

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

May 8, 2023

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

CALL TO ORDER: Chairman Regan

PLEDGE OF ALLEGIANCE

ROLL CALL:

Member	Present
Furch	Yes
Saunders	Yes
Regan	Yes
Galloway	Yes
Vincent	No

STAFF PRESENT:

Thad Carroll, Growth Management Director; Wendy Then, Senior Planning Coordinator; Becky Higgins, Development Coordinator; Nancy Wilson, Town Clerk.

Attorney Sasha Garcia was also present as was Commissioner Freeman.

A. NEW BUSINESS

1. Approval of Minutes

Planning & Zoning meeting minutes - March 13, 2023

Member Saunders made a motion to approve the March 13, 2023, Planning and Zoning Board meeting minutes as presented; Member Galloway seconded the motion. Motion carried 4-0.

2. Resolution No. 2023-103 – Variance – Linden Street Development, LLC Historic Tree Removal – Pursuant to Chapter 10, Section 10-5). c).3).A., of the Land Development Regulations (LDRs) which requires a variance for the removal of historic trees.

Senior Planner Then stated that the variance request is in accordance with the Town's Land Development Regulations which requires submittal of an Historic Tree Removal variance application when any healthy historic tree is to be removed on commercial property. A healthy,

historic tree is classified as a tree with a diameter at breast height of 36 inches or greater. The variance request is to allow for the removal of three viable historic trees located at 925 South Highway 27/441. The approximately 27.77 acres of land is zoned Lady Lake Planned Commercial with a future land use of General Retail Sales and Service.

On Thursday, July 28, 2022, the Town of Lady Lake received a new major site plan application on behalf of property owner, Linden Street Development, LLC for the construction of six apartment buildings with a total of 330 units including a clubhouse and amenities.

On January 21, 2023, a certified arborist completed a report on the subject property evaluating all historic trees proposed to be removed. A total of 20 trees with a diameter at breast height at or above 36" are located on the site. Of the 20 historic trees, the arborist determined that fifteen of the trees have significant disorders which makes them unsuitable for retention. One of these trees is in an area where it can be saved and protected. The remaining fourteen non-viable trees will be removed. The variance request is for the removal of two live oaks and one cedar tree. The three viable historic trees to be removed are in the areas of the proposed drive aisle, stormwater retention pond, and building pad.

The Town of Lady Lake Land Development Regulations requires 160 tree inches per acre. Based on the size of the site, the applicant is required to provide 4,450 tree inches. The applicant will be providing 10,432 tree inches on the site which is 234.45% of the required tree inches. The land was vacant for many years allowing old tree growth to prosper which explains why there are so many viable trees remaining on the property.

Should the Town Commission approve the applicant's request for tree removal, the applicant shall at the time of application for tree removal pay into the Town's Tree Bank, three thousand six hundred dollars (\$3,600.00) for each thirty-six-inch DBH tree, plus one hundred dollars (\$100.00) for each additional inch over the thirty-six (36) inches totaling \$14,500. This mitigation fee offsets the loss of each historic tree.

Developers of any non-residential or multi-family developments, requiring site plan approval are not required to submit an application for a clearing or apply for tree permits but are required to submit a tree survey and landscaping plans at the time of site plan submittal so that consideration can be given to the protection of native trees, historic trees, and vegetation.

Member Galloway asked for clarification on which trees are going to be removed.

Scott Miller, Representative from Gelcorp Inc.

Mr. Miller shared with the Commission a better survey map indicating where the trees to be removed are located on the property. There are a total of ten unhealthy trees that will be removed and three healthy trees.

Member Furch made a motion to forward Resolution 2023-103 to the Town Commission with the Recommendation of Approval; Member Galloway seconded the motion.

Member	Vote
Furch	Yes
Saunders	Yes
Regan	Yes
Galloway	Yes

Motion carried 4-0.

3. Lake Ella Estates Phases 2 & 3 — Final Plat Plan — Proposing a 152 Non-Age-Restricted Single-Family Residential Lots, Zoned RS-6 within Lake Ella Estates Subdivision, located on the North Side of Lake Ella Road Approximately $\frac{3}{4}$ Mile East of Rolling Acres Road, Addressed as 1295 Boone Boulevard, referenced as Alternate Key Number 1283159, owned by ROIB SFR Lake Ella LLC, within the town limits of the Town of Lady Lake, Florida.

Senior Planner Wendy Then stated that what was being presented is the final plat plan of Lake Ella Estates Subdivision, Phases 2 & 3. Once recorded, construction can begin.

Lake Ella Estates is a 232 lot non-age-restricted single-family residence subdivision located on a total of 66.75 acres. The project has been divided into three phases. The first phase was approved for 80 lots on 26.29 acres. The second phase will consist of 80 lots, and the third phase will consist of 72 lots. Phases 2 & 3 are located in the northern portion of the subdivision and consist of a total of 40.465 acres.

The Town Commission approved Ordinance 2005-25 on October 6, 2005, establishing the zoning for the 66.75-acre parcel as Residential Single Family Medium Density (RS-6).

The Town Commission approved the final plat for Lake Ella Estates Phase 1 on Wednesday, February 22, 2023. The final plat was recorded with the Lake County Clerk of Courts on February 24, 2023.

The Town Commission approved the Lake Ella Lake Ella Estates Phases 2 & 3 Subdivision Preliminary Plat Plan and the Development Order was issued on Wednesday, February 3, 2021.

A Sewer & Water Agreement was executed between the Town of Lady Lake and the Property Owner/Developer, and adequate capacity has been allocated to the Lake Ella Estates Subdivision. The developer has satisfied payment in full for all water, sewer, and reuse reserved capacity.

Member Galloway questioned the email sent from our Town Attorney to Rebecca Higgins regarding some wording. The Circuit Court Clerk's Certificate read "County Clerk" instead of "Circuit Court Clerk". Ms. Then stated that the wording had been corrected.

Member Saunders made a motion to forward Lake Ella Estates Phases 2 & 3- Final Plat Plan Application to the Town Commission with the Recommendation of Approval; Member Furch seconded the motion.

Member	Vote
Furch	Yes
Saunders	Yes
Regan	Yes
Galloway	Yes

Motion carried 4-0.

4. Discussion and Review of the Planning and Zoning Board's Duties and Role in Providing Recommendations to the Town Commission Regarding the Town's Land Development Processes; Meeting Protocol and Sunshine Law

Periodically, the Attorney for the Planning & Zoning Board makes a presentation to the Board members as both a reminder and an update on new rules and regulations. The main purpose of the Board is to review comprehensive planning policies, specific development applications and to provide recommendations to the Town Commission on planning and land development related matters. Because the Planning and Zoning Board is an advisory board, the final decisions rest with the Town Commission.

The Town Attorney for the Planning & Zoning Board, Sasha Garcia, led the presentation. She covered the Sunshine Law, Public Records, Ethics and meeting protocol.

CHAIRPERSON and MEMBER REPORTS

Member Galloway asked about the process for changing the minimum road width in the Land Development Regulations. He said 20-foot roadways are too narrow and as a result, vehicles are driving onto lawns, destroying landscaping and sprinklers. He is suggesting a change to make the minimum roadway 24 feet wide. Growth Management Director Carroll said the Town Commission has the discretion to make that change and suggested to Member Galloway that he attend a commission meeting and present his thoughts to them during public comments.

Member Galloway made a motion to adjourn; Member Furch seconded.

PUBLIC COMMENT

No public comments

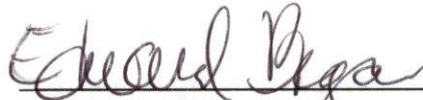
ADJOURN

The meeting adjourned at 6:33 p.m.

Respectfully submitted,



Nancy Wilson, Town Clerk



Edward Regan, Chairman