

**MINUTES OF THE SPECIAL MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
November 20, 2017**

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

1. **CALL TO ORDER:** Mayor Jim Richards
2. **ROLL CALL:** Paul Hannan, Commissioner Ward 4
Ruth Kussard, Commissioner Ward 1
Tony Holden, Commissioner Ward 2
Dan Vincent, Commissioner Ward 3
Jim Richards, Mayor/Commissioner Ward 5

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager/Town Clerk; Wendy Then, Senior Planner; C.T. Eagle, Public Works Director; Pam Winegardner, Finance Director; and Nancy Slaton, Deputy Town Clerk

3. **OPEN FORUM:** Mayor Richards asked if anyone had any questions or comments. There were no questions or comments.

4. **Consideration of Conceptual Landscaping Plans and Waiver Requests for the Lady Lake Commercial Site MJM 10/17-001 – a Major Site Plan Redevelopment Consisting of a 3,100 Sq. Ft. Retail Plaza/Shopping Center for the First Phase; Increasing to 4,200 Sq. Ft. at Phase 2 – Located on a +/- .77-Acre Parcel Along North Highway 27/441, Fronting West McClendon Street and East Lady Lake Blvd. (AK 1333865 and 1333873) (Wendy Then)**

Senior Planner Wendy Then gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). She stated that Affordable Lock & Security Solutions, which offers a wide range of services from basic locksmith to security systems, operates at a site known to local residents as "The Castle", addressed as 108 N. Hwy 27/441. Upon Town Commission approval of a Wawa Convenience Store with Fuel Operation and Deli, the site where "The Castle" is located will be redeveloped and Affordable Lock & Security Solutions is currently looking to relocate across the street one block south. She noted that there is currently a dentist's office operating on this site.

Ms. Then reported that on October 12, 2017, Town staff received a New Major Site Plan application and plans submitted by Michael Leeds with 441 & Lemon, LLC, on behalf Whiteman Family Properties, LLC, for Affordable Lock & Security Solutions for a major site plan redevelopment consisting of 3,100 sq. ft. area of Retail Plaza/Shopping Center for Phase I, to be increased to 4,200 sq. ft. at Phase II, on a +/- .77-acre parcel along North Highway 27/441, fronting West McClendon Street and East Lady Lake Blvd.

Ms. Then stated that due to the Florida Department of Transportation needing right-of-way for the widening scheduled to commence construction in 2020, several changes were incorporated within the site to accommodate the new/future right-of-way/property line of SR 500/Hwy 27/441

which would further reduce the site's developable area. At this time, the developer would like the Town Commission to consider the following waivers, taking into consideration the unique challenges of redeveloping an older, existing site that underwent right-of-way acquisition of approximately 1,439 sq. ft. of land along N. Hwy 27/441, although it can still be redeveloped to continue to fuel local businesses that want to remain operating in this area.

Ms. Then presented the cure plan that came before the Town Commission, dated June 6, 2011, which showed the right-of-way area obtained by FDOT. An aerial view of the property was shown, as were updated landscaping plans with photos of proposed vegetation to be utilized, updated civil plans, and elevations of the proposed project.

Ms. Then reviewed the tree requirements as follows: In accordance with Chapter 10-Landscape and Tree Protection, the site is required to provide 123.2 tree caliper inches based on its .77-acre site development area (160'x .77).

Existing trees to remain	185.0 tree caliper inches
Proposed canopy & understory trees	<u>67.5</u> tree caliper inches
Total tree caliper inches	232.5 tree caliper inches

Commercial Design Standards: In accordance with the Land Development Regulations, Chapter 20, Section 20-3C).3).A)., new buildings should adopt one of the four recommended architectural styles: Frame Vernacular, Craftsman/Bungalow, Mediterranean, or Mission. The site plan and façade elevations for the Lady Lake Commercial Site were included in the packet.

Ms. Then stated that Affordable Lock and Security Solutions would like to continue their branding by offering a similar look at their proposed new home, and the applicant is requesting a waiver for commercial design. The Lady Lake Commercial Site proposal exhibits a modern medieval castle-style merlons replica featured along the top of the front and side exterior wall elevations of the building. Primary façade features public entrances, roof treatments, awnings:

- ✓ North and south corner tower parapets
- ✓ Metal canopies along each tenant's entrance
- ✓ Stucco finish for all elevations
- ✓ Decorative pilaster and coping
- ✓ Glass doors

Ms. Then reviewed the following landscaping waivers being requested by the applicant:

- In accordance to Chapter 10, Section 10-3, b). B).1)., the *east and southeast* elevation abutting the New Song Community Church Site requires "Class A" Landscaping Buffer - ten feet minimum width with two canopy trees, three understory trees and a continuous hedge or an approved fence or wall.

Request:

East Elevation: The applicant is requesting to eliminate two canopy trees and four understory trees.

Southeast Elevation: The applicant is requesting to eliminate two required understory trees

Justification:

East and Southeast Elevation: Proposing one canopy tree and a continuous hedge as there are approximately 11 existing canopy trees along the east boundary and new plant material would conflict with existing trees. Overcrowding is discouraged as it is detrimental to plant material and its full maturity growth.

- In accordance to Chapter 10, Section 10-3, b). B).2)., the north, south and west elevations require “Class B” Landscaping Buffer - Twenty feet minimum width with four canopy trees, three understory trees and a continuous hedge or an approved fence or wall.

Request:

North Elevation: The applicant is requesting to reduce the Landscaping Buffer Class “B” from 20 feet to 10 feet. The proposed buffer and landscape materials (applicant is proposing to provide all required plantings) will be completed with the Phase II development of this project, which includes replacing the existing dental office with a continuation of the new proposed retail building in approximately the same footprint as the existing dental building.

South Elevation: The applicant is requesting to reduce buffer width from 20 feet to 8 feet and reduce plant material from six canopy and five understory trees to one canopy and seven understory trees.

West Elevation: The applicant is requesting to reduce buffer width from 20 feet to 10 feet and eliminate eight canopy trees and instead plant 12 understory trees.

Justification:

North Elevation: The dentist’s office will remain in place after Phase I is complete and will not be redeveloped until Phase II, which will commence on or around January 1, 2019, once the existing tenant has vacated (at the end of its lease term).

South Elevation: Due to existing large Live Oak and associated canopy on the southern boundary limiting the planting of additional shade trees and overcrowding planting issues.

West Elevation: Due to the placement overhead power lines along the west boundary.

Photos of the property in its current state were shown.

Commissioner Kussard asked if the area by Lake Advanced Dentistry will continued to be used for parking.

Ms. Then replied that the grass parking will remain as is, under a grandfathered use, until the parcel is developed. She stated that there is normally no more than three cars parked there at one time. She stated the landscaping buffer will replace the grass parking area when Phase II is developed.

Commissioner Kussard asked where the parking will be relocated to under Phase II.

Ms. Then replied that there will be enough parking for the site once it is redeveloped.

- In accordance to Chapter 10, Section 10-3, g). Building Foundation Planting requirements.

Request: The applicant is requesting a waiver from the required four-foot foundation planting along the sides of the building facing the public right-of-way.

Justification: Due to dimensional constraints in order to facilitate a two-way drive aisle, as well as a minimally acceptable depth for the new retail bays.

Ms. Then reviewed the Department's recommendation and basis for recommendation as follows:

- 1) The redevelopment is compatible with surrounding commercial land uses (Objective FLU 1-1 of the Comprehensive Plan Goal FLU 1).
- 2) The redevelopment will allow for the efficient utilization of water and sewer facilities in the area (Objective FLU 1-5 coordinating growth with adequate Level of Service (LOS) as per the Comprehensive Plan Goal FLU 1-5).
- 3) The redevelopment meets the open space requirements of a minimum of 20 percent of the entire lot (Objective CON 1-2, Policy CON 1-2.4). B). of the Comp. Plan).
- 4) The total required tree caliper inches requirement is met and large mature oak tree is protected (Objective CON 1-2, Policy CON 1-2.4). B). of the Comp. Plan).

Ms. Then noted that FDOT acquired approximately 1,439 sq. ft. of right-of-way from this site. A Cure Plan application was approved by the Town Commission on June 6, 2011, approving removal of mature oak trees, redevelopment of parking area and reduction in the driveway width to 20 feet from the required 24 feet. She stated that since the site is being redeveloped, the applicant will be submitting a variance request pursuant to Town of Lady Lake Land Development Regulations, Chapter 15, Article II, Section 52-52).a).3).A). to maintain the driveway width at 20 feet after it is enhanced and connected from West McClendon to East Lady Lake Boulevard.

Ms. Then reported that the Technical Review Committee members individually reviewed the application regarding the site plan application by Thursday, November 2, 2017. Revised plans will be reviewed by the TRC. The Parks, Recreation and Tree Advisory Committee reviewed this application at their regular meeting on November 8, 2017 and recommended approval of the landscaping waivers by a 4-0 vote. The Town Commission meeting is tentatively scheduled to consider this application for final approval concurrently with the requested variance for the driveway width on December 18, 2017.

Ms. Then stated that the applicant and his representative are both present to answer any questions.

Mayor Richards asked if anyone had any comments or questions.

Commissioner Hannan asked which architectural style this castle design falls under.

Ms. Then replied that it does not meet any of the four design standards, and a waiver is being requested.

Commissioner Hannan stated he is against that, and feels the applicant should adhere to the design standards.

Commissioner Kussard agreed that she would prefer the building fall under one of the four commercial design standards for the building, especially since it will be part of a retail plaza shopping center. She stated the original castle building was built before those design standards were established. She stated she would, however, be in favor of the waivers under Chapter 10.

Commissioner Holden agreed with Commissioner Hannan and Commissioner Kussard.

Mayor Richards stated that it would make sense for the design to fall under the Commercial Design Standards. He stated he had no problems with the other waivers.

Mr. Leeds explained Affordable Lock is known for the castle appearance of their building, and because they are a security company, it fits their image and is part of their branding concept. He stated he understands the Commission would like them to adhere to the architectural guidelines, and they would like to adapt some of the castle features into this new project.

Ken Kupferman, owner, stated it is very important for them to keep the image of the castle in this area, as his business and the advertisement for it is built around this.

Mayor Richards stated he understands Mr. Kupferman's position, however, the Town has commercial standards, and hopefully, they can take one of the four architectural designs and modify it to mimic the castle appearance. He stated it appears that four out of the five Commissioners would like the project to keep to the Town's Commercial Design Standards.

Mr. Leeds questioned whether the Commission would be willing to consider the project if they accommodated one of the four standards in the design and incorporated some of the castle appearance.

Commissioner Kussard stated she would have to see it.

After further discussion, it was the consensus of the Commission to approve the Chapter 10 Conceptual Landscaping Plans and Waiver Requests for the Lady Lake Commercial Site MJM 10/17-001 as presented, although they requested that the commercial design of the building be modified as they were not in favor of the Chapter 20 waiver request.

5. ADJOURN: The meeting was adjourned at 5:53 p.m.

Kristen Kollgaard, Town Clerk

Jim Richards, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk