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 **506 WEST BERCKMAN STREET PHONE: 352 360-6727**

 **FRUITLAND PARK, FL 34731 FAX: 352 360-6652**

 **Board Members: Others:**

 Al Goldberg, Chairman Michael Rankin, LPG

 Daniel Dicus, Vice Chair Sharon Williams, Administrative Manager

 Carlisle Burch Emily Church, Office Assistant

 Roger Sines

 Walter Birriel

**MINUTES**

**PLANNING & ZONING BOARD**

**June 15, 2023**

**6:00 PM**

1. **INVOCATION AND PLEDGE OF ALLEGIANCE:** Invocation led by Sharon Williams, Fruitland Park Staff.
2. **ROLL CALL:** All members present except Roger Sines..
3. **MEETING NOTES FROM PREVIOUS MEETING:** Meeting notes from April 20, 2023 included for review/comment. Minutes were unanimously approved.
4. **OLD BUSINESS:** NONE

 **NEW BUSINESS:**

1. **Ralph Thiele – Conditional Use Permit Application (Alternate Key: 2562684 & 1699673)**

A Conditional Use Permit (CUP) approval is requested to develop a 24,000 square foot garage on the subject site. The revised conceptual site plan has addressed planning comments and meets the minimum technical standards of Chapter 155, Section 155.010(b)(1). Staff recommends the following conditions:

1. Storage shall be limited to personally owned vehicles.
2. Building Perimeter landscaping. A minimum three (3) foot wide landscape area, with an average of five (5) feet or more, around a minimum of forty (40) percent of the total building perimeter and within twenty-five (25) feet of the building walls. Minimum planting requirement. One (1) canopy tree or three (3) understory trees, and twenty-eight (28) shrubs shall be required for every three hundred and fifty (350) square feet of planting area in (a) above. Trees installed for any other requirement of this Section may be credited towards this requirement if in the required location.

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Michael Rankin, Acting Director of the Community Development Department, introduced the application and reviewed the development review process for the benefit of the constituents in the audience.

Nine (9) certified letters were mailed to contiguous property owners with five (5) return receipts, one (1) returned non deliverable and no oppositions and/or comments received. There were no phone calls to date.

Chris Thompson of Z Development Services, the civil engineering consultant representing the applicant, stated that the facility would be privately owned for a classic car collection and the owner has plans to relocate to the area. Chris further stated there could be approximately seventy (70) vehicles stored but was uncertain of the exact number. Mr. Rankin stated there may be comments and concerns from fire and police regarding storage of the cars with or without fluids relating to fire control.

Per Mr. Thompson, there are plans to extend the potable water main along the east side of Micro Racetrack Road to provide a sprinkler system, as well as design the site to enable fire vehicle access. The water line is estimated to be approximately 800 feet and would extend from the northwest corner of Micro Racetrack Rd. and Miller Blvd, along the right-of-way line, to the north side of the proposed development. The proposed facility would be on septic with the condition that upon sewer availability, the development would connect to city sewer. There is 1 (one) restroom planned for the facility.

The proposed development was unanimously approved by the P&Z Board with the conditions as outlined above.

1. **Miller at Cutoff – Planned Unit Development (PUD) & Rezoning (Alternate Key: 3933635)**

An application for rezoning and planned development was submitted by Alex Stringfellow on behalf of the proposed development. The applicant is proposing to rezone 6.54 + acres to a Planned Unit Development (from R-3) to accommodate 19 homes and 19 accessory dwellings, for a total of 38 dwelling units on 60’ x 112’ lots.

The proposed density is 5.75 units/acre which is consistent with the Mixed Community land use. It is the applicant’s intent to rent the single-family homes with long term leases, typically one year and to utilize the Accessory Dwelling Units (ADUs) as conventional rentals (not short term or vacation rentals). Three home types are proposed: (1) 2,148 sf home with a 470 sf 2-car garage and a 705 sf ADU over the garage, (2) a 2152 sf home with a 442 sf 2-car garage and a 939 sf ADU with a 281 sf 1-car garage and (3) a 1500 sf home with a 470 sf 2-car garage and no ADU.

The surrounding land uses include Urban Medium, Multiple Family High Density, Single-Family Low Density, and Single-Family Medium Density and PUD.

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Three (3) waivers are being sought to the following LDR regulations:

(1) LDC Section 156.010(e), a waiver to exceed the maximum ADU size of 939 sf, as it is 44% whereas an accessory dwelling unit must not exceed 40% of the size of the principal dwelling unit.

(2) LDR Section 154.030(11) to allow for a PUD that is less than 10 acres.

(3) LDR Section 157.080(a)(1)(f) to allow for a cul-de-sac street longer than 600 feet.

Staff has no objection to the waivers being sought.

One-hundred thirteen (113) certified letters were mailed to the contiguous property owners: ninety (90) return receipts received, one (1) non-deliverable, eleven (11) letters of opposition, and one (1) phone call of opposition to date.

City attorney Anita Geraci-Carver stressed there was another alternate key affected [1287685] which represents the outparcel for the commercial. She further stated the future land use designation requires the commercial property to be included in the PUD.

Alex Stringfellow, applicant on behalf of the proposed development, stated there was no alternative design solution for the cul-de-sac street length which is why the waiver is necessary He estimates the length to be approximately 720 feet from the entrance to the center of the cul-de-sac (requested for life safety vehicle access).

Board member Dicus clarified that the total development will be 2-story with an ADU on the top floor over the garage; 2 rental units per lot. Marc Gauthier of Atlantic Housing stated that each lot would be fee-simple with the intent to be sold in the future with 19 different owners. The plan is to currently rent the properties but, could be subject to change. There are no plans for an HOA or property management and the ADU would have direct external access. Both the single-family resident and the ADU are planned to have separate utility meters. To date, no price point for rental has been established.

Property access discussion ensued off Miller Blvd. [county road] and Marc Gauthier stated that those details had not all been worked out yet and would be at the next application phase where they will be required to submit a Traffic Impact Analysis to the county.

Public Comments Included the following:

*M. Elizabeth Shami of Fruitland Park* questioned the plan layout and was provided clarification that the property would be one structure with an ADU over the garage with garage parking. She expressed that she did not think it was a good idea.

*Colin Crews of Fruitland Park* stated that he was directly opposed to the development and the surrounding property was generally single-family residences on approximately one-half of an acre. He expressed that the overall character of the neighborhood would be changed as the proposed homes

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would be ‘rental apartments.’ He inquired whether the trees would be removed on the west side of

Cutoff Road, again which would change the character of the neighborhood. He also had concerns pertaining to traffic and whether there a traffic light at Miller and Cutoff Road would be added. Additionally, he also opposed the PUD/Re-zoning waiver for less than 10 acres.

*Janet Goldberg of Fruitland Park* stated that there is a current issue with a current neighboring ADU whereby there were no limitation on the number of occupants in one residence which subsequently affected parking which had become problematic. Additional concerns were expressed regarding speeding with the increased population in the neighborhood.

*Brenna Burkhead of Fruitland Park* posed a question regarding whether a traffic study had been conducted; with four (4) lanes feeding into two (2) and then back again into four (4) along Miller Blvd. P&Z Board members stated that the city is awaiting the start of road construction by the county some-time in the spring. She is not happy about the waiver consideration for PUD/Re-zoning less than 10 acres. She expressed that actual homeowners would take more interest in the upkeep of the property.

*Cindy Matzonkai* *of Fruitland Park* stated that she does not like the idea of the development starting out as rental properties. She also expressed traffic concerns.

Per Marc Gauthier, he cannot presently give a definitive answer on the monthly rental cost but stated it will be for what the market will bear. He further stated that current zoning allows higher density than what is proposed. He also mentioned that staff recommended approval of the rezoning with the following recommendation to address parking concerns: a minimum of 50% of the lots shall be developed with the Type 2 Home unit which provides the principal structure with a two (2) car garage and an accessory dwelling unit with a one (1) car garage.

The Board voted unanimously to deny the proposed development.

Board member Dicus stated although he liked the concept, various aspects of the proposed development needed additional consideration, to include: (1) safety concerns pertaining to the roadway entrance, (2) traffic concerns at 466A, and (3) missing information pertaining to the overall development.

Chairman Goldberg expressed his concern pertaining to property management of the proposed 19 lot 38- unit proposed development. Michael Rankin clarified that although the project was denied during P&Z the application would still move forward to city commission for final determination.

1. **Park Square Fruitland Park – Annexation, Rezoning & Small-Scale Comp Plan Amendment (SSCPA) - Alternate Keys: 1289691**

Application for Annexation, Rezoning and SSCPA submitted by applicant, Vishaal Gupta, on behalf of

the owner Kimaya, LLC. The subject site is approximately 19.10 + acres, located adjacent to the city limits along the northern and western property boundaries, and is within the city’s utility service area.

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The property is eligible for voluntary annexation and would be considered infill development; it is currently zoned Agriculture in Lake County. The applicant is proposing a zoning designation to R-10, multi-family medium density, along with a small-scale comprehensive plan amendment conducive to the proposed zoning. 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.

This project was initially heard before the P&Z Board in December 2022; however, the applicant has requested changes which significantly impact the originally submitted concept plan. The number of

units to be developed is capped at 170. Applicant would also like the flexibility to relocate the dog

park, construct a mixture of duplexes, townhomes, and single-family detached units, etc. and remove specific architectural details with the understanding that the development shall meet or exceed all applicable performance and design standards under the City’s Land Development Code. Water and sewer will be provided by the city. Concept plans currently reflects 54 duplexes, 112 townhomes at a proposed density of 8.8 units/acres.

LPG introduced the project and stated that the SSCPA and rezoning is consistent with the comprehensive plan.

Logan Opsahl of Lowndes Law Firm, on behalf of the applicant, stated the previous concept plan was approved by P&Z with a higher density [in May 2023]. City Commission ‘conditionally approved’ the development with the understanding that a Master Development Agreement be reached within a specified deadline. However, since the agreement was not finalized within the prescribed timeline, the project must be re-presented to P&Z and City Commission. Logan Opsahl stated that a multifamily rental development is requested; committing to a development of less than 3 - 4 stories with no apartments; noting that the site plan may change based on sales market trends. The owner desires the flexibility to change the product mix based on sales. On-site property management is anticipated.

The P&Z Board voted unanimously to approve the proposed development.

**BOARD MEMBERS’ COMMENTS:** Roger Sines requested an excused absence from the June 2023 meeting.

**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: 7:43 PM**