

**MINUTES OF THE REGULAR MEETING
OF THE TECHNICAL REVIEW COMMITTEE
LADY LAKE, FLORIDA
March 5, 2013**

The Technical Review Committee meeting was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida at 10:00 a.m.

MEMBERS PRESENT: Thad Carroll, Growth Management Director; Wendy Then, Town Planner; Robert Barnes, Public Works; Joe Crum, Building Official; and Lt. Vernon Wherry, Lady Lake Police

Members Absent: Police Chief Chris McKinstry; and Thomas (Butch) Goodman

STAFF PRESENT: Julia Wolfe, Staff Assistant to Town Clerk

The meeting was called to order by Thad Carroll, Growth Management Director.

1. Approval of Minutes: February 5, 2013

Upon a motion by Joe Crum and seconded by Lt. Vernon Wherry, the Technical Review Committee approved the minutes as presented for the February 5, 2013 meeting, by a vote of 5-0.

2. Ordinance No. 2013-02 – Hilltop Manors Inc. – Requesting Amendment of the Memorandum of Agreement (MOA) for the Planned Unit Development (PUD) – Located on Griffin Avenue Approximately 5,650 Ft. East of the Intersection at County Road 25 (Teague Trail)

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Town Clerk's office). She stated the applicant, Michael Orem, has submitted an application on behalf of Hilltop Manors Inc., for property located on Griffin Avenue approximately 5,650 ft. east of the intersection at County Road 25, also known as the Hilltop Manors Inc. She stated the property includes approximately 43.92+/- acres in Section 09, Township 18, Range 24, currently in the Town of Lady Lake, Florida; referenced by alternate key numbers 1238277, 1770483, and 1238111. The applicant has filed the following application for this property:

- Rezoning of 43.92+/- acres from Lady Lake CP (Planned Commercial), to Lady Lake CP (Planned Commercial) to change language of the Memorandum of Agreement (MOA) addressing new open space requirements.

Ms. Then stated that pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the applicant is requesting the minimum open space requirement to be changed from 30% to 25%. She stated the subject property, which encompasses three parcels, is currently vacant; however, the property owner desires to retain the land use designation of Single Family Medium Density for a future residential project. Ms. Then stated as part of the application, the applicant has provided the new Memorandum of Agreement (MOA) ordinance terms (Exhibit "B") and Conceptual Plan (Exhibit "C") showing a single family residence project with the potential of up to 272 dwelling units, and in addition to the proposed open space requirements, each individual lot would also be required to maintain a minimum of 40% of open space. The

application has been reviewed and determined to be complete.

Ms. Then stated the applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and they are ready for transmittal to the Planning and Zoning Board.

The Future Land Use and Zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake- Single Family Medium Density (SF-MD)
Future Land Use of Adjacent Properties	
West	Lady Lake- Manufactured Home- High Density- (MH-HD)
East	Lady Lake- Manufactured Home- High Density- (MH-HD)/Lake County- Rural Transition
North	Lake County- Rural Transition
South	Lady Lake- Governmental Facility (GF)

Ms. Then stated the current Future Land Use Designation of the subject property is Lady Lake- Single Family Medium Density (SF-MD), which is compatible with its current zoning. The applicant is not requesting any changes regarding the future land use designation with this application.

Zoning

Subject Property	Lady Lake- Residential Planned Unit Development- PUD
Zoning of Adjacent Properties	
West	Lady Lake- Manufactured Home – Up to 9 dwelling units (MH-9)
East	Lady Lake- Agricultural (AG))/ Lake County- Agricultural
North	Lake County- Agricultural, Lake County- R-1- Residential
South	Lady Lake- Public Facilities District (PFD)

Ashley Hunt, Esq., Hunt Law Firm, P.A., approached the podium and introduced himself as representing Hilltop Manors Inc.

Growth Management Director Thad Carroll asked Mr. Hunt to respond to Ms. Then’s comments in sequence. Mr. Carroll stated the first comment is regarding the boulevard entrance.

Ms. Then stated the comments for this application are as follows:

1. Staff recognizes that a boulevard entrance is being requested for the project as it is shown on the Bubble Plan (Exhibit "C"), and would like to request that language be added to the MOA, as well, to state that the project shall be served by a boulevard entrance on Griffin Avenue.

Mr. Hunt stated Hilltop Manor, Inc. will amend the MOA to include the boulevard entrance. He stated he understands the Town typically requires two points of access, but there was a high area which posed a safety concern. He stated it will be the best alternative from a safety standpoint.

Mr. Carroll stated the boulevard entrance is reflected in the Bubble Plan, and the Town is requesting that it be included in the language of the MOA. He asked Mr. Hunt if he was in

agreement.

Mr. Hunt replied that he was in agreement.

2. Staff would also like the applicant to show the landscaping buffer width on the Bubble Plan and include the width and type of buffer in the body of the MOA. The Town's Land Development Regulations require a minimum of a Type "A" buffer for PUD developments – 10 ft. minimum width, with two (2) canopy trees and three (3) understory trees, and a continuous hedge per 100 lineal feet of the property perimeter.

Mr. Hunt stated there is no objection to adding the buffer width to the Bubble Plan. He stated he spoke with the engineer and the 10 foot buffer is on the Bubble Plan, but it is not specified as drafted.

3. Section 9 of the Agreement states that the development will connect to the Town's potable water and sewer line when available, and the Bubble Plan indicates that the development will be served by the Town's sewer and water; what is the developers intent with respect to utilities?

Mr. Hunt replied that he had tried to speak with his client today regarding the utilities issue, but was unable to reach him. He stated he would like to table the utility issue, if possible, as it is his understanding the applicant is going to tap into the water lines, but he would like to be sure before stating this on the record.

Mr. Carroll asked whether Mr. Hunt wanted the Technical Review Committee to table the utility issue and not forward the application to the Planning and Zoning Board, or advance to the Planning and Zoning Board while the applicant addresses the issue, or table it before it is forwarded to the Commission. He stated the Planning and Zoning Board is a recommending body, and if it is the desire of the Technical Review Committee to advance the application, they can advance the application and it can be tabled at that point. Mr. Carroll asked Mr. Hunt if he would like the application to be forwarded to the Planning and Zoning Board.

Mr. Hunt stated he would like to speak with the applicant before making any decisions, but he did not foresee a problem. He stated he would like the application to go forward to the Planning and Zoning Board.

Ms. Then stated other comments are as follows:

- 1.) Permitted uses and restrictions of the property will be governed by the attached Memorandum of Agreement, superseding all uses and prohibitions as stated in the Memorandum of Agreement accompanying Ordinance No. 2005-57, as recorded in OR Book 3202, Pg. 1918.
- 2.) Applicant will be required to submit additional land use applications such as preliminary subdivision plat, improvement plans, and final plat applications to develop the property into a residential subdivision.

Ms. Then stated notices to inform the surrounding property owners within 150' of the property of the proposed Rezoning-Planned Unit Development (PUD) MOA Amendment were mailed by

certified mail return receipt on Monday, February 25, 2013. The property was posted on Wednesday, February 27, 2013.

Ms. Then stated public hearings are scheduled as follows: The Planning and Zoning Board meeting is tentatively scheduled to be held on Monday, March 11, 2013 at 6:00 p.m. The Town Commission is scheduled to hear Ordinance No. 2013-02 for first reading on Monday, March 18, 2013 at 6:00 p.m., and for second/final reading on Monday, April 1, 2013, at 6:00 p.m.

Mr. Carroll asked if there were any questions.

Upon a motion by Joe Crum and seconded by Lt. Vernon Wherry, the Technical Review Committee approved the transmittal of the Ordinance No. 2013-02 to the Planning & Zoning Board for their consideration, by a vote of 5-0.

Mr. Carroll stated the Planning and Zoning Board meeting is scheduled for Monday, March 11, 2013 at 6:00 p.m. He asked Mr. Hunt if he could text the MOA changes today so the changes could be included in the packet.

3. Ordinance No. 2013-03 – Lady Lake Plaza – Special Exception Use to Establish a Therapeutic Massage Parlor/Day Spa Business Facility Within a .73 +/- Acre Parcel Zoned Heavy Commercial – Located at 124 S. Hwy 27/441

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Town Clerk's office). She stated the applicant, Mi Cha Jones, has submitted a Special Exception Use (SEU) application on behalf of property owner, Rosan Realty Inc., to modify the allowable land uses permitted for the existing parcel located at 124 South Highway 27/441 (Alternate Key 1131456), also known as the Lady Lake Plaza. Ms. Then stated in accordance with the Town of Lady Lake Land Development Regulations, Chapter 5, Section 5-4, m).2).R), upon approval of a Special Exception Use application, a massage parlor facility can be established within the Heavy Commercial Zoning District.

Ms. Then stated at the present time, the applicant proposes to occupy 1000 sq. ft. of tenant space located at 124 South Highway 27/441 to establish a Therapeutic Massage Parlor/Day Spa Business Facility. Currently, the Lady Lake Plaza has mix of retail sales, personal services, and restaurant businesses including Bella Pizzeria, Boost Mobile, a barber shop, a nail salon, etc.

The subject property is approximately .73 ± acres and lies in Section 20, Township 18 South, Range 24 East, Lady Lake, Florida. The Future Land Use of the subject parcel and the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake-Commercial General-Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	Lady Lake-Commercial General-Retail Sales & Services (RET)
East	Lady Lake-Commercial General-Retail Sales & Services (RET)
North	Lady Lake-Commercial General-Retail Sales & Services (RET)
South	Lady Lake-Commercial General-Retail Sales & Services (RET)

Zoning

Subject Property	Lady Lake- Heavy Commercial (HC)
Zoning of Adjacent Properties	
West	Lady Lake- Light Commercial (LC)
East	Lady Lake- Heavy Commercial (HC)
North	Lady Lake- Heavy Commercial (HC)
South	Lady Lake- Heavy Commercial (HC)

Ms. Then stated the comments for this application are as follows:

- 1) No additional concurrency impacts in addition to those already associated with the present uses allowed on the property are anticipated with the proposed improvements as presented by the applicant.
- 2) The applicant has properly addressed the review criteria for Special Exception Uses as outlined in the Land Development Regulations, Chapter 6, Section 2, (e), (2). The application is complete and meets the requirements for submittal to the Town Commission per the requirements of the Land Development Regulations.

Chapter 6, Section 2, (e), (2) Review Criteria.

Ms. Then stated when reviewing an application for a special exception, the Town Commission shall consider the following requirements and criteria, including, but not limited to:

- A) Traffic generation and access for the proposed use shall not adversely impact adjoining properties and the general public safety.
- B) Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the district.
- C) Required yards, screening or buffering, and landscaping shall be consistent with the district in general and the specific needs of the abutting land uses.
- D) Size, location or number of special exception uses in the area shall be limited so as to maintain the overall character of the district as intended by this Code.
- E) Architectural and signage treatments shall comply with the general provisions applicable to permitted uses in the district, to the greatest extent possible, and be sensitive to surrounding development.
- F) The availability of utilities services (such as water, sewer, and solid waste) and recreational facilities.

The application has been reviewed and been determined to be complete. In accordance with all supporting appropriate material, the application is deemed in compliance with the Land Development Regulations (LDRs).

Ms. Then stated notices to inform the surrounding property owners within 150' of the property of the proposed Special Exception Use application will be mailed by certified mail return receipt on Monday, March 4, 2013, and subsequently, the property will be posted the same day.

Ms. Then noted that the Planning and Zoning Board does not review Special Exception applications and stated the Public Hearing dates are as follows: The first reading of Ordinance No. 2013-03 is scheduled tentatively before the Town Commission on Monday, March 18, 2013, and for second/final reading on Monday, April 1, 2013.

Ms. Then stated the applicant is present to answer any questions.

Mr. Carroll asked if there were any questions. There were no questions.

Growth Management Director Thad Carroll clarified that this ordinance does not go before the Planning and Zoning board.

Upon a motion by Joe Crum and seconded by Lt. Vernon Wherry, the Technical Review Committee approved the transmittal of the Ordinance No. 2013-03 to the Town Commission for their consideration, by a vote of 5-0.

Jerry Myers approached the podium and asked if the applicant, Mi Cha Jones, had to be at the March and April Commission meetings.

Ms. Then replied the applicant should be present as a representative at both Commission meetings.

Mr. Carroll stated the Commission meetings are held at 6:00 p.m.

3. Chairperson/Members' Report:

Growth Management Director Thad Carroll asked if there were any comments or reports. There were none.

6. Adjourn:

With nothing further to discuss or report, the meeting was adjourned at 10:16 a.m.

Julia Wolfe
Staff Assistant to the Town Clerk

Thad Carroll
Growth Management Director

Minutes transcribed by Julia Wolfe, Staff Assistant to Town Clerk