

**MINUTES OF THE REGULAR MEETING  
OF THE TECHNICAL REVIEW COMMITTEE  
LADY LAKE, FLORIDA  
September 3, 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; Thomas (Butch) Goodman, Utilities Supervisor; and Lt. Jason Brough, Lady Lake Police

**Members Absent:** Police Chief Chris McKinstry; Mark Jones, Building Official (arrived at 10:12 a.m.)

**STAFF PRESENT:** Julia Wolfe, Staff Assistant to Town Clerk

**Also Present:** Dave Mitchell of DMI Nebraska LLC

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

**1. Roll Call:**

**2. Public Comments:**

Chairperson Carroll asked if there were any comments from the audience. There were no comments.

**3. Approval of Minutes: August 20, 2013**

*Upon a motion by Butch Goodman and seconded by Wendy Then, the Technical Review Committee approved the minutes as presented for the August 20, 2013 meeting, by a vote of 4-0.*

**4. Ordinance No. 2013-12 – Car Guys Automotive – Special Exception Use to Establish Motor Vehicle Repair Facility Within a .97 +/- Acre Parcel Zoned Heavy Commercial – Located at 328 S. Hwy 27/441 (Wendy Then)**

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Town Clerk's office). She stated the applicant, DMI Nebraska LLC, has submitted a Special Exception Use (SEU) application to modify the allowable land uses permitted for the existing parcel located at 328 S. Highway 27/441 (Alternate Key No. 1260698), formerly known as the Underglass site. In accordance with the Town of Lady Lake Land Development Regulations, Chapter 5, Section 5-4, m).2).E), upon approval of a Special Exception Use application, a Motor Vehicle Repair Facility can be established within the Heavy Commercial Zoning District.

Ms. Then stated the property has an existing building consisting of approximately 11,315 sq. ft. and built as nine (9) individual units. She stated at the present time, the applicant proposes the following set up:

Office and Lobby	Units 1-2
Motor Vehicle Service Center & Golf Cart Service	Units 3-4
Motor Vehicle Repair Facility	Units 5-8
Employee Break room & Parts Storage	Unit 9

Ms. Then stated as per the Town's Land Development Regulations a *Motor Vehicle Service Center* is defined as: an establishment engaged in the servicing of motor vehicles including minor adjustments, oil change, tune-ups, wheel alignment and balancing, tire changing and repair, installation of exhaust systems parts, brake linings, electrical repairs, and the like and allowing over the counter sale and installation of new replacement parts, equipment and accessories. She stated engine rebuilding, body service work or repainting, sale of vehicles or the outside storage of same, or the outside storage of parts and equipment other than for temporary display purposes shall be prohibited. She stated Motor Vehicle Service Centers are currently permitted by the Heavy Commercial Zoning District; however, the use of a *Motor Vehicle Repair Facility* requires approval of the Special Exception Use application due to the more labor intensive nature of the mechanical repairs. Ms. Then stated a *Motor Vehicle Repair Facility* is defined as follows: an establishment where major mechanical overhaul and repairs, paint and body work, or rebuilding of vehicle components is done.

Ms. Then stated the applicant has stated that each unit is equipped with an ADA compliant restroom and divided by a firewall. The units proposed for the Motor Vehicle Repair Facility are located toward the rear of the existing building which will be required to be screened by a 6 ft. opaque fence. She stated Car Guys Automotive proposes to install proper state-of-the art equipment for painting and that water-based products that are environmentally friendly will be used. The applicant also intends to incorporate climate control features for the service bays so that bay doors can remain closed. Ms. Then stated the entire building is currently vacant.

Ms. Then stated that in terms of the character of the neighborhood, staff realizes there is an existing shop called Tire Round-up about a block north, and another collision center a block south of the proposed location. She stated the proposed use is in character with the existing area.

The subject property is approximately .97 ± acres and lies in Section 21, Township 18 South, Range 24 East, Lady Lake, Florida. Ms. Then stated The Future Land Use of the subject parcel and the adjacent properties are as follows:

**Future Land Use**

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

**Zoning**

<b>Subject Property</b>	Lady Lake- Heavy Commercial (HC)
<b>Zoning of Adjacent Properties</b>	
<b>West</b>	Lady Lake- Light Commercial (LC)

<b>East</b>	Lady Lake- Heavy Commercial (HC)
<b>North</b>	Lady Lake- Heavy Commercial (HC)
<b>South</b>	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, other than the applicant will be required to install a 6 ft. opaque fence toward the rear, if approved.
- 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.

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, solid waste and recreational facilities).

Ms. Then stated the application has been reviewed and 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 return receipt on Wednesday, September 4, 2013, and the property will be posted on the same day.

Ms. Then stated the Town Commission is tentatively scheduled to hear Ordinance No. 2013-12 for first reading on Wednesday, September 18, 2013 at 6:00 p.m., and for second/final reading at the regular meeting to be held on Monday, October 7, 2013 at 6:00 p.m.

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

Mr. Carroll asked if there were any comments.

Ross Evers, owner of Lake County Collision, approached the podium. He stated he has been in business for 17 years, and they have only been able to keep the shop at full pace through the summer for the last two summers. He stated up until then, he had been letting the employees off at noon. Mr. Evers stated other shops in the areas are having a hard time keeping 40 hours for all their employees. He stated he is concerned about how another shop would effect his business, being only 500 ft. away, and asked if this business would be a full collision repair facility.

Dave Mitchell, the applicant, approached the podium. He replied his business is primarily mechanical repair, collision, and paint works. He stated they have opened up two locations; one in Seffner and another in Crystal River, and one store does do auto restoration. He stated this would be a very small facility and the intention is to do regular vehicle maintenance, alignment, oil changes, and brake work in the front, and collision repair in the back. He stated it is unfortunately the same type of business, but it will not be a large facility. He stated their plans are to come to this market and maybe open other locations east, west or a little north of Lady Lake as the business grows, building out from Crystal River and Seffner. Mr. Mitchell stated they are a good partner with the community and have good relationships with all their competitors in the Tampa market. He stated anyone who knows him could attest to that. Mr. Mitchell stated they are not here to hurt anybody; they are here to open a business and make a living. He stated a lot of the collision repair business is currently going to Ocala or Orlando, and for whatever reason, they are not being repaired here. He stated he has relationships with insurance companies that are currently sending the work outside of this area, and by opening this business, the work would be kept here. Mr. Mitchell stated they would hire local employees, contractors and vendors. He stated he does not think it would have a negative impact on Mr. Evers' business, and stated they are only going to be able to do so much work at that location, and would be drawing work into this market.

Genie Evers, co-owner of Lake County Collision, approached the podium. She stated when they came before the board 17 years ago, it was noted to them that only so many collision repair or same type businesses would be able to build in Lady Lake. She stated they have no problem with Mr. Mitchell opening an auto body shop, but if he is expanding in three other directions, it is going to kill small businesses. She stated they are a very reputable business in Lady Lake, but at the same time, it is very difficult to keep the doors open in the summertime. Ms. Evers stated they do not see where there would be any more room for another body shop, especially 500 ft. from theirs. She stated they currently employ 11 people and it is a struggle to keep them employed from May through October. She asked that the Board take that into consideration and she personally does not feel there is a need for another auto body shop on this side of Lady Lake or The Villages.

Mr. Mitchell stated they would not open additional locations in the same market. He stated he was referring to Central Florida because normally their stores are 10 to 12 miles apart. He stated

most body shops draw from a five to seven miles radius from their location. Mr. Mitchell stated as far as the need for another body shop, they have been approached by major insurance companies who have asked them to come to this market to open up because they do not currently have a way of getting the service provided. He stated he is a regular guy who grew up in this business, worked hard, and they create a lot of jobs and are good for the economy. He stated he understands their concerns and thinks they would have a good working relationship if they do come into the area.

Mr. Carroll stated in addressing this application, staff is looking at it for the impacts to the Town of Lady Lake, although the comments have been put on the record. He stated addressing the growth of the business outside of Lady Lake is not for the Board to evaluate with this application. He stated it will go before the Town Commission for two additional readings and everyone is welcome to attend those meetings and state their concerns.

Ms. Then stated parking will be reviewed and if any ADA parking needs to be upgraded to be in compliance with the code, staff will address that once everything goes through and the approval gets completed.

Mr. Carroll asked if there were any other comments or questions. He asked for a motion.

*Upon a motion by Butch Goodman and a second by Lt. Jason Brough, the Technical Review Committee approved the transmittal of Ordinance No. 2013-12 to the Town Commission for their consideration, by a vote of 4-0.*

Mr. Carroll thanked everyone for attending and stated the next meeting will be Wednesday, September 18, 2013, and they are welcome to attend.

Mr. Then stated it is a special meeting on Wednesday, September 18, 2013, at 6:00 p.m.

## **5. Chairperson/Members' Report:**

Growth Management Director Thad Carroll asked if there were any comments or reports.

Ms. Then welcomed Mark Jones, Building Official, as a new member of the Technical Review Committee.

## **6. Adjourn:**

*With nothing further to discuss or report, the meeting was adjourned at 10:15 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