

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

October 3, 2016

The regular 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. PROCEDURE:** *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. INVOCATION:** Pastor Jeff Hosmer – North Lake Presbyterian Church
- D. PLEDGE OF ALLEGIANCE**
- E. ROLL CALL:** Tony Holden, Commissioner Ward 2
Paul Hannan, Commissioner Ward 4
Jim Richards, Commissioner Ward 5
Dan Vincent, Commissioner Ward 3
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; Mike Burske, Parks and Recreation Director; Chief Chris McKinstry, Police Department; Tia O’Neal, Human Resource Director; Wendy Then, Town Planner; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS: Mayor Kussard asked if there were any comments by the public. There were no comments at this time.

G. PRESENTATION:

1. Check Presentation by the Orange Blossom Gardens Lions Club to the Lady Lake Police Department for National Night Out (Doris Turlo/Chris McKinstry)

Doris Turlo and several other members of the Orange Blossom Garden Lions Club presented a check in the amount of \$1,500 to Chief Chris McKinstry of the Lady Lake Police Department.

Chief McKinstry thanked the Orange Blossom Garden Lions Club for their generous donation, and for past donations. He stated these funds will go toward the purchase of bicycles to give away to children at National Night Out at The Home Depot parking lot from 4:00 to 7:00 p.m. tomorrow night, and also for the upcoming Fall Safety Festival being planned for November.

H. PROCLAMATION:

2. Proclaiming the Week of October 16-22, 2016 as Florida City Government Week 2016 (Mayor Kussard)

Mayor Ruth Kussard read the proclamation proclaiming the week of October 16th to the 22nd as Florida City Government Week, and encouraged everyone to do everything possible to ensure that it is recognized and celebrated accordingly.

I. CONSENT:

Mayor Kussard asked if the Commissioners had any questions on the consent items.

Commissioner Richards asked that Consent Item I-5 be pulled for discussion.

3. Minutes – September 21, 2016 – Special Commission Meeting

4. Consideration to Amend Human Resource Manual Section 1.04 by Replacing Overall Employment Policy with Equal Employment Opportunity (Tia O’Neal)

The background summary for this agenda item is on file in the Clerk’s Office. It states that staff recommends changing the current Overall Employment Policy to Equal Employment Opportunity. Under the Department of Labor guidelines and regulations, it is illegal to discriminate against or harass employees or applicants for employment on the basis of gender identity. The updated policy prohibits discrimination against transgender employees by including “gender identity or expression” or “gender identity” among the list of protected categories and anti-harassment policies. The policy has been reviewed and approved by the Town’s labor attorney.

Upon a motion by Commissioner Richards and a second by Commissioner Vincent, the Commission approved Consent Items #I-3 and #I-4 by a vote of 5 to 0.

5. Consideration of the Renewal of the Lease Agreement between the Town of Lady Lake and the Lady Lake Historical Society (Mike Burske)

The background summary for this agenda item is on file in the Clerk’s Office. It states that the Lady Lake Historical Society once again desires to renew its lease agreement with the Town for the Train Depot at Veterans Park. The dates on the contract and the sentence stating that the Historical Society will provide insurance to cover their items, if they choose to, are the only changes to the proposed document.

Commissioner Richards stated he was concerned about the Historical Society’s liability insurance.

Town Manager Kris Kollgaard stated that she believes the Town’s insurance will cover anyone if they are injured in the building, but it would not cover the contents of the building.

Human Resource Director Tia O’Neal confirmed this; stating the Town is responsible for the maintenance of the building and assumes any liability under its insurance for anyone that may be injured in the building.

Ray Rusimano of the Lady Lake Historical Society stated that the Historical Society does have its own separate liability insurance that will cover the contents or displays. He stated the Town has a copy and it will be renewed in January.

Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved Consent Item #I-5 by a vote of 5 to 0.

J OLD BUSINESS: No old business.

K. NEW BUSINESS:

6. Consideration of the Third/Final Extension to the Sewer & Water Utility Agreement for Village Veranda at Lady Lake, LLC, to Provide for an Additional Six (6) Months to Obtain a Building Permit and Reserve the Utility Capacity Already Purchased for the Development (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 on April 6, 2015, the Town Commission approved the Sewer & Water Utility Agreement between the Town of Lady Lake and Village Veranda at Lady Lake, LLC ("Developer") in the amount of \$79,407.00 for the provision of 17 water equivalent residential units (ERUs) and 17 sewer ERUs for the development of a 90 bed independent living facility, a 40 bed memory care facility, and 22,000 square feet of commercial support uses to be developed in three phases. Mr. Carroll reviewed the history of this agreement as follows:

Subject to the terms and conditions of the Sewer & Water Utility Agreement between the developer and the Town of Lady Lake executed on April 6, 2015, in Section 2, the language states, "Should Developer not obtain a building permit to initiate construction of the Developer's project noted above within 180 days of the date this Utility Agreement is approved by Commission, the capacity herein reserved will be forfeited and all money paid to reserve capacity shall also be forfeited. Should Developer fail to obtain a building permit within 180 days of the date this Utility Agreement is approved by Commission, Developer agrees to release any and all claims against the Town for a return of any of the money paid to reserve capacity."

On October 19, 2015, the Town Commission granted an extension of six months in response to a request to allow more time to finalize the construction plans and secure building permits for construction; that extension expired on April 3, 2016.

Again, on April 4, 2016, the Town Commission granted a second extension of six months in response to a request to allow more time to finalize the construction plans and secure building permits for construction; that extension expires on October 3, 2016. In accordance with Chapter 7, Section 10 b) 3)., the Town Commission may grant one or more extension not to exceed two years.

Mr. Carroll stated that at this time, Village Veranda at Lady Lake, LLC is requesting a third and final extension of the agreement for an additional six months to allow more time to finalize the construction plans and secure building permits for construction of the facility. Greg Beliveau of LPG Urban & Regional Planners, Inc. has provided a letter dated September 24, 2016 requesting the extension. In the letter he states, "The owner has secured a new partner for the development, bond financing is anticipated to be secured within the next 90 days, construction plans for building permit will be submitted within the next three months, and construction to commence within the next five months." The extension would be valid through April 1, 2017.

The site plan for the project was approved by the Town Commission on March 2, 2015, and all ERUs have been purchased for the project in the amount of \$79,407.00. The Town of Lady Lake has not increased the charges per ERU for sewer, water, or reuse since the execution of the original agreement. Failure to approve the extension will result in a forfeiture of the reserved capacity as well as all fees paid. Staff recommends approval of the extension.

Mr. Carroll stated that Greg Beliveau is present if there are any questions.

Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved the Third/Final Extension to the Sewer & Water Utility Agreement for Village Veranda at Lady Lake, LLC, to Provide for an Additional Six (6) Months to Obtain a Building Permit and Reserve the Utility Capacity Already Purchased for the Development, by a vote of 5 to 0.

L. TOWN ATTORNEY'S REPORT:

Mayor Kussard commented that the Commissioners received their packets regarding this meeting this past Wednesday and it was posted on-line for the public to review as well. She stated there has been a lot of public interest in the Recreation Plantation projects, and changes have been sent regarding this project on Friday and Monday. Mayor Kussard stated she does not believe this gave the Commission sufficient time to review the changes, or for the changes to be posted for the public prior to this meeting. She stated she was in favor of tabling Ordinance No. 2016-14, 2016-15, and 2016-16 until the October 17, 2016 meeting, or the November 7, 2016 meeting, to give everyone the opportunity to look over the proposed changes. Mayor Kussard asked for the Commissioners' view on this.

Commissioner Hannan stated he was not in favor of tabling these ordinances

Commissioner Richards stated he had a question regarding the fact that Recreation Plantation's sewer facility will be nearing its capacity with this development according to the state's report. He stated he would like to see more studies regarding the sewer capacity. He moved to table the items, and Commissioner Holden seconded.

Town Attorney Derek Schroth stated the applicant is allowed the opportunity to address the continuance request before the Commission votes on it.

Allison Strange stated she is an attorney with Bret Jones, P.A., and represents Lady Lake, Inc., with Grant Gore as the principal. She stated it is her understanding that the only changes that have come through this past week are minor revisions to the language of the ordinance for the SEU. She stated there have been no changes regarding the sewer. Ms. Strange stated the changes have not been substantive, and Lady Lake Inc. objects to a continuance and would like to move this project forward with no delay of another month, as the October 17th date is not convenient.

Mayor Kussard offered to move forward with Ordinance No. 2016-14 and 2016-15, since the changes are to Ordinance No. 2016-16 for the Special Exception Use, although the sewer issue falls under Ordinance No. 2016-14.

Ms. Strange stated there have been no changes other than the revisions to Ordinance No. 2016-16 since the first reading, and the public has been made aware of this meeting in regard to public notice.

Commissioner Richards stated the sewer issue was brought up by the state, even though it was approved after six months. He read a portion of the DEO's comments.

Mayor Kussard finished by reading the part of the DEO's report that stated the facility is nearing design capacity at this volume.

Ms. Strange stated this issue was anticipated and has been addressed in the application. She stated that according to the State of Florida's standards, the plant is nearing capacity, but not over capacity; and the applicant's engineer stated that per the historical use of the facility, they will be well under capacity.

Mr. Carroll pointed out that there is a letter dated June 7, 2016 in the packet from Keith Riddle, engineer. It was his analysis that, historically, it equated to a daily average of 38.7 gallons per residence.

Commissioner Richards withdrew his objection regarding the sewer capacity after further review due to the historical usage.

Mayor Kussard questioned the reference to tents in the Special Exception Use.

Mr. Gore stated there may be tents such as used by the Boy Scouts.

Ms. Strange stated that the current Recreation Planation CUP allows tents and they would be happy to limit them, but would like to keep it consistent with existing uses on the property.

Mayor Kussard pointed out that under Section K of the CT-Commercial Tourist zoning, which the applicant is requesting, campgrounds are expressly prohibited and this is what tents would come under.

Ms. Strange reiterated that tents are included under the Special Exception Use because it is already part of the current CUP agreement, but they are happy to limit them. She stated tents were also part of the ordinance from the reading in May.

Mr. Carroll stated he does not have all the CUP's before him this evening, although he did see one earlier today that stated camping is not a permitted use; it is prohibited. He stated there could be a prior CUP that states this.

Mayor Kussard stated that the restaurant was discussed at the last meeting and was resident only at that time, but has now been changed to residents with accompanying guests.

Mr. Carroll stated this is a revision since the first reading.

7. Ordinance No. 2016-14 – Second/Final Reading – Large Scale Future Land Use Comprehensive Plan Amendment – Lady Lake Inc. – from Lady Lake Mixed Residential Medium Density (MR-MD) to Lady Lake Commercial Tourist (CT) for Property Being 29.43 ± Acres of Land – Located At 609 Highway 466, Being North of Highway 466, West of North Clay Avenue, and East of Rolling Acres Road (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, Bret Jones, P.A., has filed an application on behalf of Lady Lake, Inc., to amend the Future Land Use designation of property located at 609 Highway 466 (AK# 1120829), being north of Highway 466, west of North Clay Avenue, and east of Rolling Acres Road; which includes 29.43± acres within Town of Lady Lake limits, from Mixed Residential Medium Density (MR-MD) to Commercial Tourist (CT). Staff recommends approval of this ordinance.

The Large Scale Future Land Use Map Amendment application was received on February 22, 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 transmittal to the Town Commission for second/final reading.

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

Notices to inform the surrounding property owners (17) within 150' of the property of the proposed amendment were mailed on Monday, March 28, 2016, and the property was also posted this same date. Mr. Carroll stated that there have been a couple of inquiries regarding the application.

The conceptual bubble plan submitted by Riddle Newman Engineering, Inc., highlights the proposed park facility and included the general area of where the amenities will be placed in the park, as well as the street network and water retention area.

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

Potable Water:

- ♦ Potable Water Systems – CUP allocation of 1.18 million gpd (2016)
- ♦ Current water systems usage – 697,461 gpd
- ♦ Demand contingent on occupants of development (482,539 gpd available)
- ♦ Estimated consumption 28,000 gpd

Sewer – The applicant has proposed to utilize the existing onsite sewer plant; no additional impact to the Town of Lady Lake (pending waiver to not connect).

Schools – Not factored for project – no foreseen impact of students.

Transportation – Traffic analysis indicates a that the proposed Future Land Use designation of CT – RV Park will generate 125 fewer a.m. peak hour trips and 164 fewer p.m. peak hour trips than the current MR-MD designation, assuming maximum potential under the Future Land Use Classification.

Parks & Recreation – Addition in population will not cause P&R Level of Service to be exceeded.

Stormwater – Project will be required to adhere to SJRWMD guidelines.

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 subject property involving approximately 29.43 ± acres lies in Section 17, Township 18, Range 24 in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Property	Lady Lake – Mixed Residential - Medium Density (MR-MD) - Up to 8 du/ac
Future Land Use of Adjacent Properties	
West	Lady Lake - Commercial Tourist (CT)
East	Lake County – Urban Low Density, Lady Lake Mixed Residential Low Density (MR-LD) and Commercial General – Retail Sales and Services (RET)
North	Lake County – Urban Low Density, Lady Lake – Religious Facilities (RF)
South	Lady Lake – Multi-Family Low-Rise 12 dwelling units per acre (MF-LR)

Comments:

- 1) Rezoning and Special Exception Use Applications have been submitted concurrently with this Large Scale Future Land Use Amendment Application.
- 2) Applicant must submit a site plan for the proposed 232-Unit RV Park site if the Town Commission approves the comprehensive plan amendment, rezoning, and Special Exception Use applications to allow the RV Park.
- 3) Town of Lady Lake Commercial Design Standards outlined in Chapter 20 of the LDRs must be adhered to prior to any design of site plans for the proposed buildings associated with this development.
- 4) Connection to Town Water Utility will be required to service this RV Park Site.
- 5) Mitigation may be necessary for site plan approval to address concurrency deficiencies associated with the impacts of this project.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-14 and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the April 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-14 by a vote of 3-0. At the May 2, 2016 meeting, the Local Planning Agency voted 5-0 for approval of Ordinance No. 2016-14. At the May 2, 2016 meeting, the Town Commission voted 5-0 for approval of first reading of Ordinance No. 2016-14.

Mr. Carroll stated that on May 10, 2016, the Large Scale Future Land Use Map Amendment package was transmitted to the Department of Economic Opportunity (DEO,) as well as other state and regional agencies for their review. DEO reviewed the proposed amendment and identified no comments related to important state resources and facilities within the Department’s authorized scope of review that will be adversely impacted by the amendment if adopted. The Florida Department of Environmental Protection (DEP), the St. John’s River Water Management District (SJRWMD), and the Florida Department of Transportation (FDOT) also found that if the amendment were to be adopted there would be no adverse effects to state resources.

Mr. Carroll stated Ms. Strange is present to answer any questions.

Mayor Kussard asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved the second/final reading of Ordinance No. 2016-14, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>KUSSARD</i>	<i>NO</i>

8. Ordinance No. 2016-15 – Second/Final Reading – Rezoning – Lady Lake Inc. – Rezoning From Lady Lake Mixed Residential Medium Density (MX-8) to Lady Lake Commercial Tourist (CT); Property Being 29.43 ± Acres of Land – Located At 609 Highway 466, Being North of Highway 466, West of North Clay Avenue, and East of Rolling Acres Road (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, Bret Jones, P.A., has filed an application on behalf of Lady Lake, Inc., to amend the Future Land Use designation of property located at 609 Highway 466 (AK# 1120829); being north of Highway 466, west of North Clay Avenue, and east of Rolling Acres Road, which includes 29.43± acres within Town of Lady Lake limits, from Mixed Residential Medium Density (MX-8) to Commercial Tourist (CT). The proposed use of the property will be a 232 lot recreational vehicle park. The conceptual plan details the applicant’s proposal; in addition, a Special Exception use is required for the RV Park uses.

A map and aerial view of the property, and a conceptual drawing of the intended layout of the 232 lots with amenities of the property was shown, as were photos of the posting.

The Rezoning application was received on February 22, 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 transmittal to the Town Commission.

The subject property lies in Section 17, Township 18, Range 24 in Lake County, Florida. Appropriate legal descriptions and the conceptual plan have been included with the submitted application. The zoning designation of the subject property and adjacent properties are as follows:

Zoning

Subject Property	Lady Lake– Mixed Residential Medium Density (MX-8)
Zoning of Adjacent Properties	
West	Lady Lake - Commercial Tourist (CT)
East	Lady Lake- Heavy Commercial (HC) and Mixed Single Family Low Density (MX-5); Lake County – Agriculture
North	Lady Lake– Public Facilities District (PFD), Lake County – Agriculture
South	Lady Lake – Multi-Family 12 dwelling Units per acre (MF-12)

Notices to inform the surrounding property owners (17) within 150’ of the property of the proposed amendment were mailed on Monday, March 28, 2016, and the property was posted this same date. There have been four inquiries regarding this application.

The Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-15 and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the April 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-15 by a vote of 3-0. At the May 2, 2016 meeting, the Town Commission voted 5-0 for approval of Ordinance No. 2016-15.

Mayor Kussard asked if anyone had any questions or comments, and hearing none, asked for a motion.

Mr. Carroll stated Ms. Strange is present to answer any questions.

Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved the second/final reading of Ordinance No. 2016-15, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>KUSSARD</i>	<i>NO</i>

9. Ordinance No. 2016-16 – Second/Final Reading – Special Exception Use (SEU) – Lady Lake Inc. – Requesting to Incorporate the Recreational Vehicle (RV) Park Land Use Within the Commercial Tourist (CT) Zoning Classification; Property Being 29.43 ± Acres of Land – Located At 609 Highway 466, Being North of Highway 466, West of North Clay Avenue, and East of Rolling Acres Road (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, Bret Jones, P.A., has submitted a Special Exception Use (SEU) application on behalf of Lady Lake, Inc. to incorporate the Commercial Tourist land use as permitted under an existing parcel located at 609 Highway 466 (Alternate Key 1120829). In accordance with the Town of Lady Lake Land Development Regulations, Chapter 5, Section 5-4, k).2).B), upon approval of a Special Exception Use application, a Recreational Vehicle (RV) Park can be established within the Commercial Tourist Zoning District. Staff recommends approval of this ordinance.

The property is currently being utilized as a storage area for the adjacent RV park currently in existence. Future land use plan amendment and rezoning applications have been submitted concurrently to change the land use and zoning from Mixed Residential Medium Density (MX-8) to Commercial Tourist (CT) to allow for the proposed 232-unit RV Park. The conceptual plan highlights a complete facility to include clubhouse, pool, and pickle ball courts. The projected density for the plan is approximately eight units/acre.

As per the Town's Land Development Regulations, a *recreational vehicle park (or RV park)* is defined as: a parcel of land under single ownership, where sites are offered for rent for the

temporary placement of recreational vehicles being used for travel, recreation or vacation purposes.

Mr. Carroll pointed out that there have been a few changes since the first reading, and he reviewed them as follows:

- Under Item 11: s) Restaurant (For Park Residents and accompanied Guests)
- Under Item 16 for the Special Exception Use, the following items have been added: h) driveways, i) carports, j) screen rooms, k) Florida rooms, and l) utility sheds.

Mr. Carroll stated that these are permitted under the current conditional use permits and memorandum of agreements that have been authorized for this property.

The subject property involving approximately 29.43 ± acres lies in Section 17, Township 18, Range 24 in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Property	Lady Lake – Mixed Residential - Medium Density (MR-MD) - Upto 8 du/ac
Future Land Use of Adjacent Properties	
West	Lady Lake - Commercial Tourist (CT)
East	Lake County – Urban Low Density, Lady Lake Mixed Residential Low Density (MR-LO) and Commercial General - Retail Sales and Services (RET)
North	Lake County – Urban Low Density, Lady Lake – Religious Facilities (RF)
South	Lady Lake – Multi-Family Low-Rise 12 dwelling units per acre (MF-LR)

Zoning

Subject Property	Lady Lake- Mixed Residential Medium Density (MX-8)
Zoning of Adjacent Properties	
West	Lady Lake - Commercial Tourist (CT)
East	Lady Lake- Heavy Commercial (HC) and Mixed Single Family Low Density (MX-5); Lake County - Agriculture
North	Lady Lake- Public Facilities District (PFD), Lake County - Agriculture
South	Lady Lake – Multi-Family 12 dwelling Units per acre (MF-12)

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, and solid waste) and recreational facilities.

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

Notices to inform the surrounding property owners (17) within 150' of the property of the proposed amendment were mailed on Monday, March 28, 2016, and the property was also posted this same date.

The Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-16 and provided comments on April 21, 2016, determining the application to be complete and ready for transmittal to the Town Commission. The Planning and Zoning Board does not review Special Exception Use applications. At the May 2, 2016 meeting, the Town Commission voted 5-0 for approval of Ordinance No. 2016-16 upon First Reading.

Mr. Carroll noted that under Section 2 (on page 3 of Ordinance 2016-16), items 20 and 23 have removed the requirement for Planning and Zoning Board recommendations for the SEU to be cancelled or revoked as the Planning and Zoning Board does not review Special Exception Use applications.

Mr. Carroll commented again that he does not have all the prior CUPs and agreements before him this evening and cannot confirm or deny with certainty whether camping would be allowed, but it is his recollection that in one of the ordinances, it was prohibited.

Town Manager Kris Kollgaard noted that under Section 2, #3, it states that the terms and conditions established in prior ordinances, resolutions and agreements pertaining to Recreation Plantation are hereby incorporated by this reference. She stated that “except for any and all fees” needs to be added to this statement so that the Town is not locked into fees charged in the past.

Ms. Strange agreed to this added language. She stated she prepared a red line copy of the ordinance with the revisions showing on paragraphs #3, #14, #16 and #21. Ms. Kollgaard passed out this copy to the Commissioners, and Ms. Strange reviewed the revisions.

Mayor Kussard asked if there was a determination on the tents. She stated it should be taken out since this is an item that is expressly prohibited. She asked how the other Commissioners feel about this.

Commissioner Richards stated that this agreement is mirroring the original agreement and it would be logical to recognize and grandfather in this item. He pointed out that the total usage is under the Special Exception Use.

Mayor Kussard stated that this is an item that was missed in the original agreements, and is an issue that is prohibited by the Town’s Land Development Regulations.

Ms. Strange stated the reference to tents has been there since the beginning, and has not been missed since first reading.

Commissioner Hannan stated it does not make sense to take the reference to tents out now, and he agreed with Commissioner Richards.

Mr. Carroll commented that there was no clarification since the first reading regarding whether tents are a campground use; although Ms. Strange said they were willing to limit the number of sites that could be used at any given time that could be used for camping.

Mayor Kussard asked if there were any further questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved the second/final reading of Ordinance No. 2016-16 with changes made on October 3, 2016, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>KUSSARD</i>	<i>NO</i>

10. Ordinance No. 2016-25 – First Reading – Annexation – The Villages of Lake-Sumter, Inc. – Approximately 0.64+/- Acres of Property Referenced by Alternate Keys 2594179, 2575042, 2787104, 2706236, and 2722029; Five Lots Located Within Orange Blossom Gardens Units 3-1.B and 4, 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., has filed applications to annex properties consisting of five lots located within Orange Blossom Gardens Units 3-1.B and 4. The annexation application involves annexing 0.64 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. Staff recommends approval of this ordinance.

The five lots include the following addresses:

- 803 Maple Lane
- 852 Silver Oak Avenue
- 812 Beechwood Avenue
- 810 Beechwood Avenue
- 943 Tarrson Boulevard

A map of the area was shown, as were surveys of each lot, an aerial view of the area delineating the parcels, and photos of the posting of each property.

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 each property has 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 Monday, July 25, 2016 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 transmittal to the Town Commission.

Notices to inform the surrounding property owners (89) within 150 feet of the properties proposed by annexation request were mailed Monday, August 1, 2016. The properties were posted Thursday, August 4, 2016. No objections or letters of support have been received to date.

The Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-25, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the September 12, 2016 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-25 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance No. 2016-25 for second/final reading on Monday, October 17, 2016 at 6:00 p.m.

Mr. Carroll noted that this is the seventh wave of annexations and will bring the total number of parcel annexation requests to 39 including this one. He stated Mr. Dzuro is present if there are any questions.

Mayor Kussard asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved the first reading of Ordinance No. 2016-25, by the following roll call vote:

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

11. Ordinance No. 2016-26 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – Change from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density – Approximately 0.64+/- Acres of Property Referenced by Alternate Keys 2594179, 2575042, 2787104, 2706236, and

2722029; Five Lots Located Within Orange Blossom Gardens Units 3-1.B and 4, 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., has filed applications to amend the Future Land Use Comprehensive Plan for properties consisting of five lots located within Orange Blossom Gardens Units 3-1.B and 4, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves annexing 0.64 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. Staff recommends approval of this ordinance.

The proposed properties are as follows:

- 803 Maple Lane
- 852 Silver Oak Avenue
- 812 Beechwood Avenue
- 810 Beechwood Avenue
- 943 Tarrson Boulevard

A map of the property and adjacent properties, and the future land use map was shown.

The Small Scale Future Land Use Map Amendment application was received on Monday, July 25, 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 transmittal to the Town Commission.

Concurrency Determination Statement: 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 Villages has removed existing manufactured homes on five (5) lots in a 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 stated there is no impact on Town services as follows:

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 small scale future land use amendment 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.

The subject properties involve approximately 0.64 ± acres lie 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
Future Land Use of Adjacent Properties	
West	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
East	Lake County – Medium Urban Density/ Lady Lake Manufactured Home High Density
North	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
South	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density

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.

Mr. Carroll reported that notices to inform the surrounding property owners (89) within 150’ of the property of the proposed amendment were mailed on Monday, August 1, 2016. The properties were posted on Thursday, August 4, 2016. There have been no objections or letters of support to date.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-26 and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the September 12, 2016 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-26 to the Town Commission with the recommendation of approval. The Local Planning Agency considered this ordinance earlier this evening and recommended approval by a 5-0 vote. The Town Commission is scheduled to consider Ordinance No. 2016-26 for second and final reading on Monday, October 17, 2016 at 6:00 p.m.

Mr. Carroll stated Mr. Dzuro is present if there are any questions.

Mayor Kussard asked if anyone had any questions or comments, 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. 2016-26, by the following roll call vote:

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

12. Ordinance No. 2016-27 – First Reading – Rezoning – The Villages of Lake-Sumter, Inc. – From Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) – Approximately 0.64+/- Acres of Property Referenced by Alternate Keys 2594179, 2575042, 2787104, 2706236, and 2722029; Five Lots Located Within Orange Blossom Gardens Units 3-1.B and 4, 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., has filed an application to rezone properties consisting of five lots located within Orange Blossom Gardens Units 3-1.B and 4. The application involves rezoning 0.64 +/- 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. Staff recommends approval of this ordinance.

The proposed properties are as follows:

- 803 Maple Lane
- 852 Silver Oak Avenue
- 812 Beechwood Avenue
- 810 Beechwood Avenue
- 943 Tarrson Boulevard

The Rezoning application was received on Monday, July 25, 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 transmittal to the Town Commission.

A map of the subject properties and a map showing the zoning of the area was shown.

Notices to inform the surrounding property owners (89) within 150’ of the property of the proposed annexation were mailed Monday, August 1, 2016. The properties were posted Thursday, August 4, 2016.

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)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM)/ Lady Lake Mixed Residential Medium Density (MX-8)
East	Lake County Residential Medium (RM)/ Lady Lake Mixed Residential Medium Density (MX-8)
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)

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-27, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the September 12, 2016 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-27 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance No. 2016-27 for second/final reading on Monday, October 17, 2016 at 6:00 p.m.

Mr. Carroll stated Mr. Dzuro is present if there are any questions.

Mayor Kussard asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved the first reading of Ordinance No. 2016-27, by the following roll call vote:

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

13. Ordinance No. 2016-29 – Second/Final Reading – Special Exception Use – Basics: Range & Gun, LLC – Requesting to Incorporate the Gun Range Land Use Within the Heavy Commercial (HC) Zoning Classification – Located on Property Being 11.12 +/- Acres at 315 S. Highway 27/441 (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, Mr. Franklin Dickinson, owner and operator of Basics: Range & Gun, LLC, has filed an application for a Special Exception Use within the Heavy Commercial Zoning Designation, to establish an Indoor Gun Range on property located at 315 South Highway 27/441, being 11.12 +/- acres in the Town of Lady Lake, Florida. Staff recommends approval of this ordinance.

Mr. Dickinson has operated an indoor gun range in Orange Park, Florida for approximately two and a half years and would like to develop a multi-phase, multi-tenant development to include a 24,150 square foot building for Phase I; featuring a 10,350 sq. ft. area to include a 20-lane tactical and

bull’s eye indoor gun range area, 3,600 sq. ft. for gun shop and educational area, and an additional 10,200 sq. ft. of retail sales and services.

The subject property lies in Section 21, Township 18 South, Range 24 East, and is zoned “HC” Heavy Commercial. A Special Exception Use is required to be granted by the Town Commission as per the provisions of Town of Lady Lake Land Development Regulations, Chapter 6, Section 6-2). g).15). to allow for the establishment of the indoor gun range. The Future Land Use Map designation for the property is Commercial General-Retail Sales and Services (RET), which is compatible and consistent with the proposed uses of the property.

Mr. Carroll reported there have been no changes since the first reading. Views of the subject parcel and adjacent parcels were shown, as was a drawing of the conceptual plan, an aerial view of the property with site outlined, a rendering of the style of the proposed building, and photos of the posting of the property.

The proposed project will be built following elements of the Spanish Mission Architectural Design Style; specifically, a design replicating the Alamo. Any landscaping waivers will be brought before the Parks, Recreation, and Tree Advisory Committee, and any commercial landscaping waivers will be brought before the Town Commission for final consideration as part of the site plan application process.

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

Future Land Use

Subject Property	Lady Lake – Commercial General – Retail Sales and Services (RET)
Future Land Use of Adjacent Properties	
West	Lady Lake – Commercial General – Retail Sales and Services (RET)
East	Lady Lake Manufactured Homes High Density (MH-HD)
North	ROW/ Lady Lake – Commercial General – Retail Sales and Services (RET)
South	ROW/ Lady Lake – Commercial General – Retail Sales and Services (RET)

Zoning

Subject Property	Lady Lake– Heavy Commercial (HC)
Zoning of Adjacent Properties	
West	ROW/ Lady Lake– Heavy Commercial (HC)
East	Lady Lake– Manufactured Homes High Density (MH-9)
North	ROW/Lady Lake– Heavy Commercial (HC)
South	Lady Lake– Heavy Commercial (HC)

Should the Special Exception Use application be approved, the site plan process would follow, at which time the applicant will be required to submit a full site plan application, traffic study, noise study, environmental assessments, geotechnical and drainage reports, etc. Town staff would conduct a comprehensive site plan review to include parking, landscaping, commercial design standards, and signage requirements.

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

Notices to inform the surrounding property owners (20) within 150’ of the property of the proposed amendment were mailed on Tuesday, September 6, 2016, and the property was posted Tuesday, September 13, 2016.

Mr. Carroll noted that at the meeting during first reading, the applicant has agreed to meeting with residents of the Oak Grove Subdivision as part of the site plan process to make sure their concerns are voiced. This will be coordinated when the application comes in for the site plan.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-29 and determined it to be complete and ready for transmittal to the Town Commission. It was noted that the Planning and Zoning Board does not review Special Exception Use applications. At First Reading on Wednesday, September 21, 2016, the Town Commission voted 4-1 for approval of Ordinance No. 2016-29.

Mayor Kussard asked if anyone had any questions or comments.

- David Hodgkins of 314 Ivanhoe Circle stated it has been his observation on previous construction sites that permits are necessary to take down trees, and he noted there are a lot of trees on this parcel. He also noted that many times when trees are taken down and the site is cleared, these items are burned, and this concerned him as he has breathing problems.

Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission approved the second/final reading of Ordinance No. 2016-29, by the following roll call vote:

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

M. TOWN MANAGER’S REPORT:

Town Manager Kris Kollgaard reported that staff will arrange a meet and greet for the Town’s contractors to meet with the inspectors from M.T. Causley sometime this month.

Ms. Kollgaard stated that if the Commission approves, a workshop will be scheduled at 5:00 p.m. on October 17, 2016, prior to the regular Commission meeting, to go over a few items such as the municipal WAN fiber, future utilities building, and web design update.

The Commissioners agreed to this workshop.

N. MAYOR/COMMISSIONER’S REPORT:

Commissioner Hannan reported that he attended the Florida League of Cities Legislative Policies meeting last Friday in Kissimmee. He reported on some of the items that are being taken to the legislature; including CRAs (special taxing district), curbing of sound, permitting and expired permits, annexation, ethics and taxpayer funding for Enterprise Florida. Further details can be obtained by contacting David Cruz of the Florida League of Cities.

Commissioner Richards reported that he spoke with the Town Manager regarding a noise problem one of his neighbors brought to his attention. The noise problem is with the outpatient medical center located on US 27/441 across from the Villages Hospital, in Sumter County. He stated they have changed compressors and tanks and the noise is radiating out.

Ms. Kollgaard stated she will meet with management and try to come up with a solution to buffer the sound.

Mayor Kussard commented that this is the first time in her memory that this Commission has passed ordinances without allowing public notice of the changes, and she stated she is very disappointed. She also reminded everyone that National Night Out is at The Home Depot tomorrow night, Tuesday, October 4, 2016 from 4:00 p.m. to 7:00 p.m. She stated this is always a wonderful event for both children and adults.

O. PUBLIC COMMENTSⁱ

Mayor Kussard asked if there were any further questions or comments

- Dan Bard of 1021 Del Rio Drive asked if a decision was made in regard to allowing tents at Recreation Plantation, and if the number was limited.

There was input by several Commissioners and Mr. Schroth, and it was conveyed that tents are being allowed as they were in previous agreements with Recreation Plantation and no limit on the number of tents was set.

P. ADJOURN: The meeting was adjourned at 7:10 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

ⁱ *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.*