



LOCAL PLANNING AGENCY MEETING AGENDA TOWN OF LADY LAKE, FLORIDA

All interested persons are cordially invited to attend this public meeting.

DATE AND TIME

Monday, January 6, 2025, 5:30 PM

PLACE

Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

NEW BUSINESS

- A. Approval of Minutes - April 1, 2024
- B. Approval of Minutes — September 16, 2024
- C. **Please reference Commission Packet Item E-2 for Supplemental Material.**
Ordinance 2024-28 - Small Scale Future Land Use Comprehensive Plan Amendment —Charles Farrell — Change the Future Land Use Designation from Lake County Urban Medium Density to Lady Lake Commercial Professional Services (PS) for two properties being 0.87 acres, owned by Charles Farrell, addressed as 34925 and 34965 County Road 25, within Lake County, Florida. (Thad Carroll)

CHAIRPERSON AND MEMBERS' REPORTS

PUBLIC COMMENT

ADJOURN

Notes: (1) This board is advisory. All recommendations are forwarded to the Town Commission.
(2) If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he or she may need a verbatim record of the proceedings including

the testimony and evidence, a record of which is not provided by the Town of Lady Lake. (F.S. 286-0105). (3) Please be advised that one or more members of any other Town Board or Committee may attend this meeting. (4) This public hearing is being conducted in a handicapped-accessible location. Any person requiring special accommodation at this meeting should contact the Clerk's office at least five calendar days prior to the meeting. To access a Telecommunication Device for Deaf Persons (TDD), please call 352-751-1565.

**DRAFT MINUTES OF THE LOCAL PLANNING AGENCY MEETING
TOWN OF LADY LAKE, FLORIDA**

April 01, 2024

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

CALL TO ORDER

Chairperson Ed Freeman

ROLL CALL

Member	Present
Regan (Four)	YES
Roberts (One)	YES
Gourlie (Two)	YES
Freeman (Three)	YES
Sage (Five)	NO

STAFF PRESENT

Bill Lawrence, Town Manager; Derek Schroth, Town Attorney, Thad Carroll, Growth Management Director; Nancy Wilson, Town Clerk and Carol Osborne, Deputy Town Clerk

NEW BUSINESS

A. Minutes — September 6, 2023 — Local Planning Agency Meeting

Chairperson Freeman asked if there were any questions or comments from the members regarding the minutes. Hearing none, he asked for a motion.

Member Regan made a motion to approve the minutes of the September 6, 2023, Local Planning Agency meeting. Member Gourlie seconded the motion. The motion passed by a vote of 4 to 0.

B. Ordinance 2024-04 — Small Scale Future Land Use Comprehensive Plan Amendment — Caudill — Change the future land use designations from Lake County Rural Density to Lady Lake Single Family Medium Density for property being 24.02 acres, owned by David M.

Caudill and David M. Caudill Life Estate, located on the north side of Lake Ella Road, approximately 350 linear feet west of Micro Racetrack Road, within Lake County, Florida

Growth Management Director Thad Carroll presented the background summary for this agenda item. He stated that the owner is David Caudill and David Caudill Life Estate, and the applicant is Craig Brashier on behalf of CHW, LLC. He advised that the parcel is 24.02 acres, the future land use designation is Lake County Rural which permits one dwelling unit per five acres, and the zoning designation is Lake County Agricultural, which is also one dwelling unit per five acres.

Mr. Carroll advised that the comprehensive plan amendment would change the future land use to single-family medium density. He stated that the subject parcel consists of three lots located on the north side of Lake Ella Road, approximately 350 linear feet west of Micro Racetrack Road. He advised that this parcel would make the connection from the current area of the Reserve at Hammock Oaks to Lake Ella Road. stated that the future land use allows up to six single-family dwelling units per acre.

Mr. Carroll stated that an Environmental Ecological Site Assessment was prepared for the occurrence of protected flora and fauna. No threatened species were found within the site. The report also noted that the surveyed property did not contain habitats conducive to Florida scrub jays or sand skinks.

Mr. Carroll stated that the project will be required to adhere to St. Johns River Water Management District requirements and the subject property does not contain any flood plain areas.

Mr. Carroll stated that the maximum projected demand on the water system for this project is 36K gallons per day, as well as for the sewer system requirement. He stated that these figures are representative of six dwelling units per acre. He advised that the actual proposal is four dwelling units that would generate 20,500 gallons per day each for water and sewer.

Mr. Carroll stated that the town's parks and recreation level of service will not be affected by the approval of this ordinance as the developer must supply their own parks and recreation acreage.

Mr. Carroll reiterated that the applicant is proposing 82 dwelling units which will generate approximately 12 new elementary students, 6 new middle school students, and 9 new high school students. Regarding transportation, Mr. Carroll stated that the additional units are expected to generate 72 PM peak hour trips and 51 AM peak hour trips.

Member Regan clarified with Mr. Carroll that what is proposed is six units per acre.

1 Mr. Carroll advised that the applicant is seeking four units per acre. He stated that as part of
2 this application if this future land use designation was granted, the applicant has the right to
3 seek a subsequent zoning entitlement of up to six dwellings units per acre.

4 Member Regan asked if a zoning requirement be created to require four dwelling units per
5 acre.

6 Mr. Carroll replied affirmatively adding that four dwelling units per acre is classified under the
7 single-family medium density category. He stated that a policy specific amendment can be
8 added into the ordinance stating that although the land use classification allows up to six
9 dwelling units per acre, the town is granting the land use assignment based on the
10 understanding that it shall be limited to four dwelling units per acre.

11 Town Attorney Derek Schroth stated that this has been done in the past. He advised that the
12 applicant needs to agree to this amendment as part of the first reading of Ordinance 2024-04.

13 **Member Gourlie made a motion to forward Ordinance 2024-04 to the Town Commission with**
14 **recommendation of approval with the inclusion of the policy specific amendment requiring**
15 **four dwelling units per acre. Member Regan seconded the motion. The motion passed by a**
16 **vote of 3 to 1 (Freeman).**

17 **ADJOURN**

18 There being no further business, the meeting was adjourned at 5:44 p.m.

19 _____
20 Carol Osborne, Deputy Town Clerk

21 _____
22 Ed Freeman, Chairperson

**DRAFT MINUTES OF THE LOCAL PLANNING AGENCY MEETING
TOWN OF LADY LAKE, FLORIDA**

September 16, 2024

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

CALL TO ORDER

Chairperson Ed Freeman

ROLL CALL

Member	Present
Regan (Four)	YES
Gourlie (Two)	YES
Roberts (One)	YES
Sage (Five)	YES
Freeman (Three)	YES

STAFF PRESENT

Bill Lawrence, Town Manager; Thad Carroll, Growth Management Director; Rebecca Higgins, Senior Planner; C.T. Eagle, Public Works Director; Malina Wright, Development Coordinator; Police Chief Steve Hunt, Lady Lake Police Department; Lt. Rob Tempesta, Lady Lake Police Department; Deputy Chief Jason Brough, Lady Lake Police Department; Nancy Wilson, Town Clerk; and Carol Osborne, Deputy Town Clerk

A. NEW BUSINESS

1. Ordinance 2024-15 — Large Scale Future Land Use Comprehensive Plan Amendment — An Ordinance amending the Future Land Use designation from lake County Public Service Facility and Infrastructure and Lake County Rural to Town of Lady Lake Mixed Development District/Traditional Neighborhood District; Limiting the maximum residential density to 2.5 dwelling units per acre and a maximum of 85,000 square feet of commercial development; for property being approximately 358 acres, owned by Grand Oaks Holding, LLC, located East of County Road 25, south of Marion County Road, West of Grays Airport Road, and North of Griffin Avenue; within Lake County Florida(Thad Carroll)

1 Growth Management Director Thad Carroll presented the background summary for this agenda
2 item. He stated applications were filed by Michael Rankin, LPG Urban & Regional Planners on
3 behalf of property owner Grand Oaks Holding, LLC. He stated that the present use of the
4 property is equestrian museum and arena, which includes RV parking area, special events with
5 vendors, resort facilities and amenities, and onsite restaurant.

6 Staff recommends approval of Ordinance 2024-15 for advancement to the town commission.

7 Mr. Carroll explained that the property must be annexed as a prerequisite for this
8 comprehensive plan amendment to be approved. Upon future development, the properties
9 will be required to be served by the Town's Water and Sewer facilities.

10 The Future Land Use Designations of Adjacent Properties are as follows: North — Lake County
11 Rural (1 DU/5 acres); East — Lake County Rural (1 DU/5 acres) and Rural Transition (1 DU/5, 3, 1
12 acre); South — Lake County Rural (1 DU/5 acres) and Rural Transition (1DU/5, 3, or 1 acre); West
13 — Lake County Rural (1DU/5 acres) and Rural Transition (5, 3, or 1 acre)

14 The proposed policy-specific amendment limits the residential density to 2.5 units per acre and
15 a maximum of 85,000 commercial square feet. The maximum development scenario would be
16 85,000 square feet of non-residential use and 895 residential units. The result is an increase of
17 874 residential units and a decrease of 13,072,356 square footage of non-residential uses.

18 The projected demand on the water system for the proposed maximum density of the
19 additional 358 acres, or 895 dwelling units and 85,000 square feet of non-residential uses, is
20 approximately 183,814 GPD. Based upon the proposed uses, there is adequate capacity at the
21 present time. Consumptive Use Permit 50049 issued by St. Johns to the Town provides
22 allocation of 1.188 million GPD. The average consumption per day in 2023 was 854,890 gallons
23 per day. There is approximately 333,110 gallons of available capacity under current CUP. He
24 cautioned that the capacity may not be available if the other developments in the town
25 currently with zoning entitlements are completed. In 2026 the town is opening the
26 consumptive use permit with the St. Johns Water Management District so that figure can be
27 adjusted.

28 Mr. Carroll advised that the applicant has amended their figures regarding the impact on sewer
29 services. The projected demand of this development as well as prior developments is
30 forecasted to exceed the treatment capacity of our plant. Since the Planning & Zoning meeting
31 on August 12 the applicant has agreed to enter into a wastewater expansion agreement and
32 mitigate for their impacts. That includes a study of the wastewater system and that has been
33 included as part of the application. Specifically, as a result of discussions regarding the
34 extension of water and sewer to the property and a requirement to enter into a water and

1 sewer utility agreement, concurrent with an approved noncontiguous annexation, as per
2 section 3.a.iii. 2. of the Interlocal Service Boundary Agreement, the applicant has submitted a
3 draft utility agreement should the annexation be approved upon second reading. The property
4 owners will be required to execute the utility agreement at that time.

5 Mr. Carroll stated in accordance with the Lake County School Board student generation
6 calculation, the maximum development potential and projected student generation would
7 result in an increase of 149 students, 76 at the elementary level, 36 at the middle school level,
8 and 37 at the high school level. He advised that the applicant likely would have to mitigate for
9 high school seats as that capacity is projected to be deficient after the new assessment of
10 students is calculated in October. They will be required to pay impact fees because of their
11 impact to the school system.

12 The developer will be responsible for proportionate share mitigation in the amount of \$42,000
13 per student. The proposed unit count is expected to generate 37 high school students totaling
14 \$1,554,000, which is expected to be credited toward the expected \$4,523,824 ($874 \times \$5,176.00$)
15 in school impact fees.

16 The proposed entire development at project buildout will result in an increase of an additional
17 7,660 external daily trips, 560 during the AM peak hour and 778 during the PM peak hour. All
18 study segments are projected to operate at adequate level of service at the project buildout.
19 The intersection of CR 25 and Marion County Road is projected to operate below the adopted
20 level of service at the project buildout, as well as the intersection of CR 25 and Griffin Avenue
21 and the intersection of US 27 and Griffin Avenue. The traffic engineer for the applicant has
22 made recommendations in the included traffic study regarding how each of the three
23 intersections may be mitigated to operate at adequate overall level of service. He stated that
24 the road segments will not fail, and the applicant recognizes that the intersections will require
25 improvements.

26 Mr. Carrol stated as part of the residential development, additional activity-based recreational
27 areas will be provided internally by the development. The Parks and Recreation level of service
28 will not be affected by the approval of this land use change. The development plan proposes a
29 trail system to connect the amenities of the community. The trail system provides pedestrians
30 with an alternative to walking or biking alongside automobile traffic. Mr. Carroll stated that the
31 Grand Oaks project site underwent a thorough survey to identify any flora and fauna protected
32 by local, state, and federal agencies, along with safeguarded wetland habitats. The survey
33 specifically targeted species such as the gopher tortoise, commensal species, and protected
34 avian species. Six potentially occupied gopher tortoise burrows were located during the
35 surveys. To accurately ascertain the total population, the applicant will be required to conduct

1 a comprehensive 100% survey before commencing any construction activities. No protected
2 avian species were spotted during the on-site investigations. Additionally, wetland or surface
3 water areas were observed either within the subject property or immediately adjacent to it.
4 The presence of sand skinks is primarily determined by location, elevation, and soil suitability.
5 Due to the conditions observed on-site, a coverboard survey must be conducted by the US Fish
6 and Wildlife Service (USFWS) before any future development in areas meeting the skink
7 protocol.

8 Mr. Carroll stated that comments were made at the P&Z meeting concerning the Live, Local
9 Act, and that the applicant could possibly be subject to this statute. The developer
10 acknowledges and agrees that this statute, including Section 166.04151(7) or as it may be
11 amended shall not be applicable to the PUD.

12 Mr. Carroll stated that all surrounding property owners were notified of this comprehensive
13 plan amendment and the property was posted as well. He advised he has received 77 emails or
14 letters in opposition to the proposed amendment, and 16 letters submitted in support of the
15 proposed amendment to date.

16 At the September 18, 2023, Conceptual Workshop Meeting, there was consensus among the
17 Commission to allow the Grand Oaks Manufactured Homes to move forward with their
18 proposed plan. The Technical Review Committee found that Ordinance 2024-15 was ready for
19 consideration of a recommendation by the Planning and Zoning Board.

20 On Tuesday, June 4, 2024, the applicant requested to table Ordinance 2024-15 from the June
21 10, 2024, Planning and Zoning Board meeting to the August 12, 2024, Planning and Zoning
22 Board meeting. On Monday, August 12, the Planning and Zoning Board voted 2-2 to forward
23 Ordinance 2024-15 to the Town Commission with the recommendation of denial.

24 Mr. Carroll advised that this ordinance will be presented to the commission on first reading
25 tonight. If the commission passes this ordinance on first reading, it will be transmitted to the
26 State for review.

27 Commissioner Regan verified with Mr. Carroll that another wastewater plant would be needed
28 for this development.

29 Mr. Carroll replied affirmatively adding that the town is nearing capacity and when factoring in
30 this project with the buildout of Hammock Oaks, the town will likely have to build a
31 wastewater plant.

32 Commissioner Regan asked how the new plant would be funded.

1 Mr. Carroll stated that the applicant has stated they will fund their portion of the new plant, or
2 how much their project would need. He added that impact fees are also used to fund
3 wastewater plant construction or improvement projects.

4 Commissioner Regan asked if the town's water capacity is sufficient for this project.

5 Public Works Director C.T. Eagle stated that currently the town's two new wells are going
6 online, along with a new tank, and the town's consumptive use permit is scheduled for renewal
7 in 2026. He stated currently the town has enough allocation to accommodate usage until 2026.
8 After 2026 all projects, current and expected, will be reviewed and the numbers adjusted
9 accordingly. He stated that regarding this proposed project, the town does not serve that area,
10 and a full hydraulic analysis must be conducted to ensure that what the developer proposed
11 does not impact our system. He reiterated that the applicant shall pay a proportionate share of
12 any improvements they need in the area. If it requires a tank or another well, or another
13 holding tank, the burden is on the developer to fund that well.

14 Commissioner Regan asked if the residents of Lady Lake would bear some of the financial
15 burden if these utilities were constructed.

16 Mr. Eagle stated that there is a potential that some funding may come from the Lady Lake
17 residents. He stated it depends on the results of the full analysis in that area, and he cannot
18 speculate on any of the factors at this time. He reiterated that the applicant stated that they
19 will pay their share and pay for the full construction of the lines and any infrastructure
20 improvements. The existing customers will not be responsible for paying any portion of the
21 extension for this project.

22 Commissioner Regan stated that his constituents are concerned that the Lady Lake residents
23 will be paying for this.

24 Commissioner Roberts asked Mr. Eagle what the estimated cost would be if the town must go
25 to the next level of wastewater improvement to accommodate this development.

26 Mr. Eagle replied that the town's newest plant cost \$16.5 million for approximately 650,000
27 gallons of treatment capacity. The next phase is reaching a 900-1 million gallons per day
28 treatment capacity, requiring Oxidation Ditch technology. He stated that it is expensive yet
29 very effective and efficient, at an approximate cost of \$50 million.

30 Commissioner Sage noted that he read an article in the Villages-News.com that due to rapid
31 growth, the City of Wildwood will construct a \$150 million wastewater treatment plant. The city
32 financed the expansion through bonds, raised taxes, and increased wastewater fees. He stated

1 the former Lady Lake commission approved the Hammock Oaks development, which was
2 4,200 units and potentially 10,000 people.

3 Mr. Eagle stated the plant being built in the City of Wildwood is a larger plant treating at least 3-
4 million gallons per day. He stated it requires a different type of treatment and a different
5 capacity.

6 Commissioner Sage asked Mr. Carroll what his approval process was regarding this project.

7 Mr. Carroll explained that while reviewing the documents he recognized some deficiencies that
8 could arise if this ordinance is approved. However, the applicant agreed to mitigate each area
9 that he identified as deficient and provided evidence as to how they can be mitigated, i.e. the
10 contribution to the school system for the students, extension of their own utility at their
11 expense, mitigation for the construction of the wastewater plant relevant of the impact from
12 their development.

13 Commissioner Sage asked if the applicant would pay \$50 million to help fund a new
14 wastewater plant.

15 Mr. Carroll responded that the town cannot mandate that they incur the entire cost. He stated
16 that sewer improvements are paid through impact fees; Hammock Oaks and Boulevard Oaks
17 developments are currently paying their impact fees. He advised that each development has a
18 developer's agreement, and the water impact fees for the expansion and treatment of our
19 water systems and sewer impact fees to provide expansion and capital infrastructure for the
20 sewer system are collected almost immediately.

21 Commissioner Roberts verified with Commissioner Sage when he stated that Hammock Oaks
22 was 4,200 units, that total included all the approved developments, not simply Hammock
23 Oaks.

24 Attorney Alison Yurko, P.A. – representing the unincorporated residents.

25 Ms. Yurko stated that this is a noncontiguous annexation and under Florida law the proposed
26 property must be contiguous and reasonably compact. She stated that because there is no
27 Joint Planning Area (JPA), the statute requires as a prerequisite to the annexation that the
28 municipality shall transmit a comprehensive plan proposing the amendments. The county has
29 conditionally consented to noncontiguous annexations per the Interlocal Service Boundary
30 Agreement (ISBA), which allows noncontiguous annexations only if the town is serving central
31 water and wastewater. She stated that there are no assurances that the town can or will serve
32 the central utilities as is required by the ISBA. She stated that the developer agreed to install
33 the water lines to the site and will receive credit for them. She stated that the town's Public

1 Works Director has stated that the town does not have the capacity to accommodate this
2 project. She stated that the developer has addressed installing lines and did not specify how
3 the wastewater treatment plant would be expanded. She stated that the enforcement
4 mechanism is that the town does not issue development orders, which is rezoning and a
5 Memorandum of Agreement. Ms. Yurko acknowledged that she has not seen this MOA
6 document before and speculated that it is a type of developer's agreement.

7 Ms. Yurko stated that this annexation is not reasonably compact, noting that three pockets are
8 created, and the annexation statute requires that an annexation must have reasonable
9 compactness. She quoted Case Center vs McBride, the court adopted the standard that
10 reasonable compactness is not met if there is a pocket, which is defined as being an
11 unincorporated area surrounded on three sides by a municipality.

12 Attorney Brent Spain - Theriaque & Spain Law Firm, 1809 Edgewater Dr., Orlando

13 Mr. Spain stated that he, too, practices in city, county and local government law. He advised
14 that Ms. Yurko did not state the actual language of the ISBA, Lake County consents to the
15 annexation of noncontiguous property. He acknowledged that no one is disputing this.

16 Mr. Spain noted that there are two conditions to approve this annexation: that the property is
17 presently served by town water and/or sewer utilities, or where the subject property
18 owner/developer has entered into a concurrent water and sewer utilities agreement at the
19 time of annexation and, to extend the utility infrastructure to the subject property. As Mr.
20 Carroll indicated a draft of that agreement is part of the application and is not approved and
21 entered into until the final reading of the annexation. Therefore, that portion of the
22 requirement has been satisfied.

23 Mr. Spain stated, also, that the town shall not approve any development or issue a final
24 development order in such annexed area unless central water and wastewater shall serve the
25 development. He reiterated that nothing before this board approves any development. He
26 clarified that the annexation, comprehensive plan amendment, and rezoning do not authorize
27 any development. He stated that the town's LDR defines development and that development
28 is, in essence, the physical alteration of dirt. The MOA is a requirement of the town's LDR for a
29 PUD, that also includes requirements regarding water and sewer.

30 Mr. Spain stressed that nothing before the board tonight is a final development order as
31 envisioned in the town's LDR. In fact, the concurrency management system in the town's LDR
32 specifically references a final development order, such as a site development plan or a
33 development of regional impact approval. He stated that in the town's LDR regarding rezoning
34 the applicant may request a preliminary concurrency review. The final concurrency review,

1 determining that services are available at the time of impact to the development, does not
2 occur until a final development order. He verified that his client is not asking for anything
3 different. In the proposed water and sewer agreement it imposes the requirement from the
4 ISBA onto the property. He stressed that water and sewer agreement stay with the land, it is
5 binding on successors and assigns. He reiterated that it indicates that no development or final
6 development order can be issued for any new development on the property related to the
7 Grand Oaks PUD unless central water and wastewater will serve such development and be
8 available on or before the issuance of the first final Certificate of Occupancy. He stated this is
9 the exact standard that the Florida statute imposes. Sanitary sewer and potable water facilities
10 shall be in place and available to serve new development no later than the issuance by the
11 local government of a Certificate of Occupancy.

12 Mr. Spain stated that everything being proposed is not only compliant with the town's LDR and
13 comprehensive plan, but also consistent with the ISBA, and it is consistent with Florida
14 statutes.

15 In response to the suggestion that the annexation creates a pocket. He advised that he
16 successfully represented Mr. McBride in the Center Hill vs McBride case that Ms. Yurko referred
17 to in successfully challenging that annexation. Mr. Spain stated that the entire purpose of not
18 creating pockets is to avoid having a sea of city property surrounding unincorporated property.
19 An enclave is when an entire property is surrounded by city property. Maps of the property
20 were presented indicating that no portion of the property is surrounded.

21 Commissioner Regan asked how come rezoning is being presented when the property has not
22 been annexed.

23 Mr. Carroll explained that the only item on this agenda is the comprehensive plan amendment,
24 even though factors from the annexation has been discussed.

25 Attorney Schroth explained that the Local Planning Agency is an advisory board and has
26 discretion to recommend or deny transmittal to the commission. Tonight's commission
27 meeting will address the proposed annexation.

28 Commissioner Regan verified that this amendment allows 2.5 dwelling units per acre.

29 Mr. Carroll stated that the current zoning for the northern portion is Lake County Rural which
30 allows one dwelling unit per five acres.

31 **Member Gourlie made a motion to forward Ordinance 2024-15 to the commission with the**
32 **recommendation of approval. Member Roberts seconded the motion. The motion passed by**
33 **a vote of 4 to 1 (Regan).**

1 **PUBLIC COMMENTS**

2 There were no comments.

3 **ADJOURN**

4 There being no further business, the meeting was adjourned at 6:11 p.m.

5 _____
6 Carol Osborne, Deputy Town Clerk

7 _____
8 Ed Freeman, Chairperson



LOCAL PLANNING AGENCY MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Ordinance 2024-28 - Small Scale Future Land Use Comprehensive Plan Amendment — Charles Farrell — Change the Future Land Use Designation from Lake County Urban Medium Density to Lady Lake Commercial Professional Services (PS) for two properties being 0.87 acres, owned by Charles Farrell, addressed as 34925 and 34965 County Road 25, within Lake County, Florida. (Thad Carroll)

AGENDA ITEM ID

20250106

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

Staff recommends approval of Ordinance 2024-28.

FLU AMENDMENT PLANNING ANALYSIS

Applicant/ Property Owner	Charles Farrell
Addresses	34925 County Road 25 and 34965 County Road 25
Parcel Number	17-18-24-0004-000-02800 and 17-18-24-0004-000-02700

On Tuesday, November 19, 2024, an application was filed with the Town of Lady Lake by Charles Farrell to amend the Future Land Use designation of 0.87 acres from Lake County Urban Medium Density to Lady Lake Commercial Professional Services. The subject properties consist of two parcels located on the west side of Teague Trail, approximately 325 feet south of Oak Street, identified by Alternate Key Numbers 1279313 and 1279569.

The subject properties are located in Section 17, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal description and a location map were included with the submitted application.

FUTURE LAND USE

EXISTING FLU.

Lake County Urban Medium Density - Allows a maximum density of seven dwelling units per acre and the conversion of existing residential units into residential professional office uses.

PROPOSED FLU.

Lady Lake Commercial Professional Services – Limited to professional services where

existing residential structures can be utilized for personal and professional services and not adversely affect adjacent property. Redevelopment or construction of new structures must be consistent with intensity and architectural character of the surrounding neighborhood. This land use category is established to implement policies for managing transitional areas between neighborhoods and commercial and/or industrial areas. The density is not allowed to exceed four (4) units per acre or twelve (12) units per acre when central sewer is available. The floor area ratio (FAR) shall be limited to a maximum of 0.50 for the Commercial Professional Services category.

ADJACENT PROPERTY CHARACTERISTICS

Future Land Use Designations of Adjacent Properties

North	Lake County Urban Medium
East	Lady Lake Commercial General – Retail Sales and Services
South	Lady Lake Commercial General – Retail Sales and Services
West	Lake County Urban Medium

ENVIRONMENTAL

Currently, both properties have single family residences and are being utilized as such. Because the site is less than ten acres, an environmental assessment is not required. Any environmental impacts will be reviewed at the time of site plan submittal.

ADJACENT PROPERTIES

The property abutting the northern boundary is an existing single-family residence. To the east is County Road 25 right-of-way and the RaceTrac convenience store with fuel operations. To the south, the abutting property is a small strip center and zoned Lady Lake Heavy Commercial.

IMPACT ON TOWN SERVICES

Potable Water: The subject parcels have single family residences and are being utilized as such. The properties will be required to connect to water at the time of development or failure of the existing wells, whichever should come first. Should the applicant wish to change the use, the impacts to water facilities will be reviewed at the time of the site plan submittal.

Sewer: The subject parcels have single family residences and are being utilized as such. The properties will be required to connect to sewer at the time of development or failure of the existing septic system, whichever should come first. Should the applicant wish to change the use, the impacts to sewer facilities will be reviewed at the time of the site plan submittal.

Transportation: Because the applicant does not intend to change the current uses at this time, there will be no changes to the current trips. Should the applicant wish to change the use, the impacts to transportation will be reviewed at the time of the site plan submittal.

Stormwater: Project will be required to adhere to St. Johns River Water Management District (SJRWMD) guidelines, drainage, and engineering best management practices.

Flood: The subject property does not contain any Special Flood Hazard Areas nor wetlands as per FEMA FIRM Map 12060C0170E effective 12/18/12.

Staff mailed notices to inform the surrounding eight property owners within 150 feet of the property proposed by the Small-Scale Future Land Use Comprehensive Plan Amendment request on Monday, November 25, 2024. The property was also posted on Monday, November 25, 2024.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDING

Not applicable.

FUNDING ACCOUNT

Not applicable.

PAST ACTIONS

The Technical Review Committee found that Ordinance 2024-28 was ready for consideration of a recommendation by the Planning and Zoning Board.

At the December 9th Planning & Zoning Meeting, the Board voted 5-0 to forward Ordinance 2024-28 to the Town Commission with the recommendation of approval.

PUBLIC HEARINGS

The First Reading of Ordinance 2024-28 is scheduled for Monday, January 6, 2025, at 6:00 p.m. The second and final reading of Ordinance 2024-28 is scheduled for Wednesday, January 22, 2025, at 6 p.m.

1 **DRAFT ORDINANCE 2024-28**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN THE TOWN OF LADY**
4 **LAKE, FLORIDA; AMENDING THE TOWN OF LADY LAKE ORDINANCE 81-1-(83), WHICH**
5 **ESTABLISHED THE TOWN OF LADY LAKE COMPREHENSIVE PLAN; PROVIDING FOR A**
6 **SMALL-SCALE FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY;**
7 **AND PROVIDING AN EFFECTIVE DATE.**

8 Be it ordained by the Town of Lady Lake, Town Commission:

9 **SECTION 1: Legislative Finding, Purpose, and Intent.**

10 A. .On February 2, 1981, the Town Commission of the Town of Lady Lake adopted a
11 Comprehensive Plan pursuant to Florida Statue 163.3184, known as the “Local Government
12 Comprehensive Planning Act” (“Act”), which sets forth the procedures and requirements for a
13 local government in the State of Florida to adopt a Comprehensive Plan and amendments (to
14 a Comprehensive Plan).

15 B. .The Town Commission adopted the Lady Lake Comprehensive Plan by Ordinance 81-1-
16 (83), and amended said Ordinance by Ordinance 91-21, approved December 2, 1991, and
17 Ordinance 94-16, approved on October 12, 1994.

18 C. .The Town’s Local Planning Agency reviewed a proposed amendment to the Future Land
19 Use Map Series of the Town of Lady Lake Comprehensive Plan on January 6, 2025 and
20 recommended to the Town Commission that said amendment be adopted by the Town
21 Commission.

22 D. .The Town Commission has held public hearings on the proposed amendment to the
23 Future Land Use Map Series of the Comprehensive Plan and received comments from the
24 general public and the Local Planning Agency.

25 E. .The Town of Lady Lake has complied with the requirements of the Act for amending the
26 Comprehensive Plan.

27 **SECTION 2: Authority.**

28 This ordinance is adopted in compliance with and pursuant to the Local Government
29 Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 —
30 163.3243, Florida Statutes, as amended.

SECTION 3: Small Scale Amendment to the Future Land Use Element Map Series.

The Comprehensive Plan, as amended, is hereby further amended by amending the Future Land Use Element Map Series with the small-scale amendment as indicated below:

Applicant or Owner: Charles Farrell

General Location: 39425 County Road 25 — Property located on Teague Trail, approximately 400 feet south of Oak Street

Size: 0.693 Acres

General Location: — 39465 County Road 25 — Property located on Teague Trail, approximately 325 feet south of Oak Street

Size: 0.177 Acres

Future Land Use: Change from Lake County Urban Medium Density to Town of Lady Lake Commercial Professional Services (PS).

Graphic representation of this Small-Scale Future Land Use Element Map Amendment is shown in the attached “Exhibit A”.

SECTION 4: Severability.

The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5: Effective Date.

This ordinance shall become effective as provided in Chapter 163, Florida Statutes.

PASSED AND ORDAINED by the Town Commission of the Town of Lady Lake, Florida, this **22nd**
day of **January 2025**.

Town of Lady Lake, Florida

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney