



506 WEST BERCKMAN STREET  
FRUITLAND PARK, FL 34731

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

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| <b>Board Members:</b><br>Al Goldberg, Chairman<br>Daniel Dicus, Vice Chair<br>Carlisle Burch<br>Fred Collins<br>Walter Birriel | <b>Others:</b><br>Michael Rankin, LPG<br>Sharon Williams, Administrative Manager<br>Emily Church, Office Assistant |
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**AGENDA**  
**PLANNING & ZONING BOARD**  
**AUGUST 18, 2022**  
**6:00 PM**

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- I. INVOCATION AND PLEDGE OF ALLEGIANCE:**
- II. ROLL CALL:**
- III. MEETING NOTES FROM PREVIOUS MEETING:** Meeting notes from July 21, 2022 included for review/comment.
- IV. OLD BUSINESS:** NONE

**NEW BUSINESS:**

**A. Reserve at Spring Lake Cove – Major Site Plan and Unity of Title (Alternate Keys: 1287251, 1287600, 1504333, 1504341, 1504350, 1504368, 2669306, 3038550, 3801592, 3823815, 3823816, 3839947)**

The subject site consists of 35.99 +/- acres and has an existing future land use of Multi-Family High Density (maximum of 15 units/acre). The applicant has passed one hearing of City Commission meeting (7/28/2022) and is anticipating a second hearing on 8/25/2022 to allow rezoning from R-2 (Single Family Low Density), R-15 (Multi-Family High Density Residential), and PUD (Planned Unit Development) to PUD for a 128 unit apartment complex. The apartment layout consists of 30 buildings some of which are 2-story with units ranging from 2 units to 7 units per building. The subject site is an extension of the existing Spring Lake Cove Apartments located to the east. The recreation amenities provided include a dog park, trails, 20' x 20' pavilion with 4 picnic tables and 2 grills, and lake overlook sitting area with 2 grills. It is the applicant's intent to also utilize the recreational amenities at Spring Lake Cove apartments which includes playground equipment.

The applicant is requesting a Unity of Title of the above referenced twelve (12) parcels to combine all separate lots into one titled parcel/plot for development. If approved, this will constitute a covenant to run with the land, as provided by law.

Staff recommends approval of the Major Site Plan and Unity of Title

**B. Confirmation of Chair and Vice-Chair of P&Z to serve 2022/2023**

**BOARD MEMBERS' COMMENTS:**

**PUBLIC COMMENTS:**

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. 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 Planning and Zoning Board. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

**ADJOURNMENT:**



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| <b>Board Members:</b><br>Al Goldberg, Chairman<br>Daniel Dicus, Vice Chair<br>Carlisle Burch<br>Fred Collins<br>Walter Birriel | <b>Others:</b><br>Michael Rankin, LPG<br>Sharon Williams, Administrative Manager<br>Emily Church, Office Assistant |
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**AGENDA MINUTES**  
**PLANNING & ZONING BOARD**  
**JULY 21, 2022**  
**6:00 PM**

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- I. **INVOCATION AND PLEDGE OF ALLEGIANCE:** Board Chairman Goldberg requested all participate in the pledge of allegiance; Sharon Williams was asked to lead the invocation
- II. **ROLL CALL:** All members present except Board Member Dicus & Board Member Birriel.
- III. **MEETING NOTES FROM PREVIOUS MEETING:** Meeting notes from April 21, 2022 included for review/comment. Board Member Collins made the motion to approve the last meeting's minutes and was seconded by Board Member Burch. Passed Unanimously.
- IV. **OLD BUSINESS:** NONE

**NEW BUSINESS:**

**A. Timbertop Lane (aka Miller Park) Planned Development & Large Scale Comp Plan Amendment (Alternate Key: 1287715)**

A Planned Development and Large Scale Comp Plan Amendment application was submitted by Tara Tedrow of Lowndes Law on behalf of the owner, Stephanie Bailey Bouis and Patricia Bouis Thompson. The proposed development consists of approximately 24.52 ± acres of commercial uses and 44.03 ± acres consisting of a total of 486 units: 288 garden apartments and 198 townhomes. The proposed maximum height is 4 stories (approximately 45').

The *existing PUD*, known as Live Oak Center, allowed for 120 units (townhomes/apartments – 10 acres), 300,000 (30 acres) SF of commercial, and 200,000 (20 acres) SF of office with a maximum building height of 45 feet. The current future land use designation is Mixed Community (6 units/acre; Max 4/ac without sewer); development proposing future land use designation of General Mixed Use (12 units/acre; Max 4/ac without sewer). Additionally, the applicant is seeking to further amend the phasing of the proposed development as open ended.

The *proposed development* consists of 18.88 acres (27.5%) of commercial/office uses of 168,000 square feet; 6.88 acres (10.1%) of institutional uses of 209,784 square feet; and 42.79 acres (62.4%) of residential uses consisting of 25 townhomes (2-story) with 198 units and 7 apartments (3 story and 4 story) consisting of 288 units. The proposed townhome minimum net living area is 1,480 SF and the proposed apartment minimum net living area is 1,200 SF. The gross density is 11.43 units per acre.

The concept plan meets the minimum technical requirements of Chapter 154. Staff recommends approval of the PUD amendment and concept plan subject to the City Commission's concurrence with the applicant that the proposed open space meets the common open requirements of Chapter 154.

*Michael Rankin of LPG provided a background on the application process and proceeded to introduce the project. To date, 88 certified letters were sent out, 7 opposition letters returned, and 2 opposition phone calls. LPG's recommendation was to approve this project to promote orderly growth and development for a large-scale comp plan and for the PUD amendment.*

*Brett Linzen from Kimley Horn of Orlando, FL 32818 was present to answer any questions about the development.*

*Chairman Goldberg expressed concern over the intended four-story apartment buildings and what kind of fire mitigation efforts would be made. Brett Linzen responded that when they begin final engineering plans they would coordinate with the city fire marshall over what would be required for accessibility. The applicant would propose fire sprinklers and maneuverability around the site for the major site plan. Chairman Goldberg asked if the fire suppression system would be in all the apartments or just those above a certain floor level. Brett Linzen responded that typically all buildings would be sprinkled but the smaller buildings such as the clubhouse may not need it. Michael Ranking of LPG noted that the applicant has worked with Lake County Public Works for ingress and egress.*

*Board Member Burch inquired about the status of improvements for Timbertop Road since the development will utilize a portion of it. Brett Linzen couldn't speak to the status of it but stated they are working with Lake County Public Works. He further stated there is a potential for right-of-way dedication for access to the townhome development. The road belongs to Lake County and they will need to work that out with Lake County if its intended as a secondary means of ingress-egress during an emergency (as it will likely need to be paved). Michael Rankin of LPG noted that this is usually flushed out with a traffic impact analysis.*

*Board Member Burch stated that they are likely to anticipate the bulk of traffic coming off of CR 466A, do they anticipate long-term traffic coming in from another direction? Brett Linzen responded that they worked out the curb cuts with Lake County Public Works as to where they want the full access. Timbertop Lane could potentially be another traffic source depending on Lake County's direction there but as of now no. Board Member Collins asked about 441/27 and Brett Linzen responded no.*

*Michael Ranking from LPG stated from an environmental assessment standpoint, that the applicant understands there may be Gopher Tortoises and Sand Skinks that will be required to be relocated with a permit before development begins.*

*Chairman Goldberg reminded everyone of the guidelines for public comments and then opened the meeting up to public comments.*

*Robert Simmons, Piney Ridge Blvd, asked if this development will have access to Linda Glen at the cul-de-sac at the end of Timbertop Lane which is in Lake County. Chairman Goldberg indicated that Linda Glen is further north than this project and is therefore unlikely for improvements up the road past the proposed development. Brett confirmed the aforementioned would not do improvements on the road past their property.*

*Board Member Collins questioned the need for increased density. Brett Linzen stated the densities were moved around for commercial and multi-family to meet the market demand. Board Member Collins stated his primary concerns involved the residential density.*

*Paige Simmons, Piney Ridge Blvd, stated that she is a teacher at Fruitland Park Elementary and asked if there has been any thought given to the influx of students that this project would bring. She stated a new school is supposed to be coming but that has been in the works since 2018. She wants to make sure new students will not overcrowd the school system. Brett Linzen responded that they looked at school capacity and corresponded with Lake County Public Schools stating that they had adequate capacity with the current school.*

*Board Member Burch stated he would like clarification regarding the phasing. Brett Linzen stated the multi-family residential being more like a Phase 1A and the commercial as a Phase 1B and that these would happen pretty quickly; then ultimately the 'institutional' and last would be the townhomes.*

*Susan Grudosky of The Villages of Pine Ridge asked if there was a rendering of what this project would look like. Brett Linzen provided a preliminary sketch of some anticipated architectural styles.*

*Board Member Burch made a motion to approve Timbertop Lane planned development and large-scale comprehensive plan amendment. Seconded by Board Member Collins. Passed unanimously.*

**B. Reserve at Spring Lake Cove – PUD Amendment & Rezoning (Alternate Keys: 1287251, 1287600, 1504333, 1504341, 1504350, 1504368, 2669306, 3038550, 3801592, 3823815, 3823816, 3839947)**

The subject site consists of 35.99 +/- acres and a portion of the site borders Zephyr Lake. The subject site's existing future land use is Multi-Family High Density (maximum of 15 units/acre). The applicant is seeking rezoning from R-2 (Single Family Low Density), R-15 (Multi-Family High Density Residential), Industrial and PUD (Planned Unit Development) to PUD for a 128 unit apartment complex. The apartment layout consists of 30 buildings some of which are 2-story with units ranging from 2 units to 7 units per building. It should be noted that the subject site is an extension of the existing Spring Lake Cove Apartments located to the east. The recreation amenities provided include a dog park, trails, 20' x 20' pavilion with 4 picnic tables and 2 grills, and lake overlook sitting area with 2 grills. It is the applicant's intent to also utilize the recreational amenities at Spring Lake Cove apartments which includes playground equipment. In addition, the applicant is seeking Preliminary Plan approval for the rezoning process. The applicant is also requesting a variable buffer width adjacent to the cul-de-sac located within the southwestern property boundary from 25' to 10' and to allow a 10' buffer adjacent to a small portion of the stormwater pond.

A PUD MDA amendment was concurrently submitted to city attorney for review/comments and subsequent submittal for city approval. The applicant is requesting both multi-family and single family use options. The multi-family option is part of the request for 128 apartments; the single family

residence option is requested to be added to the MDA amendment to allow for 95 single family homes (with typical 65' lots). The maximum building height proposed is 35' with no phasing. Although a major site plan for 128 apartments has been submitted and is currently being reviewed, the applicant would like to have the option to withdraw this request and submit a new development application for a proposed 95 single family residences subdivision. Applicant proposes using city water service, fire protection and privately maintained stormwater management. Due to shifts in the housing market, the owner/applicant wishes to amend the language in the Master Development Agreement to allow greater flexibility with permitted uses.

Staff recommends approval for the PUD amendment & Rezoning.

*Michael Rankin of LPG presented the project. 32 certified letters were sent, with 1 letter of opposition and 6 phone calls of opposition.*

*McGregor Love of Lowndes Law attended on behalf of the applicant. He stated this project has been in the works for two years. The future land use allows for 15 units per acre and this project is proposing substantially less which is consistent with the density limitation of the future land use. The applicant is looking at the market and it is in flux which is why an option between single-family and multi-family is being proposed. The multi-family option is for 128 apartment units and the single-family option is for 95 single family homes. The next stage for the single-family option would be a preliminary plat if approved.*

*Michael Rankin of LPG stated that developers are looking at current and forecast markets which is why multiple options are being proposed.*

*Chairman Goldberg asked if there are plans for a recreational area. Gregory Love replied that they also own the apartment complex to the west and they plan to cross-utilize those facilities. David Stokes of Madden, Moorehead and Stokes, the civil engineer for this project, stated the plan is to have more passive facilities on this project - such as an additional lakefront gazebo, walking paths and the more typical facilities will be shared with the other complex. The proposed layout is very spread out with more spacing between the buildings.*

*Board Member Burch asked about transportation road ownership and maintenance of Spring Lake Road and Cook Drive. Local law enforcement, who was in attendance, confirmed Spring Lake Road is a county road and Cook is a city road. Board Member Burch expressed concerns about the traffic flow out of Spring Lake Road since one has to first travel north and make a U-turn to travel south. Chairman Goldberg asked what will be the main area of ingress-egress. David Stokes stated that the southern entrance on Cook Dr will be an emergency only access; the primary ingress-egress will be off Spring Lake Rd. Chairman Goldberg asked if there were preliminary traffic studies where traffic would feed into out onto Spring Lake Rd. David Stokes responded that a traffic study was done per Lake County which analyzed all the movements you could make based on the current restrictions on the road and didn't find any deficiencies. Board Member Collins requested clarification whether by 'no deficiencies' that there is no chance for putting a traffic light there. David Stokes responded that would be a different analysis which is a signal analysis and there is a list of criteria that have to be met to consider a traffic signal. Board Member Burch's primary concern is the traffic with the current construction on US Highway 441/27. Chairman Goldberg asked if they knew when this goes before the county regarding the roads. David Stokes responded that is part of the site construction plan wherein they would go before the county for a driveway connection permit. It is ongoing now for the apartment version and comments have already been provided. Michael Ranking of LPG stated that the applicant and Lake County Public*

*Works have been working on this scenario since February 9, 2021 and at present, there is no definitive answer.*

*Chairman Goldberg reminded everyone of the guidelines for public comments and then opened the meeting up to public comments.*

*Bill Richards, Piney Ridge Blvd, has a curiosity about the emergency traffic-only entrance on Cook Dr. He inquired whether the entrance would be accessible by the average person or will it be gated? David Stokes responded that it will be gated. Chairman Goldberg indicated it will be accessed only via a touchpad or some other methodology so only emergency personnel will have access.*

*James Hipp, Lone Oak Dr Leesburg, FL, stated that he owned a parcel on the lake and plans to build a house. There were three houses at some point on the lake. James Hipp wants to know when the original PUD was zoned. Michael Rankin responded that the current PUD is being modified. Chairman Goldberg stated the previous zoning was R-1, R-3 and PUD and they are changing the zoning so that it all parcel reflect a PUD zoning designation. Mr. Hip expressed concern about water runoff into the lake. David Stokes responded that retention ponds would handle the water and the water would seep back into the ground.*

*Tyler Hunter, Spring Lake Ponds, inquired whether Spring Lake Road would be the access while building and moving on and off the property. Chairman Goldberg responded that it's too far in the future to know that right now. Tyler also expressed concerns about road access off Spring Lake Rd onto US 441 /27 with ten cars routinely stacked up. Chairman Goldberg reminded him that Spring Lake Rd is a county road and the City of Fruitland Park doesn't control it.*

*Robert Simmons, Piney Ridge Blvd, asked if the planned gated access on Cook Dr. will allow for foot traffic. David Stokes stated that there will be no sidewalk connected to it. Robert wants to make ensure this gate is maintained since this will be a private-to-private connection.*

*Jeff Cottney, 706 Maple Ave, asked about the roads being able to handle increased traffic and doesn't approve of it until a traffic light can be installed with reduced u-turns and potential car accidents.*

*Peggy Carrol, 806 Maple Ave, stated concerns regarding construction, accessibility of the property during construction and potential foot traffic in the area.*

*Marty Rosenbaum, Piney Ridge Blvd, stated he doesn't think it's sustainable for more people to move here without there being any local jobs, insufficient school capacity and amenities. He wants to know where the need is for housing development. Chairman Goldberg responded that the developer would only be doing this if there was not a market for it. Marty stated that he did not want this development to turn into a blight on the neighborhood. City Attorney responded that the property owner has entitlements to develop their property and that they are seeking to amend those entitlements.*

*James Hipp, stated that his certified letter was postmarked the 13<sup>th</sup> a week before the meeting. Chairman Goldberg and Sharon Williams stated that the letters were sent in accordance with the Florida State Statutes.*

*Board Member Burch restated that the City Commission would be giving the final statement on this development. Chairman Goldberg stated that the agenda will be posted on the city's website when the meetings will take place and recommends that concerns also be share during City Commission.*

*With no further comments, Board Member Collins made a motion to move the Reserve at Spring Lake Cove forward to City Commission; seconded by Board Member Burch. Passed unanimously.*

**BOARD MEMBERS' COMMENTS:**

**PUBLIC COMMENTS:**

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**ADJOURNMENT:** Board Member Collins made a motion to adjourn and Board Member Burch seconded. Meeting adjourned at 7:08 PM





**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: SEE PAGE 2 OF APPLICATION FOR LIST OF OWNERS

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Applicant Name: The Reserve at Spring Lake Cove, L.L.C.

Address: 200 East Canton Avenue, Suite 102, Winter Park, FL 32789

Phone: 407-741-8666 Email: m.gauthier@atlantichousing.com

Engineer Name: Madden, Moorhead & Stokes, LLC (David A. Stokes, P.E., Vice President)

Address: 431 E. Horatio Ave., Ste. 260, Maitland, FL 32751

Phone: 407-629-8330 Email: dstokes@madden-eng.com

Property and Project Information:

**PROJECT NAME\*:** The Reserve at Spring Lake Cove

\*A project name is required for all submissions. Please choose a name representative of the project for ease of reference.

Property Address: See attached list of addresses

Parcel Number(s): see attached list of parcel ids Section: 33 Township: 18S Range 24E

Area of Property: 35.99 acres Nearest Intersection: Spring Lake Rd/Tommy Lane

Existing Zoning: R1, R3 & PUD (rezone is in process to PUD) Existing Future Land Use Designation: MFHD

Proposed Zoning: PUD Proposed Future Land Use Designation: MFHD

The property is presently used for: vacant land and structures that will be removed

The property is proposed to be used for: 128 multi-family units

Do you currently have City Utilities? City Utilities are available to the site.

Application Type:

- |   |  |   |  |
|---|--|---|--|
| <input type="checkbox"/> Annexation           | <input type="checkbox"/> Comp Plan Amendment   | <input type="checkbox"/> Rezoning               | <input 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 checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Site Plan       | <input type="checkbox"/> Replat of Subdivision  |  |

Please describe your request in detail: 128 multi-family units

**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.

The Reserve at Spring Lake Cove, L.L.C., a Florida limited liability company

Printed Name: Paul M. Missigman, Manager

Signature: \_\_\_\_\_ Date: 10/14/20

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.

# Development Application Checklist

## The Following are Required for ALL Development Applications:

- Legal Description (Word file req'd)     Current Deed     Aerial Photo  
 Property Appraiser Information     Electronic Copy of Application     Location Map

Pre-application conferences are strongly encouraged. Submit TWO CDs with ALL documents in pdf; those that are generated as CAD files should be submitted in pdf and dwg formats. . Legal Descriptions should also come with a MS Word file of the legal description. Most maps are accessible through [www.lakecountyfl.gov/maps/](http://www.lakecountyfl.gov/maps/). Note: All maps are required to depict adjacent properties at a minimum.

**Failure to provide adequate maps may delay the application process.**

## Other Required Analyses and Maps:

### Small Scale Comprehensive Plan Amendment Applications:

- Justification for Amendment     Environmental Constraints Map     Requested FLU Map

### Large Scale Comprehensive Plan Amendment Applications:

Maps:     Environmental Constraints     Soils     Requested FLUM Designation     Requested Zoning Map Designation

Analyses:     Environmental Assessment     Utility Availability Analysis     Urban Sprawl Analysis     School Impact Analysis  
 Traffic Impact Analysis     Consistency with the Comp Plan     Florida Master Site File sign-off or Archaeological Survey

Rezoning Applications:     Requested Zoning Map     Justification for Rezoning

### Planned Development Applications:

Maps/Plans:     Conceptual Plan as Described in LDRs Chapter 154, Section 154.030,10,G     Environmental Constraints

Analyses:     Environmental Assessment     Traffic Impact Analysis     Preliminary Concurrency Analysis

Variance Applications:     Justification for Variance

### Special Exception Use Applications:

- Justification for Special Exception Use  
 Site Sketch     List of Special Requirements as Described in LDRs, Chapter 155

### Conditional Use Permit Applications:

- Proposed List of Conditions and Safeguards  
 Site Plan as Described in LDRs, Chapter 155     Written Statement as Described in LDRs, Chapter 155

### Subdivision Applications:

(Preliminary Plan, Improvement Plan and Final Plat)

- As Described in LDRs, Chapter 157

### Minor Subdivision Applications:

- As Described in LDRs, Chapter 157

### Site Plan Applications:

- As Described in LDRs, Chapter 160

| Alt Key | Parcel Number           | OwnerName                           | OwnerAddress             | City        | State | OwnerZip | PropertyAddress                            |
|---------|-------------------------|-------------------------------------|--------------------------|-------------|-------|----------|--|
| 1287600 | 04-19-24-0001-000-01100 | RESERVE AT SPRING LAKE COVE II LLC  | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | 95935 BREEZE LN FRUITLAND PARK FL 34731    |
| 1504341 | 04-19-24-2175-00A-00400 | RESERVE AT SPRING LAKE COVE II LLC  | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | 35851 BREEZE LANE FRUITLAND PARK FL 34731  |
| 1504350 | 4-19-24-2175-00A-00500  | RESERVE AT SPRING LAKE COVE II LLC  | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | 95915 BREEZE LN FRUITLAND PARK FL 34731    |
| 1504368 | 04-19-24-2175-00A-01500 | THE RESERVE AT SPRING LAKE COVE LLC | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | BREEZE LN FRUITLAND PARK FL 34731          |
| 3801592 | 33-18-24-0004-000-09400 | THE RESERVE AT SPRING LAKE COVE LLC | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | TOMMY LN FRUITLAND PARK FL 34731           |
| 3823815 | 3-18-24-0004-000-09500  | THE RESERVE AT SPRING LAKE COVE LLC | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | 36033 FAIR OAKS DR FRUITLAND PARK FL 34731 |
| 3823816 | 33-18-24-0004-000-09600 | THE RESERVE AT SPRING LAKE COVE LLC | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | FAIR OAKS DR FRUITLAND PARK FL 34731       |
| 3839947 | 04-19-24-2175-00A-00900 | THE RESERVE AT SPRING LAKE COVE LLC | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | COOKE DR FRUITLAND PARK FL 34731           |
| 1287251 | 04-19-24-0001-000-01000 | THE RESERVE AT SPRING LAKE COVE LLC | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | BREEZE LN FRUITLAND PARK FL 34731          |
| 1504333 | 04-19-24-2175-00A-00300 | THE RESERVE AT SPRING LAKE COVE LLC | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | 35819 BREEZE LN FRUITLAND PARK FL 34731    |
| 2669306 | 33-18-24-0004-000-08300 | THE RESERVE AT SPRING LAKE COVE LLC | 200 E CANTON AVE STE 102 | WINTER PARK | FL    | 32789    | TOMMY LN FRUITLAND PARK FL 34731           |
| 3038550 | 33-18-24-0004-000-04702 | THE RESERVE AT SPRING LAKE COVE LLC | 200 E CANTON VESTE 102   | WINTER PARK | FL    | 32789    | 36222 FAIR OAKS DR FRUITLAND PARK FL 34731 |



CITY OF FRUITLAND PARK

DECLARATION OF UNITY OF TITLE
(Individual/Partnership/Corporation)

THIS Declaration of Unity of Title, made this \_\_\_\_\_ day of June, 20 22 by;
Paul M. Missigman

Name of Property Owner(s)
200 E. Canton Ave., Ste. 102, Winter Park, FL 32789

Address of Property Owner(s)
of; The Reserve at Spring Lake Cove, L.L.C. Manager
Name of Partnership/Corporation Title/Position
Orange Florida

County of \_\_\_\_\_, State of \_\_\_\_\_, hereinafter referred to as "Declarant," pursuant to the City of Fruitland Park Land Development Regulations, being the fee owner of the following described real property located in Fruitland Park, Florida, to wit:

Alternate Key Number(s): 1287600, 1504341, 1504350, 1287251, 1504333, 1504368, 2669306, 3038550, 3801592
3823815, 3823816, 3839947

Sec \_\_\_\_\_ Twp \_\_\_\_\_ Rng \_\_\_\_\_

Please see attached Exhibit "A" for the legal description.

Hereby make the following declarations of condition, limitation and restriction on said lands, hereinafter to be known and referred to as a Declaration of Unity of Title, as to the following particulars:

- 1. That the aforesaid plot of, or combination of separate lots, plots, parcels, acreage or portions thereof, shall hereinafter be declared to be unified under one title as an indivisible building site.
2. That the said property shall henceforth be considered as one plot or parcel of land, and that no portion thereof shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel of land.
3. Purpose of unity Development

DECLARANT further agrees that this Declaration of Unity of Title shall constitute a covenant to run with the land, as provided by law, and shall be binding upon the Declarant, his/her heirs, successors and assigns, and all parties claiming under him/her until such time as the same may be released in writing by the City of Fruitland Park, a political subdivision of the State of Florida. Declarant also agrees that this Declaration of Unity of Title shall be recorded in the Public Records of Lake County, Florida.

IN WITNESS WHEREOF, Declarant has executed this instrument in the manner provided by law, on the day and year first above written. Signed, Sealed and Delivered in our presence as witness:

Witnesses
1. [Signature]
Signature
Cynthia L. Bell
Type/Print Name of Witness

Owner/Partner/Corporation
The Reserve at Spring Lake Cove, L.L.C.
[Signature]
Signature
Paul M. Missigman
Type/Print Name
Manager
Type/Print Title/Position

[Handwritten mark]

2.

Laura A. Missler  
Signature

\_\_\_\_\_  
Signature

Laura A. Missler  
Type/Print Name of Witness

\_\_\_\_\_  
Type/Print Name

\_\_\_\_\_  
Type/Print Title/Position

State of Florida  
County of Orange

The foregoing instrument was acknowledged before me this 16 day of June, 2022,

By Paul M. Missigman as Manager of LLC, partner or agent partner/agent on behalf of

Paul M. Missigman, Manager  
Name of Person acknowledged

The Reserve at Spring Lake Cove, L.L.C.  
Name of Partnership/Corporation

who is personally known to me or who has produced \_\_\_\_\_ as identification and who did (did not) take an oath. Type of Identification

Emel H. Milavetz  
Signature of Acknowledger



8-3-2025  
My Commission Expires

### City Staff Approval

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type/Print Title/Position

\_\_\_\_\_  
Type/Print Name



W

## **RESOLUTION 2022-034**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING MAJOR SITE PLAN APPROVAL WITH CONDITIONS TO ALLOW FOR CONSTRUCTION OF A 128-UNIT APARTMENT COMPLEX CONSISTING OF APPROXIMATELY 30 BUILDINGS AND RECREATIONAL FACILITIES; PROVIDING FOR CONDITIONS; AUTHORIZING THE CITY MANAGER TO ISSUE A NOTICE OF SITE PLAN APPROVAL UPON COMPLETION OF ALL CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, The Reserve at Spring Lake Cove LLC through its manager Paul M. Missigman filed an application for Major Site Plan Approval to allow for construction of a 128-unit apartment complex with recreational amenities on real property located adjacent to the existing Spring Lake Cove Apartments and said real property having an address of xxxx Spring Lake Road, Fruitland Park; and

**WHEREAS**, the Planning and Zoning Board of the City of Fruitland Park has considered the application in accordance with the Land Development Regulations for Major Site Plan Approval in Chapter 160 of the Land Development Regulations; and

**WHEREAS**, the City Commission of the City of Fruitland Park has considered the application in accordance with the Land Development Regulations for Major Site Plan Approval in Chapter 160 of the Land Development Regulations, subject to conditions;

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

**Section 1. Granting of Major Site Plan Approval.**

The application filed by The Reserve at Spring Lake Cove LLC (hereafter referred to as "Applicant"), to allow for construction of a 128-unit apartment complex with recreational amenities on real property located at xxxx Spring Lake Cove, Fruitland Park is hereby GRANTED, with conditions, for the following described properties:

Alt. Key Numbers: 1287251, 1287600, 1504333, 1504341, 1504350, 1504368, 2669306, 3038550, 3801592, 3823815, 3823816, 3839947 (The Properties)

**LEGAL DESCRIPTION: See attached Exhibit A.**

**Section 2. Conditions of Approval.**

- (1) Prior to the issuance of a building permit, the Applicant shall resolve, to the satisfaction of the City Manager or designee, the following matters:
  - (a) Applicant must dedicate and convey by right-of-way deed to Lake County right-of-way for Spring Lake Road. Applicant must

prepare and provide to Lake County the legal description and sketch of description of the right-of-way as determined by Lake County, along with a copy of the Property boundary survey and title report.

- (b) Obtain approval from City of Fruitland Park of unity of title for the Properties.
- (2) Site plan approval shall terminate and become null and void automatically without notice if construction has not commenced within twelve (12) months from the date of this conditioned approval.
- (3) The Site Plan is attached hereto and incorporated herein.
- (4) The City Manager is authorized to issue and record a Notice of Site Plan Approval in the public records of Lake County, Florida, once conditions have been met.

**Section 3. Effective Date.**

This resolution shall become effective immediately upon its passage.

PASSED and ADOPTED at a regular meeting of the City Commission of the City of Fruitland Park, Lake County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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 Chairman Gunter \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner DeGrave \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Mobilian \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Bell \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)

Approved as to form:

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Anita Geraci-Carver, City Attorney



**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE PROPERTIES**

**Record and Return to:**  
**City of Fruitland Park**  
**506 W. Berckman St**  
**Fruitland Park, FL 34731**

## **NOTICE OF SITE PLAN APPROVAL**

**TO:** The Reserve at Spring Lake Cove, LLC  
Paul M. Missigman, Manager  
200 East Canton Ave., Suite 102  
Winter Park, FL 32789

You are hereby notified that all the conditions of site plan approval as set forth in Resolution 2022-0xx have been met and site plan approval is GRANTED for construction of a 128-unit apartment complex with recreational amenities, on the property more particularly described herein which lies wholly within the city limits of the City of Fruitland Park.

**LEGAL DESCRIPTION:**

A portion of Alt. Key Number: 1287251, 1287600, 1504333, 1504341, 1504350, 1504368, 2669306, 3038550, 3801592, 3823815, 3823816, 3839947 (The Properties)

See attached **Exhibit A** attached hereto. (the “Property”)

Under penalty of law, the above-referenced property may not be subdivided or split without the express written approval of the City Commission of the City of Fruitland Park.

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Gary La Venia, City Manager  
City of Fruitland Park

Attest:

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Esther B. Coulson, City Clerk  
City of Fruitland Park

Approved as to form:

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Anita Geraci-Carver, City Attorney  
City of Fruitland Park

**EXHIBIT A**

**LEGAL DESCRIPTION**

## LEGAL DESCRIPTION:

SPRING LAKE PARCEL

FILE NO.: 2021-4503615 ADDRESS: 36033 FAIR OAKS DR.

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

### PARCEL 1

THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 33, RUN SOUTH 89°53'00" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 600 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN NORTH 15° WEST, 695.40 FEET; THENCE NORTH 89°58'20" EAST 230.19 FEET; THENCE SOUTH 00°34'30" EAST, 671.96 FEET; TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST 1/4; THENCE NORTH 89°53'00" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 56.95 FEET TO THE POINT OF BEGINNING.

AND

TOGETHER WITH A 50-FOOT WIDE EASEMENT FOR INGRESS AND EGRESS LYING OVER, UPON AND THROUGH THE FOLLOWING DESCRIBED PARCEL OF LAND: FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, RUN S. 89°53,00" E. ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 600.00 FEET; THENCE N. 15°00'00" W., 695.40 FEET; THENCE N. 89°58'20" E., 180.19 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN N.00°01'00" E., 626.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SPRING LAKE ROAD, THENCE N. 89°58'20" E. ALONG THE SOUTH RIGHT-OF-WAY LINE OF SPRING LAKE ROAD, A DISTANCE OF 50.00 FEET; THENCE S 00°01'00" W., 626.97 FEET; THENCE S. 89°58'20" W., 50.00 FEET TO THE POINT OF BEGINNING.

AND TOGETHER WITH

A 20 FOOT WIDE PERPETUAL AND NON-EXCLUSIVE EASEMENT FOR UTILITIES LYING OVER, UPON AND THROUGH THE FOLLOWING PARCEL OF LAND: FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, RUN S. 89°53'00" E. ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 600.00 FEET; THENCE N. 15°00'00" W., 695.39 FEET; THENCE N.89°58'20" E., 180.19 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN N. 00°01'00"E., 626.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SPRING LAKE ROAD, THENCE N.89°58'20" E. ALONG THE SOUTH RIGHT-OF-WAY LINE OF SPRING LAKE ROAD, A DISTANCE OF 20.00 FEET; THENCE S. 00°01'00" W., 626.97 FEET; THENCE S. 89°58'20" W., 20.00 FEET TO THE POINT OF BEGINNING.

### PARCEL 2

THAT PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF

THE SE 1/4 OF SAID SECTION 33, RUN SOUTH 89°53'00" EAST ALONG THE SOUTH LINE OF THE SE 1/4 A DISTANCE OF 656.95 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN NORTH 00°34'30" WEST 671.96 FEET; THENCE NORTH 89°58'20" EAST 177.21 FEET; THENCE SOUTH 00°34'30" EAST 672.40 FEET TO A POINT ON THE SOUTH LINE OF THE SE 1/4 OF SAID SECTION 33; THENCE NORTH 89°53'00" WEST ALONG THE SOUTH LINE OF THE SE 1/4 A DISTANCE OF 177.22 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A 50-FOOT WIDE PERPETUAL AND NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER, UPON AND THROUGH THE FOLLOWING DESCRIBED PARCEL OF LAND:

EASEMENT "A": FROM THE SOUTHWEST CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, RUN SOUTH 89°53'00" EAST ALONG THE SOUTH LINE OF THE SE 1/4 OF SAID SECTION 33, A DISTANCE OF 600.00 FEET; THENCE NORTH 15°00'00" WEST 695.39 FEET; THENCE NORTH 89°58'20" EAST 180.19 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT DESCRIPTION; FROM SAID POINT OF BEGINNING RUN NORTH 00°01'00" EAST 626.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SPRING LAKE ROAD; THENCE NORTH 89°58'20" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SPRING LAKE ROAD, A DISTANCE OF 50.00 FEET; THENCE SOUTH 00°01'00" WEST 626.97 FEET; THENCE SOUTH 89°58'20" WEST 50.00 FEET TO THE POINT OF BEGINNING.

AND TOGETHER WITH

A 20 FOOT WIDE PERPETUAL AND NON-EXCLUSIVE EASEMENT FOR UTILITIES LYING OVER, UPON AND THROUGH THE FOLLOWING PARCEL OF LAND: FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, RUN S. 89°53'00" E. ALONG THE SOUTH LINE OF THE SOUTHEAST 1 /4 OF SAID SECTION 33, A DISTANCE OF 600.00 FEET; THENCE N. 15°00'00" W., 695.39 FEET; THENCE N.89°58'20" E., 180.19 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN N. 00°01'00" E., 626.97 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SPRING LAKE ROAD, THENCE N.89°58'20" E. ALONG THE SOUTH RIGHT-OF-WAY LINE OF SPRING LAKE ROAD, A DISTANCE OF 20.00 FEET; THENCE S. 00°00'00" W., 626.97 FEET; THENCE S. 89°58'20" W., 20.00 FEET TO THE POINT OF BEGINNING.

FILE NO.: 791648 ADDRESS: 36221 FAIR OAKS DRIVE

PARCEL:

FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST IN LAKE COUNTY, FLORIDA, RUN S. 89°53'00" E. ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 600.00 FEET; THENCE NORTH 15°00'00" W., 695.39 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, CONTINUE NORTH 15°00'00" W. 76.47 FEET; THENCE NORTH 00°01'00" E., 179.60 FEET; THENCE NORTH 65°23'48" E. 220.00 FEET; THENCE NORTH 00°01'00" EAST 315.00 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4; THENCE NORTH 89°58'20" E. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 220.39 FEET; THENCE SOUTH 00°34'30" EAST 660.00 FEET; THENCE SOUTH 89°58'20" WEST, 407.40 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THAT PORTION DEEDED TO GROSVENOR GROUP, INC. AND RECORDED IN O.R. BOOK 2766 PAGE 1073, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

FILE NO.: 791797 ADDRESS: TOMMY LANE

PARCEL 1:

FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN SOUTH 89°53'00" EAST ALONG THE SOUTH LINE OF THE SAID SOUTHEAST 1/4 600.0 FEET; THENCE NORTH 15°00'00" WEST, 771.86 FEET; THENCE NORTH 00°01'00" EAST, 179.60 FEET; THENCE NORTH 65°23'48" EAST, 220.0 FEET; THENCE NORTH 00°01'00" EAST, 315.0 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID SOUTHEAST 1/4; THENCE NORTH 89°58'20" EAST, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID SOUTHEAST 1/4, 220.39 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. FROM SAID POINT OF BEGINNING, CONTINUE NORTH 89°58'20" EAST, 223.72 FEET, MORE OR LESS, TO THE WEST RIGHT OF WAY LINE OF THE ABANDONED SEABOARD COAST LINE RAILROAD; THENCE RUN SOUTH 00°34'30" EAST, ALONG THE SAID WEST RIGHT OF WAY LINE, 228.72 FEET; THENCE SOUTH 89°58'20" WEST, 223.73 FEET, MORE OR LESS, TO A POINT THAT IS SOUTH 00°34'30" EAST OF THE POINT OF BEGINNING; THENCE NORTH 00°34'30" WEST, 228.72 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 33, RUN SOUTH 89°53'00" EAST, ALONG THE SOUTH LINE OF THE SAID SOUTHEAST 1/4, A DISTANCE OF 834.17 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM THE SAID POINT OF BEGINNING, RUN NORTH 00°34'30" WEST, 1103.68 FEET; THENCE RUN NORTH 89°58'20" EAST, 223.73 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF THE RIGHT OF WAY OF THE SEABOARD COASTLINE RAILROAD, (NOW ABANDONED); THENCE SOUTH 00°34'30" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, 1,104.21 FEET TO A POINT ON THE SOUTH LINE OF THE SAID SOUTHEAST 1/4 OF SECTION 33; THENCE NORTH 89°53'00" WEST, ALONG THE SOUTH LINE OF THE SAID SOUTHEAST 1/4, A DISTANCE OF 223.72 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

RAILROAD PARCEL:

FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN SOUTH 89°53'00" EAST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 A DISTANCE OF 600.00 FEET; THENCE NORTH 15°00'00" WEST, 695.40 FEET; THENCE NORTH 89°58'20" EAST, 407.39 FEET; THENCE NORTH 00°34'30" WEST, PARALLEL WITH THE WESTERLY RIGHT OF WAY OF THE SEABOARD COAST LINE RAILROAD, 431.28 FEET; THENCE NORTH 89°58'20" EAST, 223.73 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF THE RIGHT OF WAY OF THE SEABOARD COAST LINE RAILROAD AND THE POINT OF BEGINNING; THENCE RUN NORTH 89°58'20" EAST, A DISTANCE OF 35 FEET, MORE OR LESS, TO THE EAST LINE OF THE SAID SEABOARD COAST LINE RAILROAD; THENCE RUN SOUTH 00°34'30" EAST ALONG THE SAID EAST LINE OF THE SEABOARD COAST LINE RAILROAD RIGHT OF WAY, A DISTANCE OF 1,104.21 FEET TO THE SOUTH LINE OF SAID SOUTHEAST 1/4; THENCE RUN NORTH 89°53'00" WEST ALONG THE SOUTH LINE OF THE SAID SOUTHEAST 1/4, A DISTANCE OF 35 FEET, MORE OR LESS, TO THE WEST LINE OF THE SAID SEABOARD COAST LINE RAILROAD RIGHT OF WAY; THENCE RUN NORTH ALONG THE WESTERLY LINE OF THE SAID SEABOARD COAST LINE RAILROAD RIGHT OF WAY TO THE POINT OF BEGINNING.

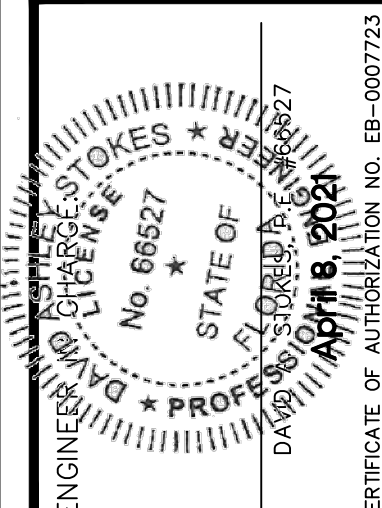


**MADDEN**  
MOORHEAD & STOKES, LLC  
CIVIL ENGINEERS

431 E. Horatio Avenue  
Suite 260  
Maitland, Florida 32751  
(407) 629-8330

OVERALL SITE PLAN  
FOR  
**RESERVE AT SPRING LAKE COVE**  
FRUITLAND PARK  
FLORIDA

LAKE SUMNER PARTNERS, LTD.  
200 E. CANTONAL AVE. SUITE 102  
WINTER PARK, FL 32789  
(407) 741-8600

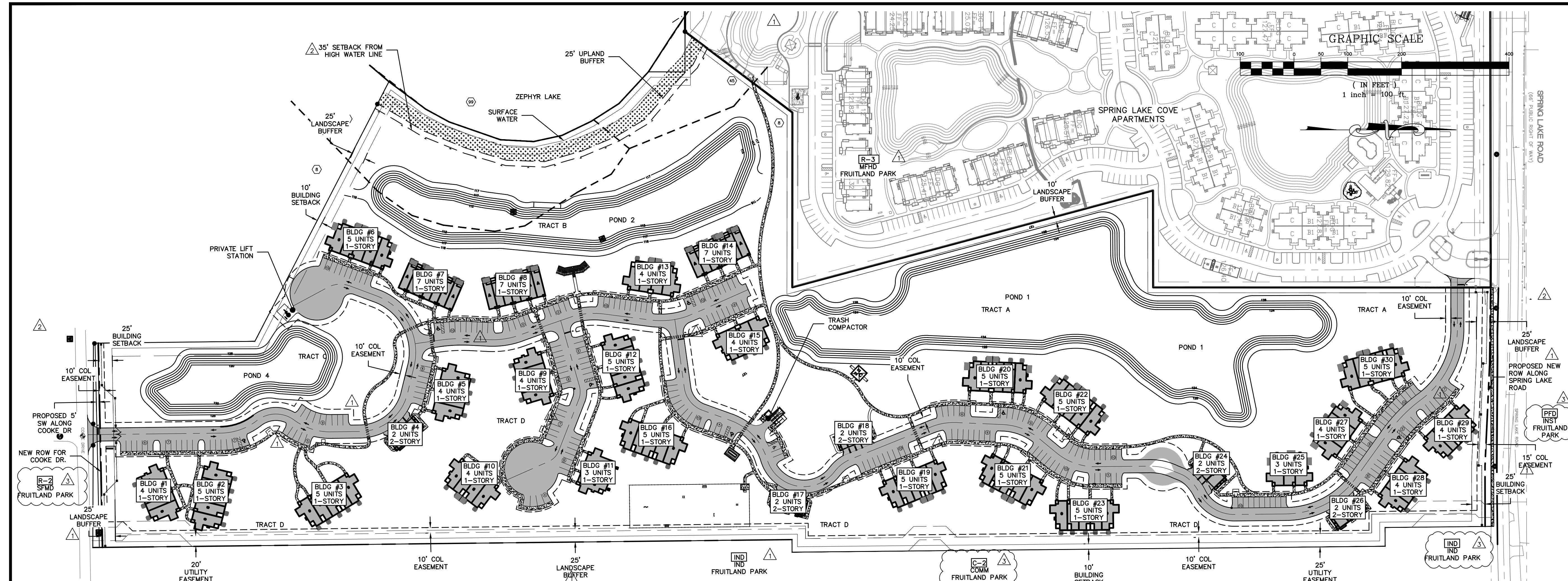


| NO. | DATE     | REVISIONS                 |
|-----|----------|---------------------------|
| 1   | 01/29/21 | REVISED PER CITY PLANS    |
| 2   | 03/03/21 | REVISED PER CITY COMMENTS |
| 3   | 04/08/21 | REVISED PER CITY COMMENTS |
| 4   | 04/10/21 | REVISED PER CITY COMMENTS |
| 5   | 04/10/21 | REVISED PER CITY COMMENTS |
| 6   | 04/10/21 | REVISED PER CITY COMMENTS |
| 7   | 04/10/21 | REVISED PER CITY COMMENTS |
| 8   | 04/10/21 | REVISED PER CITY COMMENTS |
| 9   | 04/10/21 | REVISED PER CITY COMMENTS |
| 10  | 04/10/21 | REVISED PER CITY COMMENTS |
| 11  | 04/10/21 | REVISED PER CITY COMMENTS |

JOB # 19079  
DATE: 11/13/2020  
SCALE: 1" = 100'  
DESIGNED BY: KAL  
DRAWN BY: DAS  
APPROVED BY: DAS

C006

H:\Data\19079\Eng\Final\9079\_C006-OVERALL SITE PLAN.dwg April 8, 2021 12:32 PM



**SITE DATA:**

- GROSS PROJECT AREA: ±35.99 ACRES / ±1,567,658 S.F.
- PARCEL ID: 04-19-24-0001-000-01100, 04-19-24-2175-00A-00400, 04-19-24-2175-00A-00500, 04-19-24-2175-00A-01500, 33-18-24-0004-000-09400, 33-18-24-0004-000-09500, 33-18-24-0004-000-09600, 04-18-24-2175-00A-00900, 04-19-24-0001-000-01000, 04-19-24-2175-00A-00300, 33-18-24-0004-000-08300, 33-18-24-0004-000-04702
- EXISTING ZONING: R-1, R-3, PUD
- EXISTING FUTURE LAND USE: MULTI-FAMILY HIGH DENSITY (MFHD)
- PROPOSED MULTI-FAMILY UNITS: 128 UNITS
- MAXIMUM RESIDENTIAL DENSITY: 15 DU/AC  
PROPOSED RESIDENTIAL DENSITY: 3.2 DU/AC
- MAXIMUM BUILDING HEIGHT: 35'
- BUILDING SETBACKS:  
NORTH: 25 FEET  
WEST: 10 FEET  
EAST: 25 FEET  
SOUTH: 25 FEET
- PER FEMA FIRM PANEL NO. 12069C0170E, DATED DEC. 18, 2012, THE SUBJECT PROPERTY IS DESIGNATED ZONE 'X'. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN, AND AE, AREAS WITH THE BASE FLOOD ELEVATION DETERMINED (ELEV. 109.1)
- THE ON SITE STORMWATER MANAGEMENT SYSTEM SHALL BE DESIGNED TO MEET FRUITLAND PARK AND SURMWD REQUIREMENTS.
- FIRE PROTECTION WILL BE PROVIDED AND DESIGNED IN ACCORDANCE WITH ALL APPLICABLE FRUITLAND PARK CODE AND REGULATIONS.
- ALL CONSTRUCTION MATERIALS AND OTHER PROPOSED IMPROVEMENTS SHALL MEET THE APPLICABLE CODES OF FRUITLAND PARK. FRUITLAND PARK DETAILS WILL BE UTILIZED ON THE FINAL ENGINEERING PLANS.
- PROJECT SIGNAGE WILL COMPLY WITH THE FRUITLAND PARK LAND DEVELOPMENT CODE.
- LANDSCAPE BUFFERS SHALL MEET THE REQUIREMENTS OF FRUITLAND PARK LDC.
- ANY WETLAND BUFFER AND/OR WETLAND IMPACT MITIGATION REQUIRED WILL BE PROVIDED PER SURMWD AND FRUITLAND PARK REQUIREMENTS.
- DEVELOPMENT INFRASTRUCTURE TO BE COMPLETED IN ONE PHASE, BUILDING CO'S WILL BE SEQUENCED.

**PARKING CALCULATIONS:**

|                                 |          |                  |                       |                   |
|---------------------------------|----------|------------------|-----------------------|-------------------|
| 21                              | -        | 1 BDRM. UNITS:   | ● 1.5 SPACES / UNIT = | 32 SPACES         |
| 63                              | -        | 2 BDRM. UNITS:   | ● 2 SPACES / UNIT =   | 126 SPACES        |
| 44                              | -        | 3+ BDRM. UNITS:  | ● 2 SPACES / UNIT =   | 88 SPACES         |
| 128                             | -        | VISITOR PARKING: | ● 0.25 SPACES/UNIT =  | 32 SPACES         |
| <b>TOTAL PARKING REQUIRED:</b>  |          |                  |                       | <b>278 SPACES</b> |
| <b>PROVIDED PARKING SPACES:</b> |          |                  |                       |                   |
|                                 | REGULAR  | 10'x20' SPACES:  | 254                   | SPACES            |
|                                 | GARAGE   | 10'x20' SPACES:  | 20                    | SPACES            |
|                                 | HANDICAP | 12'x20' SPACES:  | 8                     | SPACES            |
| <b>TOTAL PARKING PROVIDED:</b>  |          |                  |                       | <b>282 SPACES</b> |

BIKE PARKING SPACES REQUIRED: 10% OF TOTAL PARKING SPACES  
282 SPACES X 10% = 28 BIKE PARKING SPACES REQUIRED  
4 BIKE RACKS WITH 7 BIKE CAPACITY EACH = 28 BIKE PARKING SPACES PROVIDED

**COMMON OPEN SPACE**

|   |                  |
|---|------------------|
| <b>OPEN SPACE REQUIRED:</b>                       |                  |
| 25% OF NET BUILDABLE AREA                         |                  |
| 35.99 AC x 25% = 8.99 ACRES REQUIRED              |                  |
| <b>OPEN SPACE PROVIDED:</b>                       |                  |
| TRACT A (SURFACE WATER RETENTION AREA SUBTRACTED) | 6.23 AC.         |
| TRACT B (SURFACE WATER RETENTION AREA SUBTRACTED) | 5.21 AC.         |
| TRACT C (SURFACE WATER RETENTION AREA SUBTRACTED) | 1.91 AC.         |
| TRACT D   | 7.07 AC.         |
| <b>OPEN SPACE TOTAL</b>                           | <b>20.42 AC.</b> |

**IMPERVIOUS AREA:**

|                                       |                         |
|---------------------------------------|-------------------------|
| PROPOSED PAVEMENT & SIDEWALKS:        | 4.60 AC (12.78%)        |
| PROPOSED BUILDINGS:                   | 3.21 AC (8.92%)         |
| <b>TOTAL IMPERVIOUS AREA:</b>         | <b>7.81 AC (21.70%)</b> |
| TOTAL PERVIOUS AREA (INCLUDING POND): | 28.19 AC (78.30%)       |
| <b>TOTAL AREA:</b>                    | <b>35.99 AC (100%)</b>  |

**GROSS BUILDING SQUARE FOOTAGE:**

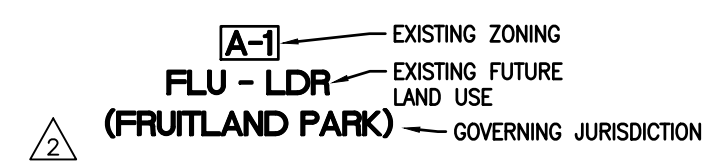
|                        |                        |
|------------------------|------------------------|
| BUILDING #1: 5,079 SF  | BUILDING #16: 6,265 SF |
| BUILDING #2: 6,265 SF  | BUILDING #17: 3,174 SF |
| BUILDING #3: 6,265 SF  | BUILDING #18: 3,174 SF |
| BUILDING #4: 3,174 SF  | BUILDING #19: 6,265 SF |
| BUILDING #5: 5,079 SF  | BUILDING #20: 6,265 SF |
| BUILDING #6: 6,265 SF  | BUILDING #21: 6,265 SF |
| BUILDING #7: 6,345 SF  | BUILDING #22: 6,265 SF |
| BUILDING #8: 6,345 SF  | BUILDING #23: 6,265 SF |
| BUILDING #9: 5,079 SF  | BUILDING #24: 3,174 SF |
| BUILDING #10: 5,079 SF | BUILDING #25: 3,867 SF |
| BUILDING #11: 3,867 SF | BUILDING #26: 3,174 SF |
| BUILDING #12: 6,265 SF | BUILDING #27: 5,079 SF |
| BUILDING #13: 5,079 SF | BUILDING #28: 5,079 SF |
| BUILDING #14: 6,345 SF | BUILDING #29: 5,079 SF |
| BUILDING #15: 5,079 SF | BUILDING #30: 6,265 SF |

**LIVING AREA PER UNIT TYPE:**

|           |          |
|-----------|----------|
| VILLA A:  | 647 SF   |
| VILLA B:  | 961 SF   |
| VILLA C:  | 1,114 SF |
| CARRIAGE: | 786 SF   |

PER CHAPTER 164, SECTION 164.030(c), THE PROPOSED CUL-DE-SAC LOCATED ALONG THE SOUTHWESTERN BOUNDARY ENCRAGES INTO THE 25' BUFFER WHICH IS NOT ALLOWED. A VARIANCE BUFFER WIDTH OF 10' ADJACENT TO THE CUL-DE-SAC IS REQUESTED.  
PER CHAPTER 164, SECTION 164.030(c), STORMWATER POND FACILITIES ARE NOT ALLOWED WITHIN THE BUFFER. A VARIANCE BUFFER WIDTH OF 10' ADJACENT TO THE POND IS REQUESTED.

**LEGEND**



| SOILS LEGEND |                                     |                  |
|--------------|-------------------------------------|------------------|
| SOIL NUMBER  | SOIL NAME                           | HYDROLOGIC GROUP |
| 8            | CANDLER SAND, 0 TO 5 PERCENT SLOPE  | A                |
| 9            | CANDLER SAND, 5 TO 12 PERCENT SLOPE | A                |
| 45           | TAVARES SAND                        | A                |
| 99           | WATER                               | A                |

SOILS DATA FROM SOILS.USDA.GOV SURVEY FOR LAKE CO. DATED SEPTEMBER 17, 2019

**RESOLUTION 2022-035**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A DECLARATION OF UTILITY OF TITLE UNIFYING AS AN INDIVISIBLE BUILDING SITE, TWELVE PROPERTIES GENERALLY LOCATED SOUTH OF SPRING LAKE ROAD AND WEST OF US HIGHWAY 27/441, FRUITLAND PARK, FLORIDA, OWNED BY THE RESERVE AT SPRING LAKE COVE LLC; PROVIDING FOR A DECLARATION OF UNITY OF TITLE TO BE RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** The Reserve at Spring Lake Cove LLC owns 12 parcels of real property more particularly described below which it desires to unify as one indivisible building site; and

**WHEREAS,** it is necessary to authorize the Mayor of the City of Fruitland Park to execute the necessary document to effectuate the unity of title.

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

**Section 1. Authorization.**

The Mayor is authorized to execute the Declaration of Unity of Title attached hereto for the purpose of unifying the real property more particularly described below.

**LEGAL DESCRIPTION:**

**SEE ATTACHED**

**Section 2. Recording of Notice.** The Mayor or designee is directed to record the Declaration of Unity of Title, **a copy of which is attached hereto**, in the public records of Lake County, Florida, and provide a copy to the Lake County Property Appraiser.

**Section 3. Effective Date.**

This resolution shall become effective immediately upon its passage.

PASSED and ADOPTED at a regular meeting of the City Commission of the City of Fruitland Park, Lake County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2022.



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 Chairman Gunter \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner DeGrave \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Mobilian \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Bell \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)

Approved as to form:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

**Record and Return to:  
City of Fruitland Park  
506 W Berekman St.  
Fruitland Park, FL 34731**

## **NOTICE OF DECLARATION OF UNITY OF TITLE**

This Declaration of Unity of Title, made this \_\_\_\_ day of \_\_\_\_\_, 2022, by T.D. BURKE, having an address of P.O. BOX 816, Fruitland Park, FL 34731-0816, hereinafter referred to as the “Declarant” being the fee owner of the following described real property located in Lake County, Florida:

Alt. Key Numbers: **1287600, 1504341, 1504350, 1287251, 1504333, 1504368, 2669306, 3038550, 3801592, 3823815, 3823816, 3839947**

**LEGAL DESCRIPTION:  
SEE ATTACHED**

Hereby makes the following declarations of condition, limitation, and restriction on the Property, hereinafter to be known and referred to as a Declaration of Unity of Title, as to the following particulars:

1. That the afore-described plot of, or combination of separate lots, plots, parcels, acreage or portions thereof, shall hereafter be declared to be unified under one title as an indivisible building site. **See attached Sketch of Description.**
2. That the Property shall henceforth be considered as one plot or parcel of land, and that no portion thereof shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel of land.
3. The purpose of unity is to unify as one indivisible building site for construction thereon.

Declarant further agrees that this Declaration of Unity of Title shall constitute a covenant to run with the land, as provided by law, and shall be binding upon the Declarant, its successors and assigns, and all parties claiming under such parties until such time as the same be released in writing by the City of Fruitland Park, a Florida municipality of the

State of Florida. Declarant also agrees this Declaration of Unity of Title shall be recorded in the Public Records of Lake County, Florida.

IN WITNESS WHEREOF, Declarant has executed this instrument in the manner provided by law on the day and year above written. Signed, sealed, and delivered in our presence as witnesses:

WITNESSES

**CITY OF FRUITLAND PARK**

\_\_\_\_\_  
Signature of Witness #1

\_\_\_\_\_  
Chris Cheshire, Mayor

\_\_\_\_\_  
Print Name of Witness #1

Attest:

\_\_\_\_\_  
Signature of Witness #2

\_\_\_\_\_  
Esther Coulson, City Clerk

\_\_\_\_\_  
Print Name of Witness #2

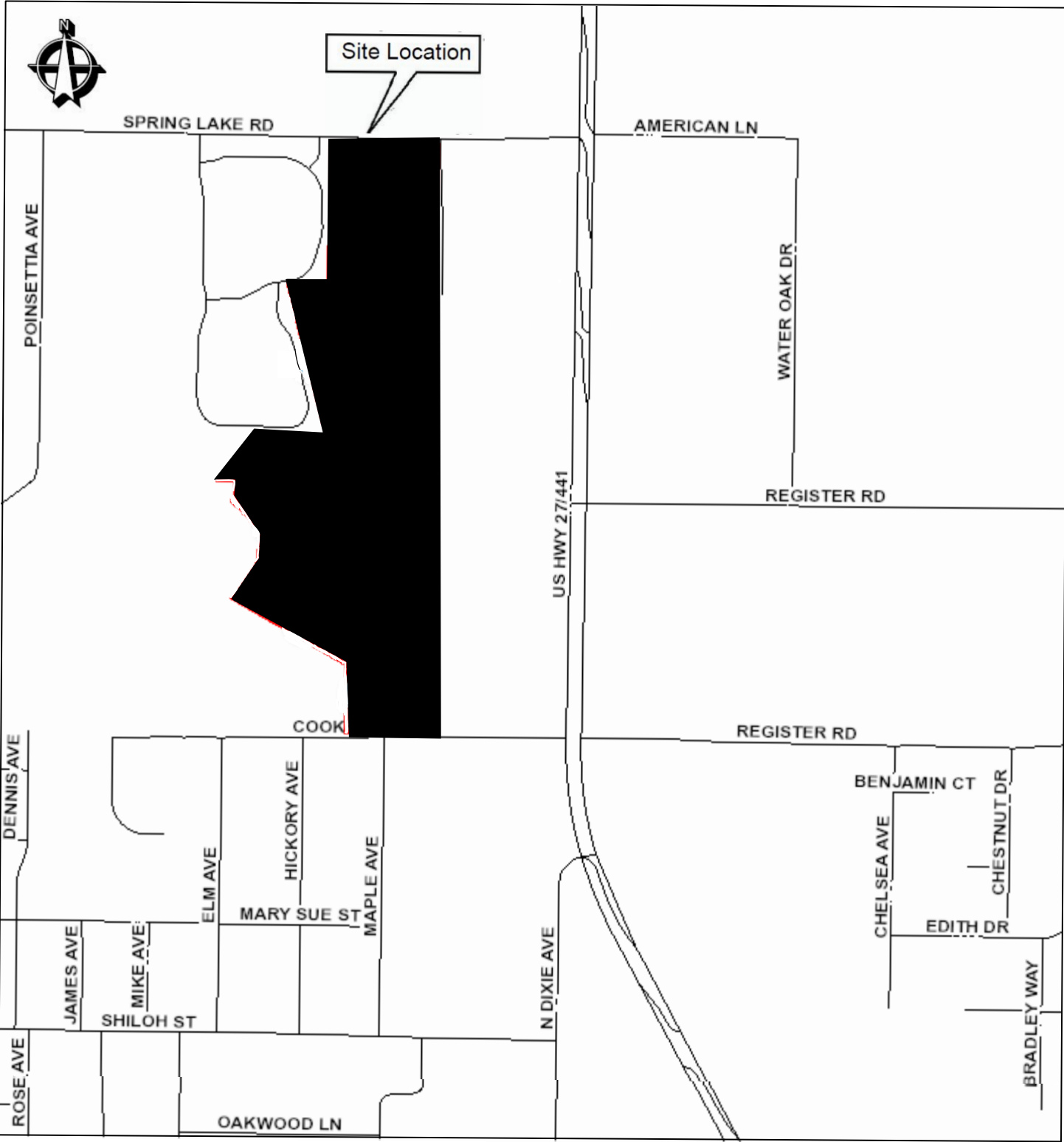
**State of Florida**  
**County of Lake**

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2022, by Chris Cheshire, as Mayor of the City of Fruitland Park, a Florida municipal corporation on behalf of the corporation. He is  personally known to me or who produced \_\_\_\_\_ as identification.

Notary Stamp:

\_\_\_\_\_  
Signature of Notary

# LOCATION MAP



**RESOLUTION 2022-034**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING MAJOR SITE PLAN APPROVAL WITH CONDITIONS TO ALLOW FOR CONSTRUCTION OF A 128-UNIT APARTMENT COMPLEX CONSISTING OF APPROXIMATELY 30 BUILDINGS AND RECREATIONAL FACILITIES; PROVIDING FOR CONDITIONS; AUTHORIZING THE CITY MANAGER TO ISSUE A NOTICE OF SITE PLAN APPROVAL UPON COMPLETION OF ALL CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**RESOLUTION 2022-035**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A DECLARATION OF UNITY OF TITLE UNIFYING AS AN INDIVISIBLE BUILDING SITE, TWELVE PROPERTIES GENERALLY LOCATED SOUTH OF SPRING LAKE ROAD AND WEST OF US HIGHWAY 27/441, FRUITLAND PARK, FLORIDA, OWNED BY THE RESERVE AT SPRING LAKE COVE LLC; PROVIDING FOR A DECLARATION OF UNITY OF TITLE TO BE RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The proposed Resolutions will be considered at the following public meetings dates or dates otherwise decided by City Commission:

Fruitland Park Planning & Zoning Meeting on August 18, 2022 at 6:00 p.m.

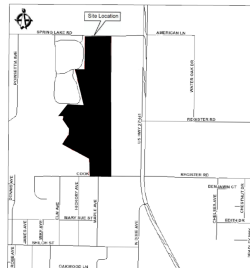
Fruitland Park City Commission Meeting, 1st Hearing on August 25, 2022 at 6:00 p.m.

Fruitland Park City Commission Meeting, 2nd Hearing on September 8, 2022 at 6:00 p.m.

All meetings will be held at the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida. The proposed Ordinances and metes and bounds legal description of the property may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at the City Clerk's office at City Hall. For further information call (352) 360-6727.

Interested parties may appear at the meetings and be heard with respect to the proposed Ordinances. A person who decides to appeal any decision made by any board, agency or commission 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 which the appeal is based (Florida Statutes 286.0105).

LOCATION MAP





VIA EMAIL [swilliams@fruitlandpark.org](mailto:swilliams@fruitlandpark.org)

July 11, 2022

Sharon Williams  
Assistant to the Director  
Community Development Department  
City of Fruitland Park  
506 W. Berckman Street  
Fruitland Park, FL 34731

**RE: THE RESERVE AT SPRING LAKE COVE (HALFF AVO 043866.062)  
MAJOR SITE PLAN**

Dear Ms. Williams:

Per your email request dated July 11, 2022, I have reviewed the St. Johns River Water Management District Permit for the subject project. Previous review of the subject parcel has one outstanding stormwater review comment. As the City land development regulations have changed to adopt the St. Johns River Water Management District criteria for stormwater, the furnishing of the SJRWMD permit satisfies the last remaining comment. Based upon my review, I do not have any further comments. Should you have any questions, please feel free to contact our office.

Sincerely,

HALFF

A handwritten signature in blue ink, appearing to read "BT", is positioned above the typed name of Brett J. Tobias.

Brett J. Tobias, P.E.  
Team Leader  
[btobias@half.com](mailto:btobias@half.com)

BJT:am

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

**REZONING AND SITE PLAN**

**Owner:** Paul Missigman, Manager, Reserve at Spring Lake Cove, LLC, Reserve at Spring Lake Cove II, LLC

**General Location:** West of US 27/441, north of Cooke Drive and south of Spring Lake Road

**Number of Acres:** 35.99 ± acres

**Existing Zoning:** R-1, R-3 and PUD

**Existing Land Use:** Multiple-Family High Density (MFHD) (15 units/acre) and Single-Family Low Density (2 units/acre)

**Proposed Zoning:** Residential PUD

**Date:** July 21, 2022

**Description of Project**

The subject site consists of 35.99 +/- acres and a portion of the site borders Zephyr Lake. The subject site's existing future land use is Multi-Family High Density (maximum of 15 units/acre). The applicant is seeking a rezoning to Residential PUD for a 128 unit apartment complex. The proposed gross density is 3.2 units/acre. The apartment layout consists of 30 buildings some of which are 2-story with units ranging from 2 units to 7 units per building. It should be noted that the subject site is an extension of the existing Spring Lake Cove Apartments located to the east. The recreation amenities provided include a dog park, trails, 20' x 20' pavilion with 4 picnic tables and 2 grills, and lake overlook sitting area with 2 grills. It is the applicant's intent to also utilize the recreational amenities at Spring Lake Cove apartments which includes playground equipment. In addition, the applicant is seeking Preliminary Plan approval for the rezoning process. The applicant is also requesting a variable buffer width adjacent to the cul de sac located within the southwestern property boundary from 25' to 10' and to allow a 10' buffer adjacent to a small portion of the stormwater pond.

The applicant is also requesting that they have an option of constructing 95 single family homes with accessory garage apartments on 65' x 120' lots (Option B concept plan).

|              | <b>Surrounding Zoning</b>        | <b>Surrounding Land Use</b>          |
|--------------|----------------------------------|--------------------------------------|
| <b>North</b> | PFD and CP (County fire station) | Institutional                        |
| <b>South</b> | R2                               | SF Medium Density                    |
| <b>East</b>  | IND and C2                       | Industrial & Commercial              |
| <b>West</b>  | R3 and Ag                        | Lake County Urban Medium (7 du/acre) |



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**Assessment**

Option A Plan – MF apartment complex – The applicant has addressed all outstanding planning issues.

Option B Plan – SF homes with garage apartments:

In order to avoid a property owner from selling the ADU the development agreement and deed restrictions should require the principal dwelling and the Accessory Dwelling to remain in the same ownership.

Chapter 162 provides parking for homes based on the number of bedrooms with minimum parking standards of two spaces per unit. The proposed development has two units per parcel which in this case equates to 4 spaces. It appears that the applicant is proposing that the parking for the main unit be within the garage and the parking for the ADU be located in the driveway. The City LDRs allow for ADU's as a Special Exception Use (Chapter 155.030(31)(H)) and parking spaces should be designed to permit entry and exit without moving any other motor vehicles.

Common open space and recreational amenities should be provided regardless of which option is utilized.

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**Recommendation**

Option A Plan – Staff recommends approval

Should Option B Plan be approved by the City Commission planning staff recommends that the Developers Agreement address requirements that the principal dwelling and accessory dwelling to remain in the same ownership as outlined above and address parking requirements for both the principal dwelling unit and ADU. In addition, common open space and recreational amenities should be provided.

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Rezoning – Staff recommends approval of the Planned Unit Development zoning subject to the above comments.

Site Plan – Staff recommends approval subject to rezoning.

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