved and that Owner/Developer assumes the risk that capacity will be available. Accordingly, if capacity is available at the time of platting and City is willing to allocate such capacity to Owner/Developer, Owner/Developer 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. Without limiting the above, Owner agrees to dedicate easements and right of way so as to achieve a “walkable” community that is connected to the surrounding community.

Section 14. Landscaping/Buffers. Owner has reviewed City’s Land Development Regulations relating to landscaping and agrees to comply with such regulations. Owner shall install landscaping as depicted on a landscaping site plan submitted to the City for review and approval prior to such installation.

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

Owner shall design, construct, and maintain, at its sole expense, the landscaped areas, common areas, buffers, and berms on the Property in accordance with all applicable City of Fruitland Park Land Development Regulations. Owner shall maintain such areas until such maintenance responsibility has been assumed by the HOA.

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.

Owner agrees to construct all landscape buffers as required by City’s Land Development Regulations. Owner further agrees to provide additional buffering along the boundaries of the Property as is reasonably requested by City to buffer the Property from adjoining properties.

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 residential property owners within the City.

Section 17. Concurrency. A complete concurrency study conforming to the City of Fruitland Park Land Development Regulations and/or F.S. Ch. 163 will be required prior to any preliminary plat approvals or construction plan approvals. The Owner shall ensure that all traffic concurrency areas conducted reflect all approved development in the area. Further, Owner acknowledges that City has adopted an ordinance relating to Proportionate Share Mitigation and shall comply with all provisions of such ordinance, if applicable.

Section 18. Final Site Plan Approval. Prior to issuance of any permits for construction, including clearing and landfill, a preliminary plat, and construction plans for the Property shall be prepared and submitted for review and approval in the manner required by the City's Land Development Code, as amended.

Section 19. 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 20. Solid Waste Disposal Facilities. Owner shall provide solid waste disposal facilities that are adequately constructed, maintained, and screened to provide safe and non-disruptive refuse collection and disposal operations for the commercial parcel. The Property shall utilize the City's waste disposal services and be subject to all City regulations regarding such services. Owner agrees that collection and transportation of solid waste within the Property shall not require any vehicles to back into any street or alley.

Section 21. 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.

Section 22. 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/Developer and showing all liens, mortgages, and other encumbrances not satisfied or released of record.

Section 23. 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 24. 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 25. Enforcement/Effectiveness. A default by either party under this Agreement shall entitle the other party to all remedies available at law or as set forth in Section 163.3243, Florida Statutes. Further, the terms of this Agreement may be enforced by practical measures, including, but not limited to, municipal code enforcement procedures pursuant to F.S. Ch. 162 and City's withholding of building permits.

Both parties acknowledge that any land use or development provisions of this Agreement shall not be effective or implemented unless and until the amendment to the City's comprehensive plan is found in compliance by the Florida Department of Community Affairs ("DCA") or any subsequent state agency serving as the state land planning agency, as set forth in Chapter 163, Florida Statutes. No development orders will be issued by City and no construction can occur until the necessary comprehensive plan amendment is adopted by City.

Section 26. 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 27. 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 28. 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, nor 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 29. Exhibits. All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 30. 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:	Mr. Gary La Venia, City Manager City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone
Copy to:	Chris Chesire, City Mayor City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone Anita Geraci-Carver, Esquire City Attorney 1560 Bloxam Avenue Clermont, Florida 34711 352-243-2801 Telephone 352-243-2768 Facsimile
As to Owner:	<hr/> c/o ResiBuilt Homes, LLC 3630 Peachtree Rd., Suite 1500 Atlanta, GA 30326 Attn: Chris Cole Email: ccole@resibuilt.com
Copy to:	Cushla E. Talbut, Esq. Greenberg Traurig, P.A. 401 E. Las Olas Blvd., Suite 2000 Fort Lauderdale, FL 33301 Telephone: 954.468.1728 Email: talbutc@gtlaw.com

Section 31. 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 32. Term of Agreement. The term of this Agreement shall commence on the date this Agreement is executed by both the City and Owner/Developer. Construction of the Project shall substantially commence on or before **January 31, 2026**. In the event the conditions of the Master Development Agreement have not been substantially constructed during the required time period, the Term of Agreement may be extended by mutual agreement of the City and the

Owner provided the extension request is filed 90 days prior to the expiration date. Failure to file a timely extension request, the PUD shall be null and void.

Section 33. Amendment. Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

Section 34. 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:



Witness Signature

By: _____
Signature

Print Name

Print Name

Witness Signature

As its: _____

Print Name

**STATE OF FLORIDA
COUNTY OF LAKE**

SWORN TO AND SUBSCRIBED before me by means of physical presence or online notarization, this ____ day of _____ 2023, by [INSERT NAME], who is personally known to me or who has produced a valid Driver’s License as identification.

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

ACCEPTED IN THE CITY OF FRUITLAND PARK

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

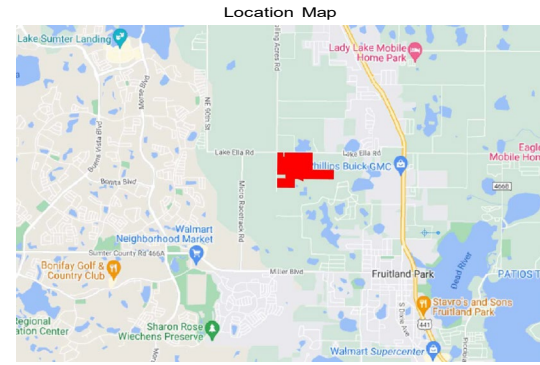
By: _____
Chris Cheshire, Mayor

Date: _____

City Attorney

ATTEST: _____
Esther B. Coulson, City Clerk

Rolling Acres at Lake Ella



Legal Description

DESCRIPTION: (As per Title Commitment Order No. 9758245 issued by Chicago Title Insurance Company bearing an effective date of August 28, 2021 at 11:00 PM Revised November 9, 2021)

Parcel A

The West 1/2 of the Northwest 1/4 of the Southeast 1/4 of the Northeast 1/4, and the North 1/2 of the Southwest 1/4 of the Northeast 1/4, and the North 3/4 of the East 1/2 of the Northwest 1/4, all lying in Section 32, Township 18 South, Range 24 East, in Lake County, Florida; less right of way for Lake Ella Road.

Parcel B

The Northwest 1/4 of the Northwest 1/4 of Section 32, Township 18 south, Range 24 East and the Southwest 1/4 of the Northwest 1/4 of Section 32, Township 18 south, Range 24 East, Lake County, Florida.

Less and except the property described in Official Records Book 388, page 628, public records of Lake County, Florida.

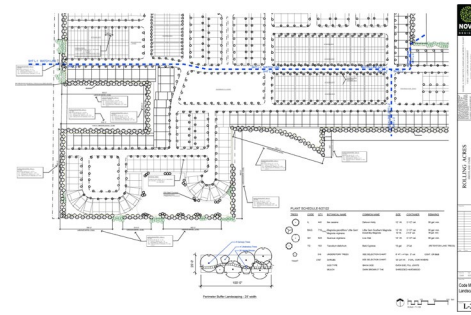
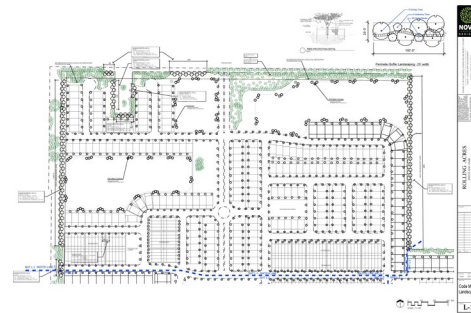
And less and except the property described in Official Records Book 674, page 774, public records of Lake County, Florida.

And less and except the road right of way described in Official Records Book 1206, page 1595, public records of Lake County, Florida.

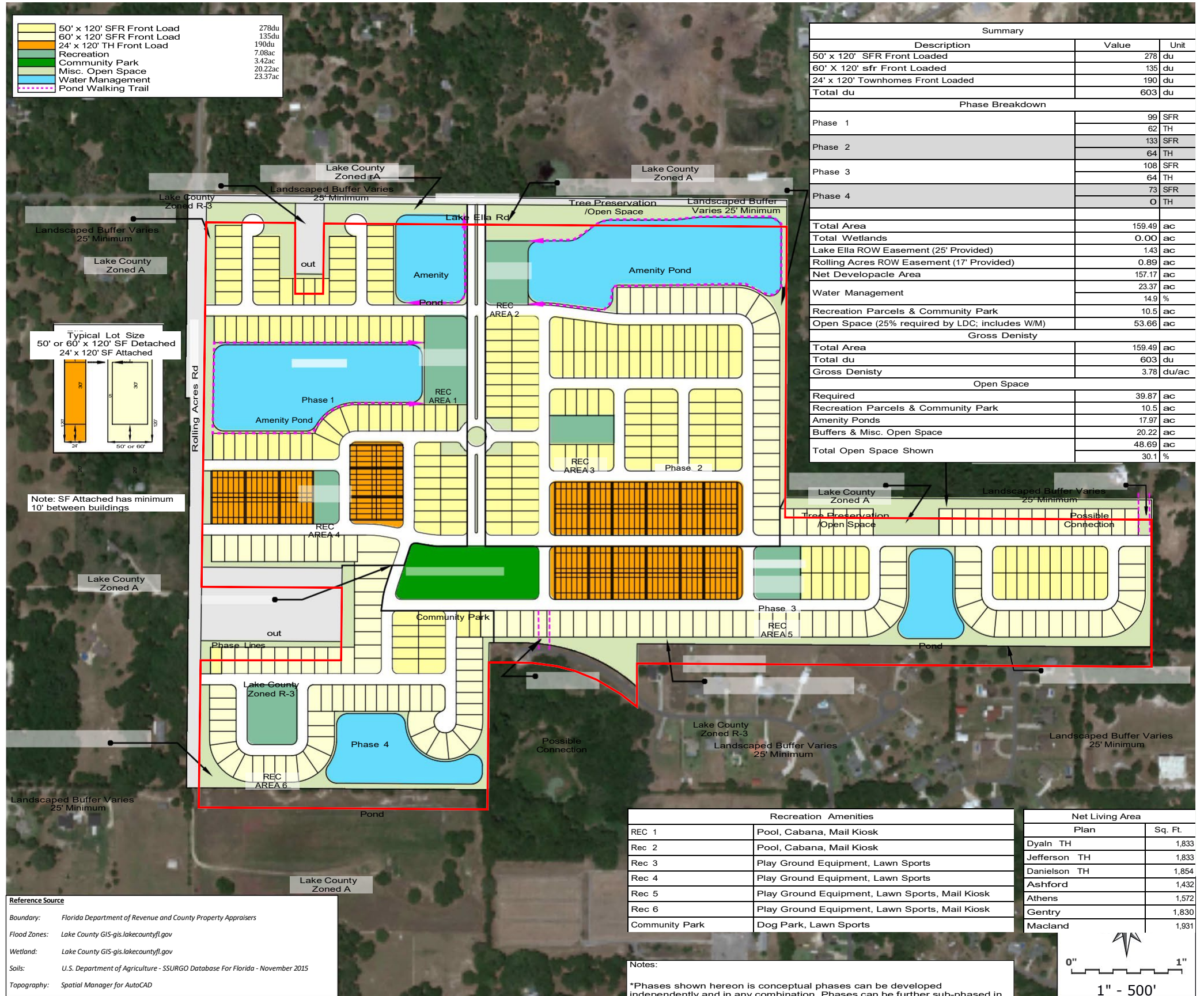
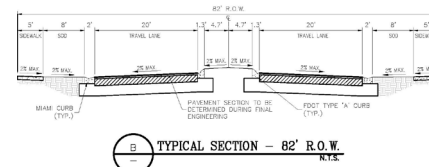
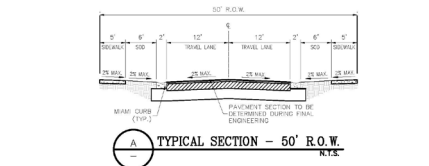
Parcel C

Tract "A" of SPRING LAKE PINES, PHASE 2, according to the plat thereof recorded in Plat Book 34, page 20 of the public records of Lake County, Florida.

Landscape Buffers & Plantings



Cross Sections



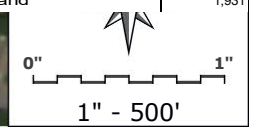
Summary		
Description	Value	Unit
50' x 120' SFR Front Loaded	278	du
60' x 120' SFR Front Loaded	135	du
24' x 120' Townhomes Front Loaded	190	du
Total du	603	du
Phase Breakdown		
Phase 1	99	SFR
	62	TH
Phase 2	133	SFR
	64	TH
Phase 3	108	SFR
	64	TH
Phase 4	73	SFR
	0	TH
Total Area	159.49	ac
Total Wetlands	0.00	ac
Lake Ella ROW Easement (25' Provided)	1.43	ac
Rolling Acres ROW Easement (17' Provided)	0.89	ac
Net Developable Area	157.17	ac
Water Management	23.37	ac
	14.9	%
Recreation Parcels & Community Park	10.5	ac
Open Space (25% required by LDC; includes W/M)	53.66	ac
Gross Density		
Total Area	159.49	ac
Total du	603	du
Gross Density	3.78	du/ac
Open Space		
Required	39.87	ac
Recreation Parcels & Community Park	10.5	ac
Amenity Ponds	17.97	ac
Buffers & Misc. Open Space	20.22	ac
Total Open Space Shown	48.69	ac
	30.1	%

Recreation Amenities	
REC 1	Pool, Cabana, Mail Kiosk
Rec 2	Pool, Cabana, Mail Kiosk
Rec 3	Play Ground Equipment, Lawn Sports
Rec 4	Play Ground Equipment, Lawn Sports
Rec 5	Play Ground Equipment, Lawn Sports, Mail Kiosk
Rec 6	Play Ground Equipment, Lawn Sports, Mail Kiosk
Community Park	Dog Park, Lawn Sports

Net Living Area	
Plan	Sq. Ft.
Dyaln TH	1,833
Jefferson TH	1,833
Danielson TH	1,854
Ashford	1,432
Athens	1,572
Gentry	1,830
Macland	1,931

Notes:

- *Phases shown hereon is conceptual phases can be developed independently and in any combination. Phases can be further sub-phased in construction plan reviews.
- *Maximum Building Height: 2 Story
- *Water and Sewer will be provided by City of Fruitland Park
- *Amenity Ponds to include walking trail and benches.



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

PUD AMENDMENT

Owner: Daryl Carter, as Trustee of Lake Ella Road Land Trust

Applicant: ResiBuilt Homes, LLC

General Location: South of Lake Ella Road & East of Rolling Acres Road

Number of Acres: 159.49 ± acres

Existing Zoning: Planned Unit Development (PUD)

Existing Land Use: Multi-Family Low Density (8 units/acre)

Proposed Zoning: PUD Amendment

Date: August 24, 2022

Description of Project

The proposed development consists of 158 ± acres consisting of 413 single family units (50' x 120' - 6,000 SF and 60' x 120' - 7,200 SF) and 190 townhomes (24' x 120' - 2,880 SF) for a total unit count of 603 dwelling units at a density of 3.78 units/acre. The minimum net living area is 1432 SF. The proposed plan offers a varied landscape buffer with a 25' minimum width. The proposed plan designates 48.69 acres of open space (30%) consisting of 10.5 acres of recreation parcels and community park; 20.22 acres in buffers and other open space, and 17.97 acres of stormwater ponds (the ponds are proposed to be improved with walking trails and benches).

The existing approved PUD consisted of 210 single family units (50' x 120', 75' x 135', 80' x 150') and 426 townhomes for a total unit count of 636 units and 4.26 acres of neighborhood commercial uses. The previous plan also provided 46% open space with the majority of the buffers being 50' in width to mitigate the adjacent agriculturally zoned properties and low-density development. The proposed development is a reduction of 33 units.

	Surrounding Zoning	Surrounding Land Use
North	Lake County Agriculture (Ag). R-3	Lake County Urban Low (4 units/acre)
South	Lake County Ag & R-3	Lake County Urban Low
East	City PUD & Lake County R-1 & Ag	City MFLD and Lake County Urban Medium (7 units/acre)
West	Lake County Ag	Rural (1 unit/5 acres)

Assessment

Conceptual Plan

The concept plan meets the minimum standards outlined in Chapter 154, Section 154.030(12)(G)(i).

Chapter 154, Section 154.030(12)(H) provides common open space requirements. A minimum of twenty-five percent (25%) of the total project area shall be established and maintained as common open space or common facilities. The total common open space required is 39.87 acres. The plan proposes six (6) recreational areas with amenities consisting of 2 pools with cabanas, 4 playgrounds with lawn sports and one (1) community park consisting of a dog park and lawn sports. These areas account for 10.5 acres. The landscape buffers and other open space accounts for 20.22 acres for a total of 30.72 acres. The applicant proposes utilizing the stormwater ponds as part of the open space requirement (17.97 acres) and proposed walking trails and benches as an amenity.

The plan indicates a varied buffer width with a minimum width of 25', Type "C" buffer (5 canopy trees, 4 understory trees, and 30 shrubs per 100 linear feet).

The applicant submitted sample elevations.

Environmental Assessment

The assessment indicates the presence of gopher tortoises and the site is within the sand skink consultation area. Prior to development, a relocation permit will need to be secured. The applicant submitted documentation that a sand skink survey is not required.

Traffic Impact Analysis

The revised analysis indicates that portions of Rolling Acres Road operate below adopted LOS and future conditions in 2025 indicate that Micro Racetrack Road will operate below adopted LOS standards.

School Impact Analysis

Lake County Schools has issued a capacity reservation letter and the proposed development will not degrade the school level of service.

Public Facilities Impact Analysis

The City of Fruitland Park Public Works Department has indicated there is sufficient capacity for both water and sewer to serve the proposed project.

The adopted LOS and future conditions indicate that both Rolling Acres Road and Micro Racetrack Road will operate below adopted LOS standards.

Recommendation

The concept plan meets the minimum technical requirements of the LDRs. The revised traffic statement indicates that the proposed PUD will produce less trips than the previously approved PUD; however, pursuant to Chapter 153 of the LDRs, the City cannot approve development unless there is sufficient capacity at or above their adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

Chapter 153 further states to ensure that public facilities and services necessary to support development are available concurrent with the impacts of the development, the following standards must be met:

- 1) The necessary facilities and services must be in place at the time a development permit is issued, or the development permit will only be issued subject to the condition that the necessary facilities and services must be in place by a specified date when the impacts of the development are anticipated to occur; or
- 2) The necessary facilities must be under construction at the time a development permit is issued; or
- 3) The necessary facilities and services have been included in the Capital Improvements Program and are programmed for construction prior to or concurrent with the impacts of the proposed development; or
- 4) The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the development permit issued; or
- 5) The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement of development order issued pursuant to Chapter 380, Florida Statutes, or any other development agreement entered into between the City and a developer. The agreement must guarantee that the necessary facilities and services will be in place prior to or concurrent with the impacts of development.

In the case of roadway facilities, the facilities will be deemed concurrent if the necessary improvements are committed in the first three years of the applicable adopted Florida Department of Transportation Five Year Work Program, the Lake County Five Year Road Capital Improvement Program or the City of Fruitland Park Five Year Capital Improvement Program.

The traffic analysis submitted indicates in the study conclusions that Rolling Acres Road from US 27/441 to CR 466 currently operates below the adopted LOS and is projected to continue to do so at the project buildout; however, no proportionate fair share mitigation was offered by the subject project. It appears that the subject property impacts this roadway by 18%.

The study also indicates that Micro Racetrack Road from Lake Ella Road to CR 466A is projected to operate below the adopted LOS under the build out conditions; however, no proportionate fair share

mitigation was offered by the subject project. It appears that the subject property impacts this roadway by 25%.

The study did recommend that alternative traffic control be evaluated at the intersection of Lake Ella Road with Rolling Acres Road and Micro Racetrack Road and a 305-foot westbound left turn lane is recommended at the project access driveway on Lake Ella Road.

Planning staff defers to City legal council as it appears planning staff cannot recommend approval unless proportionate fair share mitigation pursuant to Chapter 153, Section 153.050(B) is offered for Rolling Acres Road from US 27/441 to CR 466A and Micro Racetrack Road from Lake Ella Road to CR 466A.

The Villages[®] DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Joseph Szabo**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal #1105710 in the matter of

NOTICE OF PUBLIC HEARING

was published in said newspaper in the issues of

JANUARY 13, 2023

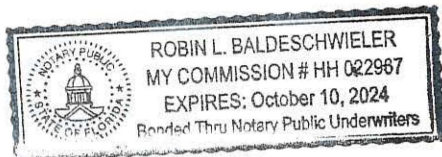
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for Publication in the said newspaper.


(Signature Of Affiant)

Sworn to and subscribed before me this 17
day of January 2023


Robin L. Baldeschwieler, Notary

Personally Known or
Production Identification _____
Type of Identification Produced _____

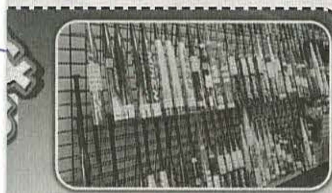


Rick Tucker | The Associated Press
ot in front of Southwest
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on the bench louder, can I be helping people if I see something on the floor they can't see? It's buying into the team mentality and putting away our personal pride for the benefit of the team and for something greater than ourselves."

Memories made off the court might be more important to this group. Each spoke fondly of their time together, whether it was watching movies or sharing meals, playing cornhole before football games, going to the driving range to hit golf balls, rafting down the Kearney Canal or those dreaded 6 a.m. offseason workouts.

"We've been together for so long and through so much," Kirsch said, "that if one of us decided not to come back, it definitely would feel like a missing piece."



\$10 OFF*
Minimum \$75 Purchase

es Available!

by Last.
7 | 10-2 Sat
The Villages, FL 32162
v.pickleballHQ.net

by other discounts or prior purchases.

NOTICE OF PUBLIC HEARING

ORDINANCE 2022-019

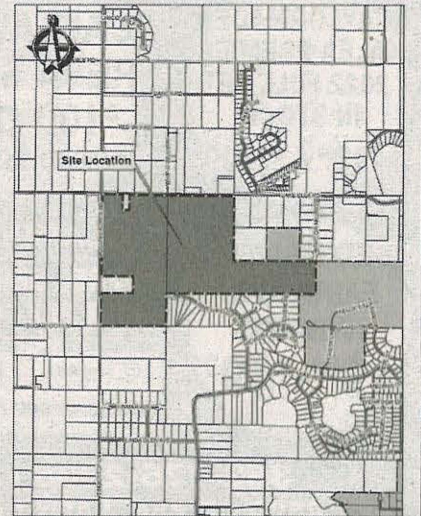
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 158 +/- ACRES OF PROPERTY FROM PLANNED UNIT DEVELOPMENT TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF LAKE ELLA ROAD AND EAST OF ROLLING ACRES ROAD; APPROVING A MASTER DEVELOPMENT AGREEMENT; DIRECTING THE CITY MANAGER OR DESIGNEE TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinance will be considered at the following public meetings:

Fruitland Park City Commission Hearing on January 26, 2023 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time/date certain. The proposed Ordinance and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed Ordinance.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.



**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 8a**

ITEM TITLE: CITY MANAGER'S REPORT

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Thursday, January 17, 2023

SUBMITTED BY: City Manager

BRIEF NARRATIVE: City Manager's Report

- i. Economic Development Status Update
- ii. Farmers' Market

FUNDS BUDGETED: None

ATTACHMENTS: Flyer Brochure

RECOMMENDATION:

ACTION: None

ORANGE BLOSSOM MARKET CO.

Proposal



Santa's Lane, Town of Oakland 2022

Project name :
Fruitland Park
First Friday Market

Prepared for :
Fruitland Park Commision

407-274-5443

Sheena@OrangeBlossomMarketCo.com

Sheena Willis
Tavares, Florida

WHO WE ARE

OBMco.

Orange Blossom Market Co. was created in 2022 with the mission to create a stronger small business community in Central Florida by providing easily accessible education, professionally organized events, and support.



Founder & Operations
Sheena Willis

As a small business owner myself, I saw a need for support of businesses that are transitioning from a dream to a full time career. Over the last five years I have provided online support and training for sbo's, plus I have two years of market coordination with local farms, event venues, private facilities, and towns.

As a small business resource that helps businesses grow through education, networking, workshops, and vendor markets, we hold our vendors to a high standard.

We specialize in market coordination, bringing those businesses face to face with customers, while taking the operational stress away from the venue host.

Each event is juried and all potential vendors must go through our application process so as to curate a market that serves the community, the business, and the market's best interests.

WHAT WE DO



Networking at Night, January 2023



Wellness Market, January 2023

FRUITLAND PARK'S

FIRST FRIDAY MARKET

CONCEPT

A place where locals can come together with small businesses from within their community to purchase fresh foods and unique finds in an atmosphere where guests will look forward to attending again.

EXECUTION



Spring season will consist of January, February, March, April, and May. Fall season will be September, October, November, December.

OBMco. will curate a market of approximately 30 juried vendors at Fruitland Park's City Hall lawn on the first Friday of the month for two market seasons each year beginning March 2023.

Market hours will be 10:00am-2:00pm, with set up beginning at 7:30am and breakdown from 2-3:00pm. OBMco will provide vendors, vendor map, day of coordinator, music, and social media advertising.

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 8b

ITEM TITLE:	CITY ATTORNEY’S REPORT
MEETING DATE:	Thursday, January 26, 2023
DATE SUBMITTED:	Friday, January 20, 2023
SUBMITTED BY:	City Manager
BRIEF NARRATIVE:	City Attorney’s Report

City of Fruitland Park v. State of Florida – Department of Management Services: On February 16, 2022, the City provided wages and FRS calculations to attorney Thomas. The insurance company was provided the full invoice amount. The insurance company is communicating directly with the Department of Management Services as to the amount due. In November DMS provided additional information to the insurance company and updated FRS calculations were obtained. Work consistent with direction of the Commission continues.

Michael and Laurie Fewless v. City of Fruitland Park, Lake County Case No. 2020-CA-000104 (Judge Welke): On December 9, 2021 Plaintiff filed an Amended Complaint. Pre-trial conference is scheduled for April 3, 2023 and trial on April 17, 2023. On August 18, 2022 Plaintiffs served the City with a Proposal for Settlement a copy of which has been provided to the Commission. On August 31, 2022 Attorney Thomas provided information requested by the City’s insurance company. Mediation scheduled to take place virtually at 10:00 AM on Thursday, January 19, 2023 was cancelled. Work consistent with direction of the Commission continues.

U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845 (Judge Baxley): The property owner’s lender is foreclosing on the property for non-payment of approximately \$33,204.15. The property is located at 412 Sunny Court, Fruitland Park. The City has a code enforcement lien on the property. As of June 17, 2022 the fines have accrued to \$23,350.00 and outstanding costs of \$117.04. Attorney Mark K. McCulloch, Roper & Roper, P.A. has been appointed by the City’s insurance company to defend the City. The City’s Answer to the Complaint was filed June 22, 2022. On June 23, 2022 Judge Baxley entered a Differentiated Civil Case Management Order as to Streamlined case types. The Order requires a non-jury trial to occur no later than 12 months from filing the original Complaint, if not sooner resolved. The trial must be held by May 10, 2023. On July 29, 2022 the Plaintiff’s Motion for Leave to Amend Complaint was granted by the Court. A Guardian Ad Litem was ordered to represent those who may have an interest in the property due to Mr. Moore’s death. The Guardian Ad Litem filed an answer on their behalf on November 14, 2022. On November 14, 2022 the Guardian filed an answer. On January 3, 2023 Plaintiff filed a Motion for Summary Judgment. A hearing has been scheduled for March 9, 2023 at 8:45 AM via Zoom.

Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628: The City was served with a lawsuit on September 8, 2022. A copy has been provided to the Commission. Plaintiffs file a two-count Verified Complaint. Count I – Inverse Condemnation and Count II – Trespass. Plaintiffs allege the City’s construction of the library has caused storm water to flood across Rose Avenue onto their property located at 100 Rose Ave., Fruitland Park

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 10**

ITEM TITLE: Public Comments

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Thursday, January 19, 2023

SUBMITTED BY: City Clerk

BRIEF NARRATIVE: **Item Description:** 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.

FUNDS REQUIRED: None

ATTACHMENTS:

RECOMMENDATION: None

ACTION: None

and have converted their property into a storm water retention system. Public Risk Management (PRM) retained attorney Donovan A. Roper and Mark K. McCulloch of Roper & Roper, P.A. to defend the City. An answer and affirmative defenses were filed on behalf of the City. On October 27, 2022 Plaintiff filed a reply to the City's affirmative defenses. A Civil Case Management Order Requiring Disclosures was entered by Judge Takac. The Order requires a non-jury trial to occur no later than 18 months from filing the original Complaint, if not sooner resolved. The trial must be held by March 2, 2024. No further action has been taken since October 27, 2022.

Code of Ordinances Codification: Based on staff input on the various outstanding code provisions, I have been developing a response to CivicPlus so they can provide the final manuscript for adoption. I anticipate completing the response and providing to CivicPlus no later than the end of January.

Kaitlin Delong vs. City of Fruitland Park, Lake County Case No. 2022-CA-00463: Plaintiff filed a lawsuit against the City alleging damages resulting from a motor vehicle crash between a vehicle Plaintiff was operating and a marked Fruitland Park Police Department vehicle. The City was served June 30, 2022. Insurance assigned Roper & Roper to defend the City. An Answer and Affirmative Defenses were filed on July 22, 2022. Discovery has been ongoing. A Case Management Order was entered August 26, 2022. Trial is scheduled on the trial docket beginning February 19, 2024. The Plaintiff's deposition is scheduled for March 2, 2023 at 10:00 a.m. Outstanding medical costs are \$35,222.85.

FUNDS BUDGETED: None

ATTACHMENTS:

RECOMMENDATION:

ACTION: None