

**MINUTES OF THE REGULAR MEETING
OF THE TECHNICAL REVIEW COMMITTEE
LADY LAKE, FLORIDA
June 18, 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 (arrived at 10:04 a.m.)

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

STAFF PRESENT: Julia Wolfe, Staff Assistant to Town Clerk

Also Present: Commissioner Hannan

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

1. Approval of Minutes: June 4, 2013

Upon a motion by Joe Crum and seconded by Robert Barnes, the Technical Review Committee approved the minutes as presented for the June 4, 2013 meeting, by a vote of 4-0.

2. Resolution No. 2013-107 – Howell Dental Complex – TPB Holdings LLC – Special Permit Use – Pursuant to Chapter 17, Section 17-3.(e).(4), Request for an Electronic Message Board/Marquee Sign – Located at 836 Hwy 466

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Town Clerk's office). She stated the applicant, J.W. Berry, on behalf of property owner TPB Holdings LLC, has submitted a Special Permit Use application proposing the installation of an electronic message board/marquee sign on a proposed monument sign to be erected at the Howell Dental site.

Ms. Then stated the subject property received Town Commission approval as Howell Dental Major Site Plan 01/13-001 on February 20, 2013 for the construction of a two-building multi-tenant development consisting of 8,400 sq. ft. of medical office on approximately 1.27+/- acres of land.

Ms. Then stated the electronic message board/marquee sign is proposed to be placed on an approved freestanding sign and will display a copy area of 14 sq. ft., with the dimensions being 20' x 7'. The future land use and zoning designations of the adjacent properties are:

Future Land Use

Subject Property	RET- Commercial General- Retail Sales & Services
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Future Land Use of Adjacent Properties	
West	RET- Commercial General- Retail Sales & Services
East	RET- Commercial General- Retail Sales & Services
North	RET- Commercial General- Retail Sales & Services
South	MF-HD-Multi-family High Density

Zoning

Subject Property	HC-Heavy Commercial
Zoning of Adjacent Properties	
West	LC-Light Commercial
East	HC-Heavy Commercial
North	CP- Planned Commercial
South	MF-18- Multi-family High Density

Ms. Then stated the zoning of the subject site allows for development and construction of freestanding signs (monument), on which the applicant can install an electronic message boards/marquee sign upon Town Commission approval; therefore, the requested permit is consistent with the directives of the Land Development Regulations and Comprehensive Plan.

Ms. Then stated that applications for Special Permit Use (SPU) must be made to the Town in accordance with the procedures established for Electronic Message Boards pursuant to Chapter 17, Section 17-3, (e). (4).

Chapter 17, Section 17-3, (e), (4) Review Criteria. When reviewing an application for a special permit use for Electronic Message Boards, the Town Commission shall consider the following:

Electronic Message Boards must adhere to the following guidelines:

- a. Shall only be placed on approved freestanding signs.
- b. Maximum copy area shall not exceed fourteen (14) square feet per each side.
- c. Flashing, scintillating, beacon or running lights or movement or which gives the visual impression of such flashing, scintillation, or movement shall not be allowed.
- d. Shall only display text. The text shall be amber-colored or similar lettering with black background.
- e. All electronic message boards/marquee signs are required to incorporate dimming features and capabilities. These features will be reviewed concurrent with the permitting process.

Ms. Then stated as part of the application, specs were submitted regarding the marquee sign to identify whether the dimming capabilities are actually incorporated within the sign.

Ms. Then stated comments are as follows:

- 1) The application meets the above requirements for review criteria for the installation of an Electronic Message Board on a freestanding sign. The application is complete and does meet the requirements for submittal to the Town Commission.
- 2) Contingent upon approval of the above Special Permit Use, the applicant will be required to secure a building permit for the erection of the monument sign.

Ms. Then stated notices to inform the surrounding property owners within 150' of the property of the proposed Special Permit Use were mailed by certified mail return receipt on Monday, June 17, 2013, and the property was also posted on this date.

Ms. Then noted that the Planning and Zoning Board does not review Special Permit Use applications, and the first/final reading of Resolution No. 2013-107 is tentatively scheduled to go before the Town Commission on Monday, July 1, 2013.

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

Mr. Carroll asked if there were any questions. He gave an overview and stated this is a 20' x 7' sign, with the dimming capability as per the Town's code and meets the electronic marquee and all other specifications as required. He asked Ms. Then if that was correct.

Ms. Then replied that was correct. She stated the sign height could not exceed 20 feet; the maximum copy area does not exceed 80 sq. ft., and the LED part is no more than 14 sq. ft., which is what the applicant is proposing. She stated all size, criteria, heights, and dimensions are met per the code.

Upon a motion by Joe Crum and seconded by Robert Barnes, the Technical Review Committee approved the transmittal of Resolution No. 2013-107 to the Town Commission for their consideration, by a vote of 5-0.

3. Too Your Health Spa & Fitness Center (V) – MJSP 02/13-001 – Fred Schweitz #2 LLC – a 15,824 Sq. Ft. Health/Exercise Facility – Located at 995 S Hwy 27/441, at the Northeast Corner of U.S. Hwy 27/441 & Hartsock Sawmill Road.

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Town Clerk's office). She stated the applicant and owner, Fred Schweitz #2 LLC, has submitted a site plan for the construction of a 15,824 sq. ft. health/exercise club complex, with the potential of two additional phases to include condominiums and a health food store. The parcel is approximately 3.00 +/- acres of land located at 995 S. Hwy 27/441, at the northeast corner of Hartsock Sawmill Road and S. Hwy 27/441. The site plan was reviewed to determine

if it is in compliance with the Land Development Regulations (LDRs) for parking, setbacks, landscaping, engineering, environmental protection and commercial design standards.

Ms. Then stated the property is zoned “HC” Heavy Commercial, which permits the development and construction of the proposed project. The Future Land Use Map designation for the site is RET (Commercial General- Retail Sales & Services). The requested use is consistent with the directives of the Comprehensive Plan and adopted Land Development Regulations.

Ms. Then stated the engineering and landscaping plans submitted, consisting of ten sheets, are drawn on 24”x36” sheets and are certified by Julius A. Collins, P.E., dated May 25, 2013.

Ms. Then stated updated plans will be submitted today, and the applicant will elaborate more on some of the changes. She stated this meeting resulted as an update to the meeting that took place on June 4, 2013, and stated this is a follow-up application.

	General Requirements	Meets Criteria	Outstanding Issues
A)	Name of project.	X	
B)	General statement of intended use of site.	X	
C)	Legal description of the property and size of parcel in acres or square feet.	X	
D)	Name and address of owner/developer	X	
E)	Name, address and phone number of owner’s agent.	N/A	
F)	Name, address, signature and registration of the professionals preparing the plans.	X	
G)	Date, north arrow and scale shall be designated and where appropriate, the same scale shall be used on all sheets.	X	
H)	Vicinity map showing relationship of proposed development to the surrounding streets and thoroughfares, shall be at a scale no smaller than one inch equals five thousand two hundred eighty feet (1” = 5,280’ or 1” = Mile).	X	
I)	Linear dimensions of the site.	X	
J)	Existing topography with a maximum of one (1) foot contour intervals for the proposed site.	X	
K)	Finished grading elevations.	X	
L)	Zoning of the site and of all adjacent parcels.		
M)	All existing and proposed building restriction lines (i.e., highway setback lines, easements, covenants, rights-of-way and building setback lines).		
N)	Percent of open space of site.	X	
O)	Location of proposed signs.	X	
	Building and Structure Requirements	Meets Criteria	Outstanding Issues

A)	Existing and proposed structures.	X	
B)	Intended use.	X	
C)	Number of stories.	X	
D)	Height of building(s).	X	
E)	Number of dwelling units and density.	X	
F)	Projected number of employees, if applicable.	N/A	
G)	If restaurant, show number of seats and occupancy load.	N/A	
H)	Square footage for proposed development, i.e., gross square footage, non-storage area, square footage of each story, gross square footage of sales area, etc.	X	
I)	Photograph or sketch of proposed sign with dimensions and material type.	X	
J)	Compliance with Commercial Design Standards (Chapter 20).	X	
	Street, Sidewalks, Driveways, Parking Areas and Loading Spaces	Meets Criteria	Outstanding Issues
A)	Engineering plans and specifications for streets, alleys, sidewalks and driveways to include soil borings, if necessary.	1	
B)	All parking spaces delineated including bicycle.	X	
C)	Number of parking spaces. Notes: 1) A variance will be submitted for required parking spaces. 2) Please label width and depth of ADA parking spaces. 3) Bicycle parking spaces required= (131x.20)= 26	X	
D)	Number and location of handicapped spaces.	X	
E)	Number of square feet of paved parking and driveway area.	1	
F)	Surface materials and cross-section of proposed paved areas. Notes: 1) Provide ADA ramps with truncated dome for all sidewalks where matching pavements with no flush (where applicable). 2) All parking spaces need wheel stops (add detail on plans) 3) Also see Engineer's review comment 21 .	1	
G)	Fire lanes per the Standard Fire Prevention Code adopted in the Building and Fire Codes chapter.	1	
H)	Description/location of proposed driveway(s) and median cut(s).	1	
I)	Internal traffic control circulation plan, including directional arrows and signs to direct traffic flow, as necessary. Note: Add stop signs and stop bars at the two (2) driveways.	1	
J)	Location of traffic-control signs and signalization devices, if required.	1	

L	Details for Typical Pavement Section – The asphalt pavement shall be <u>SP 9.5</u> or SP 12.5, not Type S1 asphalt	1	
	Drainage and Storm water	Meets Criteria	Outstanding Issues
A)	Soil classifications, cross-sections and details of proposed retention/detention ponds, swales, berms, etc., as required by SJRWMD. Note: Please see Drainage and Storm water engineer’s comments- 31 & 32.	1	
B)	Size, material and location of storm water structures and pipes.	X	
C)	Indicate flood elevation for 100-year flood and any other information required in Environmental Regulations chapter. Note: Please update information with latest	X	
D)	Drainage (Please see comments outstanding for Sheets 3, 4, 5) Note: Please see engineer’s comments- Drainage and Storm water- Comments 25-27)	1	
	Proposed Water, Sewer, and Solid Waste Facilities	Meets Criteria	Outstanding Issues
A)	Size, material, specifications and location of water & reclaim mains, valves, services and fire hydrants. Note: See engineer’s comments 35 & 40.	1	
B)	Size, material, specifications and location of sanitary sewer lines and laterals with submittal of a profile, if necessary. Note: See engineer’s comment 36.	1	
C)	Size and location of septic tank and drainfield, if applicable.	N/A	
D)	Grease separation system, if applicable: Size, location and materials.	N/A	
E)	Location(s) and access provisions for refuse service, including pad, screening, fencing and landscaping, if applicable.	1	
	Landscaping (Chapter 10)	Meets Criteria	Outstanding Issues
A)	Landscaping plan and provisions for maintenance including size, type and location of all landscaping, screens, walls, fences and buffers per the requirements in the Landscaping and Tree Protection chapter. If water efficient landscaping is used, the information required in that chapter should be included.	1	
B)	Irrigation system plan.	1	
	Environmental Protection	Meets Criteria	Outstanding Issues
A)	Natural features such as water bodies, wetlands, native vegetative communities, etc., as required in the Environmental Regulations chapter.	N/A	

B)	Conservation easements per the requirements.	X	
C)	Provisions for the adequate control of erosion and sediment, including the location and description of the methods to be utilized during and after all phases of clearing, grading and construction. Note: Please see engineer's comments- Drainage and Storm water- Comments 23 & 24)	1	
	Additional Information	Meets Criteria	Outstanding Issues
1)	A certificate of concurrency or evidence of application for a certificate.	X	
2)	Drainage calculations as required in the Storm water Management chapter. Note: See engineer's comments 28-30	1	
3)	Fire flow calculations, if applicable. Note: See engineer's comment 38.	1	
4)	Lift station calculations, where required. Note: Please see engineer's comments 33 & 39.	1	
5)	Copy of HRS permit, where required. Note: FDEP Permits required for this project.		X
6)	A construction cost estimate prepared by the engineer of record, which shall delineate any proposed improvements to be maintained by the Town.	N/A	
7)	Environmental assessment per the requirements, if applicable. Note: No environmental assessment required.	1	
8)	Any additional data, maps, plans or statements, as may be required, which is commensurate with the intent and purpose of the Code.	X	

1= Review by Town Engineer
X=Review by Town Staff

The issues indicated as outstanding in the above table and below comments must be addressed prior to the Town determining that the applicant's Application for Site Plan Review is complete.

Updates regarding this application are as follows:

- 1) Applicant must comply with all comments prepared and provided by Town Engineer, Town Staff, and Fire Review consultant, as well as Lake County and State representatives, when applicable.
- 2) DEP Permit:
 - a. To be released by Public Works after TRC.

Ms. Then stated today Town staff received information that the Department of Environmental Protection received a project application on Monday, June 17, 2013, and the application is currently under review, and staff will be notified once approved by the department.

- 3) Lake County Commercial Driveway Permits Required:
 - a. Lake County will be releasing permit upon applicant completing the dedications for the fifteen (15) feet of public right of way.

Ms. Then stated it is staff's understanding that the application has been submitted to Lake County Public Works. She stated Lake County is in the process of getting the right of way information for the legal description which shall be submitted by the applicant's surveyors. She stated Lake County is looking for the sketch and the legal description of the area that abuts Hartsock Sawmill Road, which is 15 feet of right of way for the whole bottom part of the acreage.

- 4) FDOT Right-of-Way (for Jack & Bore) permit required
 - a. Applicant will be providing form to Town staff to sign off prior to submitting to FDOT.

Ms. Then stated in terms of the FDOT (Jack & Bore) permit, it was picked up and submitted yesterday to Land Logan, FDOT, and they are under review.

- 5) FDOT Drainage Connection Permit required.
 - a. Applicant has submitted an exemption to FDOT from this requirement.
- 6) Sewer & Water Agreement with the Town for the provisions of Sewer and Water have been drafted and will be provided. Reuse is not available at this time:
 - i. 5 Water ERUs (4 Water & 1 Irrigation)
 - ii. 4 Sewer ERUs

Ms. Then stated in terms of Public Works, there is a change per the conversation between the applicant and Public Works and instead of a six inch there will be a 4 inch HDPE BB sewer force main service in the site.

- 7) Building Official:
 - a. Applicant will be allowed to move forward with submitted building elevation "as is" with the condition that spot elevations and accessible routes to all exits are submitted with the building permit.

Ms. Then stated at the present there are some applications that are outstanding, such as the DEP, FDOT and Lake County Public Works driveway permit, which have been submitted and are currently under review, and are expected to be submitted back within a couple of weeks. Ms. Then asked the applicant to elaborate on the information that has been received back from the agencies.

Mr. Fred Schweitz stated ever since he realized the importance of trying to get the applications in before July 6th, he has communicated with the different people that are a part of the application process. He stated Cindy Stafford from Environmental Protection received all the paperwork and she should have a permit by the end of the week. Mr. Schweitz stated two applications were submitted to Logan Land with FDOT, one for the Jack & Bore which it is just a process of their engineers reviewing everything and the other for the connection of the drainage, which does not necessary fall in the category so we are getting a waiver for the drainage. He advised they spoke with FDOT this morning and they sent the confirmation that he had talked with them, and they should have it by the middle of next week.

Mr. Schweitz stated the only other outstanding issue is with the County; the driveway permit has been paid for and a permit number was issued. Mr. Schweitz stated the County is concerned about how the right of way issue will be resolved. He stated the site plan was designed with consideration of the right of way and it is his intent to make sure the right-of-way is dedicated to the County. He stated he spoke with his surveyor this morning and asked him to make it as quick as possible, and his surveyor advised he should hopefully have it done by Thursday. Mr. Schweitz stated he has a legal description and the title on the land. He stated his only other concern is the waiver on road impact fees. Mr. Schweitz mentioned he does not see any reason for a delay after site plan approval on July 6th, but stated he would hope they would take into consideration he is dedicating the property which is about \$12,000.00 in value, to offset a potential future road impact fee.

Mr. Carroll asked what the significance of the July 6th date is.

Mr. Schweitz replied they were supposed to go for the variance on July 6th, and he believed that was his responsibility to have all the pertinent applications completed.

Mr. Carroll stated there is a July 1st meeting and the variance can precede the site plan. He stated if the Commission grants the variance, and if all the permits are not in hand for DEP, FDOT, etc., it can go to the second meeting that will follow in July. He stated that still gives the applicant from now until the end of the year, and as long as the applicant has his building permits, he should be fine with the County, if his concern is getting under the transportation impact fee.

Mr. Schweitz replied that is a concern, but he hopes to start construction. He stated he qualified for a loan and he signed all the paperwork in October, and his bank is expecting him to start construction as part of the condition of the loan. He stated the bank called about a week and a half ago asking about the application status, and he told them he felt very confident he should be able to start construction in a reasonable time. Mr. Schweitz stated he is trying to get beyond the point of being concerned that something may effect his loan.

Mr. Carroll stated at last night's Commission meeting, the property to the North was mentioned. He stated it was his understanding from the applicant that was present last night that Mr. Schweitz has agreed to grant a 24 ft. cross-access easement to the property to the north in Phase III of his project.

Mr. Schweitz stated he does not mind doing that, although he would have to shift around the location of the third phase building. He stated he does not know how it will effect his drainage because all the calculations were based on the footprints they have. He stated they allotted an additional amount of runoff just in case additional parking was needed. Mr. Schweitz stated it was his understanding that it does not develop until Phase III.

Mr. Carroll replied that was correct, and that is what was stated on the record last night. He stated that language would be incorporated into the Memorandum of Agreement of the application that went to the Town Commission last night. He stated he wanted the applicant to be aware that was put on the record at the meeting last night, and confirm the applicant's understanding, since the projects will be tied together.

Mr. Schweitz thanked staff for allowing him to participate in the whole idea about what can be done and he appreciates the fact it will not hold up Phase I.

Mr. Carroll stated there were a couple of waivers noted with this application and he stated he understood that some of the waivers would not be needed.

Mr. Schweitz replied there are two commercial waivers, one in design which is close to the design standards staff is requesting and the other is the parking in front of the building, which he has already addressed with the Town Commission and they suggested should not be an issue. And regarding the landscape waiver, they are doing everything that is basically required, but when they gave the 15 ft. right of way, it only allowed a 4 foot buffer, and within that four feet buffer, they will plant hedges and Crape Myrtle. He stated there are little islands in between the parking spaces where trees will be planted, and it should be comparable to the other boundaries which are Buffer "A".

Ms. Then stated there are three last comments; in terms of landscaping and tree waivers, only one waiver will be requested. All other waivers presented within the report will be eliminated and that will comply with landscaping requirements. She stated the only waiver requested for landscaping purposes is on Chapter 10, Section 10-3.b) B) 2), which is regarding the right of way situation.

I) Waiver Request

(Additional waivers that need to listed on the front page of Site Plan):

II) Landscaping

Chapter 10, Section 10-3.b).B).2).- Reduce Class "B" Buffer from 20 feet to 4 feet wide due to right-of-way dedication and plant only hedge material along the buffer (Viburnum, Crape Myrtle or Indian Hawthorne).

Mr. Then stated in terms of the requirement for the cross-access easement, it has been established that it will be taken care of in Phase III, and some modification to the site may need to be done at that point, but that would not effect the current Phase I as submitted.

Ms. Then stated the following meetings will be scheduled for this application: the Special Town Commission meeting, today at 3:00 p.m.; and the Tree and Beautification Committee meeting, today at 5:30 p.m. The site plan is expected to be considered for approval by the Town Commission tentatively on Monday, July 1, 2013, upon addressing all outstanding comments and receiving the required State and County permits as referenced under the additional comments section. She stated the water and sewer agreement could subsequently be scheduled at the next Town Commission meeting on July 15, 2013.

Mr. Carroll stated all the comments this body would need to review seem to be satisfied pending the changes to the plan; that the applicant is not going to be requesting the three landscape waivers that was formerly requested. He asked that the changes be updated on the plans and a note be put on the site plan stating that *“pursuant to the agreement with adjacent property owners, the cross-access will be provided in Phase III”*.

Mr. Schweitz stated the site plan was done to address the waiver issue and everything else was re-done, and the only thing that has not been done is develop cross-access. He asked if he could sign an affidavit in lieu of having to go back and change the site plan again.

Mr. Carroll stated he would consult with the Town Attorney, just so there is some instrument that binds him to the cross-access.

Mr. Schweitz stated he would be happy to put a section on the site plan that he will personally take the responsibility of addressing the issue in Phase III, and he could sign that and any other documents.

Mr. Carroll stated pending satisfactory receipt of all the agency permits, the application can advance to the Town Commission. He asked for a motion.

Upon a motion by Joe Crum and seconded by Robert Barnes, the Technical Review Committee approved the transmittal of the Too Your Health Spa and Fitness Center (V) – MJSP- 02/13-001 to the Town Commission for their consideration, by a vote of 5-0.

Mr. Carroll stated the application is tentatively scheduled to go before the Town Commission on July 1, 2013, however, staff is waiting on State and County permits. He stated the application for the variance is on the July 1, 2013 meeting agenda.

7. Chairperson/Members’ Report:

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

8. Adjourn:

With nothing further to discuss or report, the meeting was adjourned at 10:20 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