

**MINUTES OF THE TOWN OF LADY LAKE
REGULAR PLANNING AND ZONING BOARD MEETING
LADY LAKE, FLORIDA**

**November 14, 2016
5:30pm**

The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 5:30 p.m.

CALL TO ORDER: Chairperson/Member Gauder

PLEDGE OF ALLEGIANCE: Chairperson/Member Gauder

ROLL CALL: Peter Chiasson, Member
William Sigurdson, Vice Chair/Member
Robert Conlin, Member
John Gauder, Chairperson

STAFF MEMBERS PRESENT: Thad Carroll, Growth Management Director; and Carol Osborne, Staff Assistant to Town Clerk.

Also Present: Attorney Sasha Garcia, BRS Legal, Commissioner Paul Hannon.

OPEN FORUM: Chairperson/Member Gauder asked that anyone in attendance

He stated the floor will be open for questions or comments at the end of each presentation.

NEW BUSINESS:

1. Approval of Minutes – October 10, 2016 Regular Meeting

Upon a motion by Member Sigurdson and a second by Member Conlin, the Planning and Zoning Board approved the minutes of the Planning and Zoning Board meeting of October 10, 2016 by a vote of 4-0.

2. Ordinance No. 2016-33 – Annexation – Triston Gustavo Meucci Life Estate, Shirley H. Meucci, and Louis Meucci Trustee – Annexing 269.15 +/- Acres of Land Located South of County Road 466 and East of Cherry Lake Road in Lake County, Florida; Referenced by Alternate Key Numbers 1279810, 3325451, 1279801, 1770700, 1279828, and 1279780 (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk's Office). He stated the applicant, F. Thomas Ustler, on behalf of Triston Gustavo Meucci Life Estate, Shirley H. Meucci, and Louis Meucci Trustee, has filed applications to annex property consisting of 269.15 acres located south of County Road 466 and east of Cherry Lake Road in Lake County, Florida, from unincorporated Lake County into the Town of Lady Lake.

The subject properties lie in Section 19, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal descriptions, a location map, and a sketch of the properties were

included with the submitted application. Mr. Carroll stated the current use of the parcel is a single family homestead and agricultural usage. The proposed use of the property is a mixed use development. The lot will be served by the Town of Lady Lake's central water and sewer system, and the Lake County Fire Department.

Mr. Carroll stated the first ordinance before the board pertains to the annexation of the property. Subsequent to this will be the ordinances for the large scale land use amendment and for the rezoning of the property. He stated questions that may come up during the course of his presentations may pertain to land use and zoning issues. The annexation ordinance pertains to the character of the property, its proximity to the Town, and whether the property meets the characteristic to be qualified to annex into the Town. He stated issues such as traffic and site specific plans will be addressed under the other ordinances.

Mr. Carroll presented maps, aerial-view photographs and photographs from Google Earth of the subject property and the surrounding area. He stated the subject property abuts Sumter County and the applications have been forwarded to the Sumter County officials. There have been no comments regarding the applications to date.

Mr. Carroll stated staff recommends approval of this ordinance based on the following:

- The area is no longer rural in character as the majority of the adjacent uses are residential and commercial uses.
- The property can be serviced by central water and sewer and reuse from the Town.
- The property fronts a major arterial roadway, CR 466.
- There is no significant wildlife habitat that will be impacted.
- The Town has the capacity to serve the property with utility.
- The developer will mitigate deficiencies as required, if necessary.
- The proposed development is consistent with the visioning recommendations of the CR 466 Rolling Acres Special Area Plan.

Mr. Carroll reported that the Town discussed a concept for this area in 2010-2011. A public meeting was held and the residents' suggestions were taken into consideration. He presented a map indicating where the residents and officials wanted the commercial development, a water feature, open space, and a mixed use development. The developer has incorporated these into the future land use of the subject property.

The annexation application was received on Wednesday September 14, 2016 (supporting documents were received Thursday, October 6, 2016) and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements (§171.043). The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (39) within 150 feet of the property proposed by the annexation request were mailed Monday, October 24, 2016. The properties were posted Thursday, October 27, 2016.

Mr. Carroll reported there has been one objection from a nearby property owner regarding the application, and one inquiry regarding an access from an adjacent roadway.

The Technical Review Committee (TRC) members individually reviewed application for Ordinance 2016-33, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance 2016-33 for first reading on Monday, December 5, 2016 at 6:00 p.m. The second and final reading will be held on a date to be determined, pending review of the concurrent Large Scale Comprehensive Plan Amendment (Ordinance 2016-34) by the Department of Economic Opportunity.

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

Member Chiasson stated he is weighing the pros and cons of the annexation for the Town. He stated even though notices were sent to property owners within 150 feet of the subject property, he is concerned with the residents who live on or near Chula Vista Avenue.

Mr. Carroll stated the majority of those topics will be discussed with the presentation of the future land use amendment ordinance. With regards to the annexation application, the property is contiguous to the Town, the property is served by Town utility, and it meets the statute requirement for annexation. Once the property is annexed, the next step will be defining the land use, which is not final at this point in time. As stated previously, the annexation process also includes the Department of Economic Opportunity and two readings before the Town Commission.

Member Chiasson stated he is trying to understand whether to annex the property prior to further discussion regarding the property. He stated there is no requirement to annex just because the property is adjacent to Town boundary and because the Town can provide services to the property.

Mr. Carroll agreed. He stated by annexing the property into the Town, the applicant can do more with the property rather than if it remains in the County in regards to commercial location criteria. He stated the Lake County's Comprehensive Plan may not allow what the applicant is seeking in this location.

Regarding the traffic light at Chula Vista Avenue, Mr. Carroll stated that was discussed under the Phillips application when it was presented, which was also a PUD. The alignment for this project would not align with Chula Vista Avenue.

Member Chiasson stated he believes the issue is increased traffic on Chula Vista Avenue.

Mr. Carroll stated that can be addressed with a traffic study. He stated the study is being revised since the time the application was received due to improvements regarding traffic, improvements to Cherry Lake Road, and improvements to C.R. 466 regarding directional medians versus open medians. He stated Chula Vista Avenue has several stop signs and slower speeds, and Rolling Acres Road is slated for widening in 2021, and that will be another corridor.

Member Chiasson stated he lives off of Chula Vista Avenue and the existing traffic is extensive at peak traffic times.

Mr. Carroll stated there is a recommendation from Lake County to install a traffic light at Cherry Lake Road.

Chairperson Gauder asked if there were any further questions or comments.

- Karen Donnelly, 102 Cherry Blossom Lane, stated she is a firm objector of this project. She stated she understands that property owners sell their property. Since they purchased their home, the traffic on C.R. 466 has increased, it is loud, and she is concerned with light pollution from this proposed development. She stated they have been living with the concern of this change for years and they have no way of blocking the view or the light from a commercial property. A traffic light would help with traffic; however, the traffic light would be in their view also. She stated the map of the proposed development does not show the residential area in view of commercial property. She stated she is concerned with how much more her property can take, as this development will not make living great for her family, and is concerned with the resale value of her home.

Attorney Sasha Garcia stated the current item before the Board is annexation. She stated the concerns expressed relate to item 2 and item 3 on the agenda.

- Charles Weimer stated he lives in the Spring Arbor subdivision and his concern with the annexation is a property that large will not continue to be vacant. He asked what other developers could utilize the property if the annexation is not approved with Lady Lake.

Member Chiasson stated he appreciates this gentleman's position and asked Mr. Carroll to clarify the benefit to the developer to annex into the Town.

Mr. Carroll replied the Lake County Comprehensive Plan allows four dwelling units per acre, and The Town's land use regulations allow more flexibility in regards to the commercial zoning and the mixed use elements. This developer has designed this development to meet what the Town previously said they wanted at this location.

Member Chiasson stated if the annexation is approved, the developer would then adhere to the Town's zoning and building requirements. He asked staff if Lake County may not allow as much density as the Town does.

Mr. Carroll stated he does not know what Lake County regulations allow. He does know they have commercial location criteria. In order to get the desired commercial development, the County directs developers to discuss their plans with the Town. If the Town can provide central services, the County prefers developers annex their property due to the character of the area is now urban. He stated it has been realized over the years that this area has migrated from agricultural fields to various commercial and professional facilities. The character of C.R. 466 has changed which is why it is more urban at this point in time. He stated with this request for annexation and given that it is fronting an arterial road staff feels the atmosphere of the property is more in-line of an urban development rather than a rural development in Lake County.

Mr. Carroll stated the developer could come back with a revised proposal through the Town or through Lake County. He stated he cannot speculate whether Lake County would revise their Comprehensive Plan to allow a development that could be better or worse for this area. He stated staff's recommendation for annexation of this property is based on the conceptual plan the Town brought about years ago and this developer has proposed exactly what was envisioned for this property. Also, it can be served by the Town's central water and sewer which makes it a good candidate for annexation.

- Kim Woodbury, 1021 Lake Bell Drive, Winter Park, FL, stated he has the property under contract and prepared the plan and the annexation application. He stated after discussions with staff

and seeing what the Town has done in the past, its prior actions, its visioning process which was in line with their concept of the property, they decided to move forward with the annexation process. He stated this project can be done in Lake County and they would have the same issues. The difference is the County would enter into an interlocal agreement with the Town to provide services; the water, sewer and reuse would still be provided by the Town. He stated the schools are a county function and not a town issue. The criteria for a commercial development is similar, an arterial road, a four lane divided road with a collector, and the Phillips piece which is off of the intersection and centrally located already went that direction. He stated he believes that this proposed development is a good fit for the Town, however, they could also apply to the County. He stated this is the last piece of vacant land before Sumter county.

Chairperson/Member Gauder stated that annexation is not always perfect; however, the long term benefits for the Town are great.

Member Chiasson asked Chairperson Gauder what the benefits to the Town would be by annexing this particular piece of property.

Chairperson/Member Gauder replied it would be tax revenue and control over what type of development goes in that area.

Member Chiasson stated the difficulty he has is to start the annexation process on the basis that it is an advantage for the owner/developer, as well as the Town regarding tax revenues, control over the property, and being less expensive to service as a cost benefit to the Town. He stated he has reviewed the plan as presented in the packet and it proposes 1200-1500 residences, multi-family dwellings, commercial and office space, which will have a large impact on the Town.

Discussion held regarding the current number of residences in Lady Lake.

Regarding the benefit to the Town, Mr. Carroll stated fire service will not change as it is provided by Lake County in that area. He stated the Lady Lake Police would have to serve the area and that is not a negative. He stated there are several enclaves in that area and it is better to clear up enclaves and have a corridor that it is contiguous for emergency response.

Mr. Carroll stated in addition to having control over what is constructed and the tax revenue generated by this proposed project, they will also be supplementing impact fees through water and sewer. By having this development annexed, the Town then has the ability to dictate the appearance of the development due to the strict commercial design standards to ensure quality development.

Chairperson/Member Gauder asked if there were any further questions, and hearing none, asked for a motion.

Upon a motion by Member Chiasson and a second by Member Sigurdson, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-33 to the Town Commission for consideration by the following roll call vote:

CHIASSON	YES
CONLIN	YES
SIGURDSON	YES
GAUDER	YES

3. Ordinance No. 2016-34 – Large Scale Future Land Use Amendment – Triston Gustavo Meucci Life Estate, Shirley H. Meucci, and Louis Meucci Trustee – from Lake County Urban Low Density to Lady Lake Mixed Development District/Traditional Neighborhood District – 269.15 +/- Acres of Land Located South of County Road 466 and East of Cherry Lake Road in Lake County, Florida; Referenced by Alternate Key Numbers 1279810, 3325451, 1279801, 1770700, 1279828, and 1279780 (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk's Office). He stated the applicant, F. Thomas Ustler, on behalf Triston Gustavo Meucci Life Estate, Shirley H. Meucci, and Louis Meucci Trustee, has filed an application to amend the Future Land Use designation of properties south of County Road 466, and east of Cherry Lake Road, which includes 269.15± acres within Town of Lady Lake limits, from Lake County Urban Low Density to Lady Lake Mixed Development District/Traditional Neighborhood District.

Mr. Carroll presented maps of the subject property and surrounding areas.

Impact on Town Services

Potable Water Systems – CUP allocation of 1.18 million gpd (2016); Current water systems usage – 733,536 gpd; Demand Contingent on Occupants of Development (446,464 gpd available); Estimated consumption 402,500 gpd.

Mr. Carroll stated the Public Works Director is aware this proposed development will bring the Town close to capacity on the CUP. He reported when the Town reaches 95% of the CUP, a design for additional capacity in our plant is required. The impact fees collected from this project will be utilized to enable those design efforts to begin. He stated this development will be constructed in phases and will be complete in 2025, and as the Town nears the CUP capacity, additional capacity will be made for the Town.

Sewer - The projected demand on the wastewater system is 402,500 gpd and the Town has sufficient capacity in our plant to treat this.

Reuse – The project is proposed to generate 1,610 ERU's at build-out, for a total of 0.4411 MGD. A 10-inch reuse main is adjacent to the property on CR 466.

Schools – The property is proposed to generate 280 students and is located within the Lake County School Board CSA#8 with current 2016 attendance zones as follows: The Villages Elementary with 854 students, Carver Middle with 793 students, and Leesburg High with 1,519 students.

Mr. Carroll stated the project will impact the school system when it is completed. He stated he is in communication with the Lake County School Board, and as the various schools approach capacity, the developer will need to work with the school system to mitigate the impacts by contributing to another project within the concurrency service area affected by these students or by contributing to a project at the local school. He stated the school board is working on putting a project into their plan that this developer can mitigate against.

Transportation – Traffic Analysis indicates that the project will generate a total of 17,450 new daily trips of which 1,571 trips will occur during the PM peak hour. During the PM peak hour, 802 vehicles are forecasted to enter the project and 769 vehicles are projected to exit the site.

Mr. Carroll stated this is the worst case scenario. He reported since the future land use application was filed, the developer has revised the commercial allotment and estimates the number of vehicles entering and exiting the development should be reduced.

Parks & Recreation – The project site plan will meet or exceed the recreation space requirement of the comprehensive plan level of service objective of four acres per 1,000 residents, 8.22 acres. The applicant has designed the central park, a 28-acre active park amenity for the residents and public enjoyment, and will include additional recreational trails, sidewalks and passive park opportunities throughout the residential neighborhoods.

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

Mr. Carroll reviewed the Traffic Impact Study from Lake County. He stated other comments included no access, including emergency ingress/egress from Via San Polo Road. He stated he knew this was a concern and it was included in the MOA. There will be further discussions with Lake County and the adjacent property owner regarding this comment.

Mr. Carroll stated the justification statement has also been included as part of the Large Scale Comprehensive Plan Amendment application, which the applicant submitted for justifying why the future land use should be amended for the proposed development.

The subject properties involve approximately 269.15 ± acres in Section 19, Township 18, Range 24 in Lake County, Florida. The future land use of the adjacent properties is as follows:

Future Land Use

Subject Property	Lake County – Urban Low Density, and Lake County Planned Unit Development
Future Land Use of Adjacent Properties	
West	Sumter County - Commercial and Agriculture
East	Lake County – Urban Low Density, Lady Lake Mixed Residential Low Density (MR-LD) and Commercial General – Retail Sales and Services (RET)
North	Lady Lake – Commercial General (RET) and Mixed Residential Medium Density (MR-MD), Other Institutional Facilities (OIF), Lake County (CFD)
South	Lake County – Urban Low Density

Comments: Annexation and Rezoning applications have been submitted concurrently with this Large Scale Future Land Use Amendment Application. Town of Lady Lake Commercial Design Standards outlined in Chapter 20 of the LDRs must be adhered to prior to any design of site plans for the proposed buildings associated with this development. Connection to Town water utility will be required. Mitigation may be necessary for site plan approval to address concurrency deficiencies associated with the impacts of this project. Mitigation/relocation for the gopher

tortoises will be needed for those found on the property (see attached Listed Species Report). Modifications to the Traffic Analysis is needed at this time.

Mr. Carroll reviewed the adjacent land compatibility statement. He stated the proposed future land use designation of Mixed Development District will provide a range of residential and commercial facilities that are compatible with the existing and approved uses of the Town's comprehensive plan. Also, the proposed uses are of similar density and intensity and will not create negative impacts on the surrounding area.

The Large Scale Future Land Use Map Amendment application was received on September 14, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan in accordance to what is being proposed under the MDD-TND designation, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (39) within 150 feet of the property of the proposed amendment were mailed on Monday, October 24, 2016. The property was posted on Thursday, October 27, 2016. Mr. Carroll stated there has been one objection to this proposal to date and there has been one inquiry regarding access from Via San Polo.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2016-34 and determined it to be complete and ready for transmittal to the Planning and Zoning Board. The Local Planning Agency is scheduled to consider Ordinance 2016-34 on Monday, December 5, at 5:30 p.m. The Town Commission is scheduled to consider Ordinance 2016-34 for first reading on Monday, December 5, 2016 at 6:00 p.m. The second and final reading will be held on a date to be determined, pending review by the Department of Economic Opportunity (DEO).

Mr. Carroll asked if there were any questions for staff or for the developer.

Member Conlin stated in some areas either the town or the county requires the developer to contribute money to the school system and asked if that is a requirement here as well.

Mr. Carroll replied the developer is required to pay impact fees. Depending on the timing of the development if it is found that there is insufficiency in the school system, the developer may have to mitigate toward a project.

Member Sigurdson asked about the Little Dirt Road at the south end of the property.

Mr. Carroll replied that the Little Dirt Road does not have access to this development.

Mr. Woodbury stated the Little Dirt Road is adjacent to the property and there is no intention to use it.

Member Sigurdson asked if there is a home in that area.

Mr. Woodbury replied there is very little use of that road; mainly by the property owners to the south.

Member Chiasson asked for clarification of the multi-family residential unit.

Mr. Woodbury stated the senior living facility can be independent living, assisted living, memory care, or a nursing home. Residential #1 is multi-family which will be condominiums or apartments; the balance of the residential areas will be a combination of single-family residences and townhouses. He stated the revisions include reducing the retail to 120,000 square feet, and the offices are being reduced to 156,000 square feet.

Member Chiasson asked if these reductions will be allocated to the residential area.

Mr. Woodbury replied they will not.

Member Chiasson asked for clarification on the cross access easement on the Phillips land.

Mr. Carroll stated this will be an additional crossing point/frontage road. The Phillips property currently has a cross access easement dedicated on their site plan. He stated this is a recommendation from Lake County and it is also included in the Town's code that there should be as many parallel networks off of C.R. 466.

Member Chiasson stated he is concerned with the amount of projected traffic entering and exiting the development at peak traffic times.

Discussion held regarding the entrances to the development.

Member Chiasson asked if the Board will be able to make suggestions to address the concerns discussed at this meeting now that they have recommended approval of the annexation.

Mr. Carroll replied recommendations can be made. He stated the Board's vote is a recommendation to the Town Commission and they will have the final decision. He stated should the Commission vote against it, the developer could return to the board with revisions to the proposed plan, or they could withdraw the application and work through the process with Lake County. Mr. Carroll stated should the Commission vote against it, it is typically because details need to be worked out. He stated the developer may need to make revisions determined by DEO.

Member Conlin posed a question regarding the entrances from C.R. 466 and Cherry Lake Rd.

Mr. Carroll replied the current proposal shows two entrances off of Cherry Lake Road and one entrance off of C.R. 466, and once inside the development, there is not a curb cut between the drive and Cherry Lake Road. He reminded the Board there is a recommendation for signalization at Cherry Lake Road.

Mr. Woodbury stated there will be a right-turn only entrance into the development from C.R. 466, and a right-turn only exit from the development onto C.R. 466 based on County recommendations.

- Cindy Uribe, who resides on Via San Polo, stated she is in favor of expansion; however, she stated this will be a big impact on the flow of traffic. Currently from Via San Polo to the elementary school, 1.5 miles, it takes approximately 15-20 minutes. She stated she is also a visiting nurse in The Villages and drives C.R. 466 every day and cannot imagine traveling C.R. 466 without addressing the roadway. She believes when The Villages was first built, they did not expect as many visitors to the area and now to travel from one side of The Villages to the other side takes 30-40 minutes. She stated she is concerned that vehicles will cut through the

emergency entrance into the property and wondered if the Villages Rehab will have access to the emergency entrance. The emergency vehicles will travel Via San Polo, which is a cul-de-sac, and their house has been broken into because the Villages Rehab parking lot is close to their property and there is no wall between them. Ms. Uribe stated she is in favor of the project; however, the traffic flow needs to be addressed, and asked if there will be an exit on the back side of the development.

Mr. Woodbury stated the entrances and exits are on C.R. 466 and Cherry Lake Road. He stated there is an existing Little Dirt Road; not an actual right-of-way and they have no interest in using it.

Chairman/Member Gauder stated Ms. Uribe's concerns are noted.

Regarding the emergency access, Mr. Carroll stated it would be quicker to travel C.R. 466 than to wind through a subdivision that will have slower speeds and stop signs. He stated they are not ignoring the traffic issues and there are recommendations in the report. The developer is working with the County to improve the flow of traffic through those corridors. Mr. Carroll stated he is in agreement that the traffic flow is not functioning and Rolling Acres Road is failing. He stressed the developer cannot be forced to mitigate a road that is currently failing.

- Pierre Fortin, who owns property owner east of the development, stated he believes if townhouse/condos or multi-family homes are constructed in this development, it is going to impact his property values. He believes the Board needs to seriously consider that the residential plan be only single-family homes. In regards to the traffic pattern, the so-called emergency gated end on Via San Polo will be very limited to no use of emergency personnel because it will not be a thoroughfare for the municipalities of fire and police. He stated he does not want the emergency vehicle traffic running through their neighborhoods at all hours of the night, all of the time. Mr. Fortin stated because there are three optional entrances from two other roads, he does not see the need to have any entrance from Via San Polo. He suggested leaving the small common ground as he and other homeowners have been maintaining it for years. He stated this has been an access for the Meucci family to enter their property, and he asked the Board to consider establishing a solid buffer at the end of Via San Polo.
- Mr. Fortin stated he has seen the traffic increase considerably over the 17 years he has lived on Via San Polo. He stated he has called the County regarding this and it is his understanding that Rolling Acres Road will be widened in the future. He stated that multi-family townhouses and condos would be a negative impact on the surrounding residents and, again, asked the Board to consider only single-family residential homes.

Chairperson/Member Gauder asked if Mr. Fortin was referring to the cost of the single-family houses versus condos.

- Mr. Fortin replied he is basing his statements on single-family homes. If there are multi-family or condos constructed in the development, this will include the height of the structure and he does not want to look out of his windows to see the second story of a townhouse. He stated the rooftop of a single-family home would be less of an impact but a lot more of appreciation in value of the surrounding residential houses. He stated the development has positive aspects especially if it is annexed into the Town, and does not want everything and anything to be constructed in the project.

Member Sigurdson stated as this project develops, Cherry Lake Road will become much busier. The Villages' wall is very close to the west side of Cherry Lake Road and he asked Mr. Carroll what he anticipates for the future regarding this road.

Mr. Carroll replied that Cherry Lake Road is a Lake County road, although there are segments of it that are located in Sumter County. He stated applications were submitted to Lake County and Sumter County for their input. Lake County stated there is an additional right-of-way that will have to be dedicated; he has no specifics on the dimensions.

Mr. Carroll stated he does not know what Sumter County has in its long-term plan. He stated both jurisdictions are aware of the application and are invited to make comments regarding the impact to Cherry Lake Road.

- Pierre Fortin stated with new developments, rules are put in place for the benefit of neighboring property owners, however the rules have not been enforced. He stated dumpsters are being emptied at various times during the night at the rehab center. It is his understanding that the Town has contracted with the Villages' Rehab Center and that no dumpsters or delivery traffic is permitted earlier than 7 a.m. He stated he has kept a log of when these instances have occurred.

Chairperson/Member Gauder stated this Board cannot address this issue and advised Mr. Fortin to attend the regular Town Commission meeting and comment on this during open forum.

Chairperson/Member Gauder asked if there were any questions from the Board, and hearing none, asked for a motion.

Upon a motion by Member Sigurdson and a second by Member Gauder (after passing the gavel to Member Sigurdson), the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-34 to the Town Commission for consideration by the following roll call vote:

<i>CHAISSON</i>	<i>NO</i>
<i>CONLIN</i>	<i>NO</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

Member Chaisson explained that he cannot support this without further understanding traffic patterns and issues brought up by some of the residents.

Due to lack of a majority vote, Attorney Sasha Garcia stated Ordinance No. 2016-34 will go before the Town Commission for their consideration as a tie.

4. Ordinance No. 2016-35 – Rezoning – Triston Gustavo Meucci Life Estate, Shirley H. Meucci, and Louis Meucci Trustee – from Lake County Agriculture and Planned Unit Development to Town of Lady Lake Planned Unit Development-Mixed Use PUD – 269.15 +/- Acres of Land Located South of County Road 466 and East of Cherry Lake Road in Lake County, Florida; Referenced by Alternate Key Numbers 1279810, 3325451, 1279801, 1770700, 1279828, and 1279780 (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk’s Office). He stated applicant, F. Thomas Ustler, on behalf Triston Gustavo Meucci Life Estate, Shirley H. Meucci, and Louis Meucci Trustee, has filed an application to amend the zoning designation of properties south of County Road 466, and east of Cherry Lake Road, which includes 269.15± acres within the Town of Lady Lake limits, Lake County Urban Low Density to Lady Lake Mixed Development District/Traditional Neighborhood District.

Mr. Carroll presented maps of the proposed property and surrounding areas, and a breakdown of what the developer is proposing. He stated the phases will come before the Town as residential plats, commercial plat or site plan process should this be approved. Any subsequent approvals of what the development looks like such as the road network will come through the Town Commission for their approval.

Mr. Carroll stated the rezoning application was received on September 14, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan in accordance to what is being proposed under the MDD-TND designation, and is ready for transmittal to the Town Commission. He stated the subject property is currently zoned Lake County Agricultural and Planned Unit Development.

Notices to inform the surrounding property owners (39) within 150 feet of the property of the proposed rezoning were mailed on Monday, October 24, 2016. The property was posted on Thursday, October 27, 2016. There was one objection from a surrounding property owner and an inquiry regarding access to the development.

Mr. Carroll stated he will follow up with Lake County regarding the access into the development as the responding agency. He stated if they do not object to closing Via San Polo, the emergency access currently proposed could be removed from the ordinance. He stated the emergency access on Via San Polo was included as precautionary measure.

The subject properties involve approximately 269.15 ± acres in Section 19, Township 18, Range 24 in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Zoning

Subject Property	Lake County –Agriculture and Planned Unit Development
Future Land Use of Adjacent Properties	
West	Sumter County – Planned Commercial and Residential
East	Lake County – Agricultural Residential (AR), Planned Unit Development, and Agriculture (A)
North	Lady Lake – Commercial General (RET) and Mixed Residential Medium Density (MR-MD), Other Institutional Facilities (OIF), Lake County (CFD)
South	Lake County – Agriculture (A)

Comments: Annexation and Large Scale Future Land Use Map Amendment Applications have been submitted concurrently with the Rezoning Application. A Memorandum of Agreement has been submitted as an exhibit of Ordinance 2016-35, as well as a Conceptual Plan for the development.

The Technical Review Committee (TRC) members individually reviewed application for Ordinance 2016-35, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance 2016-35 for first reading on Monday, December 5, 2016 at 6:00 p.m. The second and final reading will be held on a date to be determined, pending review of the concurrent Large Scale Comprehensive Plan Amendment (Ordinance 2016-34) by the Department of Economic Opportunity.

Mr. Carroll stated the majority of the issues with the MOA have been previously discussed as part of the Large Scale Amendment process.

Chairperson/Member Gauder asked if there were any questions or comments from the Board or from those in the audience.

- Pierre Fortin asked Mr. Carroll to clarify his statement regarding the emergency entrance on Via San Polo.

Mr. Carroll stated Lake County is the responding agency for fire, and if they do not feel there is a need for the proposed emergency access at this point, that language can be removed from the ordinance. He stated he will discuss this emergency access with the Police Chief as a courtesy to the Town's police department.

Member Chiasson again stated his concern with the amount of proposed units in the development.

- Karen Donnelly asked for clarification of how the commercial area will look, what businesses will be located there, and how far will it be set back from her property.

Mr. Woodbury stated the intent is to have a small grocery store, a pharmacy, and a few restaurants. The majority of the uses could be on the east side of the power lines. He stated there is approximately 350 feet on the opposite side of the power lines that is difficult to use and is in communication with Duke Energy as to how they can utilize this area. He stated the reduction in square footage is because this area cannot be used.

- Karen Donnelly asked if there will be golf cart paths and golf cart access.

Mr. Woodbury replied there is nowhere for the golf carts to go; they could be driven within the development and not on C.R. 466. He stated the development cannot connect to The Villages.

In reference to Mr. Fortin's concern about the apartment site of the project abutting an approved commercial PUD, he stated constructing single-family residences is not compatible next to a commercial development. The right-of-way to the property can be used by anyone, County or Town. He stated he is amenable to constructing single-family residences along the perimeter.

- Tara Townsend-Fortin stated she lives on Via San Polo and is upset regarding the proposed development. She stated she grew up in Sumter County and understands growth, however, to know she will be hearing hammers for the next ten years is very upsetting for her. She asked if there are plans for a wall around the development. She stated she is very uncomfortable knowing the homes that will be constructed will have immediate access to her property.

Mr. Carroll replied at this time the developer is required to install a minimum Type A buffer, which consists of three canopy trees and two understory trees every 100 feet and a continuous hedge. He

stated the applicant can work with the surrounding property owners to negotiate wider buffers or vinyl fence in lieu of a continuous hedge.

Mr. Woodbury stated he is amenable to expanding the buffer and is willing to create a good boundary between the two properties.

- Pierre Fortin stated he is speaking for all of the property owners and a Type A buffer is unacceptable. He stated anyone in the entire proposed development can walk through a Type A buffer into his yard. He stated Rolling Acres Apartment Complex has a high wall around the property with a landscaping buffer within it. Mr. Fortin asked whether there will be mixed condos and townhouses in Residential Areas 2 through 5.

Mr. Woodbury stated Residential 1 is the only area that will have a condo or an apartment because the north side of the property is going to be the commercial area. Therefore, Residential Areas 2 through 5 will all be single-family homes or townhouses that meet the same height restrictions that are currently in place.

Member Conlin clarified that residential areas 2, 3, 4, and 5 are single-family residences.

Mr. Woodbury stated he is correct.

- Pierre Fortin thanked Mr. Woodbury for clarifying this. He asked if this development will be competing with The Villages in regards to the amount of houses per acre. He stated he believes that the amount of houses per acre needs to be reduced. Regarding the buffer, Mr. Fortin stressed there needs to be a solid wall.
- Shelly Holland, who resides on Via San Polo, stated she has not heard mentioned this evening if this development will be constructed in phases, which phase will be constructed first, and how long will it take to complete. Regarding the residential areas, she asked how many houses per acre will be on the residential land.

Mr. Woodbury stated the development will be constructed in phases and expects it to be a 10-year project. He stated because it is a high demand area he is unsure which phase will be constructed first. Because The Villages has grown so extensively, this has created a lot of businesses and many different uses that are outside of The Villages. He stated what has been approved and what is being developed are uses for the “non-Villages folks”, housing for this population, and for people who are interested in being close to The Villages. He stated it is quite possible that the residential area could be a 55-plus restricted community and that option has not been excluded. If that proposal is approved, it will drastically change the traffic.

Mr. Woodbury stated they have been working on alleviating the traffic by reducing the square footage of the commercial portion of the development. That impact that will be reflected in the next traffic analysis.

Mr. Woodbury stated currently he is looking at what the demand is for this area, which includes hearing the concerns and comments from the people who have been speaking tonight. He stated this part of the population are people who are not part of The Villages, they are not 55 years old or over and yet they have businesses or professions that tie to The Villages and they are here because of its growth, or they have experienced the growth along with it. That is what created the demand and that would be true whether this project is in the Town of Lady Lake or if it is in Lake County.

Mr. Woodbury stated Mr. Carroll reported earlier that the services are a combination of both entities. He stated the roads, the fire services and the schools will be serviced by Lake County and the water, sewer, reuse, and police will be serviced by the Town. He stated this project is bordering Sumter County and Sumter County has its own ideas about what is going to be going on next to that retail piece of property because that piece of property is also for sale. Mr. Woodbury reported that entire area is attempting to develop and what he is attempting to create is a development that encompasses several uses that work with and complement each other.

- Pierre Fortin asked if the construction time-frame could be reduced since this is a very large project, and will generate constant dust, noise, and burn piles. He stated he would rather deal with it in a shorter amount of time. In regards to the residential part of the project, he asked if it will be deed restricted and have an HOA. He stated Recreation Plantation is not accessible to The Villages; however, those residents drive their golf carts across Rolling Acres Road to the ballfield, then through the dog park to the entrance to The Villages. He stated he is concerned the residents of this new development will drive their golf carts or four-wheeled vehicles across 466 to go through Chula Vista Avenue.

Chairperson/Member Gauder asked if there were any further questions, and hearing none, asked for a motion.

Upon a motion by Member Sigurdson and a second by Member Conlin, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-35 to the Town Commission for consideration by the following roll call vote:

<i>CHAISSON</i>	<i>NO</i>
<i>CONLIN</i>	<i>NO</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

Member Chaisson stated that he cannot recommend approval without fully understanding traffic implications and concerns brought up by the residents who about the property.

Due to lack of a majority vote, Attorney Sasha Garcia stated Ordinance No. 2016-35 will go before the Town Commission for their consideration.

Ordinance No. 2016-36 – Annexation – The Villages of Lake-Sumter, Inc. – Annexing One Lot Located Within Orange Blossom Gardens Unit 3-1.B, Referenced by Alternate Key Number 2523247, Lake County Florida (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk’s Office). He stated applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed applications to annex property consisting of one lot located within Orange Blossom Gardens Unit 3-1.B. The annexation application involves 0.14 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. The lot is addressed as 850 Silver Oak Avenue.

Mr. Carroll stated the subject property lies 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 property was included with the submitted application. The manufactured home has been removed

and will be replaced by a conventional single-family residence. The lot will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex property into the Town which are non-contiguous to the existing municipal boundary. The proposed property under this application exists as a contiguous lot.

He reported the annexation application was received on Thursday, October 6, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (20) within 150 feet of the property proposed by the annexation request were mailed Thursday, October 27, 2016. The property was posted Monday, October 31, 2016. There have been no objections or letters of support regarding this annexation.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2016-36, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance 2016-36 for first reading on Monday, December 5, 2016 at 6:00 p.m. The second and final reading will be held on Monday, December 19, 2016 at 6:00 p.m.

Mr. Carroll stated staff recommends approval of this ordinance.

Chairperson/Member Gauder asked if there were any questions or comments from the Board or from those in the audience, and hearing none, asked for a motion.

Upon a motion by Member Chiasson and a second by Member Sigurdson, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-36 to the Town Commission for consideration by the following roll call vote:

<i>CHIASSON</i>	<i>YES</i>
<i>CONLIN</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

5. Ordinance No. 2016-37 - Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – From Lake County Medium Urban Density to Lady Lake Manufactured Home High Density – One Lot Located Within Orange Blossom Gardens Unit 3-1.B, Referenced by Alternate Key Number 2523247, Lake County, Florida (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk's Office). He stated 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 property consisting of one lot located within Orange Blossom Gardens Unit 3-1.B, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The

application involves 0.14 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. The proposed property is addressed as 850 Silver Oak Avenue.

The Small Scale Future Land Use Map Amendment application was received on Thursday, October 6, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (20) within 150 feet of the property of the proposed amendment were mailed on Thursday, October 27, 2016. The property was posted on Monday, October 31, 2016. There have been no objections or letters of support regarding this amendment.

A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted to explain expected impacts on Town Services. The Villages has removed the existing manufactured home on the lot to construct a conventional built home on the lot. There will be no increase in utility services, traffic, population, or recreation use.

Impact on Town Services:

Potable Water - No impact; lot is served by the Village Center Community Development District Central Water System.

Sewer - No impact; lot is served by the Village Center Community Development District Central Sewer System.

Schools – Not factored for project; no foreseen impact of students as the project is located within an active adult retirement community.

Transportation – No impact; the existing home will be replaced with a new home. There will be no change in average daily trip generation.

Parks & Recreation – The small scale future land use amendment will not cause P&R level of service to be exceeded since the project is for the replacement of existing homes. Additionally, The Villages provides its residents with all park and recreation amenities.

Stormwater – The 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 0.14 ± acres lie in Section 06, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Properties	Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
East	Lady Lake Manufactured Home High Density
North	Lady Lake Manufactured Home High Density
South	Lake County Medium Urban Density

Mr. Carroll reported the annexation and rezoning applications have been submitted concurrently with this Small Scale Future Land Use Amendment application. In accordance with the Interlocal Agreement for Building Permits and 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. The 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.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2016-37, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Local Planning Agency is scheduled to consider Ordinance 2016-37 on Monday, December 5, at 5:30 p.m. The Town Commission is scheduled to consider Ordinance 2016-37 for first reading on Monday, December 5, 2016 at 6:00 p.m. The second and final reading will be held on Monday, December 19, 2016 at 6:00 p.m.

Mr. Carroll stated staff recommends approval of this ordinance.

Chairperson/Member Gauder asked if there were any questions or comments from the Board or from those in the audience, and hearing none, asked for a motion.

Upon a motion by Member Chiasson and a second by Member Sigurdson, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-37 to the Town Commission for consideration by the following roll call vote:

<i>CHIASSON</i>	<i>YES</i>
<i>CONLIN</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

6. Ordinance No. 2016-38 - Rezoning – The Villages of Lake-Sumter, Inc. – From Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) – One Lot Located Within Orange Blossom Gardens Unit 3-1.B, Referenced by Alternate Key Number 2523247, Lake County, Florida (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk’s Office). He stated applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed an application to rezone property consisting of one lot located within Orange Blossom Gardens Unit 3-1.B. The application involves rezoning 0.14 +/- 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 property is addressed as 850 Silver Oak Avenue.

The Rezoning application was received on Thursday, October 6, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (20) within 150 feet of the property of the proposed annexation were mailed Thursday, October 27, 2016. The properties were posted Monday, October 31, 2016. There have been no objections or letters of support regarding this amendment.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

Zoning

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

Mr. Carroll reported the Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2016-38, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance 2016-38 for first reading on Monday, December 5, 2016 at 6:00 p.m. The second and final reading will be held on Monday, December 19, 2016 at 6:00 p.m.

Mr. Carroll stated staff recommends approval of this ordinance.

Chairperson/Member Gauder asked if there were any questions or comments from the Board or from those in the audience, and hearing none, asked for a motion.

Upon a motion by Member Conlin and a second by Member Chiasson, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-38 to the Town Commission for consideration by the following roll call vote:

CHIASSON	YES
CONLIN	YES
SIGURDSON	YES
GAUDER	YES

7. Ordinance No. 2016-39 - An Ordinance of the Town of Lady Lake, Lake County, Florida, Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk’s Office). He stated Ordinance 2016-39 is a proposal of the annual update

of the Capital Improvements Schedule which is part of the Town's Comprehensive Plan. He stated the Capital Improvement Plan update process and the corresponding requirements are no longer required to be processed by a Comprehensive Plan Amendment, but may be adopted by local Ordinance.

Mr. Carroll stated the Town must annually update the Five-Year Schedule of Capital Improvements pursuant to Florida Statutes. The purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service (LOS) standards are achieved and maintained for concurrency related facilities. He stated these facilities include: water, water supply, sewer, solid waste, drainage, parks and recreation, public schools, transportation and mass transit.

Mr. Carroll stated while the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five-year capital improvement schedules from other entities. Corrections, updates, and modifications concerning costs, revenues, or the dates of construction of any facility or project identified in the Comprehensive Plan/Capital Improvement Program are not considered amendments and may be accomplished by local ordinance.

Mr. Carroll stated the proposed improvements for the Five-Year Planning Period 2016/17–2020/21 are shown in the attached summary, "Exhibit A". He stated the projects that were removed from the previous update are reflected in strike-through underlines. Also attached is Ordinance 2015-18 to document the prior Five-Year Capital Improvement Schedule 2015/16-2019/20, which is being replaced by this ordinance.

Mr. Carroll presented 5-year schedules for the water plan, wastewater and storm water, libraries, parks and recreation, and transportation improvements.

The Technical Review Committee (TRC) members individually reviewed application for Ordinance 2016-39, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance 2016-39, for first reading on Monday, December 5, 2016, and second and final reading is scheduled for Monday, December 19, 2016.

Mr. Carroll stated staff recommends forwarding Ordinance 2016-39 to the Town Commission as prepared. This ordinance serves to update to the Capital Improvements Schedule as required under F.S. 163.3177(3)(b).

Chairperson/Member Gauder asked if there were any questions or comments from the Board.

Member Sigurdson requested that the revisions be presented in red when this improvement schedule is presented in the future.

Chairperson/Member Gauder asked if there were any further questions or comments from the Board or from those in the audience, and hearing none, asked for a motion.

Upon a motion by Member Sigurdson and a second by Member Conlin, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-39 to the Town Commission for consideration by the following roll call vote:

CHIASSON

YES

<i>CONLIN</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

CHAIRPERSON/MEMBERS' REPORT:

Chairperson Gauder stated he would like the motion made more quickly in the future when he asks for a vote from the Board.

ADJOURN: *With nothing further to discuss, the meeting was adjourned at 7:26 p.m.*

Carol Osborne, Staff Assistant to the Town Clerk John Gauder, Chairperson

Minutes transcribed by Carol Osborne, Staff Assistant to the Town Clerk