

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

3                                   **February 17, 2021**

4    This special meeting of the Lady Lake Town Commission was held in the Commission  
5    Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida, with Mayor Ruth  
6    Kussard presiding. The meeting convened at 6 p.m.

7    **A. CALL TO ORDER**

8    Mayor Ruth Kussard

9    **B. INVOCATION**

10   By Reverend Debbie Casanzio of the Lady Lake United Methodist Church

11   **C. PLEDGE OF ALLEGIANCE**

12   **D. ROLL CALL**

Commissioner (Ward)	Present
Hannan (Four)	YES
Kussard (One)	YES
Holden (Two)	YES
Vincent (Three)	YES
Rietz (Five)	YES

13   **STAFF PRESENT**

14   Derek Schroth, Town Attorney; Thad Carroll, Interim Town Manager/Growth Management  
15   Director; C. T. Eagle, Public Works Director; Mike Burske, Parks and Recreation Director; John  
16   Pearl, I.T. Director; Lori Sadler, Library Director; Becky Higgins, Development Coordinator;  
17   Chief Rob Tempesta, Lt. Nelson Vargas, Detective Butch Purdue, Sgt. Chausse, Lady Lake Police  
18   Department; and Nancy Slaton, Interim Town Clerk

19   **E. PUBLIC COMMENT**

20   Mayor Kussard asked if there were any comments from the audience. There were no comments  
21   at this time.

22   **F. CONSENT<sup>ii</sup>**

23   **1. Minutes — February 1, 2021 — Regular Commission Meeting**

1 **2. Minutes — February 4, 2021 — Special Commission Meeting**

2 **3. Consideration of Approval for the First Baptist Church of Lady Lake to Host Saxaphonist**  
3 **Dennis Gwizdala at the Log Cabin on Friday, April 16, 2021, at 7 p.m., and for the Parks and**  
4 **Recreation Department to Provide Support for the Concert (Mike Burske)**

5 The background summary for this item is on file in the Clerk's Office.

6 **4. Consideration of Approval to Invest \$5,000.00 from the Tree Bank to Hold the Annual Tree**  
7 **Raffle for Lady Lake Residents (Mike Burske)**

8 The background summary for this item is on file in the Clerk's Office.

9 **5. Consideration of Approval for the Lady Lake Area Chamber of Commerce and the Lady**  
10 **Lake Parks and Recreation Department to Host Art-in-the-Park on January 22<sup>nd</sup> and 23<sup>rd</sup>,**  
11 **2022 (Mike Burske)**

12 The background summary for this item is on file in the Clerk's Office.

13 Mayor Kussard asked if there were any questions or comments from the Commissioners  
14 regarding the Consent items. Hearing none, she asked for a motion.

15 **Commissioner Holden motioned to approve Consent Items F-1 through F-5. Commissioner**  
16 **Hannan seconded the motion. The motion passed by a vote of 5 to 0.**

17 **G. OLD BUSINESS**

18 No old business.

19 **H. NEW BUSINESS**

20 **6. Consideration of Approval to Contract with Neel-Schaffer Engineering to Provide**  
21 **Engineering Services for the Proposed Walking Trail on the Town-Owned Property at the**  
22 **Corner of Old Dixie Highway and West Lady Lake Blvd. (Mike Burske)**

23 Parks & Recreation Director Mike Burske presented the background summary for this agenda  
24 item (on file in the Clerk's Office).

25 Mayor Kussard asked if there were any questions or comments from the Commissioners.  
26 Hearing none, she asked for a motion.

27 **Commissioner Holden motioned to approve the Contract with Neel-Schaffer Engineering to**  
28 **Provide Engineering Services for the Proposed Walking Trail on the Town-Owned Property**  
29 **at the Corner of Old Dixie Highway and West Lady Lake Blvd. Commissioner Vincent**  
30 **seconded the motion. The motion passed by a vote of 5 to 0.**

1 **7. Consideration of Approval of the Renewal of the Town Attorney Services Agreement**  
2 **Between Bowen/Schroth and the Town of Lady Lake (Thad Carroll)**

3 Interim Town Manager Thad Carroll presented the background summary for this agenda item  
4 (on file in the Clerk's Office). He noted that Mr. Schroth has been the Town's attorney since  
5 2005, and that the Town currently pays the Special Magistrate \$250.00 an hour as well.

6 Mayor Kussard asked if there were any questions or comments from the Commissioners.  
7 Hearing none, she asked for a motion.

8 **Commissioner Vincent motioned to approve the renewal of the Town Attorney Services**  
9 **Agreement between Bowen/Schroth and the Town of Lady Lake. Commissioner Rietz**  
10 **seconded the motion. The motion passed by a vote of 5 to 0.**

11 **I. TOWN ATTORNEY'S REPORT**

12 **8. Ordinance 2020-08 (First Reading) — Tabled from Nov. 2, 2020 & Jan. 20, 2021 — An**  
13 **Ordinance of the Town Commission of Lady Lake, Florida, Adopting the Eleventh**  
14 **Amendment to the Amended Development Order for the Tri-County Villages Development of**  
15 **Regional Impact (DRI) Lake County (Thad Carroll)**

16 Town Attorney Derek Schroth read the ordinance by title only.

17 Growth Management Director Thad Carroll presented the background summary for this  
18 agenda item (on file in the Clerk's Office). He then turned the presentation over to the team  
19 representing The Villages.

20 Ms. Jo Thacker, Attorney with the firm of Nelson/Mullins, provided further information on the  
21 request for an amendment to the DRI. She stated in the revised DRI, they are requesting that  
22 the Commission approve extending the project build-out, the phased dates, and for the  
23 Development Order to specify multi-family residential. She pointed out that the Town's current  
24 zoning allows all commercial uses, which includes multi-family, although the Memorandum of  
25 Agreement included with Ordinance 2020-09 restricts the multi-family uses to age-restricted  
26 and the upper floors of four specific buildings, although only if commercial tenants are no  
27 longer present. Ms. Thacker noted that The Villages will not change the look of the Spanish  
28 Springs Town Square and will not replace restaurants or retail tenants with apartments.

29 Darrin Taylor, AICP, a Certified Planner with the firm of Carlton Fields, introduced himself as a  
30 consultant for The Villages for land use planning. He reiterated that the proposal is for age-  
31 restricted multi-family residential only on the upper floors of four buildings, and that this use is  
32 already consistent with the Town's comprehensive plan and future land use plan. He  
33 presented further information on The Villages plan for adding this use which will allow for a

1 mixed-use walkable community. Mr. Taylor stated that in comparing residential uses to  
2 commercial uses, it creates less impact on matters such as traffic, requires less parking,  
3 generates less light and less noise; and allows for 24 hours of life in an area. He noted that no  
4 new buildings will be constructed; renovations will occur only inside of four buildings on the  
5 Square other than the plan for the fake balconies of the Van Patten building to become real  
6 balconies for people living there.

7 Mayor Kussard asked if there were any questions or comments from the Commissioners.

8 Commissioner Rietz stated that this is his hometown and asked if Mr. Taylor would do this to  
9 his hometown. He asked about parking; stating many households have two vehicles and golf  
10 carts, as well. He also asked where golf carts would be able to be plugged in.

11 Mr. Taylor responded that he would absolutely have this in his hometown; he believes this is a  
12 good use. He requested that Mr. Dzuro answer questions regarding the parking.

13 Mr. Martin Dzuro stated their request is for another tool for uses in Spanish Springs Town  
14 Square. He stated he is a resident and has lived in the area for 35 years. He stated there will be  
15 no changes to the Square if apartments were built on the upper floors of four of the buildings  
16 in the Square. He used Katie Bell's as an example; stating the Town's Land Development  
17 Regulations (LDRs) required 209 parking spaces for patrons and employees. Seven age-  
18 restricted apartments on the upper floors of that building would require only 16 parking  
19 spaces. Mr. Dzuro stated that at most, 44 apartments could be installed in the four buildings  
20 and all would require only 100 spaces. He stressed that limited apartments would result in  
21 little or no impact on amenity uses.

22 Commissioner Rietz verbalized that he felt that was still taking parking away from people  
23 visiting the Square. He asked for further clarification on available parking and whether there  
24 would be reserved spaces for the apartments.

25 Mr. Dzuro confirmed that parking spaces would be reserved for the apartments, and that they  
26 would free up over 600 spaces that were required for commercial uses. He stated that electric  
27 plug-ins for carts have yet to be planned, although they are currently available for the  
28 Brownwood Lofts.

29 A video showing a new restaurant, Augustines 1812 House, moving into Spanish Springs was  
30 shown.

31 Commissioner Vincent commented that he had questions that were not answered, and that he  
32 did not feel his concerns have been responded to by this team. He stated that he would have  
33 preferred to see The Villages provide a plan on paper when this was brought forward.

1 Mayor Kussard thanked Mr. Dzuro for answering all her questions prior to this meeting. She  
2 stated he has answered many of the concerns presented by the residents of her ward, and that  
3 many have changed their minds when considering what they would do if they lose their  
4 spouses and want to down-size. They would welcome living in an apartment rather than  
5 having to maintain a home, and still be able to stay near their friends.

6 Mr. Dzuro commented that the folks in the area are wanting apartments as seen by the recent  
7 development of apartments on CR 466, and the Meucci property. He stated there is an  
8 overwhelming desire for rental apartments today; that is the market now.

9 Commissioner Rietz commented that much of the growth is to the south. He asked about  
10 established tenants currently in Spanish Springs. He also commented that building  
11 apartments will ruin the nightly entertainment at the square.

12 Commissioner Vincent asked where the parking will be located and what the plan is for the  
13 parking.

14 Mr. Taylor reported that the developer is not required to have a site plan at this point. He  
15 stated the amendment to the DRI must be accomplished before any plans are drawn up. He  
16 reiterated the parking is more than adequate.

17 Mayor Kussard asked Mr. Carroll to comment; stating parking will be addressed at the site plan  
18 stage.

19 Mr. Carroll stated that these apartments will reduce the impact of parking and traffic for the  
20 square. He stated that the parking will most likely be adjacent to the buildings once the site  
21 plan is developed. He noted the rezoning stage precedes the site plan stage, which is what is  
22 before the Commission tonight.

23 Mr. Dzuro stated that if the amendment to the DRI is approved, a very detailed set of plans will  
24 be provided to show parking, garbage disposal, golf cart charging, etc. He noted that the  
25 Memorandum of Agreement limits the residential uses to the four buildings.

26 Commissioner Vincent asked why they are restricting themselves.

27 Mr. Dzuro replied that the reason is because they listened to the residents' concerns.

28 Commissioner Rietz asked what will happen if apartment residents start complaining about  
29 the noise of the entertainment on the square. He stated he is afraid the entertainment will end  
30 as a result.

31 Mr. Dzuro replied that the people who lease these apartments will know up front about the  
32 entertainment, and if they find it to be too much, they can move.

1 Commissioner Vincent asked if any other type of tenants were offered the use of the upper  
2 floors of these buildings.

3 Mr. Dzuro replied that The Villages has a commercial sales office that works very hard to lease  
4 that space.

5 After further discussion, Mayor Kussard asked if anyone from the public had questions or  
6 comments.

7 Jim Cipollone of 2162 Madero Drive in The Villages of Sumter County stated he does not believe  
8 that The Villages can be compared to St. Augustine. He noted that with all the events that  
9 happen in The Villages such as car shows, etc., parking does not seem to be an issue. He  
10 stated, however, that he believes building apartments at Spanish Springs Town Square will  
11 change the lifestyle residents of The Villages currently enjoy, and he expressed his gratitude for  
12 the current lifestyle offered by The Villages' developer.

13 Patsy Obern of 1524 Cervantes Place of The Villages of Sumter County stated she started a  
14 push-back group called V2PW and had been vehemently opposed to apartments in The  
15 Villages, especially at Hacienda Hills Country Club area. However, she stated she met with  
16 Jennifer Parr last week and had an opportunity to view renderings for Spanish Springs. She  
17 stated the MOA offers containment. Ms. Obern stated that she has other recommendations  
18 that could be included in the MOA which includes decal parking for all tenants and designated  
19 parking.

20 Mayor Kussard offered for Ms. Obern to share her other written recommendations with the  
21 Commissioners by turning them in to the Town Clerk since she ran out of time for her public  
22 comment.

23 Ms. Obern declined to share since she was not allowed to continue speaking.

24 Evelyn Krawczyk of 1101 Presa Place in The Villages of Sumter County stated her concerns are  
25 regarding the language of the proposed changes, and she presented suggestions in a hand-out  
26 to Commissioners (not made available for the record to the Clerk) for the language in the MOA  
27 restrictions which included the number of apartments and parking. She stated this was done in  
28 the one for Sumter County and she feels it could be done in Lady Lake as well.

29 Barbara Dilaura of 1102 San Antonio Lane of The Villages of Sumter County (Hacienda West)  
30 asked if residents are able to ask questions at the site plan stage. She asked if Katie Bell's was  
31 still vacant, and if the balconies were made real, how they would be maintained.

1 Mayor Kussard informed her that there are no questions at the site plan stage other than  
2 public comment. She asked Mr. Dzuro to reply to the question regarding the balconies above  
3 Katie Bell's.

4 Mr. Dzuro stated that the balconies would most likely be real balconies rather than fake  
5 balconies.

6 There were some complaints from the audience regarding public comment being cut off at  
7 three minutes.

8 Mr. Carroll noted that public comment is limited to three minutes in fairness to all. He stated  
9 there will be a second reading with public comment available if this is approved tonight. He  
10 also noted that if this moves forward, the public can monitor this project because it is all public  
11 record.

12 Mr. Carroll stated that the Town has stringent commercial design standards, as does The  
13 Villages. He stated they will make sure the balconies are maintained according to those  
14 standards by Code Enforcement, and The Villages has deed restrictions that will need to be  
15 adhered to as well.

16 David Scheim (sp?) of the Atlanta metropolitan area commented that he and his wife are  
17 looking at relocating to this community, the Spanish Springs area in particular. He stated that  
18 he feels that the addition of apartments right in the town square may be a grave mistake.

19 Janet Fraley of 1145 W. Boone Ct. of The Villages in Lady Lake commented that she is single  
20 and would love to live in an apartment above Chico's.

21 With no further comments from the public, Ms. Thacker returned to the podium and requested  
22 that the Commission look at this issue in a factual manner, not an emotional manner. She  
23 noted that a property manager will take care of these apartment leases and will allow people  
24 to get out of their lease if they decide after six months that the entertainment is too much for  
25 them. She stated that the Town's zoning currently allows for multi-family, and the MOA will  
26 restrict them to four buildings. If this is approved, site plans will be presented for the  
27 Commission's review and approval.

28 Commissioner Vincent commented that he does not understand why the DRI is being changed.

29 Mayor Kussard noted that the Commission is still the final decision. She asked for a motion.

30 **Commissioner Holden made a motion to approve the first reading of Ordinance 2020-08,**  
31 **and upon a second made by Mayor/Commissioner Kussard, who passed the gavel, the first**  
32 **reading of Ordinance 2020-08 failed by the following roll call vote:**

Commissioner	Vote
Hannan	NO
Kussard	YES
Holden	YES
Vincent	NO
Rietz	NO

1 **9. Ordinance 2020-09 (First Reading) — Tabled from Nov. 2, 2020 & Jan. 20, 2021 — An**  
2 **Ordinance of the Town of Lady Lake Requesting Amendment of the Planned Commercial**  
3 **“CP” Zoning Classification for Certain Property Owned by the Villages Operating Company;**  
4 **Located in the Vicinity of Main Street, Alvarez Avenue, and Del Mar Drive in Lady Lake,**  
5 **Florida; Providing for a Second Supplemental Agreement to the Regulations of The Village**  
6 **Downtown Center (Thad Carroll)**

7 Town Attorney Derek Schroth read the ordinance by title only. He asked The Villages attorney  
8 to comment on whether she feels this ordinance is moot because Ordinance 2020-08 was not  
9 approved.

10 Ms. Thacker did agree that this ordinance is moot. She asked that the Commissioners  
11 reconsider certain components of the DRI under Ordinance 2020-08, and bring those back in  
12 another ordinance.

13 Mr. Schroth stated for the record that the Commission would not proceed with the  
14 presentation of Ordinance 2020-09. In the event that another proposal is developed which is  
15 substantially different from Ordinance 2020-08, it can be brought back before the Commission  
16 for consideration.

17 Mr. Carroll clarified that it is the applicant’s intention to ask that the Commission consider  
18 each of the four components; in particular Item One regarding deleting the requirement for the  
19 state review of the development order from the DRI, and the item amending the build out date  
20 to 2025.

21 Mr. Schroth stated a new ordinance would have to drafted and noticed, and brought back  
22 before the Commission.

23 **J. TOWN MANAGER’S REPORT**

24 Interim Town Manager Thad Carroll stated he had nothing to report this evening, and that he  
25 would see the Commissioners at the special meeting tomorrow.

1 **K. MAYOR AND COMMISSIONER’S REPORT**

2 Mayor Kussard asked if any of the Commissioners had anything to report.

3 Commissioner Holden stated he believes the Town needs to draft an ordinance requiring that  
4 the next Town Manager be a full-time resident and live within 35 miles of the town.

5 Mayor Kussard asked that this be discussed at the special meeting scheduled for the next day.

6 Commissioner Vincent stated that he did not understand why the DRI needs to be changed.

7 Mr. Carroll replied that the Commission has the ability to approve amendments to the DRI and  
8 that they are made periodically over the years as allowed by state legislature passed in 2018.

9 He noted that the Town has currently approved 11 amendments to the DRI and it is common  
10 practice as some items have set expiration dates.

11 Mayor Kussard reported that she attended the Farmer’s Market currently located at Rolling  
12 Acres Road and it was well attended and people appeared to maintain social distance.

13 **L. PUBLIC COMMENTS**

14 Mayor Kussard asked if there were any comments from the audience. There were no further  
15 comments.

16 **M. ADJOURN**

17 There being no further business, the meeting was adjourned at 7:45 p.m.

18 \_\_\_\_\_  
19 Nancy Slaton, Interim Town Clerk

20 \_\_\_\_\_  
21 Ruth Kussard, Mayor

22 Minutes transcribed by Nancy Slaton, Interim Town Clerk