



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

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

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

- I. INVOCATION AND PLEDGE OF ALLEGIANCE:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING:** Approve regular Planning and Zoning Board meeting minutes from September 17, 2020.
- 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.

BOARD MEMBERS' COMMENTS:

PUBLIC COMMENTS:

ADJOURNMENT:



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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
SEPTEMBER 17, 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 Burch and Vice Chair Dicus. Present LPG Beliveau, CDD Kelley and Administrative Assistant Turner.
- III. **MINUTES FROM PREVIOUS MEETING:** Approve regular Planning and Zoning Board meeting minutes from August 20, 2020. Motion to approve by Board member Birriel. Second by Board member Collins. Approved 3-0.
- IV. **OLD BUSINESS:** None
- V. **NEW BUSINESS:**

A. Ross Triplex Rezoning (Alt Key 3619218)

Rezoning application submitted by Terry Ross for a parcel identified by alternate key number 3619218. Applicant proposes rezoning from Single Family Medium Density Residential (R-2) to Residential Professional (RP) to allow for future development of a triplex. Multi-family dwelling units are permitted within the Residential Professional (RP) zoning district. Zoning of adjacent parcels support proposed rezoning.

CDD Kelley gave introduction to the rezoning application; applicant proposes rezoning from Single Family Medium Density Residential (R-2) to Residential Professional (RP). Chair Goldberg inquired whether other parcels in the area are zoned Residential Professional. CDD Kelley responded there is a mixture of residential and

residential professional zoned properties in the area. LPG Beliveau stated subject property is adjacent to other residential professional zoned property therefore LPG recommends approval. LPG Beliveau stated seventy-six (76) notices to surrounding property owners were sent out via certified mail; five (5) were returned opposed, one (1) was returned not opposed and six (6) were undeliverable. Chair Goldberg asked if any opposing property owners were in attendance, to which there were none present.

Board member Collins made motion to accept the rezoning request as presented. Second by Board member Birriel. Approved 3-0.

B. Ross Triplex Unity of Title (Alt Keys 1431638 & 3619218)

Declaration of Unity of Title application submitted by Terry Ross for two parcels identified by alternate key numbers 1431638 and 3619218. Applicant proposes unification of parcels for future development of a triplex. The area of combined parcels is approximately 20,634.71 sf. Parcels have road frontage on both Sunset Way and Forest Street.

CDD Kelley gave introduction to the Unity of Title application; applicant proposes to unify identified parcels for future development of a triplex. LPG Beliveau stated of the two parcels identified, one parcel is already zoned Residential Professional (RP) and a rezoning request has been submitted for the other parcel, as outlined in above item A.

Board member Birriel made motion to accept the unity of title request. Second by Board member Collins. Approved 3-0.

C. Eustis Roofing Minor Site Plan (Alt Key 2802227)

Minor Site Plan application submitted by Jason Reisman on behalf of Eustis Roofing Company, Inc and registered property owner Driven Investors, LLC. Applicant proposes utilizing existing commercial building at 2191 US HWY 441 for operation of roofing business. The existing 43,248 sf lot fronts US Highway 27/441. The property is zoned General Commercial (C-2) in which "maintenance contractors" are listed as a permitted use. The building was previously used as a gym under the business name Section 8 Crossfit. The Future Land Use designation is Commercial - High Intensity.

CDD Kelley gave introduction to Minor Site Plan application; applicant proposes to use existing building for a roofing business. Chair Goldberg inquired whether proposed improvements are non-bearing, to which LPG Beliveau affirmed. Chair Goldberg inquired if building is 43,248 sf to which CDD Kelley clarified this figure is for the lot size, not building size. Correction made to item description.

Board member Collins made motion to accept the Minor Site Plan request. Second by Board member Birriel. Approved 3-0.

BOARD MEMBERS' COMMENTS: No comments. Chair Goldberg thanked Board members for their attendance.

PUBLIC COMMENTS: No comments.

ADJOURNMENT: Meeting adjourned at 6:12PM.

DRAFT



City of Fruitland Park, Florida
Community Development Department
 506 W. Berckman St., Fruitland Park, Florida 34731
 Tel: (352) 360-6727 Fax: (352) 360-6652
 www.fruitlandpark.org

<i>Staff Use Only</i>	
Case No.:	_____
Fee Paid:	_____
Receipt No.:	_____

Development Application

Contact Information:

Owner Name: School Board of Lake County c/o Kelly Randall
 Address: 201 W Burleigh Blvd., Tavares FL 32778
 Phone: (352) 253-6698 Email: randallk@lake.k12.fl.us

Applicant Name: Benchmark Development I, LLC c/o John Rehak
 Address: 4053 Maple Road, Amherst, NY 14226
 Phone: _____ Email: _____

Engineer Name: Kimley-Horn and Associates, Inc. c/o B. Kelley Klepper, ACIP
 Address: 189 S. Orange Avenue, Suite 1000, Orlando, FL 32801
 Phone: (941) 527-9070 Email: kelley.klepper@kimley-horn.com

Property and Project Information:

PROJECT NAME*: Fruitland Park Commons
 *A project name is required for all submissions. Please choose a name representative of the project for ease of reference.

Property Address: County Road 466A, Lake County Florida
 Parcel Number(s): 06-19-24-0003-000-01900 Section: 06 Township: 19 Range 24
 Area of Property: 27.73559913 acres Nearest Intersection: County Road 466A and Micro Racetrack Road
 Existing Zoning: Agriculture (Lake County) Existing Future Land Use Designation: Rural (Lake County)
 Proposed Zoning: Commercial PUD Proposed Future Land Use Designation: Commercial - High Intensity (COMM)
 The property is presently used for: Public School (unfinished structures/agricultural teaching facility)
 The property is proposed to be used for: Commercial development including retail, restaurant and hotel (see attached narrative)
 Do you currently have City Utilities? City of Fruitland Park water/wastewater services are available per the City (see attached letter dated 02/11/2020)

Application Type:

- | | | | |
|--|---|---|---|
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Comp Plan Amendment | <input checked="" type="checkbox"/> Rezoning | <input checked="" type="checkbox"/> Planned Development |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Special Exception Use | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Minor Lot Split | <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Construction Plan | <input type="checkbox"/> ROW/Plat Vacate |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Replat of Subdivision | |

Please describe your request in detail: Applicant is requesting annexation into the City, large scale comprehensive plan amendment to designate the property Commercial-High Intensity and rezoning to PUD (Commercial).

Required Data, Documents, Forms & Fees

Attached to this application is a list of **REQUIRED** data, documents and forms for each application type as well as the adopted fee schedule. These items must be included when submitting the application package. Failure to include the supporting data will deem your application package **INCOMPLETE** and will not be processed for review.

Printed Name: John Rehak , VP of Manager

Signature: _____ Date: 6/11/2020

If application is being submitted by any person other than the legal owner(s) of the property, the applicant must have written authorization from the owner to submit application.

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

Annexation, LSCPA And Rezoning

Owner: School Board of Lake County

Applicant: Benchmark Development I, LLC

Project Name: Fruitland Park Commons

General Location: North of CR 466A and East of Oliver Lane

Number of Acres: 27.74 ± acres

Existing Zoning: Agriculture (Lake County)

Proposed Zoning: Commercial PUD

Existing Land Use: Rural (Lake County)

Proposed Land Use: Commercial High Intensity

Date: July 24, 2020

Description of Project

The applicant is seeking annexation, large scale comp plan amendment and rezoning to Commercial PUD. The proposed development plan consists of commercial retail, high turnover sit down restaurant, and hotel with commercial out-parcels.

	Surrounding Zoning	Surrounding Land Use
North	County Agriculture	Rural
South	County Agriculture and PUD	County Rural and City Villages of Fruitland Park DRI
East	County Agriculture and City C-2	Rural and Commercial
West	PUD (The Villages – Sumter County)	Villages DRI

Assessment

Annexation

The subject property is adjacent to the City limits along the eastern and southern boundaries and is eligible for voluntary annexation. The subject site is also within the City's Utility Service Area. The applicant states that the annexation is consistent with the City's Intergovernmental Coordination Policy 1.1.3 Resolution of Transcending Growth Management Issues, subsection 1, annexation of adjacent lands, and FLU Policy 1-4.1 Variety of Commercial Lands. Planning staff concurs with the analysis.

Large Scale Comp Plan Amendment

The applicant is seeking a large scale comp plan amendment from Lake County Rural to City of Fruitland Park Commercial – High Intensity. The applicant submitted justification and analysis of consistency with the adopted comprehensive plan and an urban sprawl analysis. Planning staff concurs with the analysis.

The traffic impact analysis based on the maximum square footages of 135,500 SF of commercial, 4,000 SF of high quality sit down restaurant, and a 120 room hotel indicates that the project does not create a significant and adverse impact on the surrounding transportation network and will operate within the adopted LOS standards. The PUD square footages requested exceed these amounts; however, prior to development an updated traffic analysis will be required. In addition, the LDRs, Chapter 153 ensure that public facilities and services necessary to support development are available concurrent with the impacts.

The environmental assessment indicated the entire site is uplands based on soils and vegetation. The site is not located within a 100 year flood plain. The environmental assessment indicated the presence of gopher tortoise burrows. Prior to development, a relocation permit will need to be secured. The assessment also indicated a portion of the site is within the sand skink consultation area. Prior to development a sand skink survey or exemption will need to be secured. Should sand skinks occupy the site and habitat set aside is not an option, mitigation will be required.

It is highly recommended that a policy specific amendment be processed such as follows:

Policy 1-10.1: Fruitland Park Commons. The City of Fruitland Park will enforce development standards on the Fruitland Park Commons property in order to ensure coordination of public facilities, including transportation demand. Development shall meet the applicable goals, objectives and policies of the Comprehensive Plan; however, the land use and development potential made available by the FLUM Amendment is hereby limited as follows:

- The Amendment parcel shall be developed under the zoning classification of Commercial Planned Unit Development (CPUD) to address maximum intensity standards, site design, setbacks, buffering and access issues.

- Commercial development shall be limited to a maximum of 140,000 square feet
- The maximum number of hotel rooms shall be limited to 130
- Development is required to be served by central potable water and central sanitary sewer facilities.
- The commercial square footage and number of hotel rooms may deviate up to 20% based on a traffic conversion matrix approved by the City of Fruitland Park City Commission.

Rezoning

The applicant has revised the concept plan and it meets the minimum requirements of Chapter 154, Section 154.030.

The applicant is seeking a Commercial PUD for a maximum commercial square footage of 120,000 SF for the in line retail, 20,000 SF for the proposed outparcels (The total commercial square footage requested is 140,000 SF), and a hotel with a maximum of 130 rooms. The types of commercial uses requested are a selected list of C-2 uses. The maximum square footage of a proposed single use anchor building is 50,000 SF. The maximum building height for commercial structures is 35’ except for architectural features. The maximum building height for the hotel is 45’ subject to meeting fire codes.

Please be advised that proposed buffer plantings do not meet minimum code requirements. Are you requesting a waiver from the typical landscape plantings?

Proposed per 100’	Required per 100’
2 canopy trees	4 canopy trees
6 understory trees	2 understory trees
33 Shrubs	15 Shrubs

The plans indicate that the building setbacks are the same as the landscape buffer as follows:

- Front – 25’
- Rear – 25’
- Western Side – 30’ with decorative screen wall
- Eastern Side – 15’

The front setback from CR 466A is 50’. The plans indicate 25’. Are you requesting a waiver?

The rezoning is consistent with FLU Policy 1-3.1: Planned Unit Development, Policy 1-1.2 Density and Intensity Standards, FLU Policy 1-1.12: Commercial – High Intensity, FLU Policy 1-2.3: Coordination with Lake County Future Land Use, Policy 1-3.1: Planned Unit Development

Recommendation

Annexation

The subject site is contiguous to the city boundaries. Staff recommends approval of the annexation.

LSCPA

The subject site is located within a transitioning area within the City's Utility Service Area and should be considered infill development. The requested land use of Commercial-High Intensity is compatible with the adjacent land uses and is a logical extension of those uses. The applicant provided data that the proposed amendment meets the GOPS of the adopted comprehensive plan as follows:

- FLU Policy 1-1.2 Density and Intensity Standards, Table 1.1
- FLU Policy 1-1.12 Commercial High Intensity
- FLU Policy 1-2.1 Promote Orderly, Compact Growth
- FLU Policy 1-2.3 Coordination with Lake County Future Land Use
- FLU Policy 1-4.1 Variety of Commercial Lands
- FLU Policy 1-4.2 Access to Commercial Lands

In addition, the applicant submitted data indicating that the amendment is not considered urban sprawl pursuant to Section 163.3177, F.S. Staff concurs with the analysis and recommends approval of the LSCPA.

Rezoning

The requested zoning to Commercial Planned Unit Development (CPUD) is consistent with the comprehensive plan. Please clarify if a waiver is requested for the front setback and landscape plantings.



**REVISED DEVELOPMENT APPLICATION REVIEW
FRUITLAND PARK COMMONS
June 18, 2020**

Property Owner: School Board of Lake County, C/o Mr. Kelly Randall
Phone: 352-253-6698
Email: randallk@lake.k12.fl.us
Address: 201 W Burleigh Blvd
Tavares, FL 32778

Appointed Agent: Benchmark Development I, LLC, C/o Mr. John Rehak
Phone: 716-833-4986
Email: jrehak@benchmarkgrp.com
Address: 4053 Maple Rd
Amherst, NY 14226

Project Name: Fruitland Park Commons
Parcel ID: 06-19-24-0003-000-01900
Alt Key: 1288088
Project Address: County Road 466A
Lady Lake, FL 32159

Mr. Rehak,

Herein are the final comments preceding the informal TRC review, as your revised application was emailed to TRC members on June 11, 2020. Application is tentatively scheduled for formal TRC meeting on July 7, 2020.

Development Review:

The *initial ANNEXATION/REZONING/LSCPA application fees* are as follows:

Development Application Fees (City)	\$615.00 PAID
LPG (Land Planner)	\$2,145.00 PAID
BESH (Engineer)	\$700.00 PAID
Lake County Recording Fee	*Actual Cost
Advertisement	*Actual Cost
Certified Mailings	* Actual Cost

Per City Ordinance 2008-023 these are the applicable fees as of date; however, there may be additional fees associated with the application(s) that will be passed to the applicant(s), including addressing through Lake County Public Safety Support and Contractual Services.

***This letter was issued prior to receiving revised conceptual site plan from applicant.**

City Attorney:

No comments received at time of revised development application review.

City Engineer (BESH):

Preliminary comments regarding traffic forwarded to Lake County Public Works Department.

1. The EA notes that several listed species that may be affected. Species specific survey(s) and wildlife permitting will be required at time of development.
2. Defer to Lake County as to driveway locations, allowable access and required roadway improvements (i.e. turn lanes, etc.) as all access is off CR 466A.

City Land Planner:

See attached DRAFT Staff Report.

City Building Review:

No comments.

City Code Enforcement:

No comments.

City Fire Review:

1. No comments at this time.
2. FPI reserved the right to review preliminary and engineering plans as they related to fire flows; hydrant placement, fire lines and general life safety to our residents and guest.

City Police Review:

No comments.

City Public Works Review:

If there is no interest in the neighboring property at this time, mains to be extended from the east side of the property to the west side of the property on the CR 466A right-of-way to service the frontage on CR 466A.

City Staff Review:

City of Fruitland Park awaiting contact from Sumter Electric Cooperative (SECO) for comments.

City of Leesburg Utilities:

Proposed development is located outside of Leesburg Electric's territory and will be supplied by SECO. Natural gas available to site.

Lake County Public Schools:

No comments. The applicant has been good about sharing and coordinating information with the district through the process.

Lake County Public Works:

1. The site must comply with the Lake County Access Management ordinance.
2. A cross access easement and road connection must be made to the neighboring property.

3. The relocation of the full access median will be taken in to consideration and more communication involving the city staff and the applicant will need to take place as the development goes through the stages of design and permitting.
4. Offsite road improvements will be required. These improvements will include turn lanes at driveways based on allowed turning movements for each proposed driveway.
5. Additional right-of-way will be required to accommodate the right turn lane and sidewalk shift.

ORDINANCE 2020-005

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 27.74 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Benchmark Development I, LLC, as Applicant, on behalf of School Board of Lake County, Owner, requesting that approximately 27.74 ± acres of real property generally located north of CR 466A and west of Oliver Lane (the "Property") be annexed to and made a part of the City of Fruitland Park; and

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

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

WHEREAS, the City Commission has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; 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, all other procedural and notice requirements mandated by State law and the City's Code of Ordinances have been followed and satisfied; and

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

Section 1.

The following described property consisting of approximately 27.74 acres of land generally located north of CR 466A and west of Oliver Lane, 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: THOSE PORTIONS OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING NORTHERLY AND NORTHEASTERLY OF THE NORTHERLY AND NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS IT CURRENTLY EXISTS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6" X 6" CONCRETE MONUMENT WITH A NAIL AND NO IDENTIFICATION LOCATED AT THE SOUTHWEST CORNER OF THE SW 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE ON A BEARING RELATED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE, RUN N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF

SAID SECTION 6, A DISTANCE OF 2028.33 FEET FOR A POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS DESCRIBED IN OFFICIAL RECORDS BOOK 4485, PAGE 481, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. FROM SAID POINT OF BEGINNING, CONTINUE THENCE N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 625.67 FEET TO AN IRON AXLE LOCATED AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 89°06'05" E, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 1161.46 FEET TO A 4" X 4" CONCRETE MONUMENT LABELED "LB4709" LOCATED AT THE NORTHEAST CORNER OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 00°50'23" W, ALONG THE EAST LINE OF THE SAID WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1259.66 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A ACCORDING TO THAT CERTAIN PARTIAL RELEASE OF ROAD RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN OFFICIAL RECORDS BOOK 4537, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY TO WHICH A RADIAL LINE BEARS S 03°26'08" W; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AND THE ARC OF CURVE THROUGH A CENTRAL ANGLE OF 11°51'54", AN ARC LENGTH OF 223.92 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN RIGHT OF WAY RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN DEED BOOK 237, PAGE 336, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N 89°07'03" W, ALONG SAID NORTH LINE, A DISTANCE OF 25.87 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 466A, SAID POINT BEING A POINT OF NON-TANGENCY ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1375.39 FEET TO WHICH A RADIAL LINE BEARS S 17°41'16" W; DEPARTING SAID RIGHT OF WAY RESERVATION, THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND ARC OF CURVE, THROUGH A CENTRAL ANGLE OF 21°33'10", AN ARC LENGTH OF 517.39 FEET TO THE POINT OF TANGENCY; THENCE N 50°45'41" W, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 585.35 FEET TO THE POINT OF BEGINNING.

Parcel Alternate Key No. 1288088

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

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

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

Section 5. 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.

Section 6. 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. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park in accordance with law.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2020.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____
Passed Second Reading _____
(SEAL)

ORDINANCE 2020-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND SITE SPECIFIC AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO COMMERCIAL HIGH INTENSITY OF 27.74 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER 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.

WHEREAS, a petition has been received from Benchmark Development I, LLC as applicant, on behalf of School Board of Lake County as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Commercial High Intensity" under the Comprehensive Plan for the City of Fruitland Park; and

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

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

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

Section 1: The following described property consisting of approximately 27.74 ± acres generally located north of CR 466A and west of Oliver Lane as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Commercial – High Intensity under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference. The land use plan amendment also includes a text amendment to the Future Land Use Goals, Objectives, and Policies as follows:

Policy 1-10.1: Fruitland Park Commons. The City of Fruitland Park will enforce development standards on the Fruitland Park Commons property in order to ensure coordination of public facilities, including transportation demand. Development shall meet the applicable goals, objectives and policies of the Comprehensive Plan; however, the land use and development potential made available by the FLUM Amendment is hereby limited as follows:

- The Amendment parcel shall be developed under the zoning classification of Commercial Planned Unit Development (CPUD) to address maximum intensity standards, site design, setbacks, buffering and access issues.
- Commercial development shall be limited to a maximum of 140,000 square feet.

- The maximum number of hotel rooms shall be limited to 130.
- Development is required to be served by central potable water and central sanitary sewer facilities.
- The commercial square footage and number of hotel rooms may deviate up to 20% based on a traffic conversion matrix approved by the City of Fruitland Park City Commission.

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

Section 3: Transmittal.

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity and the East Central Florida Regional Planning Council, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Fruitland Park, Florida.

Section 4: Directions.

The City Manager or his designee, upon the effective date of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 5: Severability.

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

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

Section 7: 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 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 _____, 2020.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

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

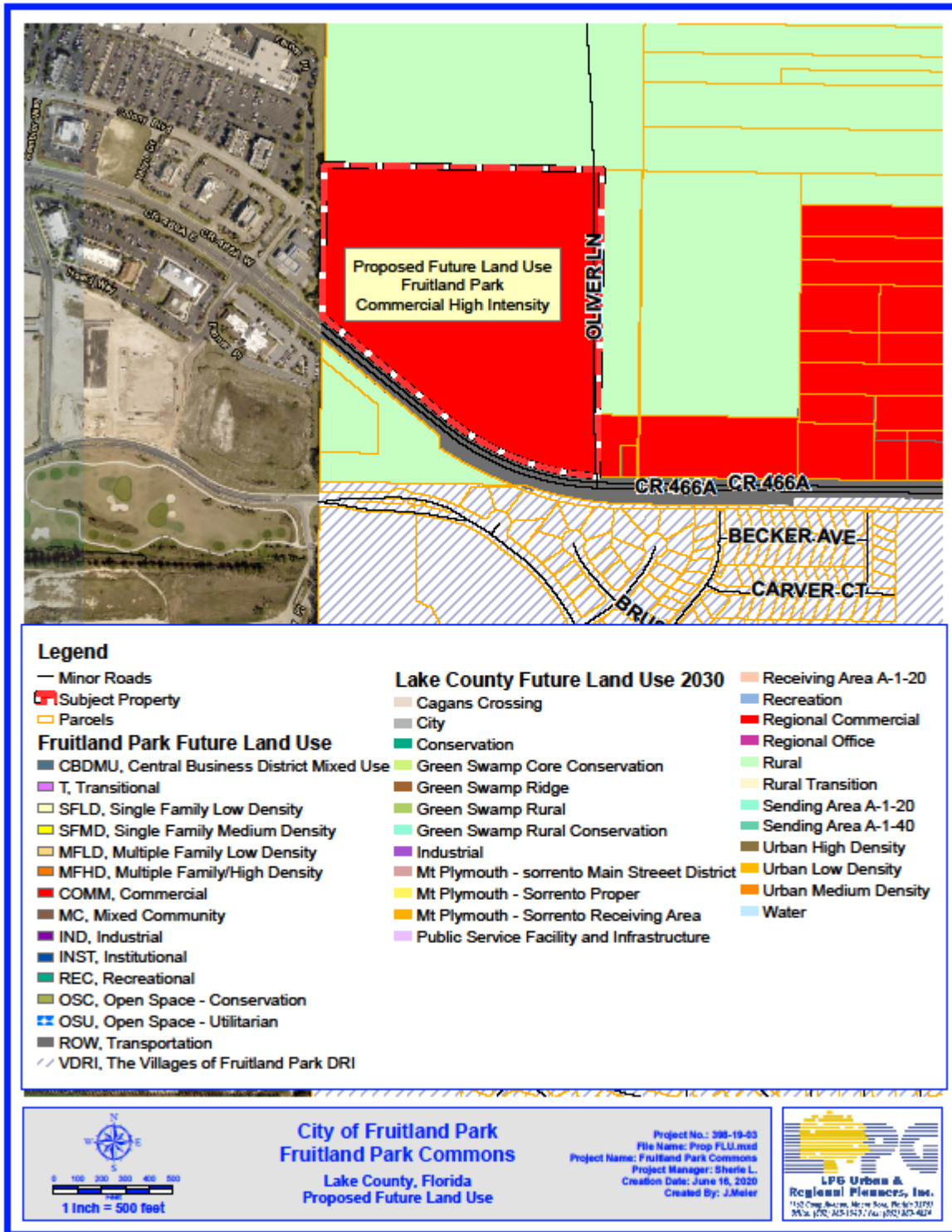
Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT A

THOSE PORTIONS OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING NORTHERLY AND NORTHEASTERLY OF THE NORTHERLY AND NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS IT CURRENTLY EXISTS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6" X 6" CONCRETE MONUMENT WITH A NAIL AND NO IDENTIFICATION LOCATED AT THE SOUTHWEST CORNER OF THE SW 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE ON A BEARING RELATED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE, RUN N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 2028.33 FEET FOR A POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS DESCRIBED IN OFFICIAL RECORDS BOOK 4485, PAGE 481, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. FROM SAID POINT OF BEGINNING, CONTINUE THENCE N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 625.67 FEET TO AN IRON AXLE LOCATED AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 89°06'05" E, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 1161.46 FEET TO A 4" X 4" CONCRETE MONUMENT LABELED "LB4709" LOCATED AT THE NORTHEAST CORNER OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 00°50'23" W, ALONG THE EAST LINE OF THE SAID WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1259.66 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A ACCORDING TO THAT CERTAIN PARTIAL RELEASE OF ROAD RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN OFFICIAL RECORDS BOOK 4537, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY TO WHICH A RADIAL LINE BEARS S 03°26'08" W; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AND THE ARC OF CURVE THROUGH A CENTRAL ANGLE OF 11°51'54", AN ARC LENGTH OF 223.92 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN RIGHT OF WAY RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN DEED BOOK 237, PAGE 336, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N 89°07'03" W, ALONG SAID NORTH LINE, A DISTANCE OF 25.87 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 466A, SAID POINT BEING A POINT OF NON-TANGENCY ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1375.39 FEET TO WHICH A RADIAL LINE BEARS S 17°41'16" W; DEPARTING SAID RIGHT OF WAY RESERVATION, THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND ARC OF CURVE, THROUGH A CENTRAL ANGLE OF 21°33'10", AN ARC LENGTH OF 517.39 FEET TO THE POINT OF TANGENCY; THENCE N 50°45'41" W, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 585.35 FEET TO THE POINT OF BEGINNING.

EXHIBIT B



ORDINANCE 2020-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 27.74 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO CITY OF FRUITLAND PARK COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO HAVE AMENDED 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.

WHEREAS, a petition has been submitted by Benchmark Development I, LLC, as Applicant, on behalf of School Board of Lake County, Owner, requesting that approximately 27.74 acres of real property generally located north of CR 466A and west of Oliver Lane (the "Property") be rezoned from Lake County Agriculture (AG) to Commercial Planned Unit Development (CPUD) within the city limits of Fruitland Park; and

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

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

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

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

Section 1. The following described property consisting of approximately 27.74 ± acres of land generally located north of CR 466A and west of Oliver Lane shall hereafter be designated as CPUD, Commercial Planned Unit Development, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described and depicted as set forth on Exhibit "A".

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 _____, 2020.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

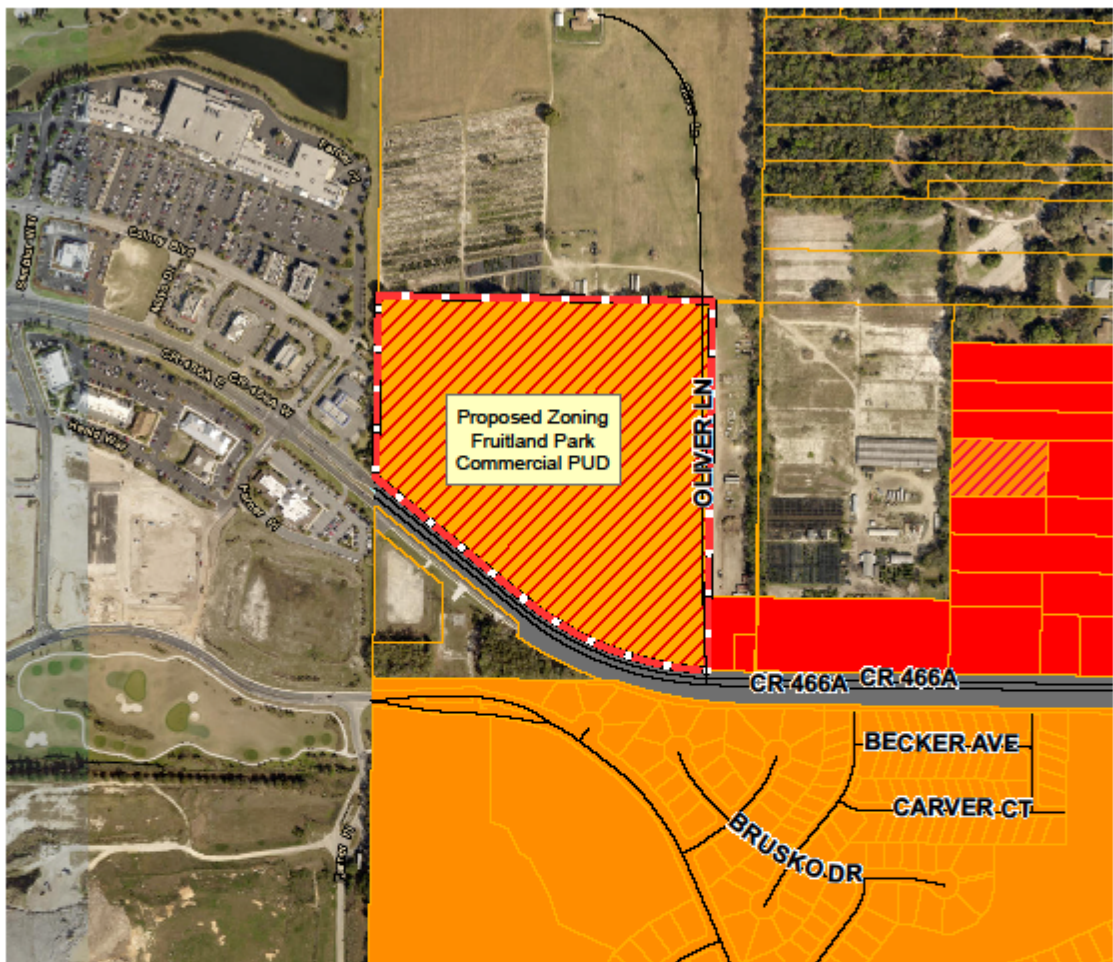
Vice-Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____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

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"
LEGAL DESCRIPTION

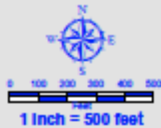
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Legend

- Minor Roads
- ▭ Subject Property
- ▭ Parcels
- FP Zoning**
- ▭ R-2, Residential Single Family Home - Low Density
- ▭ R-4, Residential Single Family Home - Medium Density
- ▭ R-8, Medium Density Residential
- ▭ R-15, Multi-Family Residential - High Density
- ▭ R-10, High Density Residential/Neighborhood Commercial
- ▭ RP, Residential Professional
- ▭ C-1, Neighborhood Commercial
- ▭ C-2, General Commercial
- ▭ IND, Industrial
- ▭ PUD, Planned Unit Development
- ▭ CPUD, Commercial Planned Unit Development District
- ▭ IND-PUD, Industrial PUD
- ▭ MPUD, Mixed Use PUD
- ▭ PFD, Public Facilities District
- ▭ GB, Green Belt District
- ▭ ROW, Right-of-Way



City of Fruitland Park
Fruitland Park Commons
 Lake County, Florida
 Proposed Zoning

Project No.: 398-19-03
 File Name: Prop Zoning.mxd
 Project Name: Fruitland Park Commons
 Project Manager: Sherie L.
 Creation Date: June 16, 2020
 Created By: J.Meier



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

*****SUBJECT TO REVIEW BY CITY ATTORNEY*****

MASTER DEVELOPMENT AGREEMENT

THIS AGREEMENT is entered into and made as of the ____th day of _____, 2021, between the CITY OF FRUITLAND PARK, FLORIDA, a Florida municipal corporation, (hereinafter referred to as the "City"), and THE SCHOOL BOARD OF LAKE COUNTY (hereinafter referred to as the "Owner").

RECITALS

1. The Owner desires to annex and rezone approximately 27.74 ± acres of property within the City of Fruitland Park, described and depicted as set forth on Exhibit "A" attached to and incorporated in this Agreement (hereafter referred to as the "Property").
2. The Property is currently located within Lake County and is currently zoned Lake County "Agriculture" with a future land use designation of "Rural" on the Lake County Future Land Use Map.
3. Owner has filed applications for annexation, large scale comprehensive plan amendment from Lake County "Rural" to City of Fruitland Park "Commercial - High Intensity", and rezoning from Lake County "Agriculture" to City of Fruitland Park "Commercial Planned Unit Development" for the Property.
4. Owner represents that it is the sole legal owner of the Property and that it has the full power and authority to make, deliver, enter into, and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.
5. The City of Fruitland Park has determined that the rezoning of the Property and the proposal for its development presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.
6. Owner will fund certain public improvements and infrastructure to facilitate the development of the Property.
7. The Property is within the City's Chapter 180, Florida Statutes, utility district, and Owner has requested and City desires to provide water and sewer as well as other municipal services to the Property.

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

Section 1. Recitals. The above recitals are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement. All exhibits to this Agreement are hereby deemed a part thereof.

Section 2. Conditions Precedent. Owner has filed an application for a large scale comprehensive plan amendment and rezoning for the Property. It is understood and agreed to by the City and the Owner that this Agreement shall not be binding or enforceable as to any party unless and until: a) the City duly adopts the Agreement, adopts an ordinance amending the comprehensive future land use map and such amendment becomes effective, and adopts an ordinance rezoning the Property and such rezoning becomes effective. The parties hereto understand and acknowledge that the City is in no way bound to amend the future land use map or rezone the Property. The City shall have the full and complete right to approve or deny the application for rezoning and comprehensive plan map amendment. However, if the City denies the application for rezoning or the comprehensive plan map amendment, this Agreement shall be void and shall be of no further force and effect.

Section 3. Land Use/Development. Development of the Property shall be substantially consistent with the "Conceptual Site Plan" prepared by Benchmark Development I, LLC, dated _____, and attached as **Exhibit "B"** (the "Plan"). The project shall be developed as a commercial shopping center. All development shall be consistent with City's "PUD" (Planned Unit Development/Commercial) zoning district and, subject to City approval. As set forth further below, all land use issues addressed herein must be adopted by City through its regular procedures before being effective.

Section 4. Permitted Uses. Permitted Uses shall include:

- a. Appliance/Electronic Repair Shops
- b. Banks.
- c. Business Services.
- d. Commercial/Industrial Equipment and Supplies.
- e. Convenience Store with or without fuel operations.
- f. Day Care Centers.
- g. Fast Food with or without drive thru facilities.
- h. Financial Services.
- i. Furniture and Appliance Stores.
- j. Health/Exercise Clubs.
- k. Hotels/Motels.
- l. Kennels.
- m. Medical Office/Clinic.
- n. Offices.
- o. Personal Services.
- p. Restaurants.
- q. Retail Home Building Materials.
- r. Retail Sales and Services.
- s. Shopping Center.
- t. Veterinary Clinic.
- u. Temporary modular office uses shall be allowed during construction.
- v. Total Commercial Square footage shall not exceed 140,000 square feet which includes the out parcels. The maximum single tenant building shall not exceed 50,000 square feet. The maximum building square footage for the out parcels shall not exceed 20,000 square feet total.
- w. Maximum number of hotel rooms shall not exceed 130.

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

- a. Minimum Setback requirements for commercial shall be:
Front: CR 466A - Fifty feet (50') *conceptual site plan shows 25' front setback

Eastern Side: Fifteen feet (15')

Western Side: Thirty feet (30')

Rear: Twenty-five feet (25')

Accessories Setback: All accessory structures shall be located no closer to the property line than fifteen feet (15').

- b. The maximum impervious surface ratio for the property (which includes building coverage) shall be limited to seventy percent (70%).
- c. The maximum floor area ratio shall not exceed fifty percent (50%).
- d. A minimum of twenty-five (25) percent of the property shall be open space.
- e. Maximum building height along CR 466A shall be limited to two (2) stories (from finished grade). Maximum building height, excluding along CR 466A shall be limited to four (4) stories (from finished grade) provided that adequate fire protection measures are provided as determined by the City Fire Inspector and Building Official.
- f. Parking: The Applicant will be required to meet the parking requirements of the Fruitland Park Land Development Regulations.
- g. Commercial access: Access to the commercial development areas shall be primarily from the entrance boulevard with access to CR 466A. Pedestrian access shall be provided to the commercial area and shall be reviewed during the site plan or subdivision review process.
- h. Pedestrian access shall be provide through sidewalk and/or walkways connecting all buildings within the development. Pedestrian access shall include consideration of sidewalks, recreational trails/paths, etc., to adjoining properties.
- i. Sidewalks shall be installed per City of Fruitland Park codes and specifications.
- j. All pedestrian crossing areas shall be visibly marked with appropriate crossing signage and striping. Intersections shall have street pavers, striping or similar materials approved through the appropriate site plan and/or building permit process, to allow safe crossing points and pedestrian access to all structures.

Section 6. Signage. A master signage plan shall be provided at time of site plan/construction plan. All ground signs for the property shall be monument style signs with design and architectural style consistent with the overall development, and consistent with the requirements of the sign regulations of the Fruitland Park Land Development Regulations. Ground signs may not be permitted on undeveloped property. All wall signage shall be designed and constructed to comply with the standards and requirements of the Fruitland Park Land Development Regulations.

Section 7. Commercial Design Standards. The Applicant shall be required to meet the nonresidential design standard requirements of the Fruitland Park Land Development Regulations.

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

Section 9. Site Access and Transportation Improvements. Vehicular access to the project site shall be provided by a minimum of two access points, one primary access on CR 466A and one access to the east. If only one primary access is from CR 466A it shall be through a divided landscaped boulevard type road. Actual location and design of the boulevard shall be determined during the Site Plan and/or Preliminary Subdivision Plan review process and shall include consideration of sidewalks on both sides of

the boulevard. Other potential vehicular and pedestrian accesses will be reviewed during the development review process.

- a. The Permittee shall provide all necessary improvements/signalization within and adjacent to the development as required by Lake County and City of Fruitland Park.
- b. All roads within the development shall be designed and constructed by the developer to meet the City of Fruitland Park requirements.
- d. The City of Fruitland Park will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements.
- e. A traffic/transportation study shall be submitted prior to site plan or preliminary subdivision approval for review and determination of any necessary access or off-site improvements if required by Florida Department of Transportation, Lake County or the City of Fruitland Park. Said improvements will be the responsibility of the Permittee.
- f. At such time that traffic signals are warranted at the proposed project entrance, the Permittee shall pay their pro-rata share of the cost of the signal(s) as determined by City staff.
- g. Transit bus stop. The proposed development lies along and near major transportation routes, a covered transit bus stop, adjacent to the boundary of the property, or located such that it meets the approval standards, codes and requirements of the City of Fruitland Park, and Lake County shall be provided by the developer if required by Lake County Transit. If required, the transit bus stop shall be constructed prior to the certificate of occupancy for the first commercial building.

Section 10. Lighting. All exterior lighting shall be arranged to reflect light away from adjacent properties to the greatest extent possible while providing lighting adequate to ensure safety on road right of way and parking areas. Lighting shall comply with the nonresidential design requirements of the Fruitland Park Land Development Regulations.

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

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

Owner agrees to pay all other impact fees and any impact fees adopted after the execution of this Agreement as building permits are issued. If impact fees increase from the time they are paid until the building permit is issued, Owner shall pay the incremental increased amount at the time building permits are issued. Prepayment of utility impact fees and acceptance by City of such fees shall reserve capacity.

No capacity is reserved until or unless such fees have been paid pursuant to an agreement with City. Owner agrees and understands that no capacity has been reserved and that Owner assumes the risk that capacity will be available. Accordingly, if capacity is available at the time of site plan and City is willing to allocate such capacity to Owner, Owner shall enter into a reservation agreement and any other utility agreements or easements related to the Property as requested by City from time to time.

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

Section 14. Landscaping/Buffers. Developer has reviewed City's Land Development Regulations relating to landscaping and agrees to comply with such regulations. Owner shall install and maintain a twenty-five foot (25') landscape buffer along CR 466A; a twenty-five foot (25') buffer along the northern property boundaries, a thirty foot (30') buffer with a 6' high decorative solid wall constructed of concrete block or similar synthetic material that forms a solid opaque visual buffer, along the western property boundary, and a fifteen foot (15') buffer along the eastern property boundary as shown on the Conceptual Plan. All landscaping and tree protection shall comply with Chapter 164 of the City of Fruitland Park Land Development Regulations. Landscaping shall also be provided around building areas, a minimum of five (5) foot landscape buffer around the building perimeter on all sides visible to the general public. Owner shall maintain such areas.

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

Owner shall design and construct, at its sole expense, the interior landscaped areas and islands within the parking areas of the Property in accordance with all applicable City of Fruitland Park Land Development Regulations. Owner shall maintain such areas.

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

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

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

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

Section 18. Signage. Owner shall submit a master sign plan as a component of the final site plan (i.e., construction plan) application for the Property. Such plan shall be in compliance with all applicable regulations contained within the City of Fruitland Park Land Development Regulations, unless City grants a waiver or variance pursuant to the City's Land Development Regulations. Alternatively, the Owner, in

the Owner's discretion, may apply to amend the PUD to incorporate a Master Signage Plan at the time that the Owner desires to install signage at the development.

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

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

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

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

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

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

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

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

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

As to City:	City Manager City of Fruitland Park 506 W. Berckman Street
-------------	--

	Fruitland Park, Florida 34731 352-360-6727 Telephone
Copy to:	Chris Cheshire, City Mayor City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone Anita Geraci-Carver Law Office of Anita Geraci-Carver, P.A. 1560 Bloxam Avenue Clermont, Florida 34711 352-243-2801 Telephone 352-243-2768 Facsimile
As to Owner:	School Board of Lake County 201 W. Burleigh Blvd. Tavares, FL 32778
Copy to:	John Rehak Benchmark Development I, LLC 4053 Maple Road Amherst, New York 14226 941-527-9070

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

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

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

Section 31. Severability. If any part of this Developer's Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not effect the other parts of this Developer's

Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be effected. To that end, this Developer's Agreement is declared severable.

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

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

LAKE COUNTY SCHOOL BOARD

Witness Signature

By: _____

Print Name

Witness Signature

By: _____

Print Name

STATE OF FLORIDA
COUNTY OF _____

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

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

ACCEPTED BY THE CITY OF FRUITLAND
PARK

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

By: _____
Chris Cheshire, Mayor

Date: _____

Anita Geraci-Carver
City Attorney

ATTEST: _____
Esther B. Coulson
City Clerk

STATE OF FLORIDA
COUNTY OF LAKE

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

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

DRAFT

EXHIBIT "A"
LEGAL DESCRIPTION

THOSE PORTIONS OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING NORTHERLY AND NORTHEASTERLY OF THE NORTHERLY AND NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS IT CURRENTLY EXISTS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6" X 6" CONCRETE MONUMENT WITH A NAIL AND NO IDENTIFICATION LOCATED AT THE SOUTHWEST CORNER OF THE SW 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE ON A BEARING RELATED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE, RUN N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 2028.33 FEET FOR A POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS DESCRIBED IN OFFICIAL RECORDS BOOK 4485, PAGE 481, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. FROM SAID POINT OF BEGINNING, CONTINUE THENCE N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 625.67 FEET TO AN IRON AXLE LOCATED AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 89°06'05" E, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 1161.46 FEET TO A 4" X 4" CONCRETE MONUMENT LABELED "LB4709" LOCATED AT THE NORTHEAST CORNER OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 00°50'23" W, ALONG THE EAST LINE OF THE SAID WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1259.66 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A ACCORDING TO THAT CERTAIN PARTIAL RELEASE OF ROAD RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN OFFICIAL RECORDS BOOK 4537, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY TO WHICH A RADIAL LINE BEARS S 03°26'08" W; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AND THE ARC OF CURVE THROUGH A CENTRAL ANGLE OF 11°51'54", AN ARC LENGTH OF 223.92 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN RIGHT OF WAY RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN DEED BOOK 237, PAGE 336, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N 89°07'03" W, ALONG SAID NORTH LINE, A DISTANCE OF 25.87 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 466A, SAID POINT BEING A POINT OF NON-TANGENCY ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1375.39 FEET TO WHICH A RADIAL LINE BEARS S 17°41'16" W; DEPARTING SAID RIGHT OF WAY RESERVATION, THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND ARC OF CURVE, THROUGH A CENTRAL ANGLE OF 21°33'10", AN ARC LENGTH OF 517.39 FEET TO THE POINT OF TANGENCY; THENCE N 50°45'41" W, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 585.35 FEET TO THE POINT OF BEGINNING.

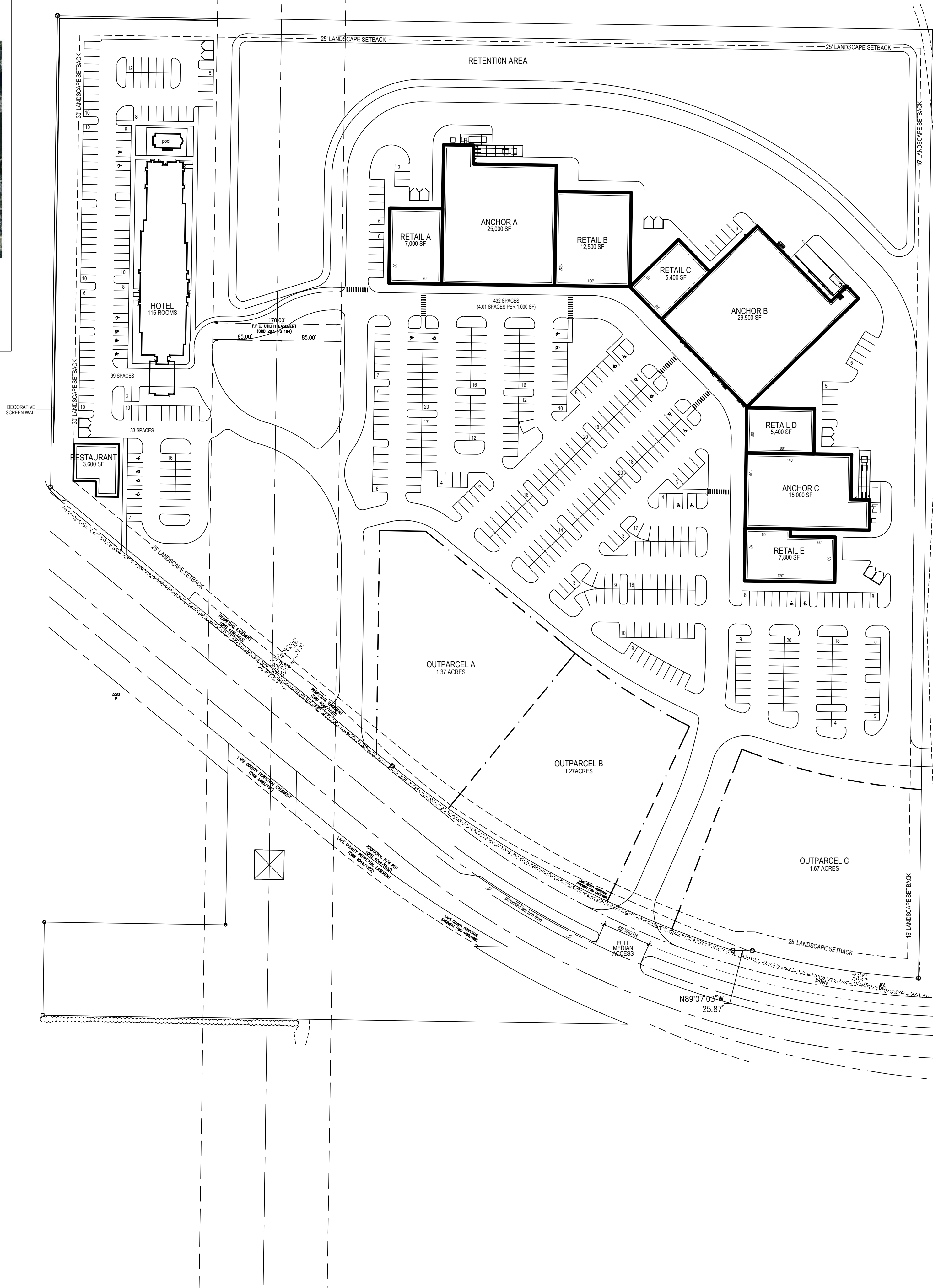
EXHIBIT "B"

THE PLAN

DRAFT



LOCATION MAP



DATA:

TOTAL AREA	27.3 ACRES
ISR MAXIMUM	0.70 %
FAR MAXIMUM	0.50 %
PARKING STALL SIZE	10' x 20'
	10' x 19' (ADJACENT TO LANDSCAPE)
BICYCLE PARKING	5.64 BICYCLE SPACES
0.1 PER PARKING SPACE	
MAX SINGLE TENANT BLDG SF	50,000 SF
SETBACKS (BLDG, SETBACK & LANDSCAPE BUFFER)	
FRONT	25.0'
SIDE (EAST)	15.0'
SIDE (WEST)	30.0'
REAR	25.0'
MAXIMUM SF FOR IN-LINE RETAIL	120,000 SF
MAXIMUM SF FOR OUTPARCELS	20,000 SF
MAXIMUM # OF HOTEL ROOMS	130 ROOMS

PARKING:
ALL PARKING SHALL BE IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE UNLESS A VARIANCE IS GRANTED.

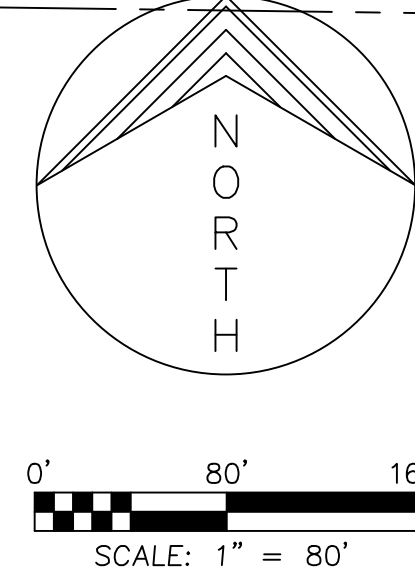
ADJACENT ZONING:
NORTH COUNTY AGRICULTURE
SOUTH COUNTY AGRICULTURE/ PLANNED UNIT DEVELOPMENT
EAST COUNTY AGRICULTURE/ FRUITLAND PARK C-2
WEST PLANNED UNIT DEVELOPMENT (THE VILLAGES), SUMTER COUNTY

BUILDING HEIGHTS:
COMMERCIAL BLDG. HEIGHT OF 35' EXCEPT FOR ARCHITECTURAL FEATURES
HOTEL BLDG. HEIGHT OF 45'
(UNDERSTANDING THIS NEEDS TO MEET FIRE CODE STANDARDS)

SERVICES:
WATER/ SEWER CITY OF FRUITLAND PARK
FIRE CITY OF FRUITLAND PARK
NATURAL GAS SECO

PERMITTED USES:
APPLIANCE/ ELECTRONIC REPAIR SHOPS
BANKS
BUSINESS SERVICES
COMMERCIAL/ INDUSTRIAL EQUIPMENT & SUPPLIES
CONVENIENCE STORES WITH OR WITHOUT FUEL OPERATIONS
DAY CARE CENTERS
FAST FOOD WITH OR WITHOUT DRIVE THRU
FINANCIAL SERVICES
FURNITURE AND APPLIANCE STORES
HEALTH/ EXERCISE CLUBS
HOTELS/ MOTELS
KENNELS
MEDICAL OFFICE/ CLINIC
OFFICES
PERSONAL SERVICES
RESTAURANTS
RETAIL HOME BULING-MATERIALS
RETAIL SALES AND SERVICES
SHOPPING CENTER
VETERINARY CLINIC

ACCESS EASEMENT:
AN ACCESS EASEMENT SHALL BE PROVIDED TO ALLOW VEHICULAR ACCESS TO / FROM THE PROPERTY TO THE EAST AT THIS POINT.



REVISIONS	BY

KPMFranklin
ENGINEERS • PLANNERS • SURVEYORS
6300 HAZELTINE NATIONAL DRIVE, STE. 118
ORLANDO, FL 32822 | PHONE (407) 410-8624
CERTIFICATE OF AUTHORIZATION: 32058

KPMFranklin

WARNING
IF THIS BAG DOES NOT BE OPENED THIS COPY OF THIS DOCUMENT IS NOT TO SCALE

JAMES D. BROWN, RLA
FLORIDA #001508

**Fruitland Park Commons
Highway 466A**

The Benchmark Group
4053 Maple Road
Amherst, New York, 14226

SITE PLAN

DRAWN: JDB
CHECKED: JDB
DATE: 7/6/20
SCALE: 1" = 80'
JOB No: 000
SHEET:
SP-4

P:\Benchmark Group\Fruitland Park Commons\site plans\sp-4.dwg Plotted: Jul 15, 2020 - 2:49pm by jbrown

NOTICE OF PUBLIC HEARINGS

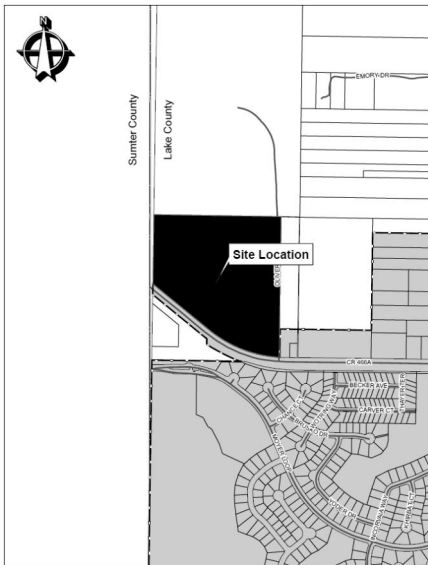
ORDINANCE 2020-005

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 27.74 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE.

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

- Fruitland Park Planning & Zoning Board Meeting
on October 15, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on October 22, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on November 12, 2020 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. The meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time 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.

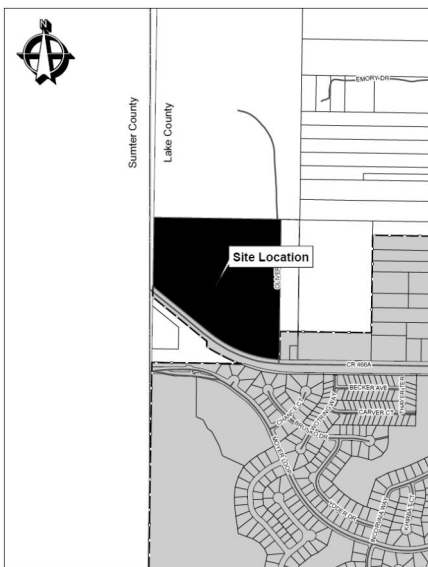
NOTICE OF PUBLIC HEARINGS ORDINANCE 2020-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND SITE SPECIFIC AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO COMMERCIAL HIGH INTENSITY OF 27.74 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER 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 proposed Ordinance will be considered at the following public meetings:

- Fruitland Park Planning & Zoning Board Meeting
on October 15, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on October 22, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on November 12, 2020 at 6:00 p.m.
- Land Planning Agency Meeting
on November 12, 2020 at 6:15 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. The meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time 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.

NOTICE OF PUBLIC HEARINGS

ORDINANCE 2020-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 27.74 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO CITY OF FRUITLAND PARK COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO HAVE AMENDED 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 proposed Ordinance will be considered at the following public meetings:

- Fruitland Park Planning & Zoning Board Meeting
on October 15, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on October 22, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on November 12, 2020 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. The meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time 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
NOTICE TO SURROUNDING PROPERTY OWNERS

The City of Fruitland Park has received an application for: Annexation, Rezoning and Large Scale Comprehensive Plan Amendment (LSCPA).

Name of Applicant: Benchmark Development I, LLC

Address or general location of property: Alternate Key 1288088; generally located north of County Road 466A and west of Oliver Lane, as shown on location map.

Type of Zoning requested: CPUD (Commercial Planned Unit Development)

Reason for action: Applicant proposes Annexation to transfer property from Lake County jurisdiction to City of Fruitland Park jurisdiction. Applicant proposes Rezoning/LSCPA to allow for commercial development including restaurant, hotel and retail uses.

Other information attached: Yes X No _____

* * * * *

There will be a Public Hearing:

Planning & Zoning Board	Thursday, October 15, 2020 @ 6:00 p.m.
City Commission 1st Reading	Thursday, October 22, 2020 @ 6:00 p.m.
City Commission Final Reading	Thursday, November 12, 2020 @ 6:00 p.m.
Land Planning Agency	Thursday, November 12, 2020 @ 6:15 p.m.

NOTE: If you are opposed to this Annexation, Rezoning and LSCPA, and wish to state your reasons, please fill out and return the form below to: Fruitland Park City Hall, 506 W Berckman Street, Fruitland Park, FL 34731, or call 352-360-6727 and your name will be listed for you to speak at the scheduled P&Z Board Meeting and/or City Commission Meeting.

* * * * *

SURROUNDING PROPERTY OWNER

Name: _____
(Please Print)

Address: _____

I/We the undersigned have examined the above information for the proposed _____ and understand the nature of this request.

I/We are opposed ____/not opposed ____ to this action. (check one)

I/We request to speak at P&Z Meeting ____ and/or City Commission Meeting ____.
(check one or both)

Addressee Signature

Addressee Signature

In the event this form is not mailed back to the City or you have not called the City to schedule you as a speaker, this will be considered as an approval.