

**FRUITLAND PARK LOCAL PLANNING AGENCY  
MEETING AGENDA**

**January 26, 2023**

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

**On or before 6:15 p.m.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES** (city clerk)
  - November 10, 2022
  - September 22, 2022

**PUBLIC HEARING**

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

**END OF PUBLIC HEARING**

- 5. UNFINISHED BUSINESSES**

**6. PUBLIC COMMENTS**

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the Local Planning Agency at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the Local Planning Agency. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the Local Planning Agency addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

**7. ADJOURNMENT**

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.) If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

**PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.**

**CITY OF FRUITLAND PARK  
LPA AGENDA ITEM SUMMARY SHEET  
Item Number: 3**

**ITEM TITLE:** Draft LPA Meeting Minutes

**MEETING DATE:** Thursday, January 26, 2023

**DATE SUBMITTED:** Thursday, January 19, 2023

**SUBMITTED BY:** City Clerk

**BRIEF NARRATIVE:** **November 10, 2022** meeting minutes

**FUNDS BUDGETED:** None

**ATTACHMENTS:** Draft meeting minutes

**RECOMMENDATION:** Approval, if there are no corrections.

**ACTION:** **Approval.**

**FRUITLAND PARK LOCAL PLANNING AGENCY  
DRAFT MEETING MINUTES  
November 10, 2022  
6:30 p.m.**

A meeting of the Fruitland Park Local Planning Agency was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, November 10, 2022 at 6:30 p.m.

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

**Also present:** City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce, Officer Anthony Buehler, Police Department; Interim Community Development Director Michael “Mike” Rankin, LPG Urban Regional Planners Inc. (consultant retained by the city); Deputy Finance Director Gary Bachman; and City Clerk Esther B. Coulson.

**1. CALL TO ORDER**

Mayor Cheshire called the meeting to order.

ACTION: 6:18:40 p.m. No action was taken.

**2. ROLL CALL**

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

ACTION: 6:18:51 p.m. No action was taken.

**3. APPROVAL OF MINUTES**

The LPA considered its action to approve the September 22, 2022 LPA meeting minutes.

ACTION: 6:19:14 p.m. **On motion of Commissioner Mobilian, seconded by Commissioner Gunter and unanimously carried, the LPA approved the previously cited minutes as submitted.**

**PUBLIC HEARING**

**4. Public Hearing – Ordinance 2022-023 – SSCPA 14.98± Acres – North of CR 466A and East of Oliver Lane- Petitioner: T. D. Burke**

After Ms. Geraci-Carver recognized the public hearing and not a Quasi-Judicial Public Hearing as a legislative action by the LPA and read into the record the title of proposed Ordinance 2022-023 the substance of which is as follows, 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 RURAL TO CITY MULTI-FAMILY HIGH DENSITY ON 14.98 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST 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.

After Mr. Rankin described the subject proposed project, he responded to an inquiry posed by Ms. Kathleen Salt, Villages of Fruitland Park (Pine Ridge) resident, to which Mayor Cheshire and Ms. Geraci-Carver described the procedures involved amongst the Technical Review Committee, Planning and Zoning (P&Z) Board, LPA and city commission bodies which led up to the consideration of the subject item.

Following Ms. Theresa Moreman, VOFP (Pine Hills) resident, questions on the consideration of the subject item by reviewing agencies and recommended bodies before it is deliberated by the city commission, Ms. Geraci-Carver and Mayor Cheshire described the procedures involved, and reiterated the process in that regard.

After Mr. Don Brozick, Villages of Fruitland Park ((VOFP) Pine Hills) resident and The Village Community Development District No. 11 Chairperson, relayed the residents' concerns regarding effective communication, safety and security and notification to the specific property owners on the subject issue, Mr. Rankin pointed out the notification requirements that were followed under Florida State Statutes and confirmed the number of letters that were sent by certified mail to surrounding property owners within 250 feet of the subject project and the responses received with regard to same; copies of which are filed with the supplemental papers to the minutes of this meeting.

Mr. Carl Yauk, Villages of Fruitland Park (Pine Hills) resident, addressed the problem the lack of communication for individuals residing within the Fruitland Park area; referred to his previous appearance before the elected body regarding suggesting publications on the city's forthcoming activities, similar to the City of Leesburg's electric billings, which has not occurred.

Mr. Rankin concurred in the affirmative to the request posed by Mr. Bernie Wade, The Village resident and property owner adjacent to the subject property, that the property owners' notification would be made available to him at city hall by visiting Ms. Sharon Williams, Community Development, during business hours on Monday, November 14, 2022.

**ACTION:** 6:19:29 p.m. Later in the meeting, **a motion was made by Commissioner Mobilian and seconded by Commissioner Gunter that the LPA recommend the approval of Ordinance 2022-023 as previously cited.**

Earlier in the meeting and **by unanimous consent, Mayor Cheshire closed the public hearing.**

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

**END OF PUBLIC HEARING**

**5. UNFINISHED BUSINESSES**

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

**ACTION:** 6:40:01 p.m. No action was taken.

**6. PUBLIC COMMENTS**

Ms. Cynthia L. Mueller, The Villages of Fruitland Park (Pine Hills) resident, voiced problems with adjacent property owners not receiving notification; gave her opinion on what really matters to be the responses received in opposition, and pointed out her concerns when visiting Lake County's website on the approved funding of the roadway project improvements for CR 466A earmarked in the future.

**ACTION:** 6:40:06 p.m. No action was taken.

**7. ADJOURNMENT**

The meeting adjourned at 6:47 p.m.

Signed  
Esther B. Coulson, City Clerk, MMC

Signed  
Chris Cheshire, Mayor

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

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

**MEETING DATE:** Thursday, January 26, 2023

**DATE SUBMITTED:** Tuesday, January 17, 2023

**SUBMITTED BY:** City Attorney/City Manager/Community Development

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

**FUNDS BUDGETED:** None

**ATTACHMENTS:** Proposed Ordinance 2023-002, legal description maps and advertising affidavit.

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

**ACTION:**

**ORDINANCE 2023-003**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, a petition has been received from Vishaal Gupta as applicant, on behalf of Kimaya, LLC as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Multi-Family Medium Density" under the Comprehensive Plan for the City of Fruitland Park; and

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

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

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

**Section 1:** The following described property consisting of approximately 19.10 ± acres generally located south of Urick Street and west of Thomas Avenue as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Multi-Family Medium Density under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

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



**Section 3. Direction to the City Manager.**

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

**Section 4: Severability.**

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

**Section 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 6: Scrivener’s Errors.**

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

**Section 7. Adoption**

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

**Section 8:** This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

**PASSED AND ORDAINED** in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Chris Cheshire, Mayor  
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

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

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

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

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_  
(SEAL)

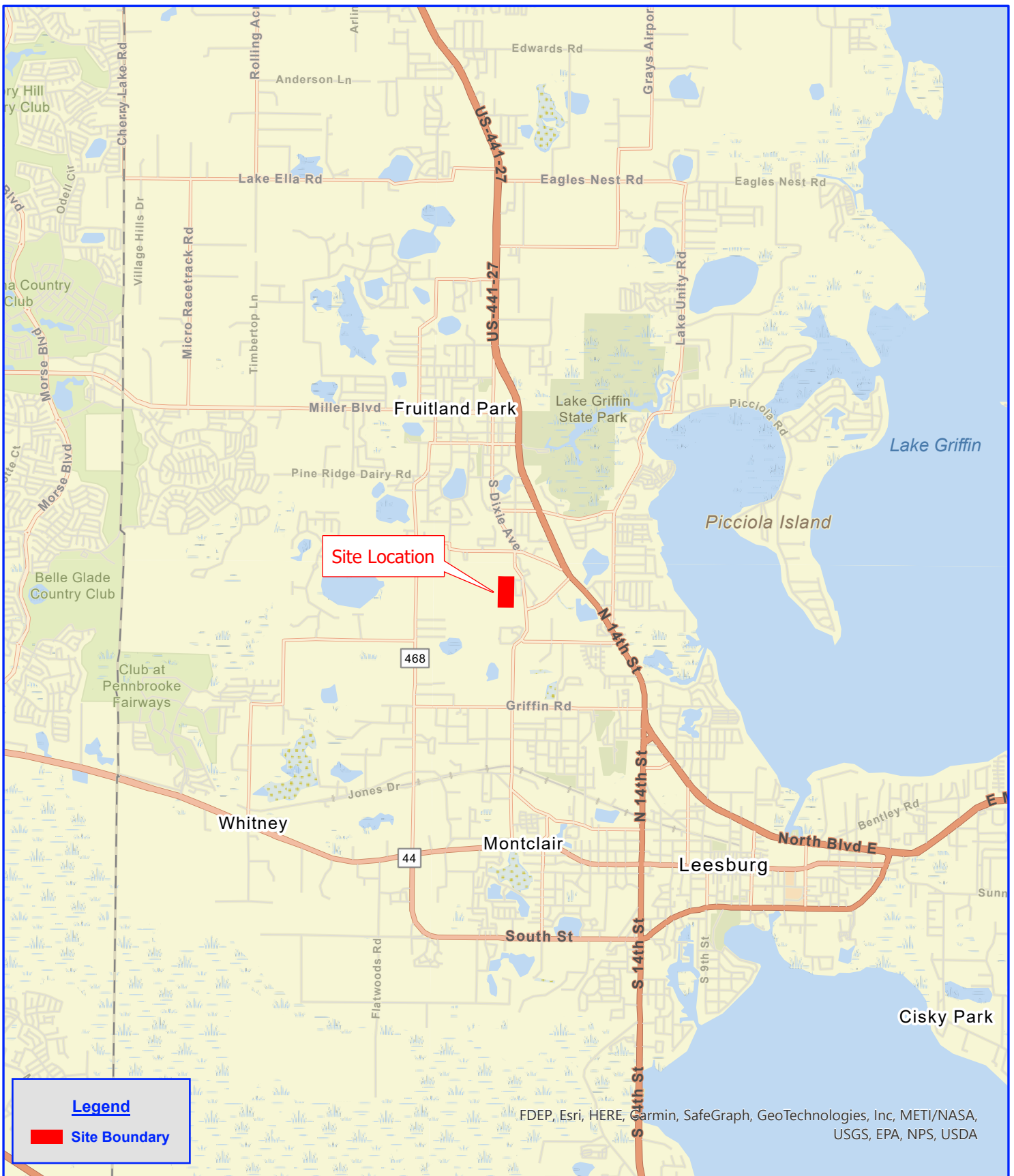
**“EXHIBIT A”**

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

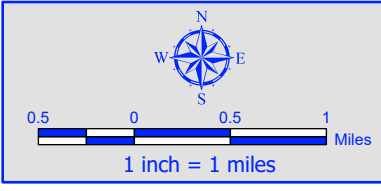
ALSO DESCRIBED AS:

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

**EXHIBIT B**



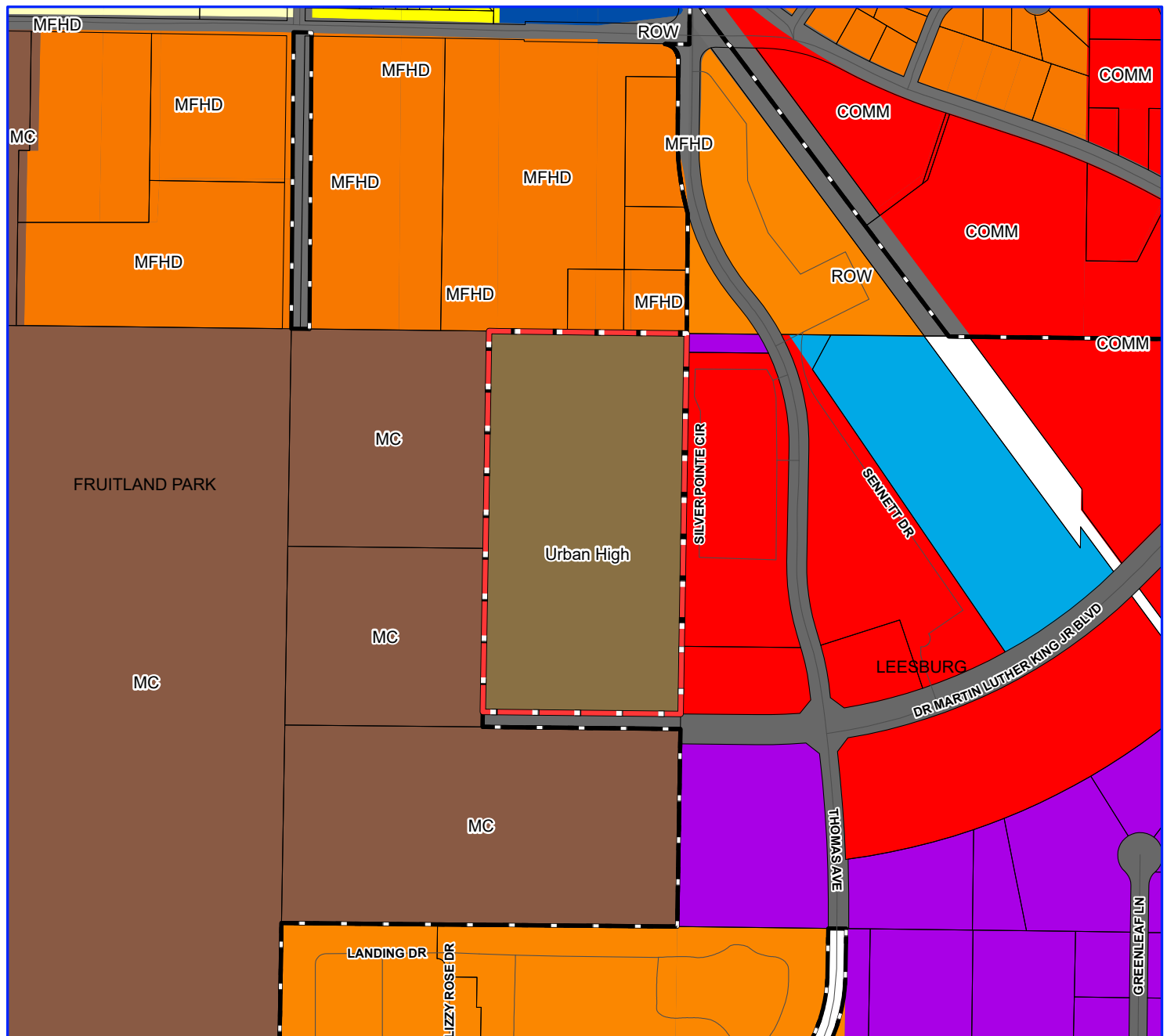
FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA



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

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





**Legend**

Site Boundary

City Limits

Lake County Future Land Use

Urban High Density

City of Fruitland Park Future Land Use

SFLD, Single Family Low Density

SFMD, Single Family Medium Density

MFHD, Multiple Family/High Density

COMM, Commercial

MC, Mixed Community

INST, Institutional

ROW, Transportation

City of Leesburg Future Land Use

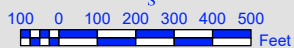
RIGHT-OF-WAY

GENERAL COMMERCIAL

INSTITUTIONAL

INDUSTRIAL

HIGH DENSITY

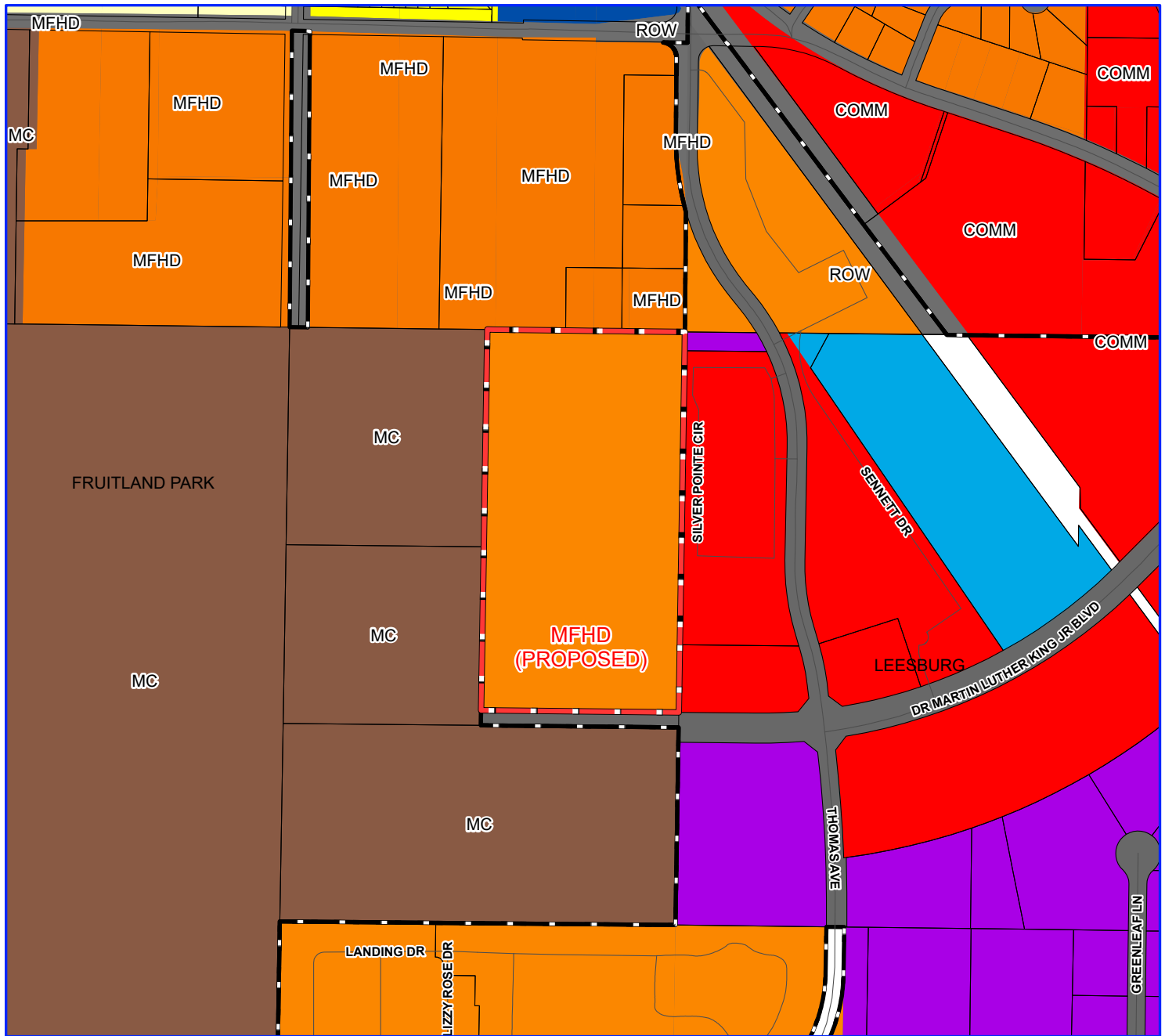


1 inch = 500 feet

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

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





**Legend**

Site Boundary

City Limits

**Lake County Future Land Use**

Urban High Density

**City of Fruitland Park Future Land Use**

SFLD, Single Family Low Density

SFMD, Single Family Medium Density

MFHD, Multiple Family/High Density

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ROW, Transportation

**City of Leesburg Future Land Use**

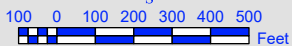
RIGHT-OF-WAY

GENERAL COMMERCIAL

INSTITUTIONAL

INDUSTRIAL

HIGH DENSITY



1 inch = 500 feet

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

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



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

**ANNEXATION, SSCPA, AND REZONING**

**Owner:** Kimaya, LLC

**Applicant:** Vishaal Gupta

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

**Number of Acres:** 19.10 ± acres

**Existing Zoning:** Agriculture (Lake County)

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

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

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

**Date:** December 13, 2022

**Description of Project**

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

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

## **Assessment**

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### **Applications**

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

### **Annexation**

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

### **Rezoning**

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

### **Small Scale Comp Plan Amendment**

For comprehensive plan purposes a maximum development scenario was utilized.

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

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

Existing County Land Use Residential Units: 228 units

Proposed Development Residential Units: 191 units

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



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

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

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

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

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

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

**TRIP GENERATION ANALYSIS**

**Proposed Land Use Program**

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
MF Residential	191 units	220	1,388	105	66	39
<b>TOTAL GROSS TRIPS (PROPOSED)</b>			<b>1,388</b>	<b>105</b>	<b>66</b>	<b>39</b>

**Existing Land Use Program**

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

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

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

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

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

The City owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.879 MGD and the permitted consumptive use permit capacity is 1.22 MGD. The City has a current available capacity of .396 mgpd and an analysis was conducted of the proposed amendment based on land use and the City’s Level of Service (LOS) standards. The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of 0.317 mgpd.

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

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

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

**Comprehensive Plan Compliance**

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

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

**Recommendation**

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

The Villages  
**DAILY SUN**

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

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

**NOTICE OF PUBLIC HEARING**

was published in said newspaper in the issues of

**JANUARY 9, 2023**

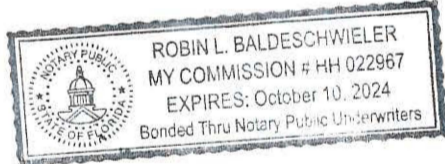
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake,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

*(Handwritten Signature)*  
 (Signature Of Affiant)

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

*(Handwritten Signature)*  
 Robin L. Baldeschwieler, Notary

Personally Known X or  
 Production Identification \_\_\_\_\_  
 Type of Identification Produced \_\_\_\_\_



**NOTICE OF PUBLIC HEARING**

ORDINANCE 2023 - 001

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 19.10 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE

ORDINANCE 2023-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

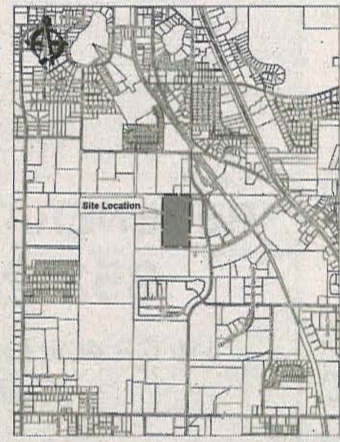
ORDINANCE 2023-003

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

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

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

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



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

**Breakthrough**  
**for Headaches**  
**and Lower**

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

**CHI**  
 Robert Ar...

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

**CITY OF FRUITLAND PARK**  
**LPA AGENDA ITEM SUMMARY SHEET**  
**Item Number: 6**

**ITEM TITLE:** Public Comments

**MEETING DATE:** Thursday, January 26, 2023

**DATE SUBMITTED:** Thursday, January 19, 2023

**SUBMITTED BY:** City Clerk

**BRIEF NARRATIVE:** This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the local planning agency at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the local planning agency. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the local planning agency addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

**FUNDS BUDGETED:** None

**ATTACHMENTS:**

**RECOMMENDATION:** None

**ACTION:** None