

**MINUTES OF THE LOCAL PLANNING AGENCY
LADY LAKE, FLORIDA
January 20, 2010**

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

CALL TO ORDER: Chairperson Jim Richards

ROLL CALL: Member Tony Holden
Member Ty Miller
Member Paul Hannan
Member Ruth Kussard
Chairperson/Member Jim Richards

STAFF MEMBERS PRESENT: Kris Kollgaard, Interim Town Manager/Town Clerk; Derek Schroth, Town Attorney; Thad Carroll, Senior Planner; Chief Ed Nathanson, Police Department and Jayne York, Staff Assistant to Town Clerk

1. Approval of Minutes

January 4, 2010 (on file in the Town Clerk's office)

Upon a motion by Member Miller and seconded by Member Kussard, the Board approved as Presented the Minutes of the Local Planning Agency Meeting on January 4, 2010, by a vote of 5 to 0.

2. Ordinance No. 2010-02 – Large Scale Comprehensive Plan Amendment of 38.08± Acres of Property Located on the West Side of County Road 25, North of Marion County Road Changing Future Land Use from Lake County Urban to Town of Lady Lake (OIF) Other Institutional Facilities (Thad Carroll)

The background summary for this agenda item is on file in the Town Clerk's office. It states that the Applicant, Cullison-Wright Construction, has filed an application on behalf of Virginia Cullison to amend the Future Land Use designation of property (AK# 3409787) on the west side of County Road 25, north of Marion County Road which includes 38.08± acres currently in unincorporated Lake County from Lake County Urban to Lady Lake Other Institutional Facility.

The Large Scale Future Land Use Map Amendment application was received on December 1, 2009, 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 transmittal to the Town Commission.

Notices to inform the surrounding property owners within 150' of the property of the proposed amendment were mailed on December 28, 2009 and the property was also posted on that date.

The property is proposed to be developed as an Assisted Living Facility or similar use (i.e., Skilled Nursing, Independent Living, Memory Care Facility) with the potential of medical support offices and/or other uses.

The Applicant will be required to file a site plan(s) for any structures and to obtain all necessary permits from outside agencies provided the Large-Scale Comprehensive Plan is approved for the property.

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 justification statement has also been included as part of the Large Scale Comprehensive Plan Amendment Application, which the Applicant submitted for justifying why the Future Land Use should be amended for the development proposed.

The Technical Review Committee (TRC) reviewed the application on January 5, 2010 and determined the application to be complete and ready for transmittal to the Planning & Zoning Board with a vote of 5-0; on January 11, 2010, the Planning & Zoning Board recommended approval of the ordinance by a vote of 3-1; the First Reading before the Town Commission is scheduled for January 20, 2010; the Second/Final Reading before the Town Commission will be held after the Florida Department of Community Affairs (DCA) has reviewed the transmitted amendment.

Thad Carroll, Senior Planner, stated that this property is contiguous to the Town of Lady Lake on the western, northern and southern boundaries and bordered on the east side by CR 25; the property is unimproved and is a pasture. On the back side of the property to the west is The Villages and the northern boundary is Hidden Meadows Lane. He also stated that the basis for Staff's recommendation is that the OIF designation is the appropriate designation for a Public Facility and an Assisted Living Facility would be classified under Institutional Public Facility; therefore, this would be the designation that needed to be sought for what they are proposing to do. Under the Lake County Future Land Use designation, the property is classified Urban at the present time at 7 dwelling units per acre; however, under Policy 11.15.2 of the Lake County Comprehensive Plan, all land uses are allowed within the Urban land use classification so this use would be permitted under the Lake County Comprehensive Plan in its present condition. The proposed use of Institutional Facility would fall under the Town's CFT zoning designation and the accompanying Future Land Use designation for the Comprehensive Plan.

Richard Busche with Kimley-Horn & Associates, on behalf of the Applicant, stated that the Cullison family is a local family that has been in business as the Cullison-Wright Construction Co. since 1973. They have done business continuously in Marion and Lake Counties since that time. This particular piece of property has been in the Cullison family for well over 50 years and has been used for mostly agricultural purposes during that time. Part of the Cullison business is the construction and operation of skilled nursing facilities and it is that use that is proposed for this property.

Mr. Busche stated that, although this property has been in the Cullison family for 50 years, a lot has changed around the property while the property has gone through virtually no change – The Villages to the west, Lakes of Lady Lake to the south, the preparation of comprehensive plans for the Town of Lady Lake and Lake County and the growth of Lady Lake boundaries. Most recently, there have been 2 zonings to the north and to the east of this property and this property is virtually surrounded by the Town of Lady Lake; CR 25 is to the east and all other properties are Lady Lake properties. During all of that time, the Cullisons have never protested development in this area; they knew that Lady Lake was a place where people were going to want to live. They knew that one day this property would no longer be suitable as an agricultural property and that they would be able to hopefully incorporate it as part of their business in the assisted living facilities portion of their business.

Mr. Busche stated that although the property is in Lake County, they have chosen not to pursue entitlements through Lake County. They are going ahead with the annexation, comprehensive plan amendment and rezoning at this time and believe that this is the right way to pursue this project. The property owner wants to be a part of the Town of Lady Lake and is already building another project similar to this west of town.

Mr. Busche stated that this project is envisioned to be skilled nursing, assisted living and other complimentary type uses. The project will consist of 4 buildings – 3 of the buildings are single-story, pretzel-shaped and will be the assisted living facility buildings. The building on the southeast corner of the property may be a 3-story building; they are not really sure yet of the 3 stories but that is why they have asked for the ability to have a 50' height on this building. They also think there might be a need for doctors' offices or similar use that would be allowable under the OIF designation and those are the 2 buildings located in the northeast corner that would be single-story buildings as well. Class "B" buffers are proposed on the eastern and northern boundaries and would consist of a 50' building setback and then a 20' vegetated buffer that for every 100' includes 4 canopy trees (like an Oak tree) and 3 understory trees (more of an ornamental tree) as well as a continuous hedge. A Class "A" buffer is proposed to the south because the adjacent development is not right up next to the property line and that buffer would consist of 2 canopy trees per 100' along with a continuous hedge.

Mr. Busche stated that the Applicant believes there is a need for this type of business in the Town of Lady Lake so that is why they are seeking the OIF designation and, and in doing so, that designation limits them so they cannot build a residential subdivision or commercial retail enterprise on the property. A project like this brings great benefit to the Town – it will not drain the resources of the Town like a residential subdivision or a heavy retail project may; there is no impact to schools; it's a lighter traffic generator as many of these residents no longer drive and rely on central transportation provided by the facility; and there is much less need for police and fire. It's a quiet project as these residents want quiet and serenity and that is the type of environment the Cullisons provide when they build these facilities. There is also an economic benefit to the Town's tax base as well as providing utility customers to the Town; in addition, this development will create jobs which could be as many as 100 new jobs for the Town of Lady Lake.

Mr. Busche stated that this is an urban corridor as designated by Lake County and has been for many years; a recently approved project to the southeast of this property is a Mixed Use Commercial/Office/Residential project under that Urban designation. He stated that they really want to be a part of the Town of Lady Lake with this project. Town Staff will be presenting a Memorandum of Agreement with the rezoning application that has a lot of specific conditions that binds them to this type of development and outlines some other development conditions that they are in full agreement with; they have no issues with any of those.

Mr. Busche stated that, relative to Future Land Use, this is not what is going to happen on the project tomorrow and will not happen to the project all at once when it does start happening. They are planning for years into the future and believe that they have brought a high quality project to the Town. He asked for the Commission's support to move this project forward and added that a member of the Cullison family was present to answer any questions.

Member Kussard asked if the water and sewer connection will be from Griffin Ave. for this project.

Mr. Busche stated that they have had several meetings with Town Staff about the appropriate place for the connection to the water and sewer lines and he believes that they are both on Griffin Ave. They are going to let Public Works tell them exactly where they would like for them to make the connection for utilities.

Member Kussard asked if they would consider installing reuse lines at the same time and then seek recapture from the impact fees.

Mr. Busche stated that they would certainly put reuse facilities on their property so when reuse comes to the property corner, this facility will be a reuse customer. They have quite a long way to go in regards to utilities but they are willing to work with Town Staff to try to see if there is a joint project there.

Member Kussard stated that at the Planning & Zoning Board meeting, there was a question about ingress and egress on the property on Hidden Meadow Lane and she asked if the deeded easement was ever found on that yet.

Mr. Busche replied that they are still looking for that easement; they believe that it exists and that it may go back some 75 or 80 years. They thought they had it but it turned out to be a different document. They assume there is some kind of egress and ingress easement on the north side of their property that leads back to a residential property. He added that they are not going to cut off anybody else's access; they are just simply looking for the document to know for sure where the easement is.

Member Kussard also stated that there was a traffic study done in November 2009.

Mr. Busche stated that there was a traffic study done and by no means will it be the last traffic study. More comprehensive traffic studies are going to be required by Lake County at the time of development.

Member Holden confirmed that all buildings will be one-story except the one in the southeast corner of the property.

Mr. Busche stated that was correct.

Member Holden asked about the possible number of living units in the development.

Mr. Busche stated that the total possible number of beds as noted on the site plan is 900; they are not sure of the final number but felt this was more by a comfortable margin than they would ever build on this project. In the assisted living facility, some of the units will be singles and some will be doubles so they really deal with beds as opposed to units on this type of project.

Member Holden also asked if the setbacks would allow the possibility of widening CR 25 to 4 lanes in the future.

Mr. Busche stated that they have shown a right-of-way designation along CR 25 because they believe that Lake County will, at a minimum, require that but they also have room on their site plan to provide more right-of-way if needed.

Chairperson Richards stated that he noticed a lot of parking spaces on the site plan and asked how those are determined.

Mr. Busche stated that he understands that the Town of Lady Lake LDRs require 1 space for every 2 beds as opposed to Lake County that requires 1 space for every 4 beds which is far fewer spaces. They have a specific item in the MOA that states that if they bring a parking study to Staff that demonstrates a lower need for parking than what the LDRs allow, that would be acceptable. They do not believe that they need 1 space per 2 beds so that issue has already been contemplated.

Chairperson Richards asked if there was any public comment.

- Lorie Lolley stated that she and her husband own the property to the north and that they have some concerns. She thinks that the intensity of this property would be impressive even on US Hwy 27/441; the size of the buildings proposed are 3-4 acres each which are very large buildings. This development will overwhelm all surrounding properties and CR 25. It is obvious that a development of this size should be in the core area of the Town and not on the fringe. They don't believe that it is compatible to their area and the adjacent property owners seek to protect and minimize the effect this will have on them as much as possible. The developer has offered a larger vegetative buffer but that is just not enough and they are asking for a masonry wall or a substantial privacy fence.

Upon a motion by Member Miller and seconded by Member Holden, the Board approved Ordinance No. 2010-02 – Cullison-Wright Construction – Large Scale Comprehensive Plan Amendment to Change from Future Land Use of Lake County Urban to Lady Lake (OIF) Other Institutional Facilities, by the following roll call vote:

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

ADJOURN: There being no further discussion, the meeting was adjourned at 5:53 p.m.

Kristen Kollgaard, Town Clerk

Jim Richards, Chairperson

Minutes transcribed by Jayne York, Staff Assistant to Town Clerk