



## REGULAR MEETING OF THE LADY LAKE LOCAL PLANNING AGENCY

**DATE:** Monday, June 20, 2011  
**TIME:** 5:30 p.m.  
**PLACE:** Town Hall Commission Chambers  
409 Fennell Blvd., Lady Lake, Florida.

ALL INTERESTED PERSONS ARE CORDIALLY INVITED TO ATTEND THIS PUBLIC MEETING

### AGENDA

**CALL TO ORDER:** Jim Richards, Chairperson

**ROLL CALL:**

1. Approval of Minutes: February 7, 2011 Meeting
2. Amending the Town of Lady Lake Comprehensive Plan in its Entirety Based Upon the Findings of the Evaluation and Appraisal Report (Ordinance No. 2011-10) (Thad Carroll/Matt West, Florida Engineering Group)

**ADJOURN:**

This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring an interpreter for the hearing impaired or the visually impaired should contact the Clerk's Office at least five (5) calendar days prior to the meeting and an interpreter will be provided. To access a Telecommunication Device for Deaf Persons (TDD), please call (352) 751-1565. Any handicapped person requiring special accommodation at this meeting should contact the Clerk's Office at least five (5) calendar days prior to the meeting.

Advice to the Public: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he may need a verbatim record of the proceedings including the testimony and evidence which record is not provided by the Town of Lady Lake. (F.S. 286-0105)

Please be advised that one or more members of any other Town Board or Committee may be in attendance of this meeting.

JY/Word/Town Clerk/Agendas/Local Planning Agency Meeting – 06/20/11

MINUTES OF THE LOCAL PLANNING AGENCY  
LADY LAKE, FLORIDA  
February 7, 2011

The Local Planning Agency Meeting was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Chairperson Pro-Tem Ruth Kussard presiding. The meeting convened at 5:30 p.m.

**CALL TO ORDER:** Chairperson Pro-Tem Ruth Kussard

**ROLL CALL:** Member Tony Holden  
Member Ty Miller  
Member Paul Hannan  
Member Ruth Kussard

**ABSENT:** Chairperson/Member Jim Richards

**STAFF MEMBERS PRESENT:** Kris Kollgaard, Town Manager/Town Clerk; Thad Carroll, Growth Management Director; Chief Ed Nathanson, Police Department; and Jayne York, Deputy Town Clerk

1. **Approval of Minutes:** January 19, 2011 Local Planning Agency Meeting (on file in the Town Clerk's office)

*Upon a motion by Member Hannan and seconded by Member Holden, the Board approved the Minutes of the Local Planning Agency Meeting for January 19, 2011 as presented, by a vote of 4 -0 .*

2. **Large Scale Comprehensive Plan Amendment – 18.18± Acres of Property Located South of County Road 466 and West of Rolling Acres Road – Change From Lake County-Urban Expansion to Town of Lady Lake-Commercial General-Retail Sales & Services (RET) - LPG Urban & Regional Planners on Behalf of Larry M. And Linda S. Phillips (Ordinance No. 2011-02) (Postponed from the January 19, 2011 Meeting) (Thad Carroll)**

Thad Carroll, Growth Management Director, gave the presentation. Mr. Carroll stated that this is an Ordinance for the amendment of the Large Scale Comprehensive Plan; requesting a change from Lake County Urban Expansion to Town of Lady Lake Commercial General-Retail Sales and Service. The applicant is LPG Urban & Regional Planners on behalf of Larry M. and Linda S. Phillips.

Mr. Carroll stated that the present use of the 18.8 ± acres of property is vacant and is a pasture. The proposed use of the property is commercial. The staff recommends approval of Ordinance 2011-02. He stated the basis for this recommendation is Policy FLU (Future Land Use)1-45. There is availability of facilities to support the change - there is sewer, water, and reuse that can serve the site at the present time. The application criteria for identifying marketable commercial sites under Item #2 of this policy - ease of access to collector thoroughfares and commercial sites

1 - is also met with access to County Roads 466 and 25. The request to change the plan to  
2 commercial is in character with adjacent properties.

3  
4 The justification statement of the applicant states their reasoning for being in compliance with  
5 the Comprehensive Plan and their intent for the use of the property. The application was received  
6 on November 1, 2010. Notices were mailed to surrounding property owners (within 150 feet of  
7 subject property) on December 22, 2010 and there has been no response, either endorsing or  
8 objecting to the project. The property was also posted on December 30, 2010.

9  
10 The Technical Review Committee reviewed the application for Ordinance 2011-02 at their  
11 regular meeting on January 4, 2011, and deemed it ready for transmittal to the Planning &  
12 Zoning Board with a vote of 5-0. On January 10, 2011, the Planning & Zoning Board  
13 recommended approval by a vote of 4-0. This item was tabled at the last meetings of the Local  
14 Planning Agency and Town Commission on January 19, 2011. If approved at this meeting, the  
15 second and final reading will occur after the Department of Community Affairs (DCA) has  
16 reviewed the transmitted amendment, roughly sometime in April.

17  
18 Mr. Carroll stated that Tiffany Kapner representing LPG Urban & Regional Planners was  
19 available for questions.

20  
21 Member Kussard made a disclosure that she had met with concerned residents of La Zamora  
22 outside of the Chambers after the January 10, 2011 Planning and Zoning Meeting. One of the  
23 residents arranged a meeting at the Chula Vista Recreation Center on January 17, 2011 regarding  
24 the Phillip's property. Sixty six people attended the meeting and Member Kussard stated she  
25 tried to reconstruct the names as best she could according to the straw vote taken at that meeting.  
26 The list will be available in the Town Clerk's office.

27  
28 Member Kussard stated she spoke with Tiffany Kapner of LPG Urban & Regional Planners prior  
29 to the Commission meeting on January 19, 2011 and she agreed to meet with a few of the  
30 residents and listen to their concerns.

31  
32 On January 27, 2011, a meeting was held at the Phillips Buick-GMC dealership on 27/441 in  
33 Fruitland Park with the following persons present: Bruce Ballard, Lillian and Muriel  
34 Campagnola, Sharon Edwards, Warren Levinski, Melinda Stearn, Ron and Carol Thomas,  
35 Tiffany Kapner, Larry Phillips, and Member Kussard. Since then, Member Kussard stated she  
36 has spoken with Lillian Campagnola again on this date regarding tonight's meeting.

37  
38 Member Holden questioned the proposed uses of the property and what type of establishment  
39 would be built.

40  
41 Mr. Carroll replied that it will be commercial development with varied uses. The specifics are  
42 under the re-zoning ordinance which will be subject to the PUD.

43  
44 There were no comments or questions from the public.

1 *Upon a motion by Member Hannan and seconded by Member Holden, the Local Planning*  
2 *Agency approved the Large Scale Comprehensive Plan Amendment – 18.18± Acres of*  
3 *Property Located South of County Road 466 and West of Rolling Acres Road – Change From*  
4 *Lake County-Urban Expansion to Town of Lady Lake-Commercial General-Retail Sales &*  
5 *Services (RET) – LPG Urban & Regional Planners on Behalf of Larry M. and Linda S.*  
6 *Phillips (Ordinance No. 2011-02), by a vote of 4-0.*  
7

8 **ADJOURN:** There being no further discussion, the meeting was adjourned at 5:37 p.m.  
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14 \_\_\_\_\_  
Kristen Kollgaard, Town Clerk

\_\_\_\_\_  
Ruth Kussard, Chairperson Pro-Tem

15 Minutes transcribed by Nancy Slaton, Staff Assistant to Town Clerk  
16

**DRAFT**



## LOCAL PLANNING AGENCY AGENDA ITEM

REQUESTED LPA MEETING DATE: June 20, 2011

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**SUBJECT:** Ordinance 2011-10 - Amending The Town of Lady Lake Comprehensive Plan in its entirety based upon the findings of the Evaluation and Appraisal Report (EAR), which several amendments shall collectively comprise the Lady Lake 2030 Comprehensive Plan.

**DEPARTMENT:** Growth Management

*Please Refer To Packet Item H-7 Of The Town Commission Agenda For Supporting Materials.*

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### STAFF RECOMMENDED MOTION:

**Growth Management Staff Recommends approval of Ordinance 2011-10, Amending the Town of Lady Lake Comprehensive Plan for the 2030 Planning Horizon as Presented.**

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### SUMMARY:

Pursuant to Section 163.3191, Florida Statutes, "each local government shall adopt an evaluation and appraisal report (EAR) once every seven years assessing the progress in implementing the local government's comprehensive plan." The report evaluates how successful a community has been in addressing major community land use planning issues through implementation of its comprehensive plan. Based on this evaluation, the report suggests how the plan should be revised to better address community objectives, changing conditions and trends affecting the community, and changes in state requirements. On February 17, 2010, the Town Commission adopted the Evaluation and Appraisal Report, which then was subsequently transmitted to the Florida Department of Community Affairs (DCA). On April 30, 2010, the Town received the Finding of Sufficiency letter from DCA acknowledging acceptance of the issues as specified in the EAR. Following receipt of that letter, the Town had an eighteen (18) month period to address the issues identified in the EAR through amendments to the Comprehensive Plan<sup>1</sup>.

On November 15, 2010, the Town of Lady Lake awarded a bid to the Florida Engineering Group, Inc. to complete the Evaluation and Appraisal Report (EAR) based amendments as required by Florida Statute. Since that time, Florida Engineering Group has been working diligently to address the issues as put forth in the EAR. The draft prepared in its present form is open for suggestions and recommendations by Town

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<sup>1</sup> This period has been changed to 12 months as per HB 7207 – the Town is progressing in the fastest possible timeframe considering the process was amended concurrent with our EAR based amendment preparations.

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**ORDINANCE 2011 - 10**

**AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA; AMENDING THE TOWN OF LADY LAKE COMPREHENSIVE PLAN; PROVIDING FOR A FUTURE LAND USE ELEMENT; PROVIDING A TRANSPORTATION ELEMENT; PROVIDING A HOUSING ELEMENT; PROVIDING A PUBLIC FACILITES ELEMENT; PROVIDING A CONSERVATION ELEMENT; PROVIDING A PARKS, RECREATION AND OPEN SPACE ELEMENT; PROVIDING AN INTERGOVERNMENTAL COORDINATION ELEMENT; PROVIDING A CAPITAL IMPROVEMENTS ELEMENT; PROVIDING AN ECONOMIC ELEMENT; PROVIDING A PUBLIC SCHOOLS FACILITIES ELEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 125.01(l)(g), Florida Statutes, empowers the Lady Lake Town Commission to prepare and enforce comprehensive plans to plan for and manage the development of the Town and promote the general health, safety and welfare of its citizens; and

**WHEREAS**, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

**WHEREAS**, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

**WHEREAS**, Pursuant to Section 163.3191, Florida Statutes, "each local government shall adopt an evaluation and appraisal report (EAR) once every seven years assessing the progress in implementing the local government's comprehensive plan"; and

**WHEREAS**, the Town Commission has followed the procedures set forth in Sections 163.3191 and 163.3184, Florida Statutes in order to adopt Evaluation and Appraisal Report (EAR) based and related amendments to the Comprehensive Plan; and

**WHEREAS**, the Town Commission and Local Planning Agency has substantially provided for public participation in the Plan amendment process; and

**WHEREAS**, the Town Commission of the Town of Lady Lake, Florida, further considered all oral and written comments received during said public hearing, including the data and analysis packages; and

1           **WHEREAS**, the Town Commission hereby finds that the Plan, as amended by this  
2 ordinance, is internally consistent with and compliant with the provisions of State law,  
3 including, but not limited to, Part II, Chapter 163, Florida Statutes, and the State  
4 Comprehensive Plan, and the Strategic Regional Policy Plan of the East Central Florida  
5 Regional Planning Council; and  
6

7           **WHEREAS**, on June 13, 2011, the Planning and Zoning Commission of the Town of  
8 Lady Lake reviewed the proposed amendments to the Comprehensive Plan which is  
9 attached hereto as Exhibit "A" and recommended to the Town Commission of the Town of  
10 Lady Lake that said amendment be adopted; and  
11

12 Be it ordained and enacted by the Town Commission of the Town of Lady Lake, in Lake  
13 County, Florida.  
14

15           **Section 1. Legislative Findings.** The above recitals are true and correct and such  
16 findings are a material part of this ordinance.  
17

18           **Section 2. Purpose and Intent.** This ordinance is enacted to adopt the EAR-based  
19 amendments to the Town of Lady Lake Comprehensive Plan, which several amendments  
20 shall collectively comprise the Lady Lake 2030 Comprehensive Plan.  
21

22           **Section 3. Repeal.** All ordinances or part of ordinances which are in conflict with  
23 this ordinance are hereby repealed.  
24

25           **Section 4. Severability.** If any section, sentence, clause, phrase or word of this  
26 ordinance is for any reason held, or declared to be unconstitutional, inoperative or void,  
27 such holding or invalidity shall not affect the remaining portions of this ordinance; and it  
28 shall be construed to have been the Town Commission's intent to pass this ordinance  
29 without such unconstitutional, invalid or inoperative part therein; and the remainder of this  
30 ordinance, after the exclusion of such part or parts, shall be deemed and held to be valid, as  
31 if such parts had not been included herein; or if this ordinance or any provisions thereof  
32 shall be held inapplicable to any person, groups of persons, property, kind of property,  
33 circumstances or set of circumstances, such holding shall not affect the applicability  
34 thereof to any other person, property or circumstances.  
35

36           **Section 5. Effective Date.** The effective date of this plan amendment, if the  
37 amendment is not timely challenged, shall be the date the State Land Planning Agency  
38 posts a notice of intent determining that this amendment is in compliance. If timely  
39 challenged, or if the State Land Planning Agency issues a notice of intent determining that  
40 this amendment is not in compliance, this amendment shall become effective on the date  
41 the State Land Planning Agency or the Administration Commission enters a final order  
42 determining this adopted amendment to be in compliance. No development orders,  
43 development permits, or land uses dependent on this amendment may be issued or  
44 commence before it has become effective. If a final order of noncompliance is issued by  
45 the Administration Commission, this amendment may nevertheless be made effective by

1 adoption of a resolution affirming its effective status, a copy of which resolution shall be  
2 sent to the State Land Planning Agency.  
3

4 **PASSED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011, in the  
5 regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida,  
6 upon the second and final reading.  
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10 \_\_\_\_\_  
11 James Richards, Mayor

12  
13 ATTEST:

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15 \_\_\_\_\_  
16 Kristen Kollgaard, Town Clerk

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18 APPROVED AS TO FORM:

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20 \_\_\_\_\_  
21 Derek Schroth, Town Attorney  
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DRAFT

EXHIBIT A AVAILABLE IN TOWN HALL  
409 FENNELL BOULEVARD  
LADY LAKE, FL, 32159



## SPECIAL TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: May 17, 2011

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**SUBJECT:** Presentation of the draft of the Town of Lady Lake's Evaluation and Appraisal Report (EAR) Based Amendments (FEG/Ivey Planning Group, LLC)

**DEPARTMENT:** GROWTH MANAGEMENT

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### SUMMARY:

Pursuant to Section 163.3191, Florida Statutes, "each local government shall adopt an evaluation and appraisal report (EAR) once every seven years assessing the progress in implementing the local government's comprehensive plan." The report evaluates how successful a community has been in addressing major community land use planning issues through implementation of its comprehensive plan. Based on this evaluation, the report suggests how the plan should be revised to better address community objectives, changing conditions and trends affecting the community, and changes in state requirements. On February 17, 2010, the Town Commission adopted the Evaluation and Appraisal Report, which then was subsequently transmitted to the Florida Department of Community Affairs (DCA). On April 30, 2010, the Town received the Finding of Sufficiency letter from DCA acknowledging acceptance of the issues as specified in the EAR. Following receipt of that letter, the Town had an eighteen (18) month period to address the issues identified in the EAR through amendments to the Comprehensive Plan.

On November 15, 2010, the Town of Lady Lake awarded a bid to the Florida Engineering Group, Inc. to complete the Evaluation and Appraisal Report (EAR) based amendments as required by Florida Statute. Since that time, FEG and the Ivey Planning Group, LLC (sub-consultants) have been working diligently to address the issues as put forth in the EAR. The draft prepared in its present form is open for suggestions and recommendations by the Town Commission are welcome at this time. Following this meeting by the Town Commission, these amendments will proceed forward in accordance with the following schedule:

- Planning Board meeting June 13, 2011
- Town Transmittal Hearing (LPA and Commission) June 21, 2011

27/441, the applicant would like to discuss the unique challenges within the site and get Town Commission's feedback regarding a few items, including but not limited to the following:

- Commercial Driveway
- Tree Removal
- Parking Area Redevelopment
- Freestanding Sign

Upon receipt of the Commission's feedback, the applicant can proceed in making the necessary changes to his proposal to be presented for final approval at a later date.

Tom Whiteman, property owner, stated the FDOT is requiring that he put a driveway on the back of the property due to its closeness to the highway. There is an oak tree in the right of way on McClendon Street and the owner would like to remove it. Mr. Whiteman is also proposing to put the driveway closer to the highway and would like the driveway to be 20' feet wide instead of 24' because there is a storm sewer on the corner. There is currently no water retention on site, and the owner would like to use turf stone to have the lowest impact on the environment. Mr. Whiteman stated he would like to use terraced railroad ties or something similar as a retaining wall, because when FDOT comes through, they will put their own retaining wall in and that could easily be torn down.

Town Manager Kris Kollgaard asked if there would be a freestanding sign.

Mr. Whiteman replied that there would be a freestanding sign within the setback.

Mayor Richards asked how much land the FDOT is taking from the property.

Mr. Whiteman replied the FDOT was taking about 12' on the west side of the property.

Commissioner Hannan clarified that there was no water retention on site.

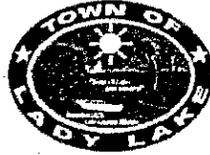
Mr. Whiteman stated that the property is currently almost all concrete, but he would like to use turf stone on all but the handicap parking area because it is pervious and water can go through it. The concrete would be removed and replaced with turf stone. Some fill would be required to level it off to the retaining wall due to a current sloping of the property.

Commissioner Hannan asked if staff had a problem with this solution.

Growth Management Director Thad Carroll stated he did not have a problem with it, but it can be submitted to be reviewed by the St. Johns Water Management District.

Mayor Richards commented that turf stone will require continuous maintenance.

Commissioner Holden stated he did not like this plan. He thinks there is too much building and feels it is too close to the highway.



## SPECIAL TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: May 17, 2011

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- Planning Board meeting June 13, 2011
- Town Transmittal Hearing (LPA and Commission) June 21, 2011

- Town Commission workshop on ORC Report September 2011
- Town Commission adoption October/November 2011

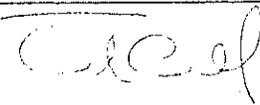
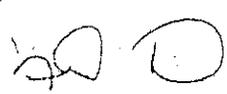
FISCAL IMPACT: \$ \_\_\_\_\_

- Capital Budget
- Operating
- Other

ATTACHMENTS:     Ordinance(s)    Resolution    Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD		Submitted	5/10/11	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements		Date
TOWN ATTORNEY		Approved as to Form and Legality		Date
TOWN MANAGER		Approved Agenda Item for:	3/17/11	Date

BOARD ACTION:     Approved as Recommended    Disapproved

Tabled Indefinitely     Continued to Date Certain    Approved w/Modification



## PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: June 13, 2011

---

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**DEPARTMENT:** Growth Management

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<sup>1</sup> This period has been changed to 12 months as per HB 7207 – the Town is progressing in the fastest possible timeframe considering the process was amended concurrent with our EAR based amendment preparations.

