

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

September 6, 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 6:00 p.m.

- A. CALL TO ORDER:** Mayor Jim Richards

- B. PROCEDURE:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*

- C. INVOCATION:** Moment of Silence

- D. PLEDGE OF ALLEGIANCE**

- E. 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; Derek Schroth, Town Attorney; Senior Planner Wendy Then; Public Works Director C.T. Eagle; Tia O’Neal, Human Resource Director; Chief Chris McKinstry, Retired Police Officer Barney (T.J.) Johnson, Sgt. Greg House, Detective Butch Purdue, Captain Robert Tempesta, Jan Miller, Admin. Assistant, Pat Hughes, Staff Assistant, Police Department; Elvira Ruiz & Mary Mullen, Police Records; Pam Winegardner, Finance Director; Michelle Bilbrey, Code Enforcement Officer; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS: Mayor Richards asked if there were any comments from the audience. There were no comments.

G. PUBLIC HEARING:

1. Resolution No. 2017-113 – First/Final Reading – Adoption of Tentative Millage Rate for FY 2018 (Pam Winegardner)

Finance Director Pam Winegardner gave the background summary for this agenda item (on file in the Clerk’s Office). She stated that per State Statute Chapter 200.065, the Town of Lady Lake must hold a public hearing on the tentative millage rate and proposed budget. At this hearing, the Town Commission will discuss the tentative millage rate, and if changed, re-compute its’ tentative millage

rate and publicly announce the percent, if any, by which the re-computed tentative millage is greater than or less than the rolled-back rate and approve the resolution.

Ms. Winegardner reminded the Town Commission that they can increase the millage rate at this meeting, but will not be able to increase it from what was approved at this meeting at the second public hearing on September 20th. This tentative rate plus any other rate below this rate requires an affirmation vote of three members of the Town Commission. She stated that this hearing was advertised via the TRIM Notice mailed out by the Property Appraiser.

Ms. Winegardner made the following required announcements:

- The Taxing Authority is the Town of Lady Lake;
- the tentative millage rate is greater than the current year’s rolled-back rate of 3.2164; and
- the tentative millage rate is 3.3962.

Ms. Winegardner then read the heading of Resolution No. 2017-113 regarding the adoption of the tentative millage rate for FY 2017-2018.

Mayor Richards asked if there were any questions or comments from the Commissioners or the public. There were no questions or comments.

Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved the first/final reading of Resolution No. 2017-113, which sets the FY 2017-18 tentative property tax millage rate of 3.3962 mills per \$1,000 taxable valuation which is greater than the current year’s rolled back rate, by the following roll call vote:

| | |
|-----------------|------------|
| <i>HOLDEN</i> | <i>YES</i> |
| <i>VINCENT</i> | <i>YES</i> |
| <i>HANNAN</i> | <i>NO</i> |
| <i>RICHARDS</i> | <i>YES</i> |
| <i>KUSSARD</i> | <i>YES</i> |

2. Ordinance No. 2017-35 – First Reading – of Tentative Operating Budget for FY 2018 (Pam Winegardner)

Finance Director Pam Winegardner gave the background summary for this agenda item (on file in the Clerk’s Office). She stated that per State Statute Chapter 200.065, the Town of Lady Lake must hold a public hearing on the proposed FY2018 operating budgets. At this hearing, the Town Commission will amend and approve the first reading of the budget ordinance after adoption of the final millage rate. She stated this hearing was advertised via the TRIM notice mailed out by the Property Appraiser.

Ms. Winegardner read the ordinance title which stated the budget is setting forth anticipated revenue of \$17,963,218 and expenditures in an equivalent amount. The following amounts are appropriated for various funds: General Fund - \$10,685,013; Special Revenue (infrastructure sales surtax) - \$1,643,000; and Utilities Fund - \$5,635,205; for a total of \$17,963,218.

Mayor Richards asked if there were any questions or comments from the Commissioners or the public. There were no questions or comments.

Upon a motion by Commissioner Kussard and seconded by Commissioner Hannan, the Commission approved the first reading of Ordinance No. 2017-35, by the following roll call vote:

| | |
|-----------------|------------|
| <i>HOLDEN</i> | <i>YES</i> |
| <i>VINCENT</i> | <i>YES</i> |
| <i>HANNAN</i> | <i>YES</i> |
| <i>RICHARDS</i> | <i>YES</i> |
| <i>KUSSARD</i> | <i>YES</i> |

H. PRESENTATION:

3. Retirement of Police Officer Barney Johnson (Chris McKinstry)

Police Chief Chris McKinstry recognized Police Officer Barney (T.J.) Johnson upon his retirement from the Lady Lake Police Department after completing ten years of service. He presented him with a retirement gift of a display plaque that included his badge, I.D. and service weapon; and thanked him for his years of service, as did the Commissioners and the Town Manager.

Officer Johnson thanked the Chief, the Commissioners, and the Town Manager, saying it was a pleasure to work with the members of the police department, Town staff, and its citizens. He stated he dedicated himself to the service of protecting the citizens of Lady Lake and the people who pass through its corridors.

Town Manager Kris Kollgaard stated it has been an honor and a pleasure working with T.J. She asked him to be sure to come back and visit staff.

I. CONSENTⁱ:

Mayor Richards asked if the Commissioners wanted to pull any of the Consent items for discussion. Commissioner Hannan asked that #5 be pulled.

**4. Minutes – August 21, 2017 – Special Commission Meeting
– August 21, 2017 – Regular Commission Meeting**

6. Consideration of Approval of the Memorandum of Agreement for Utilizing the Lady Lake Public Library as an Early Voting Site for the 2018 Election Year (Kris Kollgaard)

The background summary for this agenda item is on file in the Clerk’s Office. It states that the Lake County Supervisor of Elections is requesting to utilize the Lady Lake Library as an early voting site for the Primary Election on August 13th – August 25th, 2018; and for the General Election on October 19th – November 3rd, 2018. The Memorandum of Agreement formalizing this request is attached.

7. Consideration of Approval of the FY 2017-2018 Public Risk Management Renewal (Tia O’Neal)

The background summary for this agenda item is on file in the Clerk’s Office. It states that staff received the 2017-18 PRM/WRM renewal for property, workers’ comp, general liability and pollution insurance coverage for the upcoming fiscal year. The grand total is \$489,243, which includes a \$9,785 preferred member participation credit. An estimated 15% increase was proposed

in the 2017/18 budget, although the overall increase is on 4.8% for property casualty, liability and workers' compensation.

Staff is also requesting Commission approval on a two-year coverage agreement for liability and workers' compensation. This is the first year PRM has offered a two-year rate guarantee on liability and workers' compensation rates, and staff feels it would be beneficial to lock in these rates.

7.a. Consideration of Mutual Agreement with Grubbs Emergency Services LLC for Debris Removal Services – Emergency Response (C.T. Eagle)

The background summary for this agenda item is on file in the Clerk's Office. It states that Town staff has been working with the City of Leesburg staff in developing a cooperative bid package related to Emergency Debris Removal Services. In the interim, staff recommends "piggy-backing" off the existing City of Leesburg contract to insure services are available for the potential Hurricane Irma event. The mutual agreement has been approved by the Town Attorney.

Upon a co-motion by Commissioner Hannan and Commission Vincent, and a second by Commissioner Kussard, the Commission approved Consent Items I-4 through I-7a, with the exception of Item I-5, by a vote of 5 to 0.

5. Consideration to Accept and Sign the New Ten Year Lease Agreement with the American Legion Post 347 and the Orange Blossom Gardens Lions Club for the Lady Lake Driving Range (Mike Burske)

Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on file in the Clerk's Office). He stated that a new lease agreement with the American Legion and the Lion's Club for the Lady Lake Driving Range has been drawn up to include terms regarding the paving of the parking lot at the Driving Range. The agreement is very similar to the last agreement with changes noted on the draft agreement using strike-through and yellow highlighting. The major changes to the lease are included in Article Ten.

Mr. Burske stated Bob Johnson of the American Legion is present if there are any questions for him.

Commissioner Hannan stated the property the driving range is on is very valuable to the Town and may be needed someday for other uses, and he would prefer a shorter lease period, such as year to year (tenant at will).

Mr. Burske pointed out that there is a clause in the lease stating that it can be terminated according to the terms herein.

Mayor Richards stated that Article 10 of the lease provides pro-ration of payback for the parking lot re-paving should the lease be terminated.

Commissioner Kussard stated that the American Legion and the Lions Club was very generous by offering to pay half the cost of paving the parking lot, and part of the agreement with them was that there would be a ten-year lease. She stated the Town should abide by that.

Commissioner Holden stated he is in favor of the ten-year lease, as was Mayor Richards and Commissioner Vincent.

Mayor Richards stated that when the Town maintained and staffed the driving range, it was a break-even proposition. He stated that the American Legion and the Lion's Club have generated monies for charities since they took over running the driving range, over and above maintenance costs, and have done a good job.

Ms. Kollgaard stated that the American Legion and Lion's Club want a longer term lease since they have invested the funds to help pave the parking lot.

Town Attorney Derek Schroth stated the lease provides that termination can occur with 180-day notice without cause.

Upon a motion by Commissioner Kussard, and a second by Commissioner Holden, the Commission approved Consent Item I-5 by a vote of 4 to 1 (Hannan).

J. OLD BUSINESS: No old business.

K. NEW BUSINESS:

8. Consideration of Approval to Award RFP No. 2017-0002 for Towing & Vehicle Recovery Services to Kling Towing & Recovery, Inc. (Chris McKinstry)

Police Chief Chris McKinstry gave the background summary for this agenda item (on file in the Clerk's Office). He stated that on Thursday, June 29, 2017 the advertisement of RFP #2017-0002 was published in the legal ad section of the Lake Sentinel and the Daily Commercial to solicit firms to provide towing and vehicle recovery services for the Town of Lady Lake. On Wednesday, August 2, 2017, the bid period was closed at 10 a.m. and any received bids were opened in a public meeting held in the Town Hall Commission Chambers. In response to the advertised RFP, one proposal was received from Kling Towing and Recovery, Inc.

Chief McKinstry stated that Kling Towing has provided prompt and effective towing and vehicle recovery services to the Town for the past several years. Staff is not aware of any consumer complaints regarding the service provided for the Town.

Chief McKinstry stated the RFP evaluation committee was comprised of three staff members; one from the Police Department, one from the Public Works Department, and one from the Finance Department. These staff members were assigned to score the respondent based upon a matrix (included in the packet). Committee discussion of the proposal was held on Tuesday, August 22, 2017 at 9 a.m. in a posted public meeting, at which time the ratings were read into the record. Based upon the ratings as evaluated under the matrix, Kling Towing and Recovery scored 261.16 points. Town staff recommends that the 12-month contract be awarded to Kling Towing and Recovery, Inc.

The complete RFP response package as submitted by the applicant is available for review in the Clerk's Office.

Commissioner Vincent commented that he has seen Kling Towing in action and they appear to do a professional job.

Upon a motion by Commissioner Hannan and a second by Commissioner Kussard, the Commission awarded RFP No. 2017-0002 for Towing & Vehicle Recovery Services to Kling Towing & Recovery, Inc. by a vote of 5 to 0.

L. TOWN ATTORNEY'S REPORT:

9. Ordinance No. 2016-45 – Second/Final Reading – Special Exception Use – Basics: Range & Gun, LLC – Requesting to Incorporate Motor Vehicle R.V. and Boat Storage Facilities, Contractor's Office with Enclosed Storage Area, Outdoor Storage and Mini-Storage Warehouse Uses within the Heavy Commercial (HC) Zoning Classification – Located at 315 S. Highway 27/441 (AK#1124956) (Wendy Then)

Town Attorney Derek Schroth read the ordinance by title only.

Senior Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk's office). She stated that the applicant, Mr. Franklin Dickinson, owner and operator of Basics: Range & Gun, LLC, has filed an application to amend special exception uses within the Heavy Commercial zoning designation, to establish an indoor gun range on 11.12 +/- acres located at 315 South Highway 27/441, Lady Lake, Florida.

Mr. Dickinson came before the Town Commission on October 3, 2016, and was granted approval for a Special Exception Use (Ordinance No. 2016-29) to develop a multi-phase, multi-tenant development to include a 24,150 sq. ft. building for Phase I, featuring a 10,350 sq. ft. area to include a 20-lane tactical and bull's eye indoor gun range area, 3,600 sq. ft. for gun shop and educational area, and an additional 10,200 sq. ft. of retail, sales and services. He then came before the Town Commission on December 19, 2016 to amend the special exception uses on the property to incorporate motor vehicle R.V. and boat storage facilities, contractor's office with enclosed storage area, outdoor storage and mini-storage warehouse uses. The item was continued at that meeting to allow the applicant to meet with the residents of the Oak Grove Subdivision to discuss the specifics of the project and address their concerns.

A map and an aerial view of the property was shown, along with an aerial view showing the zoning of the property and adjacent parcels. A photo of the posting of the site was shown.

Ms. Then stated that under the new proposal, the plan calls for 10,695 sq. ft. for a 20-lane gun range, for 6,045 sq. ft. for the gun store, and for 3,780 sq. ft. for general retail. The conceptual plan also provides for 34 spaces of open storage in the rear of the property to be surrounded by a ten-foot high opaque privacy fence. The applicant met with the homeowners of the Oak Grove Subdivision on February 11, 2017 and agreed to provide the ten-foot opaque fence. Lot #2, being 4.04 +/- acres, is not proposed to be developed at this time.

The subject property lies in Section 21, Township 18 South, Range 24 East, and is zoned "HC" Heavy Commercial. A Special Exception Use is required to be granted by the Town Commission as per the provisions of Town of Lady Lake Land Development Regulations, Chapter 6, Section 6-2). to allow for the establishment of the motor vehicle R.V. and boat storage facilities, contractors' office with enclosed storage area, outdoor storage and mini-storage warehouse uses. The Future Land Use Map designation for the property is Commercial General-Retail Sales and Services (RET), which is compatible and consistent with the proposed uses of the property.

The proposed project will again be constructed following elements of the Spanish Mission Architectural Design Style; specifically, a design replicating the Alamo. Any landscaping waivers will be brought before the Parks, Recreation, and Tree Advisory Committee, and any commercial landscaping waivers will be brought before the Town Commission for final consideration as part of the site plan application process.

The Future Land Use and Zoning of the subject parcel and adjacent properties are as follows:

Future Land Use

| | |
|---|---|
| Subject Property | Lady Lake – Commercial General – Retail Sales and Services (RET) |
| Future Land Use of Adjacent Properties | |
| West | Lady Lake – Commercial General – Retail Sales and Services (RET) |
| East | Lady Lake Manufactured Homes High Density (MH-HD) |
| North | ROW/ Lady Lake – Commercial General – Retail Sales and Services (RET) |
| South | ROW/ Lady Lake – Commercial General – Retail Sales and Services (RET) |

Zoning

| | |
|--------------------------------------|---|
| Subject Property | Lady Lake– Heavy Commercial (HC) |
| Zoning of Adjacent Properties | |
| West | ROW/ Lady Lake– Heavy Commercial (HC) |
| East | Lady Lake– Manufactured Homes High Density (MH-9) |
| North | ROW/Lady Lake– Heavy Commercial (HC) |
| South | Lady Lake– Heavy Commercial (HC) |

Should the Special Exception Use Amendment application be approved, the site plan process would follow, at which time the applicant will be required to submit a full site plan application, traffic study, noise study, environmental assessments, geotechnical and drainage reports, etc. Town staff would conduct a comprehensive site plan review to include parking, landscaping, commercial design standards, and signage requirements.

The application has been reviewed and been determined to be complete. In accordance with all supporting appropriate material, the application is deemed in compliance with the Land Development Regulations (LDRs).

Ms. Then stated that notices to inform the surrounding property owners (20) within 150’ of the property of the proposed amendment were mailed on Monday, July 31, 2017. The property was posted Thursday, August 10, 2017.

Ms. Then reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-45 and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. She noted that the Planning and Zoning Board does not review Special Exception Use applications. At first reading on August 21, 2017, the Town Commission voted 5-0 for approval of Ordinance No. 2016-45.

Ms. Then stated the applicant is present if there are any questions.

- Richard Rodgers, Vice President of the Oak Grove Homeowners Association, stated he has been in contact with Mr. Dickinson for some time and has found him to be cordial and cooperative. He asked for clarification regarding whether access between the proposed fence and the dirt road will be available so that the drainage ditch can be cleaned out.

Franklin Dickinson replied there will be a 30’ landscaping buffer and then a 10’ high opaque fence between the properties, with the dirt road skirting the property around the wetlands. He stated there is also a 25’ buffer from the wetlands to where he can start developing on this property.

Ms. Then clarified that this special exception use requires a Class “C” buffer (a required 10’ setback), and a variance request would have to be brought forth at the site plan process if there was any deviation from the code. She stated since there is a wetland area nearby, all floodplain requirements will be analyzed to be sure there is compliance.

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

Upon a motion by Commissioner Kussard and seconded by Commissioner Hannan, the Commission approved the second/final reading of Ordinance No. 2017-45 by the following roll call vote:

| | |
|-----------------|------------|
| <i>HANNAN</i> | <i>YES</i> |
| <i>KUSSARD</i> | <i>YES</i> |
| <i>HOLDEN</i> | <i>YES</i> |
| <i>VINCENT</i> | <i>YES</i> |
| <i>RICHARDS</i> | <i>YES</i> |

10. Ordinance No. 2017-31 – First Reading – Annexation – The Villages of Lake-Sumter, Inc. and Richard and Junlin Fetterman – Annexing Five Lots (0.76 +/- Acres Referenced by Alternate Key #s 1672325, 1482534, 2523344, 2690194, and 2636653) – Located Within Orange Blossom Gardens Units 1 And 3.1b, within Lake County, FL (Wendy Then)

Town Attorney Derek Schroth read the ordinance by title only.

Senior Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk’s office). She stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc. and Richard and Junlin Fetterman, has filed an application to annex five lots located within Orange Blossom Gardens Units 1 and 3.1B; 0.76 +/- acres referenced by Alternate Key #s 1672325, 1482534, 2523344, 2690194, and 2636653. The annexation application involves annexing 0.76 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The lots are addressed as follows:

- 1033 Aloha Way
- 930 Aloha Way
- 822 Silver Oak Avenue
- 743 Royal Palm Avenue
- 716 Royal Palm Avenue

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

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

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 properties into the Town that are non-contiguous to the existing municipal boundary.

The annexation application was received on Tuesday, July 25, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Ms. Then stated that notices to inform the surrounding property owners (100) within 150 feet of the property proposed by the annexation request were mailed Monday, July 31, 2017. The properties were posted on Tuesday, August 1, 2017. No objections or letters of support have been received to date.

Ms. Then reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-31, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the August 14, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-31 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Wednesday, September 20, 2017 at 6:00 p.m.

Ms. Then stated the applicant is present if there are any questions.

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

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2017-31 by the following roll call vote:

| | |
|-----------------|------------|
| <i>HANNAN</i> | <i>YES</i> |
| <i>KUSSARD</i> | <i>YES</i> |
| <i>HOLDEN</i> | <i>YES</i> |
| <i>VINCENT</i> | <i>YES</i> |
| <i>RICHARDS</i> | <i>YES</i> |

11. Ordinance No. 2017-32 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. and Richard and Junlin Fetterman – from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Five Lots (0.76 +/- Acres Referenced by Alternate Key #s 1672325, 1482534, 2523344, 2690194, and 2636653) – Located Within Orange Blossom Gardens Units 1 And 3.1b, within Lake County, FL (Wendy Then)

Town Attorney Derek Schroth read the ordinance by title only.

Senior Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk's office). She stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc. and Richard and Junlin Fetterman, has filed an application to amend the future land use comprehensive plan designation for five lots located within Orange Blossom Gardens Units 1 and 3.1B, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves 0.76 +/- acres of property and the lots are addressed as follows:

- 1033 Aloha Way
- 930 Aloha Way
- 822 Silver Oak Avenue
- 743 Royal Palm Avenue
- 716 Royal Palm Avenue

A map and an aerial view of the properties was presented showing the future land use of the subject parcel and adjacent properties.

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

Ms. Then stated there will be no impact on Town services as shown below:

Potable Water – No impact, lots are served by the Village Center Community Development District Central Water System.

Sewer – No impact, lots are served by the Village Center Community Development District Central Sewer System.

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

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

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

Stormwater – Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The subject property involves approximately 0.76 ± acres and lies in Section 06, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

| | |
|---|---|
| Subject Properties | Lake County Medium Urban Density |
| Future Land Use of Adjacent Properties | |
| West | Lake County Medium Urban Density |
| East | Lake County Medium Urban Density |
| North | Lake County Medium Urban Density |
| South | Lake County Medium Urban Density/Lady Lake Manufactured Home High Density (822 Silver Oak Avenue) |

Comments:

- 1) Annexation and Rezoning applications have been submitted concurrently with this Small Scale Future Land Use Amendment application.
- 2) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if The Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.
- 3) Project will be required to adhere to St. John’s River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The Small Scale Future Land Use Map Amendment application was received on Tuesday, July 25, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Ms. Then stated that notices to inform the surrounding property owners (100) within 150 feet of the property proposed by the SSFLUM Amendment request were mailed Monday, July 31, 2017. The properties were posted on Tuesday, August 1, 2017. No objections or letters of support have been received to date.

Ms. Then reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-32, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the August 14, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-32 to the Town Commission with the recommendation of approval. The Local Planning Agency considered this ordinance earlier this evening and voted 5-0 for approval. The Town Commission is scheduled to consider Ordinance No. 2017-32 for second/final reading on Wednesday, September 20, 2017 at 6:00 p.m.

Ms. Then stated the applicant is present if there are any questions.

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

Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved the first reading of Ordinance No. 2017-32 by the following roll call vote:

| | |
|-----------------|------------|
| <i>HANNAN</i> | <i>YES</i> |
| <i>KUSSARD</i> | <i>YES</i> |
| <i>HOLDEN</i> | <i>YES</i> |
| <i>VINCENT</i> | <i>YES</i> |
| <i>RICHARDS</i> | <i>YES</i> |

12. Ordinance No. 2017-33 – First Reading – Rezoning – The Villages of Lake-Sumter, Inc. and Richard and Junlin Fetterman – Rezoning Five Lots (0.76 +/- Acres Referenced by Alternate Key #s 1672325, 1482534, 2523344, 2690194, and 2636653) – Located Within Orange Blossom Gardens Units 1 And 3.1b, within Lake County, FL (Wendy Then)

Town Attorney Derek Schroth read the ordinance by title only.

Senior Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk’s office). She stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed an application to rezone property consisting of five lots located within Orange Blossom Gardens Units 1 and 3.1B. The application involves rezoning 0.76 +/- acres 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 that are presently in the Town of Lady Lake’s jurisdiction. The proposed properties are addressed as follows:

- 1033 Aloha Way
- 930 Aloha Way
- 822 Silver Oak Avenue
- 743 Royal Palm Avenue
- 716 Royal Palm Avenue

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

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

Zoning

| | |
|--------------------------------------|--|
| Subject Property | Lake County Residential Medium (RM) |
| Zoning of Adjacent Properties | |
| West | Lake County Residential Medium (RM) |
| East | Lake County Residential Medium (RM) |
| North | Lake County Residential Medium (RM) |
| South | Lake County Residential Medium (RM) / Lady Lake MX-8 (822 Silver Oak Avenue) |

The rezoning application was received on Tuesday July 25, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Ms. Then stated that notices to inform the surrounding property owners (100) within 150 feet of the property proposed by the rezoning request were mailed Monday, July 31, 2017. The properties were posted on Tuesday, August 1, 2017. No objections or letters of support have been received to date.

Ms. Then reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-33, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the August 14, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance No. 2017-33 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Wednesday, September 20, 2017 at 6:00 p.m.

Ms. Then noted that there is one lot with big trees on it and they seem to be confined within the right-of-way; no tree removal permits have been requested.

Ms. Then stated the applicant is present if there are any questions.

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

Upon a motion by Commissioner Kussard and seconded by Commissioner Vincent, the Commission approved the first reading of Ordinance No. 2017-33 by the following roll call vote:

| | |
|-----------------|------------|
| <i>HANNAN</i> | <i>YES</i> |
| <i>KUSSARD</i> | <i>YES</i> |
| <i>HOLDEN</i> | <i>YES</i> |
| <i>VINCENT</i> | <i>YES</i> |
| <i>RICHARDS</i> | <i>YES</i> |

13. Resolution No. 2017-111 – First/Final Reading – Variance Request – Sun Communities Finance, LP – Pursuant to Chapter 7, Section 7-6. d). 1)., of the Town of Lady Lake Land Development Regulations (LDRs) – Requesting that the Grass Parking on the Water Oaks Recreation Complex Development Plan Be Recognized as Pervious Surface; Not Subject to the Construction of Additional Capacity in a Stormwater Pond for this Area - Located at 106 Evergreen Lane (Alternate Key 3538951) (Wendy Then)

Town Attorney Derek Schroth read the resolution by title only.

Senior Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk’s office). She stated that the applicant, Robert L. Rogers with Rogers Engineering, representing Sun Communities Finance, LLC, has submitted an application for a variance in accordance with Chapter 7, Section 7-6).d).1). of the Land Development Regulations (LDRs) which requires that grassed parking shall be shown on the development plan as being paved/impervious.

Ms. Then stated that the applicant is requesting that the grass parking on the development plan of the Water Oaks Recreation Complex be recognized as pervious surface, and not subject to the construction of additional capacity in a stormwater pond for this area, for property located at 1 Shady Oak Drive at the Recreation Complex within the Water Oaks Country Club.

A map of the property depicting the subject area was shown

Ms. Then stated that this variance request is based on the following:

1. The existing paved vehicular and golf cart parking spaces meets the Town's Land Development Code for required parking. Based upon the number of sports courts and the area of the proposed picnic shelter, 44 spaces are required. The site contains 70 paved parking spaces. The proposed grass parking will be an overflow parking area.
2. The above referenced section of your code states "designers are encouraged to provide grassed overflow parking areas where the number of spaces desired is greater than the Code minimum“.
3. The location of the proposed grass parking area is over Candler sand soils (USGS Soil Survey Map enclosed). Candler sand has excellent permeability rates as shown on the included SGS Soil Survey.

4. The overflow parking area is primarily proposed to provide on-site parking for visitors attending tournament softball games with other Sun Community developments in the State of Florida. This occurs three times per year and the parking spaces will be utilized for approximately four hours during these games. They anticipate random parking in this area from the residents that prefer to park in this area rather than the paved parking spaces due to the close proximity to the softball field. The location and time occupied will be variable.
5. A site plan of the proposed facility was reviewed which showed that overland flow from the grass parking area will flow easterly onto the softball field. The overland flow distance is 400 ft. before reaching the east property line. With the permeability of the underlying soil, offsite runoff will not occur from the proposed grass parking area.
6. The SJRWMD considers grass parking and #57 stone as pervious.

Ms. Then stated that Town staff has no objections to this variance. Photos of the subject area were shown.

The subject property lies in Section 08, Township 18 South, Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Manufactured Home High Density (MH-HD) and is zoned MH-9 (Manufactured Home up to 9 Dwelling Units per Acre). The general location of the subject parcel is 106 Evergreen Lane, at the Water Oaks Country Club Estates (Alternate Key 33538951); within the town limits of the Town of Lady Lake, Florida.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

Notices to inform the surrounding property owners (6) within 150' of the subject property of the proposed variance were mailed on Monday, July 31, 2017. The property was posted on Tuesday, August 1, 2017.

Upon approval of this variance resolution, the applicant will continue with the Major Modification to Site Plan application process for changes to the Water Oak Recreation Complex including addition of a paved walking trail, relocation of proposed courts and picnic pavilions, and provision of grassed parking area for additional vehicular parking.

The Technical Review Committee individually reviewed the variance application for Resolution No. 2017-111 on Monday, August 7, 2017, provided comments, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the Planning and Zoning Board meeting held on Monday, August 14, 2017, the board recommended approval of Resolution No. 2017-111 with a 5-0 vote.

Ms. Then stated the applicant is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments.

Commissioner Holden asked for clarification regarding the amount of clay found in this sand. He stated it does not take much clay to keep water from soaking in.

Robert Rogers, Engineer, replied that there is a long way for the water to flow over grassed area, and there is no problem with the soil. He stated there is a retention area in the northwest area of the complex. He stated in this area, the watershed is southeasterly (400') over the ballfield and does not affect bordering properties. He stated there is five to six feet of sand depth for permeability.

Mayor Richards noted that it was stated in the presentation that required parking is already in place, and asked if that includes the ballfield. He also asked if they would be open to putting in retention if there was any problem with runoff to surrounding properties in the future.

Mr. Rogers replied that it does include the ballfield; all required paved parking is in place. He stated the reason for this variance is because the fire department has requested #57 stone for emergency vehicle access in this grassed area. He stated if there is any problem in the future, they would put a small berm around it, although it does not seem necessary at this time.

Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved the first/final reading of Resolution No. 2017-111 by the following roll call vote:

| | |
|-----------------|------------|
| <i>HANNAN</i> | <i>YES</i> |
| <i>KUSSARD</i> | <i>YES</i> |
| <i>HOLDEN</i> | <i>YES</i> |
| <i>VINCENT</i> | <i>YES</i> |
| <i>RICHARDS</i> | <i>YES</i> |

M. TOWN MANAGER’S REPORT:

Town Manager Kris Kollgaard reported that she sent out an email notifying the Commissioners that no one filed to run against the incumbents. She congratulated Mayor Richards, Commissioner Kussard and Commissioner Vincent on qualifying for another two-year term.

Ms. Kollgaard stated she has sent out updates regarding Hurricane Irma, and staff has put helpful information on the Town’s website. She stated everyone is preparing for the worst, and hopes that it misses our area. She stated the Town’s fuel tank has just been filled up; water is stored, and department heads are meeting each day. Ms. Kollgaard reported that current reports estimate this area may be impacted mostly on Sunday into Monday.

Commissioner Hannan asked if a skeleton crew is proposed for staffing on Monday.

Ms. Kollgaard replied that it depends on updated reports. She reported the Villages Elementary School is the shelter in Lady Lake (pet-friendly). Lake County may be closing schools and government offices on Monday. Ms. Kollgaard stated Public Works crews will be on call, and the Public Works Emergency Operations Center will be available for staff and their families and pets. Police Department staff may be based out of the EOC as well, depending on the severity of the weather.

Commissioner Vincent commented that he appreciated the hurricane preparedness and emergency contact information that the Town Manager sent out to Commissioners earlier today. He stated he distributed this information to his community and they were pleased to get it. He asked if it could be put on the website.

Ms. Kollgaard replied that a link to this information is already on the Town’s website.

Mayor Richards stated he has given this information out as well.

N. MAYOR/COMMISSIONER’S REPORT:

Mayor Richards asked if there were any comments from the Commissioners.

Commissioner Kussard reported that there has been an extreme amount of concern expressed by the residents in her ward regarding this storm. She stated she sent out an email blast with the hurricane information provided by the Town Manager, and found it very helpful. She thanked Ms. Kollgaard for providing this information.

O. PUBLIC COMMENTSⁱⁱ

Mayor Richards asked if there were any comments from the audience. There were no comments.

P. ADJOURN: There being no further business, the meeting was adjourned at 6:49 p.m.

Kristen Kollgaard, Town Clerk

Jim Richards, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

ⁱ *All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

ⁱⁱ *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*