

**FRUITLAND PARK LOCAL PLANNING AGENCY
MEETING MINUTES
April 28, 2022
6:15 p.m.**

A regular meeting of the Fruitland Park Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, April 28, 2022 at 6:15 p.m.

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

Also present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver, City Treasurer Jeannine Racine, Chief Erik Luce, Police Officers Sandbakken and Jeremiah Ricketts, Police Department; Assistant to Director Sharon Williams, Kelli Fielder, Building and Permitting Technician, and Office Assistant Emily Church, Community Development Department; Public Works Director Robb Dicus; Administrative Assistant Candice Dennis, and City Clerk Esther B. Coulson.

1. CALL TO ORDER

Mayor Cheshire called the meeting to order.

ACTION: 6:12:00 p.m. No action was taken.

2. ROLL CALL

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

ACTION: 6:12:12 p.m. No action was taken.

3. APPROVAL OF MINUTES

March 24, 2022 LPA meeting

ACTION: 6:12:23 p.m. **On motion of Commissioner Mobilian, seconded by Commissioner Bell and unanimously carried, the LPA approved the previously cited minutes as submitted.**

QUASI-JUDICIAL PUBLIC HEARING

4. First Reading and Quasi-Judicial Public Hearing – Ordinance 2022-009 SSCPA – North of Myrtle Lake Avenue and East of Myrtle Lake View Drive - Petitioner: Crystal Lake Land Holdings LLC

After Ms. Geraci-Carver read the following title of proposed Ordinance 2022-009 into the record, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE

COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN MEDIUM RESIDENTIAL TO CITY SINGLE FAMILY MEDIUM DENSITY OF 24.83+/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF MYRTLE LAKE AVENUE AND EAST OF MYRTLE LAKE VIEW DRIVE; 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.

Mayor Cheshire disclosed ex-parte communication he received from Ms. Lourdes A. Vasquez, City of Fruitland Park resident, dated April 13, 2022 regarding Crystal Lake Vista Development and the subsequent responses dated April 14 and 18, 2022 respectively from Mr. La Venia; copies of which are filed with the supplemental papers to the minutes of this meeting.

After Ms. Geraci-Carver swore in those individuals intending to testify at this evening's meeting, Mr. Michael "Mike" W. Rankin, LPG Urban & Regional Planners Inc., gave a background on the subject proposed ordinance and relayed the Planning and Zoning (P&Z) Board's recommendation of approval at its April 21, 2022 meeting. Having acknowledged the presence of Mr. Angel L. Rivera, A&B Engineering Consultants PA, at this evening's meeting, he later reported on the traffic and road capacity studies proposed for the subject and surrounding areas; referred to a zoning map on the county's projected growth; and addressed the plans to comply with required regulations. (A copy of the map is filed with the supplemental papers to the minutes of this meeting.)

Mr. Rankin described the applicant's ability to develop seven dwelling units per acre in the current zoning of urban medium residential; described the request to the proposed designation of three units per acre, and highlighted the responses received from the surrounding property owners.

Pastor Chuck Padgett, Unincorporated Area of the City of Fruitland Park resident, pointed out:

- the April 21, 2022 Planning and Zoning (P&Z) Board's postponement Lake Myrtle Breezes amendment to the annexation agreement which excluded the provision for the developer to construct sidewalks;
- his appearance at the May 13, 2004 regular city commission meeting regarding the subject development and the commitment at that time by the developer, Dr. Eric Coe, to erect sidewalks;
- his April 25, 2022 email regarding the number of planned unit development (PUD) designation at The Glen Subdivision with the owner's plans to erect sidewalks; the

problem with the lack of a sewer system to the development, and the provisions under 3.0, Trip Distribution/Assignment from Lake County's Fruitland Park Crystal Lake Minor Traffic Impact Study Plan as it relates to Myrtle Lake Avenue (copies of the related documents are filed with the supplemental papers to the minutes of this meeting), and

- reasons on the need for traffic signalization in the area.

In concurrence, Ms. Lyssandra M. Silver, Glen of Fruitland Park Homeowners' Association, noted the discrepancies in the number of residential dwelling units at The Glen and explained that the roadway is not a dead-end street as the gate is adjacent to the Wingspread subdivision entrance.

Mr. Lester H. Bott, City of Fruitland Park resident, cited reasons why he supported two dwelling units per acre; addressed the need for a sewer system; thus, recalling the owner's responsibility in 2004 to erect sidewalks, and recommended that the continuance of the subject item until reliable witnesses present a plan of action.

Mr. Dillard E. McMahan, City of Fruitland Park resident, described how his property is adjacent to the subject proposed development; noted the potential problems on the affects to the existing trees and wildlife in the area, and voiced concerns on the implications due to the existing floodplain.

In recognizing the potential development, Ms. Vazquez, voiced reasons in maintaining the current lifestyle and addressed the need for sidewalks and a traffic light.

Earlier in the meeting, Mayor Cheshire confirmed in response to Ms. Lyssandra's concerns that the developer would be responsible for the costs of connecting sewer lines in the new development and recalled the city commission's position, since 2004 together with the City of Leesburg, requesting that the county pursue a Preliminary Development and Engineering Study for CR 468.due to the proposed developments, potential increase in traffic and projected growth in the area.

ACTION 6 12:39 p.m. Following much discussion and earlier in the meeting, a motion was made by Vice Mayor Gunter and seconded by Commissioner DeGrave that the LPA recommend the approval of Ordinance 2022-009 as previously cited. By unanimous consent, Mayor Cheshire closed the public hearing.

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

END OF QUASI-JUDICIAL PUBLIC HEARING

5. UNFINISHED BUSINESS

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

ACTION: 6:20:06 p.m. No action was taken.

6. PUBLIC COMMENTS

Pastor Pagett referred to his neighbor's email to the elected officials in opposition to SSCPA Ordinance 2022-009; however, he voiced his concerns on speeding traffic and safety and requested that the city commission consider the existing egress and ingress to The Glen.

After discussion, Pastor Padgett concurred with Ms. Vazquez' concerns; referred to the April 25, 2022 email from Fruitland Park Permits regarding the P&Z Board's postponement of Myrtle Lake Breezes and reiterated the provisions under the June 10, 2004 Annexation Agreement with Dr. Coe on his agreement to construct sidewalks on Myrtle Lake Avenue.

Ms. Geraci-Carver gave reasons why she does not believe that Dr. Coe was to erect sidewalks on Myrtle Lake Avenue; recognized the March 1, 2022 letter from Mr. Rivera requesting an amendment to the subject annexation agreement; and referred to the current proposal to construct a sidewalk within Tract A which was not the original requirement. A copy of the respective letter is filed with the supplemental papers to the minutes of this meeting.

Mr. Bott voiced concerns that residents of The Glenn does not have to connect to sewer which he believes is being charged by the city.

ACTION: 6:47:02 p.m. No action was taken.

7. OTHER BUSINESS


There were no public comments at this time.

ACTION: 6:56:02 p.m. No action was taken.

8. ADJOURNMENT

The meeting adjourned at 6:56 p.m.


Signed
Esther B. Coulson, City Clerk, MMC


Signed
Chris Cheshire, Mayor

