

**MINUTES OF THE SPECIAL MEETING  
OF THE LADY LAKE TOWN COMMISSION  
LADY LAKE, FLORIDA**

**February 1, 2016**

The Special Meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Ruth Kussard presiding. The meeting convened at 6:00 p.m.

- A. CALL TO ORDER:** Mayor Ruth Kussard
- B. PROCEDURAL:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*
- C. PLEDGE OF ALLEGIANCE**
- D. INVOCATION<sup>i</sup>:** Minister Matt Malott – New Life Christian Church
- E. ROLL CALL:** Tony Holden, Commissioner Ward 2  
Dan Vincent, Commissioner Ward 3  
Paul Hannan, Commissioner Ward 4  
Jim Richards, Commissioner Ward 5  
Ruth Kussard, Mayor/Commissioner Ward 1

**STAFF MEMBERS PRESENT:** Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C. T. Eagle, Public Works Director; Chris McKinstry, Police Chief; Marsha Brinson, Director of Library Services; Pam Winegardner, Finance Director; and Nancy Slaton, Deputy Town Clerk

**F. PUBLIC COMMENTS<sup>ii</sup>**

Mayor Kussard asked if there were any comments at this time.

- Phil Mathias commented that he has brought up the subject of the library before, and that several residents have spoken to him about the library. He asked if an independent person could do an audit on the usage of the library. Mr. Mathias stated he has had more people tell him that it is not being utilized 25% of its usage. He asked if it is utilized more than when the Town had the smaller library for the \$4.5 million investment spent.

Town Manager Kris Kollgaard replied that the library has automated counters on the doors. She stated she is in there a great deal and sees plenty of people using it. Ms. Kollgaard stated that a lot of classes are held there, the computers are always being used, and the meeting rooms upstairs are rented out.

Mayor Kussard stated she is also in there at least once a week and that the library is utilized. She stated the computers are always full, and people are in there reading and looking for books. She stated that the counts are reported each month to show the usage.

Library Director Marsha Brinson stated she just completed her monthly statistics for January 2016. She stated they have been seeing huge increases each month, and saw a 390% increase in programming and attendance in the library as recently as December. She stated over 14,000 people used the building in January.

- Joe Quinn of 633 Rainbow Blvd. commented that the beauty of the new library in Lady Lake is that it can be used for meetings, get-togethers for instructions, etc., and there is no other place in Lady Lake for these type of uses. He stated public space is subject to slow times and is crowded at other times.

Ms. Kollgaard commented that the meeting rooms upstairs in the library have been utilized for early voting as well.

Mayor Kussard stated that Tax Aide also uses the upstairs meeting rooms in the library for tax help.

**G. CONSENT<sup>iii</sup>:**

Mayor Kussard asked if there were any questions or comments on the Consent items, and hearing none, asked for a motion.

**1. Minutes – January 20 2016 – Special Commission Workshop Meeting, Special Commission (Conceptual) Meeting, and Special Commission Meeting**

**2. Consideration to Host the Scam Jam Shred-a-Thon on February 27, 2016 (Chris McKinstry)**

The background summary for this agenda item is on file in the Clerk's Office. It states that pending Town Commission approval, the Lady Lake Police Department is planning to host the Fourth Annual Scam Jam Shred-A-Thon on Saturday, February 27, 2016 from 10 a.m. until 2 p.m. at the north front parking lot of Target. This program is designed to increase public awareness with regard to current trends in criminal scams affecting our community and identify those responsible. Additionally, our agency will have educational information available to help citizens protect their identity and personal financial information from being compromised. Residents will be able to bring documents to be destroyed to this event and several shred trucks are being made available courtesy of Citizens Bank. Community partners expressing an interest in participating in this event include: Citizens First Bank, Target, Seniors vs Crime, and our neighboring law enforcement agencies in Lake, Sumter and Marion counties. Attendance at the past Shred-A-Thon events has been phenomenal. Last year, a record 9.1 tons of documents were shredded.

**3. Consideration of Memorandum of Agreement between the Florida Department of Corrections and the Lady Lake Police Department (Chris McKinstry)**

The background summary for this agenda item is on file in the Clerk's Office. It states that Memorandums of Agreement are accepted practice between criminal justice agencies in furtherance of their respective duties under law for the purpose of facilitating assistance as described within the agreement. The purpose of the agreement is to provide a mechanism for the Department through its Community Corrections Circuit Office (specifically, the 5<sup>th</sup> Circuit in Lake County) and the Agency

to share investigative information and collaborate on enforcement efforts with a goal of reducing criminal activity by coordinating physical resources, manpower and criminal intelligence. Town Attorney Derek Schroth has reviewed and approved the attached agreement.

**4. Consideration of the Application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (Chris McKinstry)**

The background summary for this agenda item is on file in the Clerk's Office. It states that Staff is requesting approval to accept the 2015 Edward Byrne Memorial Justice Assistance Grant to purchase two temporary tactical shelter tents if awarded. Emergency personnel in Florida are required to work outside under many adverse environmental conditions such as sun, heat and rain. Shelter is required to provide a safe haven for personnel to effectively perform job functions. The rapid deployment and instant function of shelter is a necessity in exigent situations to protect first responders and identify safe locations. Acquisition of temporary tactical shelter tents will accomplish the goal of protecting emergency personnel during outdoor events where adverse environmental situations and no other shelter or option is available.

The Lady Lake Police Department conducts various outdoor community events throughout the year. A supplemental use for these tents would be to provide shelter for Town employees and other participants during each occasion without having to rely on an outside entity to temporarily provide it for us. It is expected that the Town of Lady Lake's share of this grant opportunity will be approximately \$1,265.00.

*Upon a motion by Commissioner Hannan and a second by Commissioner Vincent, the Commission approved Consent Items #G-1 through #G-4 by a vote of 5 to 0.*

H. *(This letter was inadvertently skipped on the agenda.)*

I. **OLD BUSINESS:** No old business.

J. **NEW BUSINESS:**

**5. Consideration of Approval of Lady Lake Library Policies: Rules of Conduct, Unattended Child Policy and Internet and Public Computer Use Policy (Marsha Brinson)**

Library Director Marsha Brinson gave the background summary for this agenda item (on file in the Clerk's office). She stated that policies establish a framework for efficient library operations, with clear directions for staff to operate the library. Understandable rules and regulations for the public also promote equitable use of the library's facility and collections. Clear policies give written guidelines for actions and decision in the library, promote consistency and prevent confusion. They inform every one of the goals and intent of the library and eliminate the need for "crisis policy making".

Ms. Brinson stated that the three policies attached will enable the Lady Lake Library to provide resolutions to issues that may arise. Town Attorney Derek Schroth has reviewed and approved the attached policies.

Commissioner Hannan asked if these policies are in place in other libraries in Lake County. He commented that they seem awfully strict.

Ms. Brinson replied that these policies were written specifically for Lady Lake, and that usually each library will have its own policies. She stated these are guidelines to follow and can be open to interpretation.

Mayor Kussard commented that she thinks these policies are excellent, and although they may be on the strict side, she believes they are needed.

*Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the Commission approved the Lady Lake Library Policies for Rules of Conduct, Unattended Child Policy, and Internet and Public Computer Use Policy by a vote of 5 to 0.*

**6. Villages Golf Car Shop and Service Center (MJM 10/14-001) – Consideration of Approval for a Waiver from Chapter 20, Section 20-3C). 4).C).3). to Modify Architectural Exterior Elevations – Located at 903 Avenida Central (AK #3451988) (Thad Carroll)**

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, John R. Grant, with the Villages Operating Company, submitted an application on September 15, 2014 for the conversion of the existing Citizen's First Bank Site into a Golf Car Shop Facility. The project received approval from Town Commission on November 17, 2014 for a 2,102 sq. ft. addition to the existing two-story building, a two-lane golf cart fueling area providing four fueling stations, landscaping improvements, and a dumpster enclosure addition.

In accordance with the Land Development Regulations, Chapter 20, Section 20-3C).3).A)., new buildings should adopt one of the four recommended architectural styles: Frame Vernacular, Craftsman/Bungalow, Mediterranean, or Mission.

The Villages Golf Cart Shop Facility building proposed the Spanish Mission Architectural Style Design in accordance with the existing and proposed building exterior elevations. The building would exhibit the following:

- ✓ Shaped Mission roof parapet for the building and the fuel station canopy
- ✓ Symmetrical façade
- ✓ Stucco finish on building exterior walls for addition
- ✓ Mission-style doors, window encasement, and outside gates
- ✓ Architectural raised band all around the building

During the wall signs installation, it was determined that the existing architectural raised band all around the building had to be removed to accommodate wall signage in certain facades of the exterior of the building.

In the Justification Statement submitted by the applicant, it was stated that the new signage planned for the project would be in physical conflict with the small existing raised band. At the owner's expense, the banding was removed and new textured stucco was put in-place to match the adjacent finishes of the building. In short, the change was intended to address a physical conflict between the banding and signage that would have detracted from the overall final project if not corrected.

Mr. Carroll stated that at this time, the applicant is requesting a waiver from the provisions of the Commercial Design Standards pursuant to *Chapter 20, Section 20-3C). 4).C).3).* to eliminate the conflicting architectural raised band. The following items were included in the packet:

- Justification Statement
- Approval Letter by The Villages Commercial Property Management Design Division
- Architectural Exterior Elevation Plans

Aerial views of the property, photos of the original building and the building as built, and proposed and modified site plans were shown.

Mr. Carroll reported that at the regular Town Commission meeting held on November, 17, 2014, the Town Commission approved the Villages Golf Cart Shop Major Modification to Site Plan MJM 10/14-001 project for construction. He stated that the Special Town Commission Conceptual Workshop reviewed this application at a special meeting on Wednesday, January 20, 2016 which resulted in a 5-0 consensus vote to advance the proposed elevation modification for final consideration before the Town Commission. Mr. Carroll stated that in order to close out the project with a certificate of occupancy, this waiver must be granted and added to the original site plan approval.

*Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the Commission approved the Villages Golf Car Shop and Service Center (MJM 10/14-001) –Waiver from Chapter 20, Section 20-3C). 4).C).3). to Modify Architectural Exterior Elevations by a vote of 5 to 0.*

#### **K. TOWN ATTORNEY’S REPORT:**

**7. Ordinance No. 2016-01 – Second/Final Reading – Annexation – The Villages of Lake-Sumter, Inc. - Annexing Property Being 0.95 +/- Acres of Land by Robert R. & Jerilyn K. Mowry – Referenced by Alternate Keys 1483077, 2524189, 1672775, 2575026 , 2535385, 2669365, 3239474; 7 Lots - Located within Orange Blossom Gardens Units 2, 3, and 3.1b within Lake County, Florida (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk’s office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc./Robert R. & Jerilyn K. Mowry, has filed applications to annex properties consisting of seven lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2, 3, and 3.1B. The annexation application involves annexing 0.95 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

Mr. Carroll stated that the present use of the properties is vacant and staff recommends approval. A map and an aerial view of the properties was shown, as were photos of the postings.

The seven lots are spread out along different roads and include the following addresses:

- 822 Beechwood Avenue
- 916 Kim Lane
- 808 Roseapple Avenue
- 744 Royal Palm Avenue
- 822 Royal Palm Avenue
- 860 Silver Oak Avenue

- 743 Truman Avenue

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application. All lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex property into the Town which are non-contiguous to the existing municipal boundary. The proposed properties under this application exist as both contiguous and non-contiguous lots.

The annexation application was received on Wednesday, December 2, 2015, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (122) within 150 feet of the properties proposed by annexation request were mailed Wednesday, December 23, 2015. The properties were posted Monday, December 28, 2015. He stated that no objections or letters of support have been received from surrounding property owners, although there have been a couple of inquiries on the annexation.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-01, provided comments on January 4, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-01 by a vote of 3-0. The Town Commission voted for approval of Ordinance 2016-01 by a vote of 5-0 at the Special meeting on Wednesday, January 20, 2016.

Mr. Carroll stated that Martin Dzuro, on behalf of The Villages, is present if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

*Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved the second/final reading of Ordinance No. 2016-01 by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**8. Ordinance No. 2016-02 – Second/Final Reading – Small Scale Future Land Use Comprehensive Plan Amendment –The Villages of Lake-Sumter, Inc. – Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Seven Lots of Approximately 0.95 +/- Acres**

**– Referenced by Alternate Keys 1483077, 2524189, 1672775, 2575026 , 2535385, 2669365, 3239474 - Located within Orange Blossom Gardens Units 2, 3, and 3.1b within Lake County, Florida (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc./Robert R. & Jerilyn K. Mowry, has filed applications to amend the future land use comprehensive plan for properties consisting of seven lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2, 3, and 3.1B. The application involves changing 0.95 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. He stated that staff recommends approval of this ordinance.

The proposed properties are as follows:

- 822 Beechwood Avenue
- 916 Kim Lane
- 808 Roseapple Avenue
- 744 Royal Palm Avenue
- 822 Royal Palm Avenue
- 860 Silver Oak Avenue
- 743 Truman Avenue

A map showing the location of the properties was shown, as was the Future Land Use Map.

The Small Scale Future Land Use Map Amendment application was received on Wednesday, December 2, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Concurrency Determination Statement: The Villages has removed existing manufactured homes on six of the lots in a historic section of The Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot. There will be no increase in utility services, traffic, population, or recreation use.

Mr. Carroll reported there will be no impact on Town services as shown below:

- Potable Water – No impact, lots are served by the Village Center Community Development District Central Water System.
- Sewer – No impact, lots are served by the Village Center Community Development District Central Sewer System.
- Schools – Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.
- Transportation – No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.

- Parks & Recreation – The annexation, small scale future land use amendment, and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, The Villages provides its residents with all park and recreation amenities.
- Stormwater – Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Applications have been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Town Commission. Additionally, the applications were reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan in accordance with the sought designation. A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted to explain expected impacts on Town Services.

The subject properties involve approximately 0.95 ± acres lies in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

**Future Land Use**

Subject Properties	Lake County Medium Urban Density
<b>Future Land Use of Adjacent Properties</b>	
West	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
East	Lake County – Medium Urban Density
North	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
South	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)

Comments:

- 1) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.
- 2) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if The Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.
- 3) Project will be required to adhere to St. John’s River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Notices to inform the surrounding property owners (122) within 150’ of the property of the proposed annexation were mailed on Wednesday, December 23, 2015. The properties were posted on Monday, December 28, 2015. Mr. Carroll stated there have been no objections received to date.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-02, provided comments on January 4, 2016, and determined the

application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-02 by a vote of 3-0. At the Special meeting on Wednesday, January 20, 2016, the Town Commission voted for approval of Ordinance No. 2016-02 by a vote of 5-0. The Local Planning Agency considered Ordinance No. 2016-02 earlier this same day (at 5:45 p.m.) and recommended approval by a vote of 5-0.

Commissioner Hannan commented that he was having trouble following the presentation using the tablet; and having trouble scrolling down the pages.

Mayor Kussard stated that this issue should be discussed with I.T. staff.

Town Manager Kris Kollgaard stated that the Commissioners can meet again regarding the use of the tablets.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

*Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the Commission approved the second/final reading of Ordinance No. 2016-02 by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**9. Ordinance No. 2016-03 – Second/Final Reading – Rezoning – The Villages of Lake-Sumter, Inc. – Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for Seven Lots Consisting of Approximately 0.95 +/- Acres of Land – Referenced by Alternate Keys 1483077, 2524189, 1672775, 2575026 , 2535385, 2669365, 3239474 - Located within Orange Blossom Gardens Units 2, 3, and 3.1b within Lake County, Florida (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc./Robert R. & Jerilyn K. Mowry, has filed an application concurrently with the annexation and Small Scale Future Land Use Comp Plan Amendment to rezone properties consisting of seven lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2, 3, and 3.1B. The application involves rezoning 0.95 +/- acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in The Villages which are presently in the Town of Lady Lake's jurisdiction. He stated staff recommends approval of this ordinance.

The proposed properties are as follows:

- 822 Beechwood Avenue

- 916 Kim Lane
- 808 Roseapple Avenue
- 744 Royal Palm Avenue
- 822 Royal Palm Avenue
- 860 Silver Oak Avenue
- 743 Truman Avenue

A map depicting the properties was shown, as was a zoning map of the area.

The rezoning application was received on Wednesday, December 2, 2015, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (122) within 150' of the property of the proposed annexation were mailed on Wednesday, December 23, 2015. The properties were posted on Monday, December 28, 2015. He stated there were no objections or letters of support received.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

**Zoning**

Subject Property	Lake County Residential Medium (RM)
<b>Zoning of Adjacent Properties</b>	
West	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Residential Medium (RM)
North	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-03, provided comments on January 4, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-03 by a vote of 3-0. At the Special Meeting on Wednesday, January 20, 2016, the Town Commission voted for approval of Ordinance No. 2016-03 by a vote of 5-0.

Mr. Carroll stated that the applicant, Martin Dzuro, is present if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

***Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved the second/final reading of Ordinance No. 2016-03 by the following roll call vote:***

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**10. Ordinance No. 2016-05 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment – Sun Communities Operating, LP – Small Scale Future Land Use Comprehensive Plan Amendment from Lady Lake Rural High Density (RHD) to Lady Lake Manufactured Home High Density (MH-HD) for Two Lots of Approximately 2.6 +/- Acres – Located within Water Oak Country Club Estates within Lake County, Florida (Alternate Keys 1279496 and 1279216) (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that on December 22, 2015, applications were filed with the Town of Lady Lake by Daniel R. Gibbs with Atwell, LLC, on behalf of Sun Communities Operating LP, to rezone and amend the future land use designation of two lots located within Water Oak Country Club Estates, approximately 1,150 lineal feet east of the intersection North Highway 27/441 and County Road 25, within Lake County, Florida. He stated the present use of the property is vacant and staff recommends approval of Ordinance No. 2016-05.

The small-scale comprehensive plan amendment application involves approximately 2.6+/- acres. The proposed small-scale comprehensive plan amendment is to change the future land use designation from Lady Lake Rural High Density (RHD) to Lady Lake Manufactured Home High Density (MH-HD). The applicant is pursuing to rezone these properties to add new home sites and a 3,500 +/- sq. ft. administrative/sales building with associated parking.

A map and an aerial view of the subject property was shown, as was a Future Land Use map, and photos of the posting of the property.

The parcels are identified by Alternate Key #1279496 and #1279216. The applications were reviewed to determine if they are in compliance with the Land Development Regulations (LDRs) and the Lady Lake Comprehensive Plan. It was found that the requested use is consistent with the directives of the Comprehensive Plan and satisfies the necessary criteria as required to meet the requirements of the adopted Town of Lady Lake Land Development Regulations (LDRs). A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted to explain expected impacts on Town services.

Concurrency Determination Statement - Water Oak Estates (Sun Communities, Inc.) is proposing to develop the area that was previously an old homestead site. Sun purchased the property in 2004 and it is currently undeveloped. We are proposing to add new home sites (some of which will be used as model homes initially) and a 3,500+/- sq. ft. administrative/sales building with associated parking.

Mr. Carroll reviewed the impact on Town Services as follows:

- Potable Water - There is an existing water line along Willow Way. During development, the line will be extended into the proposed site to serve the new homes and the Administrative/Sales

building. We will acquire all necessary permits from both the Town and State prior to development.

- Sewer - There is existing sewer along Willow Way. During development, the lines will be extended into the proposed site to serve the new homes and the Administrative/Sales building. We will acquire all necessary permits from both the Town and State prior to development.
- Schools - Not factored for project. No foreseen impact of students as the project is located within an active adult retirement community.
- Transportation - No Impact. The Water Oak Estates Site was originally designed for 1,484 home sites (from Town DRI). The current developed number of home sites is just over 1,100.
- Parks and Recreation - The small scale future land use amendment and the rezoning application will not cause P&R Level of Service to be exceeded since, as mentioned above, the development is still well under the original DRI count. Additionally, Water Oak Estates provides its residents with all Park and Recreation Amenities.
- Stormwater - Project will be required to adhere to SJRWMD guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The subject properties involve approximately 2.6 ± acres lies in Sections 16 and 17, Township 18 South, Range 24 East, in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

**Future Land Use**

Subject Properties	Lady Lake Rural High Density (RHD)
<b>Future Land Use of Adjacent Properties</b>	
West	Lady Lake- Manufactured Home High Density (MH-HD)
East	Lady Lake-Manufactured Home High Density (MH-HD)
North	Lady Lake- Manufactured Home High Density (MH-HD)
South	Lady Lake- Manufactured Home High Density (MH-HD)

Comments:

- 1) A rezoning application has been submitted concurrently with this Small Scale Future Land Use Amendment Application.
- 2) If approved, a Site Plan application will need to be submitted and approved before the Town Commission for the 3,500 sq. ft. administrative/sales building and parking lot since this improvement qualifies as a major development due to meeting the threshold of 2,000 or more square feet of non-residential floor space.
- 3) Trees to be removed as a result of the proposed improvements must adhere to the tree removal processes pursuant to the appropriate sections of Chapter 10- Landscaping and Tree Protection of the Town of Lady Lake Land Development Regulations.

Mr. Carroll reported that notices to inform the surrounding property owners was not necessary because the property owner of the two subject parcels and adjacent parcels is the same entity: Sun Communities. On December 28, 2015, a letter was hand-delivered to the Water Oak Administrative Office to provide to Water Oak residents in the event they inquire about the proposed small scale FLU amendment application. The properties were posted on Monday, December 28, 2015.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-05, provided comments on Monday, January 4, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-05 by a vote of 3-0. The Local Planning Agency considered Ordinance No. 2016-05 earlier this evening and recommended approval by a vote of 5-0. The Town Commission is scheduled to consider Ordinance No. 2016-05 for the second/final reading at a special meeting on Wednesday, February 17, 2016 at 6:00 p.m.

Mr. Carroll stated that Lara Parker is present representing the applicant if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

*Upon a motion by Commissioner Vincent and seconded by Commissioner Richards, the Commission approved the first reading of Ordinance No. 2016-05 by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**11. Ordinance No. 2016-06 – First Reading – Rezoning – Sun Communities Operating, LP – Rezoning from Lady Lake Agriculture Residential (AG-1) to Lady Lake Manufactured Home High Density (MH-9) for Two Lots of Approximately 2.6 +/- Acres – Located within Water Oak Country Club Estates within Lake County, Florida (Alternate Keys 1279496 and 1279216) (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that on December 22, 2015, applications were filed by Daniel R. Gibbs with Atwell, LLC, on behalf of Sun Communities Operating LP, to rezone and amend the future land use designation of two lots located within the Water Oak Country Club, approximately 1,150 lineal feet east of the intersection North Highway 27/441 and County Road 25, within Lake County, Florida. The rezoning application involves approximately 2.6+/- acres. He stated staff recommends approval of Ordinance No. 2016-06.

Mr. Carroll stated the applicant is seeking to rezone the property from Lady Lake Agriculture Residential (AG-1) to Town of Lady Lake Manufactured Home High Density (MH-9). The applicant is pursuing to rezone these properties to add approximately +/- ten new home sites (of which three to five will be used as model homes initially) and a 3,500+/- sq. ft. administrative/sales building with associated parking.

A map and an aerial view of the property was shown, as was a zoning map and photos of the posting of the property.

Mr. Carroll stated that he reached out to the engineer after the Planning and Zoning Board meeting and was able to obtain a conceptual plan, which was shown. He stated that the applicant does not have to adhere to this as it is preliminary, but it shows the proposed layout for the improvements on the property.

The parcels are identified by Alternate Key #1279496 and #1279216. The applications were reviewed to determine if they are in compliance with the Land Development Regulations (LDRs) and the Lady Lake Comprehensive Plan. It was found that the requested use is consistent with the directives of the Comprehensive Plan and satisfies the necessary criteria as required to meet the requirements of the adopted Town of Lady Lake Land Development Regulations (LDRs).

The subject properties lie in Sections 16 and 17, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

**Zoning**

Subject Property	Lady Lake Agriculture Residential (AG-1)
<b>Zoning of Adjacent Properties</b>	
West	Lady Lake- Manufactured Home High Density (MH-9)
East	Lady Lake- Manufactured Home High Density (MH-9)
North	Lady Lake- Manufactured Home High Density (MH-9)
South	Lady Lake- Manufactured Home High Density (MH-9)

Mr. Carroll reported that notices to inform the surrounding property owners was not necessary because the property owner of the two subject parcels and adjacent parcels is the same entity, Sun Communities. On December 28, 2015, a letter was hand-delivered to the Water Oak Administrative Office to provide to Water Oak residents in the event they inquire about the proposed rezoning application. The properties were posted on Monday, December 28, 2015.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-06, provided comments on Monday, January 4, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-06 by a vote of 3-0. He noted that the Local Planning Agency does not review Rezoning applications; only Future Land Use Comprehensive Plan Amendment applications. The Town Commission is scheduled to consider Ordinance No. 2016-06 for second/final reading at a special meeting on Wednesday, February 17, 2016 at 6:00 p.m.

Mr. Carroll stated that Lara Parker is present if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

*Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2016-06 by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**12. Ordinance No. 2016-07 – Second/Final Reading – Amending The Town of Lady Lake Land Development Regulations Chapter 9, Miscellaneous Regulations; Adding Section 9-10, Entitled Façade Improvement Program (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that a draft ordinance was included in the packet for consideration by the Town Commission pertaining to an amendment to the Town of Lady Lake Land Development Regulations Chapter 9, Miscellaneous Regulations; Adding Section 9-10, Entitled Façade Improvement Program.

Mr. Carroll reported that staff previously prepared a draft "Façade Improvement Program" document for consideration by the Economic Development Advisory Committee (EDAC) at the April 29, 2014 meeting. He stated that the draft outlined the qualifications for the program, procedures, and eligibility for the committee's consideration; and since that time, the draft ordinance was submitted to the Town Attorney for review and has been approved.

Mr. Carroll stated that at this time, the ordinance has been prepared in its final form and is ready for consideration for approval by the Town Commission to implement the program, as recommendations from the Planning and Zoning Board and the Economic Development Advisory Committee (EDAC) have been made. This fiscal year, the budget for EDAC activities has been established at \$7,500. The intent is to allocate funds for two grants this fiscal year, leaving \$2,500 for other operational expenses. Staff is seeking an approval of Ordinance No. 2016-07 by the Town Commission.

Mr. Carroll stated some of the highlights of the ordinance were reviewed at the first meeting, as follows:

***Eligibility Requirements.*** To participate in the Façade Improvement Program, the structure must be:

1. located within the Downtown Redevelopment Area Boundary (see Figure A below). (Applicants within the Downtown Redevelopment Area will be given priority to the grant award; however, the Town Commission may award the grant to applicants outside of the Downtown Redevelopment Area on a case-by-case basis, provided they meet all other eligibility requirements); and
2. used for a business operating at minimum 20 hours a week; and
3. have a commercial zoning designation (HC, LC, CP, CT).

**Eligible Façade Improvements:** The Façade Improvement Program is limited to reimbursement for improvements made only to the exterior of commercial structures. Eligible improvements are those

on the building elevations that front rights-of-way and are visible to the passers-by on the street. Signs and sign improvements are not eligible for this program. Routine maintenance such as painting, pressure washing, and minor repairs to existing materials alone will not be eligible for reimbursement, but may be an element of the scope of the project. Project components that may qualify for a Façade Grant include, but are not necessarily limited to:

Exterior improvement, restoration, including removal of decayed materials.

- a) Repair, replacement, or installation of new:
- b) exterior windows
- c) exterior doors
- d) awnings
- e) exterior lighting
- f) painting (only if entire façade is repainted)
- g) roofing materials

**Application Submittals:** Required application submittals shall include:

1. Completed application form
2. Valid Business Tax Receipt for the Town of Lady Lake
3. Documentation that property taxes are current
4. Documentation of no outstanding liens or active Code Enforcement cases within the Town of Lady Lake (Mr. Carroll noted that this program is not to be used to remedy code enforcement violations.)
5. Detailed budget including three written estimates from licensed contractors to verify costs are within reasonable parameters (Invoice of project costs will have to be submitted.)
6. Photo of current Façade (A photo of the completed façade showing all improvements will be required to close the project as well.)
7. Scaled drawings clearly illustrating proposed improvements

A map of the Downtown Redevelopment Area Boundary was shown.

Mr. Carroll reported that the Economic Development Advisory Committee reviewed Ordinance No. 2016-07 at their regular meeting on Tuesday, January 5, 2016 and recommended approval by a vote of 3-0. The Planning and Zoning Board recommended approval of Ordinance No. 2016-07 by a vote of 2-1 at the January 11, 2015 meeting. At the Special Meeting on Wednesday, January 20, 2016, the Town Commission voted for approval of Ordinance No. 2016-07 by a vote of 5-0.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

Commissioner Hannan asked if the grant program is restricted to the area that is outlined.

Mr. Carroll replied that it is not restricted specifically to this area. He stated that in discussion with the Town Attorney, it was decided that this would be the focus area; however, if there was an eligible project outside of this boundary, those applications could also be considered for improvement.

***Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission approved the second/final reading of Ordinance No. 2016-07 by the following roll call vote:***

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**K. TOWN MANAGER’S REPORT:**

Town Manager Kris Kollgaard reported that she sent an email to the Commissioners regarding the Lake County Visitors Guide by Akers Media, who are working with Lake County Economic Development. She stated this booklet automatically includes a half page description of Lady Lake for free and an additional ad can be put in either inside the front cover for \$2,995 or up to a cost of \$4,995 for the back cover.

Commissioner Richards stated that he had replied to Ms. Kollgaard that this is the cheapest advertisement the Town can get. He stated it is like a coffee table book and it is a chance to plug the community.

Mayor Kussard commented that she would like to see updated pictures in the Lady Lake section depicting the Log Cabin, the library, the Historical Society, Lady Lake Boulevard, etc.

Commissioner Hannan asked about the distribution of this book.

Ms. Kollgaard replied that 10,000 copies will be printed and they will be distributed in hotels, Chamber of Commerce offices, real estate offices, etc.

Commissioner Richards suggested that this might be something the Economic Development Committee should be involved in in the future.

*After further discussion, it was the consensus of the Commission that they would not like to pay any additional cost for an ad this year.*

**L. MAYOR/COMMISSIONER’S REPORT:**

Commissioner Richards commented that he had a great time at the government day with the kids from The Villages Charter School. He stated he was impressed with their participation and questions.

Mayor Kussard agreed with Commissioner Richards. She stated she was also impressed with the children and that they did a very good job.

Mayor Kussard reported she attended the Art in the Park event this past Saturday, and that it probably had the largest attendance of any of Lady Lake’s events in the past.

Commissioner Hannan commented that there was an issue with parking and asked who was directing parking. He also asked who is responsible if there is an accident.

Ms. Kollgaard stated the event coordinator had staff directing people where to park on the Town’s property in the area. She stated it worked out nice and the property is covered under the Town’s insurance. She stated the event company also has insurance on their employees.

Commissioner Richards responded to Commissioner Hannan's earlier comment about having difficulty following the presentation on the tablets. He suggested that it would be simple to mark the page number on the agenda where each agenda item starts in the packet on the tablets, and it could be printed out to help follow along with the presentation.

Ms. Kollgaard remarked that the presentations are not necessarily presented exactly as the items are in the packet.

**M. PUBLIC COMMENTS<sup>iv</sup>**

Mayor Kussard asked if anyone in the audience would like to speak on any item. There were no comments or questions.

**N. ADJOURN:** The meeting was adjourned at 6:40 p.m.

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Kristen Kollgaard, Town Clerk

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Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

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<sup>i</sup>*Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.*

<sup>ii</sup>*This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

<sup>iii</sup>*All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

<sup>iv</sup>*This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*