

**MINUTES OF THE LOCAL PLANNING AGENCY
LADY LAKE, FLORIDA
January 4, 2010**

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

CALL TO ORDER: Chairperson Jim Richards

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

ABSENT: Member Paul Hannan

STAFF MEMBERS PRESENT: Kris Kollgaard, Interim Town Manager/Town Clerk; Derek Schroth, Town Attorney; Thad Carroll, Senior Planner; Wendy Then, Growth Management Technician; and Jayne York, Staff Assistant to Town Clerk

1. Approval of Minutes

September 23, 2009 Meeting (on file in the Town Clerk's office)

Upon a motion by Member Kussard and seconded by Member Holden, the Board approved as Presented the Minutes of the Local Planning Agency Meeting on September 23, 2009, by a vote of 4 to 0.

2. Small Scale Comprehensive Plan Amendment of 9.56± Acres of Property Located Approximately 2,000 Feet West of Rolling Acres Road on Hwy 466 to Change from Future Land Use of Lake County Urban Expansion to Lady Lake (OIF) Other Institutional Facility (Ordinance No. 2009-29)

Thad Carroll, Senior Planner, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that the Applicant, Cullison-Wright Construction, has filed an application on behalf of WRYP, LLC to amend the Future Land Use designation of property located approximately 2,000 feet west of Rolling Acres Road on Highway 466, which includes 9.56± acres currently in unincorporated Lake County, from Lake County Urban Expansion to Lady Lake Other Institutional Facilities. Mr. Carroll also noted that this application was brought before this Board concurrent with annexation and rezoning applications that will be heard later this evening.

Mr. Carroll stated that the property is currently under construction and has received entitlements for construction through Lake County, Florida. The Applicant has commenced construction of a 145-bed assisted living facility consisting of approximately 75,000 square feet and intends to

construct a future second building of similar use within the proposed property as allowed per the Land Development Regulations. The Applicant would be required to file a site plan(s) for any additional structures not already approved by Lake County and obtain all necessary permits from outside agencies provided the small-scale comprehensive plan amendment is approved for the property.

Mr. Carroll stated that the application was received on November 19, 2009, and has been reviewed and determined to be complete. The Applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs). Additionally, the application was reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan. A justification statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted for justifying why the Future Land Use should be amended for the development proposed as well as citing consistencies with the objectives of the plan.

Mr. Carroll stated that the Technical Review Committee (TRC) reviewed the application on December 1, 2009 and determined the application to be complete and ready for transmittal to the Planning & Zoning Board with a vote of 4-0; on December 14, 2009, the Planning & Zoning Board recommended approval of the application by a vote of 5-0; the First Reading before the Town Commission is scheduled for later this evening; the Second/Final Reading before the Town Commission is scheduled for January 20, 2010.

Mr. Carroll stated that the Applicant is present and that Richard Bush with Kimley-Horn & Associates was available to answer any questions.

There were no questions or comments from the Board regarding this ordinance.

Upon a motion by Member Miller and seconded by Member Holden, the Board approved Ordinance No. 2009-29 – Small Scale Comprehensive Plan Amendment – 9.56± Acres of Property Located Approximately 2,000 Feet West of Rolling Acres Road on Hwy 466 to Change From Future Land Use of Lake County Urban Expansion to Lady Lake Other Institutional Facility (OIF), by the following roll call vote:

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

3. An Ordinance of the Town of Lady Lake Comprehensive Plan, Providing for Updates to the Capital Improvements Element, Chapter 8 (Ordinance No. 2009-31)

Thad Carroll, Senior Planner, gave the background summary from the agenda item cover sheet (on file in the Town Clerk's office). He stated that the Capital Improvements Element focuses on capital infrastructure planning for the time-period covered by the comprehensive plan and is based upon the public facility needs identified in the other elements of the Comprehensive Plan. The Capital Improvements Element must provide a five-year schedule of capital improvements,

which must include specific capital projects necessary to achieve and maintain level-of-service standards identified in the other elements of the Comprehensive Plan, reduce existing deficiencies, provide for necessary replacements, and meet future demand during the time period covered by the schedule (Years 2010-2014). Mr. Carroll also stated that the Capital Improvements Element is important in setting direction for the Town of Lady Lake for several reasons. It sets policy to coordinate the provision of infrastructure with the land use plans of the community over the timeframe of the Comprehensive Plan. It also provides a five-year schedule of capital improvements that are aimed at achieving and maintaining the Town's adopted levels of service and it identifies sufficient revenues to fund the identified capital improvements.

Mr. Carroll added that, pursuant to §163.3177 (3)(b)1, of the Florida Statutes, the Capital Improvements Element must be reviewed on an annual basis and modified as necessary in accordance with §163.3187 or §163.3189 in order to maintain a financially feasible 5-year schedule of capital improvements. An amendment to the Comprehensive Plan is required to update the schedule on an annual basis or to eliminate, defer or delay the construction for any facility listed in the 5-year schedule. All public facilities must be consistent with the Capital Improvements Element. A local government may not amend its Future Land Use Map, except for plan amendments to meet new requirements under this part and emergency amendments pursuant to § 163.3187(1)(a), unless and until the local government has adopted the annual update and it has been transmitted to the state land planning agency.

Mr. Carroll further stated that, in order for the Florida Department of Community Affairs (FDCA) to consider any land use changes and amendments to the Future Land Use Map of the Town of Lady Lake, FDCA must review and find in compliance, a financially feasible Capital Improvement Plan in accordance with §163.3187(1)(a), of the Florida Statutes. Exhibit "A" of the ordinance provides the necessary amendments to reflect a financially feasible plan for the five-year planning period.

On December 14, 2009 the Planning & Zoning Board recommended approval of this ordinance by a vote of 5-0; the First/Final Reading of this ordinance before the Town Commission is scheduled for later this evening.

Mr. Carroll stated that all of the amendments are provided to the Board in strike-through underline format in the members' packets. He stated that he did send in one addendum on December 30, 2009 because the Finance Director found a minor error in there – one of the water improvements that was set in 2013 will actually move to 2014. Other than that, all of the amendments as proposed were provided to the Board in their packets. He also informed the audience that there is a sign-in sheet if anyone wants to be notified of the Notice of Intent issued by the DCA; once this ordinance is submitted to the Department of Community Affairs, they will provide a letter back accepting or not finding the amendment in compliance. Mr. Carroll also noted that this ordinance is set to go before the Town Commission later this evening and that it is only required by State Statute to have one reading before the Town Commission.

Mayor Richards stated that he noticed that Parks & Recreation space was in Category A & B rather than C which means that it could actually hold up development if the Town didn't have space available for parks and recreation. He asked if he had read that correctly.

Mr. Carroll stated that parks are reviewed in the Town's comp plan as well as the statute for concurrency purposes. Technically, it could hold the Town up but under the definition that defines "open space" and "park space," the Town is not approaching that. Mr. Carroll stated that this was brought before the Parks & Recreation Advisory Board earlier in 2009 and the Town was hovering around the 56 acres which was very close considering that the Town's population continues to increase but he has an e-mail from DCA regarding what they interpret to be "open space and recreation" and private lands can be counted as well.

Commissioner Holden stated that the requirement for Parks & Recreation is 4 acres per 1,000 people which Mr. Carroll confirmed was correct.

There were no questions or comments from the public.

Upon a motion by Member Miller and seconded by Member Holden, the Board approved Ordinance No. 2009-31 – WRYP, LLC – Amendment of the Town of Lady Lake Comprehensive Plan, Chapter 8, Amending Data & Analysis and Amending Goals, Objectives and Policies to Incorporate Capital Improvements for the 2010 – 2014 Five-Year Planning Period, by the following roll call vote:

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

Mr. Carroll advised the Board that Rosanne Brandeburg, Lake County School Board Member representing District #2, has been contacted and that, in accordance with the State Statutes, a member of the School Board can sit on the LPA in regards to any amendments that are affected by residential growth or school capacity. She was informed of the meeting this evening but she chose not to attend since the 2 agenda items did not have any bearing on school issues; she will also be informed of future LPA meetings.

ADJOURN: There being no further discussion, the meeting was adjourned at 5:40 p.m.

Kristen Kollgaard, Town Clerk

Jim Richards, Chairperson