

**MINUTES OF THE REGULAR MEETING
OF THE TECHNICAL REVIEW COMMITTEE
LADY LAKE, FLORIDA
August 6, 2013**

The Technical Review Committee meeting was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida at 10:00 a.m.

MEMBERS PRESENT: Thad Carroll, Growth Management Director; Thomas (Butch) Goodman, Utilities Supervisor; Joe Crum, Building Official and Lt. Vernon Wherry, Lady Lake Police

Members Absent: Wendy Then, Town Planner; Police Chief Chris McKinstry

STAFF PRESENT: Julia Wolfe, Staff Assistant to Town Clerk

Also Present: Michael Girard, Tree Tops Golf, Inc.; David Springstead and Jason Hurley of Springstead Engineering

The meeting was called to order by Thad Carroll, Growth Management Director.

1. Approval of Minutes: July 16, 2013

Upon a motion by Joe Crum and seconded by Lt. Vernon Wherry, the Technical Review Committee approved the minutes as presented for the July 16, 2013 meeting, by a vote of 4-0.

2. Ordinance No. 2013-10 – Tree Tops Golf Inc. – Requesting Amendment of the Memorandum of Agreement (MOA) for the Planned Commercial (CP) Zoning Designation – Located at 175 S. Rolling Acres Road (Thad Carroll)

Thad Carroll, Growth Management Director presented the background summary for this agenda item (on file in the Town Clerk's office). He stated the applicant, Michael Girard, has submitted an application for property located at the corner of W. Lady Lake Boulevard and Rolling Acres Road addressed as 175 S. Rolling Acres Road, and known as the Tree Tops site. He stated the property includes approximately 12.58± acres (Alternate Key No. 3250290) currently in the Town of Lady Lake. The applicant has filed the following application for this property:

- Rezoning of 12.58± acres from Lady Lake CP (Planned Commercial), to Lady Lake CP (Planned Commercial) to change language of the MOA to include new permitted uses and establish new terms regarding landscaping buffers, new buildings, parking spaces, and setback requirements.

Mr. Carroll stated the subject property is currently operating as a golf driving range with an existing 3,300 sq. ft. retail/sales building. Pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the applicant is requesting to use the property primarily as a mini storage facility consisting of 32 buildings totaling approximately 162,000 sq. ft. of storage area. He stated as part of the application, the applicant has provided the new Memorandum of

Agreement (MOA) ordinance terms (Exhibit “B”) and bubble plan (Exhibit “C”) showing the new proposed buildings, retention pond areas, parking areas, landscaping buffers, dumpsters location, and gate. Mr. Carroll stated for safety and security purposes, the applicant will be proposing a gate along the perimeter of the property to secure the mini storage facility. With that, the applicant will be requesting to be exempted from providing cross-access easement(s) to other sites.

Mr. Carroll stated the application has been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and they are ready for transmittal to the Planning and Zoning Board.

Future Land Use and Zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake – General Commercial Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	Lake County – Urban Low
East	Lady Lake –Multi-Family Low Rise- (MF-LR)
North	Lady Lake- Other Institutional Facilities (OIF)/Lake County-Urban Low
South	Lady Lake – General Commercial Retail Sales & Services (RET)

Mr. Carroll stated the current Future Land Use Designation of the subject property (12.58± acres) is Lady Lake Commercial General – Retail Sales & Services (RET) and is compatible with the requested commercial uses. Therefore, the applicant is not requesting any changes regarding the future land use designation with this application.

Zoning

Subject Property	Lady Lake – Planned Commercial (CP)
Zoning of Adjacent Properties	
West	Lake County-Agricultural Residential
East	Lady Lake –MF-12 (Up to 12 dwelling units per acre)
North	PFD (Public Facilities District)/ Lake County-Agricultural
South	Lady Lake- Planned Unit Development (PUD)

Mr. Carroll stated the comments for this application are as follows:

- 1) Permitted uses and restrictions of the property will be governed by the attached Memorandum of Agreement, superseding all uses and prohibitions as stated in the Memorandum of Agreement accompanying Ordinance No. 98-08, as recorded in ORB.1673, PG 1053.
- 2) Should the amendment to the Memorandum of Agreement be approved, the applicant will have to supply a modified site plan via the major modification to site plan process.

Mr. Carroll stated notices to inform the surrounding property owners within 150’ of the property

of the proposed Rezoning-CP MOA Amendment were mailed by certified mail return receipt on Friday, July 26, 2013, and the property was also posted on the same day. To date, there has been one inquiry, but they did not express an opinion either in favor or opposing.

Mr. Carroll stated the public hearing dates are scheduled as follows: The Planning and Zoning Board meeting is tentatively scheduled to be held on Monday, August 12, 2013 at 6:00 p.m. The Town Commission is scheduled to hear Ordinance No. 2013-10 for first reading on Wednesday, September 4, 2013 at 6:00 p.m., and for second and final reading at the special meeting to be held on Wednesday, September 18, 2013 at 6:00 p.m.

Mr. Carroll asked if there were any questions. He stated from Growth Management's standpoint, the applicant has addressed all comments from the preliminary review except that the present operation as the golf driving range still needs to be incorporated into the text of the Memorandum of Agreement (MOA) and that it be on the record that the text be added to the MOA before transmittal to the Planning and Zoning Board. He stated that would ensure the applicant could continue to operate the driving range until the project is started, and that it would be the current use as the applicant goes forward with Phases I, II, and III.

Mr. David Springstead of Springstead Engineering approached the podium. He stated the applicant would definitely like to keep the existing use until they could break ground for the mini storage warehouses.

Mr. Carroll asked the applicant for the record if staff could add golf driving range to the permitted uses of the MOA.

Mr. Springstead replied that was correct.

Mr. Michael Girard of Tree Top Golf Inc. approached the podium. He stated it was just brought to his attention about the impact fees for ERU usage per 10,000 sq. ft. He stated he has not had a chance to talk with Mr. Springstead in terms of the existing usage, facilities, and the restrooms already on the properties. He stated they would work with the Town's sewer and water, but asked what their options are for the storage unit as far as not having facilities with water and sewer needs. He asked how the Town would address the impact fees with no water and sewer on the property.

Mr. Springstead stated there is currently quite a bit of usage on the property based on the driving range and the transient people coming in and out. He stated in their opinion, based on the number of employees and actual users, the usage would be very similar to the current volume. He stated people would continue to use the restrooms at the office. Mr. Springstead stated they would definitely like to hook-up to the Town's utilities and re-use, if available. He stated he would like to look at some other storage facilities to see what their usages, flow and total ERUs are for a particular facility. He asked if the proposal was for 10 ERUs.

Butch Goodman, Utility Supervisor, stated the Town has a matrix in the Land Development Regulations (LDRs) that is specific to the ERUs assigned. He stated the engineer can provide his calculation and sign off on that, and that is why an agreement is entered into, but later the Town would make sure they were correct in that estimate. He stated the Town has done that on other projects, but not warehouse-related; this would be something new.

Mr. Springstead stated they have done it on other projects in Lake, Sumter and other cities, but did not go back and check to see what their required ERUs were for those facilities. He asked if the ERUs were for 300 or 350 gallons per day.

Mr. Carroll and Mr. Goodman both replied an ERU equals 250 gallons per day.

Mr. Goodman stated the ERU could go by two things, but ultimately it is 250 gallons a day per square footage, and usage also comes into play. He stated you really need a good honest estimate, and a lot of the time, the engineer will sign off on that and that would suffice.

Mr. Springstead stated that is what he would like to do and that he would try and get that done as quickly as he can to find out what the story is as far as the total usage.

Mr. Goodman stated the property already has water, but as far as he knew, the property is not hooked up to sewer. He stated the sewer is going to require a private lift station, and the only thing the Town has is a 16 inch force main across the street and a 4 inch force main that is actually on the street. Mr. Goodman stated the only thing that is reachable to gravity would possibly be the American Legion, which has a Town's lift station. He stated sewer is something that staff needs to look at, and at times if it has not been cost feasible to hook up to sewer, the engineer could submit the appropriate letter with a cost estimate and then it is ultimately up to the Commission to make that decision.

Mr. Springstead replied they could look at the current water usage because it may be similar to what it is ultimately going to be.

Mr. Girard stated they are not currently using any Town utilities. He stated he understood water and sewer was available, but had not hooked into it because it was not required when the backflow preventer was installed for the future use of the affluent water coming from the water treatment plant.

Mr. Carroll asked that the engineer draft a letter justifying consumption, and staff could go forward with the intent of the applicant connecting to water. He stated if the water usage is comparable with what they have at present, put that in the justification, and if it is less than the Town's ERUs according to the matrix, the applicant is entitled to justify that through the letter from the engineer. He stated the LDRs do allow staff the right to re-visit the consumption at a later date, and staff could make that adjustment. Mr. Carroll stated if the engineer can provide a letter stating this is their consumption, staff can access the impact based on that. He stated if it is cost prohibitive to do a lift station for the volume, submit a letter and the Town's Public Works Director will evaluate that, and if the usage changes and the volume exceeds the current amount, the Town has the right to re-visit and have the applicant connect. Mr. Carroll stated it sounds like the applicant is going forward with the connection of water, and asked him to draft the letter for justification if he is seeking the exemption for sewer. He asked Mr. Goodman how close reuse was.

Mr. Goodman replied reuse is on the property.

Mr. Carroll asked the applicant if it was his intent to tie into the reuse.

Mr. Springstead replied they are looking into the site plan, and would not have a lot there, but if reuse is there and available, they would be more than happy to utilize that for the landscaping.

Mr. Carroll commented staff would encourage them to do so; it is a lower impact fee and a lower fee as far as consumption as well.

Mr. Goodman stated the impact fee is around \$300.00.

Mr. Carroll stated the fee is \$292.00.

Mr. Girard stated he would prefer to use the reuse for all their landscape buffers and the water for the building, maintain their on-site septic system, and if they need to re-visit that at a later date, that could be done.

Mr. Springstead asked would the Town be amenable to the E-1 type lift station to tie into if they do need to go to a lift station.

Mr. Goodman replied the Church that is being built across the street is going with the E-1.

Mr. Springstead stated a lot of different type lines could tie into the E-1.

Mr. Goodman stated Richard Campanele is working on that and he believes it goes up to 60 or 80 psi.

Mr. Springstead commented the flow goes down with the pressure, and with a facility that size, even with 70 psi's, you would still be able to get 11 or 12 gallons per minute, which is good.

Mr. Carroll asked the applicant to consult with Public Works, because if he is going to retain it himself, that is one way of doing it, but if he was going to dedicate it to the Town, there are specifications.

Mr. Springstead replied once they have the flows down, they would decide if they would keep it or go with the lift station.

Mr. Goodman clarified what staff is looking at is definitely connecting to the potable water with the proper backflow device; utilizing the reuse and the sewer is questionable because it may not be cost effective.

Mr. Springstead replied that is correct.

Mr. Girard stated they have probably 200 customers per day during the busy season, and 75 to 125 during off season, and they have maintained that during 14 years of operation. He stated the number of golf attendees would be lower as they go forward into the storage unit business. He stated the miniature golf will be there through the phases, but that would soon go away, and he thinks he would see a drop in everything overall. Mr. Girard stated the calculation has to be done, and then they could move forward.

Mr. Carroll stated currently the Town does have the capacity in its system for utilities, so staff could at least go forth with the rezoning portion of the application. He stated the details can be worked out at the site plan and the water and sewer utility agreement, but that is down the road depending on how many ERUs the applicant is seeking. Mr. Carroll stated at this point and time the application is complete. He asked for a motion.

Upon a motion by Butch Goodman and seconded by Joe Crum, the Technical Review Committee approved the transmittal of Ordinance No. 2013-10 to the Planning & Zoning Board for their consideration, by a vote of 4-0.

3. Chairperson/Members' Report:

Growth Management Director Thad Carroll asked if there were any comments or reports. There were none.

4. Adjourn:

With nothing further to discuss or report, the meeting was adjourned at 10:17 a.m.

Julia Wolfe
Staff Assistant to the Town Clerk

Thad Carroll
Growth Management Director

Minutes transcribed by Julia Wolfe, Staff Assistant to Town Clerk