



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

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Board Members:

Al Goldberg, Chairman
Daniel Dicus, Vice Chair
Carlisle Burch
Fred Collins
Walter Birriel

Others: Greg Beliveau, LPG

Tracy Kelley, CDD
Kelly Turner, Administrative Assistant

MINUTES
PLANNING & ZONING BOARD
OCTOBER 15, 2020
6:00PM

- I. **INVOCATION AND PLEDGE OF ALLEGIANCE:** Meeting called to order at 6:01PM. Administrative Assistant Turner led the invocation and Pledge of Allegiance.
- II. **ROLL CALL:** Board members present with the exception of Board member Birriel. Present LPG Beliveau, CDD Kelley and Administrative Assistant Turner.
- III. **MINUTES FROM PREVIOUS MEETING:** Approve regular Planning and Zoning Board meeting minutes from October 15, 2020. Motion to approve by Board member Collins. Second by Board member Burch. Approved 4-0.
- IV. **OLD BUSINESS:** None
- V. **NEW BUSINESS:**

A. Fruitland Park Commons CPUD Application (Alt Key 1288088)

Annexation, Rezoning and Large Scale Comprehensive Plan Amendment (LSCPA) application submitted by John Rehak on behalf of Benchmark Development I, LLC. The initial application proposed rezoning from Lake County Agricultural (A) to City of Fruitland Park General Commercial (C-2). Per City Land Planner recommendation, applicant resubmitted application to reflect rezoning to Commercial Planned Unit Development (CPUD), to include a conceptual plan. Applicant proposes LSCPA to designate the property Commercial-High Intensity to allow for commercial development including restaurant, hotel and retail uses.

LPG Beliveau gave introduction to the development applications. Proposed development currently zoned Lake County Agricultural (A); application submitted to

annex into the City of Fruitland Park and rezone to Commercial Planned Unit Development (CPUD). Development applications submitted in order to utilize parcel for a shopping center. The applicant has two similar shopping centers in Lady Lake. There are three applications, annexation, rezoning, and large scale comprehensive plan amendment (LSCPA). The property is currently owned by Lake County School Board who has appointed Benchmark Development I, LLC, to act as their agent for development application submittals.

LPG reviewed annexation application and recommends approval, as proposed annexation is in compliance with City of Fruitland Park Land Development Regulations. Likewise LPG recommends approval on the proposed LCCPA. The only item that LPG has comments on is the rezoning application. The front setback shown on the plan is twenty-five (25) feet whereas fifty (50) feet is required. Applicant agreed to adhere to the fifty (50) foot setback. Landscaping will comply with adopted Land Development Regulations, therefore no variance is required. LPG recommends a change to the Master Development Agreement (MDA) to comply with the proposed Comprehensive Plan Amendment. LPG Beliveau recommended a change to the verbiage outlined on page two; item "w" added to allow for a twenty (20) percent deviation from the conceptual plan without having to amend the Planned Unit Development (PUD) or Comprehensive Plan policy. The adopted Future Land Use (FLU) element already allows for a twenty (20) percent deviation, so adding this clause is recommended to comply with the transportation matrix, as long as the transportation maximums from the transportation study are not exceeded.

Board member Collins asked if the twenty (20) percent applies to the number of allowed hotel rooms. LPG clarified the concept plan shows 130 rooms, which may be increased by twenty (20) percent, so long as a decrease is made in another area.

LPG Beliveau clarified the required landscape buffer is twenty-five (25) feet while the required building setback is fifty (50) feet.

LPG Beliveau gave notification update; nineteen (19) mailings were sent to surrounding property owners, one (1) was returned opposed, zero (0) were returned unopposed and zero (0) were returned undeliverable.

LPG Beliveau stated access is being coordinated with Lake County Public Works Department. A future connection to Oliver Lane will be sought after. A dual boulevard is hopeful to the North.

City of Fruitland Park water and sewer are available to serve the development.

A full access median is proposed. No traffic light is proposed at this time. Future development may warrant a traffic signal.

Board member Dicus asked whether Benchmark Development I, LLC, has purchased the property from the Lake County School Board. LPG Beliveau responded the property is under contract pending development application approvals.

Martin DelleBovi in attendance on behalf of Benchmark Development I, LLC, and available to answer any questions. My. DelleBovi stated environmental assessments have been completed. There have been no impacts to subject property regarding a historic spill from a tank located on a neighboring property; property has been tested and cleared. Mr. DelleBovi is aware of environmental requirements regarding sand skinks. Benchmark Development I, LLC, will secure specific permit in the future; if the permit is issued forty-five (45) days prior to moving dirt, the permit will expire and a reapplication will be necessary. An environmental assessment report has been submitted and if the presence of sand skinks are found upon permitting, applicants understand the process of relocation.

Benchmark Development I, LLC, is the process of securing an access permit with Lake County Public Works Department.

Board member Dicus made motion to accept the annexation request as presented. Second by Board member Collins. Approved 4-0.

Board member Collins made motion to accept the rezoning request as presented. Second by Board member Burch. Approved 4-0.

Board member Collins made motion to repeal the previous vote in regards to the rezoning application. Second by Board member Dicus. Approved 4-0.

Board member Collins made motion to accept the rezoning as amended. Second by Board member Dicus. Approved 4-0.

Board member Dicus made motion to accept the Large Scale Comprehensive Plan Amendment as presented. Second by Board member Collins. Approved 4-0.

BOARD MEMBERS' COMMENTS: Chair Goldberg thanked Planning and Zoning Board members for their attendance.

PUBLIC COMMENTS: Carl Yauk, 1123 Ritter Road, The Villages, FL, questioned whether subject property is currently located within the City Limits of Fruitland Park. LPG Beliveau responded the item is on the agenda for annexation.

Mr. Yauk questioned whether applicant may develop the property if they do not incorporate into the City of Fruitland Park. LPG Beliveau responded the applicant may approach Lake County with

their request. Mr. Yauk questioned whether the applicant must be incorporated within the City of Fruitland Park to accomplish development request. LPG Beliveau responded Lake County would require the applicant to apply with the City of Fruitland Park for utility services. The City of Fruitland Park Commission could then decide whether the developer must annex into the City of Fruitland Park. Mr. Yauk questioned if the applicant could develop without incorporating into the City of Fruitland Park. LPG Beliveau responded they may attempt to develop without incorporating into the City of Fruitland Park.

Mr. Yauk questioned whether the development would generate liabilities to the City. Will there be additional costs to be incurred by the City for utilities? LPG Beliveau responded costs to connect are borne by the developer. Mr. Yauk questioned whether additional costs would be incurred by the City for Police and Fire services? LPG Beliveau stated city police and fire services are already provided in the area in which subject property is located. Mr. Yauk questioned the height of the proposed hotel. CDD Kelley responded the height of the hotel will be listed on the Site Plan application. Mr. Yauk questioned if additional fire equipment is required to service the hotel, who incurs the cost of this equipment? LPG Beliveau responded another developer has previously been approved to develop five (5) and six (6) story buildings, contingent upon the purchase of fire equipment needed to service said buildings. Board member Collins stated the maximum hotel height in subject development agreement is forty-five (45) feet. LPG Beliveau stated the City currently has the equipment required to serve the proposed hotel.

Board Chair Goldberg announced the three minute allotment for public comments has been exceeded. LPG Beliveau stated additional comments may be directed to Tracy Kelley, Director, Community Development Department, during normal business hours.

Mr. DelleBovi stated fire department requirements must be met prior to building permit approval. If the proposed hotel exceeds proposed height, additional requirements would be levied at that time.

ADJOURNMENT: 6:32PM