

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

March 6, 2017

This 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 Jim Richards presiding. The meeting convened at 6:00 p.m.

- A. CALL TO ORDER:** Mayor Jim Richards
- 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:** Reverend Jerry Montgomery – Immanuel Baptist Church
- D. PLEDGE OF ALLEGIANCE** led by Lowell Barker
- E. ROLL CALL:** Ruth Kussard, Commissioner Ward 1
Tony Holden, Commissioner Ward 2
Dan Vincent, Commissioner Ward 3
Jim Richards, Mayor/Commissioner Ward 5
- ABSENT:** Paul Hannan, Commissioner Ward 4

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C. T. Eagle, Public Works Director; Tia O’Neal, Human Resource Director; Pam Winegardner, Finance Director; Debbie Rodriguez-Lopez, Senior Accounting Clerk; Chief Chris McKinstry, Police Department; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS: Mayor Richards asked if there were any comments from the audience; there were no comments at this time.

G. PRESENTATION:

1. Check Presentation from American Legion Post #347 Women’s Auxiliary to the Lady Lake Police Department for Assistance with Community Fairs in 2017 (Chris McKinstry)

2. Check Presentation by Orange Blossom Gardens Lions Club to the Lady Lake Police Department for Assistance with Community Fairs in 2017 (Doris Turlo/Chris McKinstry)

Police Chief Chris McKinstry thanked the American Legion Post #347 Women’s Auxiliary (\$2,000) and the Orange Blossom Gardens Lions Club (\$1,500) for their generous donations toward the police

department's events. He stated that 40 happy children attended this past Saturday's Spring Into Safety event and received new bicycles as a result. Chief McKinstry stated that without these dedicated community partners, it would not be possible to hold such events that make everyone feel good. He thanked them again for their unwavering support.

H. CONSENT:

3. **Minutes – February 22, 2017 – Special Commission Meeting**
– February 22, 2017 – Special Conceptual Commission Meeting
4. **Consideration of Holding the Scam-Jam-Shred-A-Thon on April 1, 2017 (Chris McKinstry)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Lady Lake Police Department (LLPD) is requesting to co-host the annual Scam Jam Shred-A-Thon on Saturday, April 1, 2017 from 10 a.m. until 2 p.m. in the north front parking area 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, the LLPD 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 shred trucks are being made available courtesy of Citizens First Bank. Community partners for this event will include, among others: Citizens First Bank, Target, Seniors vs. Crime, and local law enforcement agencies. This event will be advertised locally through area businesses and news media.

5. **Consideration of the Lake County Supervisor of Election's Request to Use the Community Building as a Polling Place for Precinct #11 for the Election on November 7, 2017 (Kris Kollgaard)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Lake County Supervisor of Elections is requesting to utilize the Town's Community Building as a Polling Place for Precinct #11 for the General Election on November 7, 2017.

6. **Consideration of the FY 2017-2018 Interlocal Agreement between the Town of Lady Lake and the Lake-Sumter Metropolitan Planning Organization for Funding and Implementation of the Transportation Management System (C.T. Eagle)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Lake-Sumter Metropolitan Organization (MPO) and local governments entered into agreements for the creation, funding and implementation of a Master Transportation Management System Program in November of 2012. This agreement continues and clarifies these services. This is a budgeted item.

Mayor Richards asked if there were any questions regarding the consent items, and hearing none, asked for a motion.

Upon a motion by Commissioner Vincent and a second by Commissioner Kussard, the Commission approved Consent Items H-3 through H-6 by a vote of 4 to 0.

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

J. NEW BUSINESS:

7. Consideration of Approval to Accept Change Order Number One for the Safe Routes to School Sidewalk Project Along County Road 25 and Oak Street (Mike Burske)

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Clerk's Office) for Parks and Recreation Director Mike Burske. She stated that per the cover letter for the change order, four different requests need to be addressed., and these expenses, totaling \$7,351.95, will not be reimbursed by F.D.O.T. Ms. Kollgaard reviewed the items on the change order as follows:

- 1) The county has recently requested the use of 3000 psi non-structural concrete on their right-of-way at an additional cost of \$2,795.65, although this design was approved over a year ago.
- 2) The apron on the north side of Fennell Blvd. and CR 25 needs to be reconfigured to comply with the proper A.D.A. angle needed. F.D.O.T. accepted this very small segment at the last minute, as we originally thought we had right-of-way issues with this area and were going to have to construct it ourselves. The cost for this is \$1,324.80.
- 3) One hundred feet of telephone cable had to be moved at a cost of \$3,231.50.
- 4) An additional two days has to be added to the contract which is not expected to cause any problems.

Ms. Kollgaard noted that the F.D.O.T. has granted over \$1,000,000 in funds for the sidewalk project over the past few years, and this is the first time the Town has needed to fund a change order.

Commissioner Vincent asked if the need for relocating telephone cable is a result of new legislation that has passed, and Ms. Kollgaard replied that it is not related.

Upon a motion by Commissioner Kussard and a second by Commissioner Holden, the Commission approved Change Order Number One for the Safe Routes to School Sidewalk Project Along County Road 25 and Oak Street by a vote of 4 to 0.

8. Consideration of the Water and Sewer Utility Agreement for the Fresenius Medical Care Dialysis Clinic-Lady Lake – MJSP 11/16-001- A Development Proposing 7,104 +/- Sq. Ft. of Medical Office – Located at 310 Longview Avenue (Alternate Key 3818836) (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 Habashy and Habashy, LLC, is the fee simple owner of approximately 1.47+/- acres of real property addressed as 310 Longview Drive, approximately 350 lineal feet west of the intersection of North Highway 27/441 and Longview Avenue, identified by Alternate Key Number 3818836, within the jurisdiction of Lady Lake, Lake County, Florida. The owner has presently entered into an agreement to sell the land to Lady Lake Healthcare, LLC upon securing a development order, water and sewer utility capacity reservation, and approval of building permits for the construction of approximately 7,104+/- sq. ft. of medical office for a dialysis clinic, which was approved by the Town Commission on February 22, 2017, with a development order issued on February 23, 2017.

Mr. Carroll stated that the site was originally approved under the project name of "Longview Professional Plaza," proposing 12,352 sq. ft. of medical space, which received site plan approval on July 6, 2009. At that time, the developer/owner reserved five water and sewer ERUs. Lady Lake Healthcare, LLC needs a total of 25 ERUs, so they are seeking additional reservation of 20 equivalent

residential units (ERUs) or 5,000 gallons per day for water and sewer to be utilized by the dialysis clinic operations.

The developer has agreed to utilize the Town's water distribution and sanitary sewer collection facilities to benefit the development and for use of the water and sewer facilities on the terms and conditions hereinafter set forth in the attached agreement, as provided by Utility (the Town). This agreement was reviewed by Town Attorney Derek Schroth, and was determined to be correct in form for consideration and approval by the Town Commission.

Mayor Richards asked if there were any questions, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and a second by Commissioner Kussard, the Commission approved Water and Sewer Utility Agreement for the Fresenius Medical Care Dialysis Clinic-Lady Lake – MJSP 11/16-001 by a vote of 4 to 0.

K. TOWN ATTORNEY’S REPORT:

9. Resolution No. 2017-103 – First/Final Reading – Allowing Individual Employee Loans from ICMA Account 401(a) (Tia O’Neal)

Town Attorney Derek Schroth read the resolution by title only.

Human Resource Director Tia O’Neal gave the background summary for this agenda item (on file in the Clerk’s office). She stated that this item was brought to the Commission at the February 22, 2017 meeting for direction and discussion. The commission approved for staff to bring this item back for formal approval and adoption of a new resolution allowing loans from the employees’ ICMA 401(a) accounts.

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

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved the first/final reading of Resolution No. 2017-103, by the following roll call vote:

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

10. Resolution No. 2017-104 – First/Final Reading – Allowing Individual Employee Loans from ICMA Account 457 (Tia O’Neal)

Town Attorney Derek Schroth read the resolution by title only.

Human Resource Director Tia O’Neal gave the background summary for this agenda item (on file in the Clerk’s office). She stated that this item was brought to the Commission at the February 22, 2017 meeting for direction and discussion. The commission approved for staff to bring this item back for formal approval and adoption of a new resolution allowing loans from the employees’ ICMA 457 accounts.

Upon a motion by Commissioner Kussard and seconded by Commissioner Vincent, the Commission approved the first/final reading of Resolution No. 2017-104, by the following roll call vote

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

11. Ordinance No. 2017-01 – First Reading – Annexation T-Lynne Properties, LLC – Annexation request for One Parcel; Approximately .51 +/- Acres Located along the West Side of County Road 25, approximately 650 +/- Lineal Feet North of the Intersection of Griffin Avenue and County Road 25, Lake County, FL (Alternate Key 3785245) (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 an annexation application has been filed with the Town of Lady Lake by Lawrence D. Breech on behalf of T-Lynne Properties, LLC, to annex one parcel of land, along the west side of County Road 25, approximately 650 +/- lineal feet north of the intersection of Griffin Avenue and County Road 25, identified by Alternate Key 3785245, within Lake County, Florida. This piece of property is located right across the street from the Church at the Springs Lady Lake Campus.

A map of the property was shown, as were aerial views of the property, photos of the postings, and the survey map submitted by the property owner.

The parcel is currently vacant, and the owner/developer proposes a multi-tenant development complex proposing a total of 6,600 sq. ft. of commercial medical, office, or retail, sales and services featuring two 3,300 sq. ft. two-story buildings with three apartments on the second floor of each. The applicant presented his concept before the Special Town Commission Conceptual Workshop at November 21, 2016 meeting.

The subject properties lie in Section 08, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property were included with the submitted application.

The annexation application was received on Thursday, January 5, 2017, 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.

Mr. Carroll reported that notices to inform the surrounding property owners (12) within 150 feet of the properties proposed by annexation request were mailed Monday, January 23, 2017. The properties were posted Monday, January 30, 2017. No objections or letters of support have been received, although residents were present to comment at the Special Commission Conceptual Workshop meeting.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-01, provided comments by January 18, 2017, and determined the

application to be complete and ready for transmittal to the Planning and Zoning Board. At the February 13, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-01 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, March 20, 2017 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments.

- Fred Miller stated he owns the property directly south of this parcel, and voiced his concern regarding increased traffic on C.R. 25, and the fact there are no deceleration lanes right now He asked the Town to do what they can to push for them.

Commissioner Kussard clarified that traffic issues will be addressed during the site plan process.

Mr. Carroll agreed, stating the applicant will meet with the County’s Public Works Department at that time.

Mayor Richards commented the need for deceleration lanes would depend on the amount of traffic that this particular development would create.

- Barb Lutz of 441 Tarrson Blvd. stated she will be directly impacted by this development, and asked about the 21 peak pm trips for traffic. She stated it seems there will be a lot more traffic added to C.R. 25 if proposed businesses are there from 6 a.m. to 9 p.m.

Mr. Carroll replied that it would be the highest volume of trips for the afternoon hours.

Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved the first reading of Ordinance No. 2017-01 by the following roll call vote:

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

12. Ordinance No. 2017-02 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment T-Lynne Properties, LLC – Requesting an Amendment from Lake County Urban Medium Density to Lady Lake Commercial General-Retail Sales and Services (RET) – for One 51 +/- Acre Parcel Located Along the West Side of County Road 25, approximately 650 +/- Lineal Feet North of the Intersection of Griffin Avenue and County Road 25, Lake County, FL (Alternate Key 3785245) (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 small scale comprehensive plan amendment application has been filed with the Town of Lady Lake by Lawrence D. Breech on behalf of T-Lynne Properties, LLC, to amend the future land use of one parcel of land along the west side of County Road 25, approximately 650 +/- lineal feet north of the intersection of Griffin Avenue and County Road 25,

identified by Alternate Key 3785245, within Lake County, Florida. He stated staff recommends approval of this ordinance.

The proposed Small Scale Comprehensive Plan Amendment is a land use change from Lake County Urban Medium to Town of Lady Lake Commercial General- Retail Sales and Services (RET) for the +/- .51-acre parcel. The subject properties lie in Section 08, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property were included with the submitted application.

A map of the property and a map of the zoning designations of the parcel and adjoining parcels was shown.

The small scale future land use amendment application was received on Thursday, January 5, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required 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.

Concurrency Determination Statement: The proposed small scale comprehensive plan amendment is a land use change from Lake County Urban Medium to Town of Lady Lake Commercial General-Retail Sales and Services (RET) for the annexation of a +/- .51-acre parcel to combine an existing +/- 1.11-acre parcel for a multi-tenant development complex proposing a total of 6,600 sq. ft. of commercial medical, office, or retail, sales and services featuring two 3,300 sq. ft. two-story buildings with three apartments on the second floor of each. The rezoning change is from Lake County C-2 to Lady Lake Planned Commercial (CP).

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

Potable Water – Eleven water ERUs are expected to be needed to service the site. Town has capacity to service the proposed development at this time.

Sewer – Eleven sanitary sewer ERUs are expected to be needed to service the site. Town has capacity to service the proposed development at this time.

Schools – The school impact expected based on the proposed six apartment units. Using the updated Lake County student generation rates based on the recently-updated impact fee study, minimum impact expected with a maximum of three school children (one student for each school):

	MF-DU	# of Apartments	School Impact (based on MF-DU)
Total	0.283	6	3
Elementary	0.143	6	1
Middle School	0.063	6	1
High School	0.077	6	1

Transportation –

TRIP GENERATION - PROPOSED

Once trip generation rates are established, trip generation volumes can be calculated based upon the size and extent of the development. Table 2 summarizes the trip generation for the proposed project.

Table 2 - Trip Generation Volumes (Proposed)

LAND USE	AMOUNT	PM PK HR		
		Vol.	In	Out
Apartment	6 Dwelling Units	4	3	1
Specialty Retail Center	6,400 SF of GFA	17	7	10
TOTAL		21	10	11

In order to determine the net effect of the site on the road system, the trip generation volumes need to be adjusted to consider the effects of internal capture and pass-by

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 proposing for a maximum of six dwelling units.

Stormwater – Project will be required to adhere to SJRWMD guidelines. As per FEMA FIRM MAP 12069C0160E effective 12/18/2012, the parcel(s) is Flood Zone X- Outside the 500-yr Floodplain.

Future Land Use

Subject Properties	Lake County-Urban Medium Density
Future Land Use of Adjacent Properties	
West	Lady Lake- Mixed Residential- Medium Density (MR-MD)
East	ROW/ Lady Lake- Commercial General- Retail Sales and Services (RET)
North	Lady Lake- Commercial General- Retail Sales and Services (RET)
South	Lake County- Urban Medium Density

Comments: Annexation and rezoning applications have been submitted concurrently with this small scale future land use amendment application.

Mr. Carroll reported that notices to inform the surrounding property owners (12) within 150 feet of the properties proposed by annexation request were mailed Monday, January 23, 2017. The properties were posted Monday, January 30, 2017.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-02, provided comments by January 18, 2017, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the February 13, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-02 to the Town Commission with the recommendation of approval. The Local Planning Agency considered Ordinance No. 2017-02 earlier this evening and voted 4-0 for approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, March 20, 2017 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments.

Commissioner Vincent commented about the way the traffic trip study should be figured.

Mayor Richards noted that under the trip generation proposed, the report states in small print that in order to determine the net effect on the site on the road systems, the trip generation volumes need to be adjusted to consider the affects of internal capture and pass-by. He stated the county will consider all the vehicles going in and out of the development, as well as the traffic on C.R. 25, in their analysis.

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2017-02 by the following roll call vote:

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

13. Ordinance No. 2017-03 – First Reading – Rezoning – T-Lynne Properties, LLC – From Lake County Community Commercial District (C-2) and Lady Lake Planned Commercial (CP) to Lady Lake Planned Commercial (CP) – for Two Parcels; Approximately 1.63 +/- Acres Located Along the West Side of County Road 25, Approximately 650 +/- Lineal Feet North of the Intersection of Griffin Avenue and County Road 25, Lake County, FL (Alternate Keys 3785245 and 2933089) (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 rezoning application has been filed with the Town of Lady Lake by Lawrence D. Breech on behalf of T-Lynne Properties, LLC, requesting rezoning for two parcels of land along the west side of County Road 25, approximately 650 +/- lineal feet north of the intersection of Griffin Avenue and County Road 25, identified by Alternate Keys 3785245 and 2933089, within Lake County, Florida. The combined parcels total 1.63 +/- acres of land for the development of a multi-tenant development complex, proposing a total of 6,600 sq. ft. of commercial medical, office, or retail, sales and services featuring two 3,300 sq. ft. two-story buildings with three apartments on the second floor of each. Mr. Carroll stated that staff recommends approval of this ordinance.

The subject properties lie in Section 08, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property were included with the submitted application.

The rezoning application was received on Thursday, January 5, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for rezoning. 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.

Mr. Carroll presented an updated map depicting both parcels, the .51-acre parcel discussed during the previous ordinances and another parcel that is 1.12 acres, as well as a zoning map of adjacent properties and the proposed permitted uses for this site.

Zoning

Subject Property	Lake County Community Commercial District (C-2) and Lady Lake Planned Commercial (CP)
Zoning of Adjacent Properties	
West	Lady Lake- Mixed Residential Medium Density (MX-8)
East	ROW/Lady Lake Planned Commercial (CP)
North	Lady Lake Planned Commercial (CP)
South	Lake County Community Commercial District (C-2)

Mr. Carroll review some of the highlights of the proposed permitted land uses under this ordinance’s MOA as follows:

1. Permitted Uses. Retail sales and services, business services, personal services, financial services, offices, medical office/clinic, apartments, restaurants, and clubs, lodges, and fraternal organizations.
2. Uses Expressly Prohibited. Any and all uses other than those aforementioned as “permitted uses” shall be expressly prohibited.
3. Hours of Operation. The hours of operation for the businesses shall be open at 6:00 a.m. and close at 9:00 p.m.
4. Design Standards.
 - A. The maximum impervious surface ratio (which includes building coverage) shall be limited to eighty percent (80%).
 - B. Maximum building height is thirty-five feet (35’) unless adequate fire protection measures are provided.
 - C. Setback requirements shall be:
 1. Front Yard Setback- fronting CR 25 – thirty-five feet (35’)
 2. Rear Yard Setback: ten feet (10’)
 3. Side Yard Setback: another lot-ten feet (10’)

Mr. Carroll reported that notices to inform the surrounding property owners (12) within 150 feet of the properties proposed by annexation request were mailed Monday, January 23, 2017. The properties were posted Monday, January 30, 2017.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-03, provided comments by January 18, 2017, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the February 13, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-03 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, March 20, 2017 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions. He noted that there were some concerns brought up at the last meeting regarding a wall, and an 8’ high stucco wall is shown on this plan.

Commissioner Kussard stated that she would prefer to see the hours of operation be 7 a.m. to 9 p.m. rather than 6 a.m. to 9 p.m. because of the development’s close proximity to homes.

Mr. Lawrence Breech introduced himself as the managing member of T. Lynne Properties, and stated he would not have a problem changing the operating hours to 7 a.m. to 9 p.m.

Commissioner Kussard asked if Mr. Breech plans on constructing the 8’ masonry wall to the west of the property prior to other construction as mentioned at the Planning and Zoning Board meeting.

Mr. Breech replied that he would prefer to build the wall simultaneously as he would have the crews there, and after further discussion, it was agreed that he could build the wall simultaneously.

- Barb Lutz of 414 Tarrson Blvd. stated her property is directly behind this proposed development, and that she was told by the real estate person when she bought this property that it would never be developed. She stated she would prefer that the wall would be constructed first, so that construction crews would not try to come through or park on their yards.

Commissioner Kussard stated that it would not be likely to happen because it would be out of their way.

Mayor Richards stated the crews would park on the job site, and it would be easier for the developer to put the wall in after clearing and before the building so that the equipment could get in. For the record, he confirmed with the developer that the wall would be built prior to the buildings being built and that it will be put in the MOA.

- Ms. Lutz voiced her concern about noise from this development; stating that per a Lake County ordinance, a noise study is required.

Mayor Richards replied that this would not apply once these ordinances are passed because the property is being annexed into Lady Lake.

Mr. Carroll noted that Lady Lake does have an ordinance regarding noise when there are differential land uses adjacent; a noise study can be required once the uses are set by the site plan.

- Ms. Lutz asked if there has been any consideration for the school buses that will be driving past this complex with regard to the sidewalk construction on C.R. 25. She stated she just wanted to go on record with residents’ concerns regarding this development; especially with second story apartment windows looking down on their properties.

Town Manager Kris Kollgaard stated that Lake County would have to extend the sidewalk if there were concerns about it.

Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved the first reading of Ordinance No. 2017-03 by the following roll call vote:

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

14. Ordinance No. 2017-05 – First Reading – Rezoning/CP MOA Amendment – SAP Property Holdings, LLC – Requesting to Rezone/Amend the Existing CP Memorandum of Agreement (Ord. 2000-16) – for a Parcel Located at 871 Highway 466, Approximately ¼ Miles

West of the Intersection of Rolling Acres Road and County Road 466, Lake County, FL (Alternate Key 1279721) (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 Thursday, January 19, 2017, a rezoning application was filed with the Town of Lady Lake by Loyde Sadlowski on behalf of SAP Property Holdings, LLC, to rezone/amend the existing Memorandum of Agreement for +/- 4.84 acres of land, approximately ¼ miles west of the intersection of Rolling Acres Road and County Road 466, identified by Alternate Key 1279721, within Lake County, Florida. Mr. Carroll stated staff recommends approval of this ordinance.

Mr. Carroll presented a map of the parcel; stating that it was once the easternmost piece of Goney's Nursery operation, which has since moved. A map showing the zoning of the parcel and adjacent properties was presented and photos of the posting of the property were shown.

The proposed rezoning/memorandum of agreement amendment is requesting to modify permitted land uses and landscaping buffer requirements under the existing agreement (Ordinance No. 2000-16). Mr. Carroll stated the following permitted land uses are proposed to be removed:

- Single family dwelling units for owner's/caretaker's residence
- Adult congregate living facility
- (Licensed) community residential homes with more than six residents
- Mini storage warehouse personal
- Ministorage to include motor vehicle, RV, and boat storage
- Multi-family dwelling units (six dwelling units per acre)

Mr. Carroll reviewed the proposed amendment to the MOA for permitted uses as follows:

Permitted Uses. Banks, business services, equipment rental with no outside storage or display, financial services (mortgage company, stock broker), health/exercise clubs, medical office/clinic, office complex, office condominiums, office supplies, office/warehouse facilities, offices, offset printing, personal services, wholesalers and distributors.

The maximum impervious surface ratio (which includes building coverage) shall be limited to 80%. Maximum building height is 35', unless adequate fire protection measures are provided. No minimum lot size or minimum lot width is required as the development may be condo platted.

Setback requirements shall be:

- 1) Front yard setback:
 - Local roadway - twenty-five feet (25')
 - Collector roadway - thirty-five feet (35')
 - Arterial roadway - fifty feet (50')
- 2) Rear Yard Setback: fifteen feet (15')
- 3) Side Yard Setback:
 - Another lot - five feet (5')
 - Local roadway - twenty-five feet (25')
 - Collector roadway - thirty-five feet (35')
 - Arterial roadway - fifty-feet (50')

A conceptual bubble plan of the proposed development was shown.

Mr. Carroll noted that landscaping buffers on the west and north property boundaries are proposed to be reduced from Landscaping Buffer Class “D,” which requires a 40-foot buffer, to Landscaping Buffer Class “A,” which requires a 10-foot buffer; for consistency with medical office complexes and surrounding developments along the Highway 466 corridor. He noted that the applicant has provided cross access, both to the east and to the west.

The subject property lies in Section 18, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property were included with the submitted application.

The rezoning application was received on Thursday, January 19, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for rezoning. 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.

Zoning

Subject Property	Lady Lake Planned Commercial (CP)
Zoning of Adjacent Properties	
West	Lake County- RA-Ranchette District
East	Lady Lake Planned Commercial (CP)
North	Lake County- RA- Ranchette District
South	ROW/Lady Lake Light Commercial (LC)

Future Land Use

Subject Property	Lady Lake Commercial General-Retail Sales and Services (RET)
FLU of Adjacent Properties	
West	Lake County- Urban Medium Density
East	Lady Lake Commercial General-Retail Sales and Services (RET)
North	Lake County- Urban Medium Density
South	ROW/ Lady Lake Commercial General-Retail Sales and Services (RET)

Mr. Carroll reported that notices to inform the surrounding property owners (5) within 150 feet of the properties proposed by annexation request were mailed Monday, January 23, 2017. The properties were posted Monday, January 30, 2017. He stated there has been one phone inquiry, but no objections or letters of support have been received regarding this project.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-05, provided comments by February 6, 2017, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the February 13, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-05 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance No. 2017-05 for second/final reading on Monday, March 20, 2017 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

Mayor Richards asked if the 10’ buffer is common for uses such as equipment rental with inside storage and warehousing. He asked if the applicant would approve having those uses removed from the permitted uses.

Mr. Carroll replied that a Class “B” or Class “C” buffer would most likely be required if the entire project was for a warehouse facility; a Class “A” buffer will be sufficient given that it is a mixed use.

Mr. Loyde Sadlowski, the applicant, stated he would be fine with these uses being removed as permitted uses from the MOA.

Commissioner Holden stated that he appreciates that the developer is providing cross access since the traffic on Rolling Acres Road is a serious problem at this time.

Mr. Sadlowski commented that he is trying to minimize the impact as best he can as a single property owner, and hopes that the property owner to the east will agree to have a connection toward the rear of the project for even more access. He stated it would be to everyone’s benefit.

Mayor Richards asked if there were any further 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. 2017-05 by the following roll call vote:

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

15. Ordinance No. 2017-06 – First Reading – Annexation The Villages of Lake-Sumter, Inc., – Requesting to Annex Two Lots Located Within Orange Blossom Gardens Unit 3.1B, Referenced by Alternate Key Numbers 2523077 and 2523832 (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 two lots located within Orange Blossom Gardens Units 3.1B. The annexation application involves annexing 0.27 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The lots are addressed as follows:

- 809 Silver Oak Avenue
- 827 Silver Oak Avenue

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

A map, survey, and an aerial view of the subject properties was shown, as were photos of the postings.

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 is non-contiguous to the existing municipal boundary. The proposed properties under this application exists as both contiguous and non-contiguous lots.

The annexation application was received on Tuesday, January 24, 2017, 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.

Mr. Carroll reported that notices to inform the surrounding property owners (46) within 150 feet of the property proposed by the annexation request were mailed Thursday, January 26, 2017. The properties were posted Monday, January 30, 2017. There have been no objections or letters of support received to date, although there was one phone inquiry from an adjacent property owner regarding the applications.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-06, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the February 13, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-06 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, March 20, 2017 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

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

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2017-06 by the following roll call vote:

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

16. Ordinance No. 2017-07 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – Requesting an Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density – for Two Lots Located Within Orange Blossom Gardens Unit 3.1B, Referenced by Alternate Key Numbers 2523077 and 2523832 (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 amend the future land use comprehensive plan designation for properties consisting of two lots located within Orange Blossom Gardens Unit 3.1B, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves annexing 0.27 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. The proposed properties are addressed as follows:

- 809 Silver Oak Avenue
- 827 Silver Oak Avenue

A map and an aerial photo depicting the future land use of the subject properties and adjacent property was shown.

The small scale future land use map amendment application was received on Tuesday, January 24, 2017, 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 propose to remove the existing manufactured homes on the lots to construct conventional built homes. 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 homes will be replaced with new homes. 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 property involves approximately 0.27 ± 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
East	Lake County Medium Urban Density
North	Lake County Medium Urban Density
South	Lake County Medium Urban 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 (46) within 150 feet of the property proposed by the SSFLUM amendment request were mailed Thursday, Thursday, January 26, 2017. The properties were posted Monday, January 30, 2017. There have been no objections or letters of support received to date.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-07, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the February 13, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-07 to the Town Commission with the recommendation of approval. The Local Planning Agency considered Ordinance No. 2017-07 earlier today and voted 4-0 for approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, March 20, 2017 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

Mayor Richards 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 Kussard, the Commission approved the first reading of Ordinance No. 2017-07 by the following roll call vote:

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

17. Ordinance No. 2017-08 – First Reading – Rezoning – The Villages of Lake-Sumter, Inc. – Requesting a Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed

Residential Medium Density (MX-8) – for Two Lots Located Within Orange Blossom Gardens Unit 3.1B, Referenced by Alternate Key Numbers 2523077 and 2523832 (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 property consisting of two lots located within Orange Blossom Gardens Units 3.1B. The application involves rezoning 0.27 +/- 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. The proposed properties are addressed as follows:

- 809 Silver Oak Avenue
- 827 Silver Oak Avenue

A map and an aerial view depicting the zoning of the subject properties and adjacent properties was shown.

The rezoning application was received on Tuesday, January 24, 2017, 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 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)
East	Lake County Residential Medium (RM)
North	Lake County Residential Medium (RM)
South	Lake County Residential Medium (RM)

Mr. Carroll reported that notices to inform the surrounding property owners (46) within 150 feet of the property proposed by the rezoning request were mailed Thursday, January 2017. The properties were posted Monday, January 30, 2017. No objections or letters of support have been received to date.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-08, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the February 13, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-08 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance No. 2017-08 for second/final reading on Monday, March 20, 2017 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

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

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2017-08 by the following roll call vote:

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

L. TOWN MANAGER’S REPORT:

18. Consideration to Repair Pot Holes on Wales Plaza (Kris Kollgaard/C.T. Eagle)

Town Manager Kris Kollgaard reviewed the background summary for this agenda item. She stated that Town staff has received numerous complaints regarding existing potholes in a section of Wales Plaza. The section of roadway in question is not owned or maintained by the Town, and is involved in an ongoing ownership issue with two other entities. Although the pothole concerns have been forwarded to the two other entities, the potholes have become a safety concern and repair is recommended as soon as possible. Town staff could expedite the repairs to better serve the residents.

Ms. Kollgaard thanked the Mayor for contacting her and suggesting that the Town check into the cost of repairing these potholes. She stated that she contacted Public Works Director C.T. Eagle and he estimates that the pot holes could be repaired for approximately \$500.00.

Commissioner Kussard asked Mr. Eagle how soon this could be completed.

Mr. Eagle replied that it could be done quickly.

Commissioner Vincent suggested that the Town send memorandums to The Villages and to the county stating that although the Town is repairing these potholes this time, the Town is not accepting any responsibility for maintaining this section of road in the future.

Town Attorney Derek Schroth agreed that it is a good idea; and that there is no harm in letting them know that the Town is doing this as a courtesy.

Mayor Richards stated he would like to follow up to see what The Villages conveyed to the county and whether they forgot to put the name of this road in, and if they did, he would like the letter to also state who is legally responsible for the repair and maintenance of this section since the Town has notified them of it.

Commissioner Vincent asked if the state would require that the Town would be responsible for this section after maintaining it for a period of time.

Ms. Kollgaard stated it would take four years.

Mayor Richards further clarified that the Town would have to file a maintenance map on it after four years. The Town would not be required by sovereign immunity because it is a government agency.

Mr. Eagle stated this section of Wales Plaza has never been owned or maintained by the Town, and this item is being brought before the Commission to assist the citizens of Lady Lake. He stated he has spoken with county and The Villages entities to let them know that this was going to be on tonight's agenda and that the Town was considering the repair of these potholes as a courtesy. He stated that he looked into this, and it appears that this section of Wales Plaza and Paradise Dr. was left off the documents when roads were turned over to the county.

Mayor Richards stated that The Villages would still be responsible for maintaining these roads if that is the case, and Mr. Schroth agreed.

Ms. Kollgaard stated the Town is stepping in because it is a safety issue for the Town's residents.

Upon a motion by Commissioner Kussard, with a second by Commissioner Holden, the Commission approved the consideration to repair the potholes on this section of Wales Plaza at the Town's expense by a vote of 4-0.

It was agreed that a letter to the county and The Villages would be drafted as discussed above, and reviewed by the Town Attorney before being sent.

M. MAYOR/COMMISSIONER'S REPORT:

Commissioner Kussard stated there is an extremely dark area on C.R. 466 between Cherry Lake Road and Rolling Acres Road, and no streetlights were installed in that area during the widening of C.R. 466; streetlights were only installed on C.R. 466 from Rolling Acres Road to Highway 27/441. She stated she would like to bring up the issue of installing streetlights in this area again.

Ms. Kollgaard stated she and Mr. Eagle met with the electric company regarding streetlights and they are talking about switching them to LED streetlights, and an estimate for this will be forthcoming. C.R. 466 streetlights were discussed also, and the issue that came up before was that The Villages wanted their more expensive design of streetlights installed on their right of way, and Lake County would not agree to it. She stated that perhaps the regular streetlights could be installed on the Town's side or right of way.

Mayor Richards asked if the Town pays for the streetlights.

Mr. Eagle replied that the Town pays for all the streetlights currently on C.R. 466, as part of the interlocal agreement at the time the road was being widened. He stated that staff met with Duke Energy and the quadrant Commissioner Kussard is talking about may be in SECO's quadrant. Mr. Eagle stated that streetlights are installed as development comes in. He stated staff can look into this.

Mayor Richards reminded everyone that the cost of maintaining these street lights needs to be considered as it will never go away.

Ms. Kollgaard agreed that this needs to be considered and it is a good time since staff will start working on the budget for next year in the next few months.

Mayor Richards thanked Mayor Pro Tem Kussard for filling in for him at the last meeting.

N. PUBLIC COMMENTSⁱⁱ

Mayor Richards asked if there were any further questions or comments; and there was no response.

O. ADJOURN: There being no further business, the meeting was adjourned at 7:04 p.m.

Kristen Kollgaard, Town Clerk

Jim Richards, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

i 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.

ii 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.