

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

November 14, 2022

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.

A. CALL TO ORDER

Chairman Sigurdson

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL:

Member	Present
Furch	Yes
Saunders	Yes
Regan	Yes
Vincent	Yes
Sigurdson	Yes

STAFF PRESENT:

Wendy Then, Senior Planner; Thad Carroll, Growth Management Director; William Lawrence, Town Manager and Nancy Wilson, Town Clerk. Attorney Sasha Garcia was also present.

D. NEW BUSINESS

1. Approval of Minutes

Member Saunders made a motion to approve the September 12, 2022, Planning and Zoning Board meeting minutes as presented; Member Furch seconded the motion. The motion passed by a vote of 5 to 0.

2. Hammock Oaks Subdivision Phases 1-6 — Preliminary Plat Plan — Proposing a total of 1142 units spread amongst 11 phases, including 190 Market Rate Single Family Residences, 722 Market Rate Age-restricted Single Family Residences, and 230 Market Rate Townhomes, on multiple parcels consisting of approximately 377.87 +/- acres of land, zoned Planned Unit Development (PUD), located on the south side of Highway 466, west of Rolling Acres Road and east of Cherry Lake Road/County Road 100, identified by

Alternate Key Numbers 1770670, 1770661, 1771498, 1770653, 1279810, 1770700, 1279801, 3325451, 1279763, 1279780 & 1279828. (Wendy Then)

Senior Planner Wendy Then summarized the preliminary plat plan proposal. The Hammock Oaks Subdivision Phases 1-6 is proposing the construction of 190 market rate single family residences, 722 market rate age-restricted single-family residences and 230 market rate townhomes located on approximately 378 acres on Highway 466. The townhomes have lot sizes of 16 and 24 feet by 105 feet. The single-family residences range from 35 feet by 115 feet to 60 feet by 130 feet. The Hammock Oaks Project updated the Memorandum of Agreement associated with Ordinance 2022-115 to clarify land uses, number of units, setbacks and restrictions for certain proposed land uses within the Planned Unit Development.

This preliminary plat plan approval does not permit the construction of any improvements. The process will continue with the submittal and approval of an Improvement Plat Plan application.

A Water, Sewer and Reuse Agreement will have to be created between Lady Lake and the developer requesting additional utility capacity allocated to service the subdivision.

There were no public comments.

Member Saunders made a motion to forward the Hammock Oaks Preliminary Plat Plan to the Town Commission with the recommendation of approval; Member Furch seconded the motion. The motion passed by the following roll call vote:

Member	Present
Furch	Yes
Saunders	Yes
Regan	Yes
Vincent	Yes
Sigurdson	Yes

- 3. Ordinance 2022-17 — Annexation — Nitai Capital Partners Edwards, LLC — An Ordinance Voluntarily Annexing One Vacant Parcel Being Approximately 31.10 Acres, owned by Nitai Capital Partners Edwards, LLC, property being approximately $\frac{3}{4}$ of a mile east of the intersection of Edwards Road and South Highway 27/441, along the north side of Edwards Road, Referenced by Alternate Key Number 1280681, within Lake County Florida. (Wendy Then)**

Senior Planner Wendy Then summarized the annexation request. Ordinance 2022-17 will be accompanied by Small Scale Future Land Use Comprehensive Plan Map Amendment and Rezoning ordinances. Ms. Then said this ordinance only covers the annexation and she asked that any questions regarding this item be limited to the annexation only. Ordinance 2022-18 will address the impact on town facilities. Ordinance 2022-19 will address proposed land uses, setbacks, lot sizes, etc.

The parcel being considered for annexation consists of 31.1 acres and is located on the north side of Edwards Road. It is currently located in unincorporated Lake County. The parcel is vacant and its existing condition is unimproved and heavily wooded.

The parcel will be serviced by the towns water, sewer and reuse which would require annexation at some point upon connection to Town utilities. Lake County does not provide these utilities. The property will require main water and sewer utility line extensions from US 27/441 or close to it. All infrastructure improvement will be at the developers expensive.

Edwards Road is maintained by Lake County, permitting for infrastructure improvements will need to go through them and FDOT for the US 27/441 portions.

Notices regarding the annexation were mailed to the surrounding nine property owners within 150 feet of the subject property. There was a lot of feedback from the mailings.

Chairman Sigurdson asked if there are other projects that the town has previously approved that have not been developed and are still vacant. Ms. Then responded that there is the Applebee property on CR 25; they rezoned the property and will be submitting a preliminary plat plan soon. Growth Management Director Carroll said there are projects in the queue with zoning entitlements that have not yet been approved mostly along Rolling Acres Road.

Member Regan asked if Edwards Road is the only ingress/egress to the proposed development. Ms. Then responded in the affirmative adding that Edwards Road runs east/west and connects with Grays Airport Road and Hwy 27/441. The property cannot be accessed from the north. Should a subdivision be developed, there are requirements for accessing the property depending on the number of lots.

Member Vincent asked if the developer would pave the road from the subject property to Grays Airport Road that is currently unimproved. There is a lot of property to the south and north that is being developed so what is the plan for the roads. Where would they pick up sewer and water. Ms. Then responded that the infrastructure impacts will be explained when the future land use ordinance is discussed. The focus of this ordinance is annexation.

Member Vincent commented that adequate roadways should be provided now to accommodate future development.

Ms. Then added that when the time comes, the applicant will have to work with the Town and the County; Edwards Road is a county road. The developer will not be required to pave it all the way to Grays Airport Road, only up to his property.

Barbara Eaton – 3131 Edwards Road

Ms. Eaton said she never received any notification about the annexation. She is against the project and has serious objections to putting that many houses on rural land. She has livestock and the subject property is higher than hers so runoff will come onto her property. People drive fast on the unpaved road now and there have been accidents. Neither Lake County Sheriffs nor Lady Lake Police have done anything about the speeding. If Edwards Road is paved it will be too close to her property. She is also concerned about complaints from the many new property owners who would not like the noise from her farm animals.

Ed Moore – 3041 Edwards Road

Mr. Moore said his parents bought 3041 Edwards Road in 1970. It was then and still is a rural community. On the county map it shows that the smallest property should be 5 acres or more. The proposed development will generate too much traffic from the 300 or more new residents. There will be traffic and congestion issues. The proposed development is right in the middle of our rural area; our rural community should stay rural.

Chairman Sigurdson asked if the area on the map that shows all the trees still has tree coverage. Mr. Moore answered that there are no longer any trees, just underbrush. He continued by saying that what is happening is a community busting tactic and his area will end up like The Villages; it will no longer be their little piece of heaven. It would be nice if the Board would consider the current residents. He is against six houses to an acre; he can hardly stand one house to an acre. In conclusion, he said he also did not receive notification about the annexation. In conclusion, he said the Board should put the matter on hold until a lot of questions are answered.

Growth Management Director Carroll clarified that the east side of the subject property on Edwards Road is zoned RS6 so higher density is permitted in that area. If a developer meets our code, they can build at that higher density. He added that the Planning & Zoning Board operates in an advisory capacity and regardless of how the Board votes, the three ordinances will be presented to the Town Commission

Member Saunders made a motion to forward Ordinance 2022-17 to the Town Commission with the recommendation of approval; Member Vincent seconded the motion. The motion passed by the following roll call vote:

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

4. Ordinance 2022-18 — Small Scale Future Land Use Comprehensive Plan Amendment — Nitai Capital Partners Edwards, LLC — Change the future land use designation from Lake County Urban Low Density to Lady Lake Single Family Medium Density for property owned by Nitai Capital Partners Edwards, LLC; being approximately 31.10 acres; Referenced by Alternate Key Number 1280681, within Lake County, Florida.

Senior Planner Wendy Then summarized the future land use change request. The request is to amend the future land use designation of 31.10 acres into the Town's Comprehensive Plan map. This would change the property from Lake County Urban Low Density to Lady Lake Single Family Medium Density that allows for up to six detached units per acre. The subject parcel consists of one vacant lot and the applicant is proposing 4.63 dwelling units per acre.

The projected demand on the Water System for this project is 36,000 gallons per day. The total impact to the potable water system will be determined when the Improvement Plat Plan is presented. There is adequate capacity for sewer at the present but, again, the total impact to the wastewater system will be determined when the plat plans are presented.

Ms. Then outlined the impact on other services including schools, traffic, and stormwater. Regarding transportation, a total of 1,411 daily trips will be generated for the overall proposed project. The applicant will be required to make improvements to Edwards Road.

The Statement of Need indicates that there is a need for workforce housing in the area to sustain new development and businesses in Lady Lake and The Villages area. Because housing is limited, many who work in the area commute over 30 minutes each way. There is not much housing available especially with more people moving to the area and more businesses opening. The developer provided a sheet outlining the factors determining housing needs in the Lady Lake area.

You may ask why staff would consider this application. We understand the current residents' concerns about a project that will take away their pristine environment. Lady Lake is governed and guided by our Land Development Regulations and our Comprehensive Plan. Approval of

the project has been recommended because the request is compatible with the approved land uses in the vicinity and utilities are nearby. The town is obligated to review any proposal for development because the county does not provide utilities. The town has a responsibility to prevent urban sprawl and promote orderly development and provide adequate land for a viable real estate market that includes development in infill areas.

The town encourages developers to visit the neighborhoods where they are proposing development to get their input.

There were a lot of inquiries regarding this project.

Chairman Sigurdson commented that the information provided indicates that traffic is going to be a big issue.

Ed Moore – 3041 Edwards Road

Mr. Moore again stated that he is against the project and the sooner it is stopped the better. Regarding the 350-acre Hammock Oaks property, those houses surrounded by similar communities as opposed to the 31 acre proposed development being in the middle of rural land. He has been asked to sell his property but his lifestyle is more important to him than money. The lives of several people will be ruined. There are other places to build.

Quinn Nicholas – 3902 Oak Point Drive

Ms. Nicholas asked what the price point will be for the workforce housing properties in the proposed development.

Shridhar Rao – Development Team

Mr. Rao said that he anticipates that the homes will sell around the \$300,000 – \$400,000 range though the starting price is \$250,000. It is hard to predict the market a year from now. Ms. Nicholas commented that those are not workforce prices. Mr. Rao said they will be starter houses and they will try to keep the prices low.

Anthony DiScala - 3524 Edwards Road

Mr. DiScala stated that he wants to stay on his 25-acre property; they are not The Villages. There is plenty of land to develop that is not in their rural area.

William Merskin - 3471 Edwards Road

Mr. Merskin is in the process of building near the proposed development and now he is faced with high density housing adjacent to his property. He said the developer is really nice and discussed his plans with the neighbors. When asked about the trees, Mr. Rao said he is going to save as many trees as he can. However, looking at his plans there is not much room for trees

because of the closely packed houses. The road will be paved up to the new development but the part of the road that is still dirt will have a lot of traffic, up to 1,400 daily trips, driving on it; there will be a constant dust cloud and rain will make it even worse. He understands the need for housing but not in this location. If The Villages needs workforce housing, they can build it.

Deputy, Lake County Sheriff's Office – 3400 Edwards Road

The gentleman owns 3400 Edwards Road and it was purchased with grandfather oaks on the property. If Edwards Road is paved all the canopy trees will have to be removed. The Lady Lake Commission is passionate about trees – please do not take ours.

Doug Pickett - 3426 Edwards Road

Mr. Pickett said he and his wife purchased their home for retirement. They are on one of the last dirt roads in Lake County. Previously, the Board said they wanted to keep Edwards Road rural. He discussed the removal of old trees, increased traffic and crime which will destroy what they purchased. The proposed houses will not be affordable by most people. This is one of the few remaining rural areas. Do not be like The Villages and cave to the pressure, there are a lot of other areas where high density housing can be built.

Member Vincent said that the Planning & Zoning Board only makes recommendations; regardless of how the Board votes, the Commission will still be reviewing the developer's requests.

Member Saunders made a motion to forward Ordinance 2022-18 to the Town Commission with the recommendation of approval; the motion died for lack of a second.

Member Furch made a motion to forward Ordinance 2022-18 to the Town Commission with the recommendation of denial; Member Regan seconded. The motion passed by the following roll call vote:

Member	Present
Furch	Yes
Saunders	Yes
Regan	Yes
Vincent	Yes
Sigurdson	Yes

Shridhar Rao – Development Team

Mr. Rao said he has listened to the neighbors' concerns and at this point, he would like to go

back to the drawing board and table this matter until the next Planning & Zoning Board meeting on December 12th. In the meantime, concerned neighbors can reach out to him.

Member Furch said she sees both sides of the issue. She is very active in the community and knows of people who do not have homes to live in. She does not agree with the price point, but she likes that Mr. Rao is willing to talk to those who will be affected – there needs to be middle ground. There are people living in their cars; affordable houses are needed in our area. There were comments from the audience who spoke in opposition to Member Furch; they do not want the new development.

There was some debate about whether the two previously voted on ordinances could be tabled. Mr. Carroll addressed Mr. Capra who was speaking from the audience who said that the two previously voted on ordinances should not come back for consideration. The first was approval for annexation and the second ordinance was voted against. The applicant has requested to table the third ordinance and it will come back on December 12th but there could be an amendment for what he is seeking as far as land use density between now and the reading by the Commission. It will be documented that there was an approval for the annexation, a denial for the six dwelling units per acre for the future land use. In the meantime, the applicant may reach out to the neighbors for their input so there could be an amendment to their application. We could be in the same position next time the Board meets but now the rezoning ordinance is going to be tabled. On December 12th, the applicant may come back with amendments to the other two ordinances, especially the second one. The rezoning will be heard for the first time at a Planning & Zoning Board meeting on December 12th at 5:30pm. The Board may need to rehear the future land use depending on any changes to density. Mr. Carroll will discuss further with the Town Attorney. The annexation does not have to be reheard by the Planning & Zoning Board but the earliest that the Town Commission will be addressing any of the ordinances is January 2023.

Member Vincent commented that he was impressed that Mr. Rao is willing to meet with the neighbors to come up with a solution.

Mr. Rao said that he understands the residents concerns about runoff. He is an engineer and stated that he will do everything in his power to make sure they are not affected by runoff and impacts from stormwater from the site.

- 5. Ordinance 2022-19 — Rezoning — Nitai Capital Partners Edwards, LLC — Change the zoning designation from Lake County Agriculture R-1 to Lady Lake Residential Planned Unit Development (PUD) for property owned by Nitai Capital Partners Edwards, LLC; being approximately 31.10 acres; Referenced by Alternate Key Number 1280681, within Lake County, Florida. (Wendy Then)**

Member Regan made a motion to table the rezoning ordinance to December 12th; Member Furch seconded the motion. The motion passed by the following roll call vote:

Member	Present
Furch	Yes
Saunders	Yes
Regan	Yes
Vincent	Yes
Sigurdson	Yes

6. Ordinance 2022-20 — An Ordinance imposing a moratorium upon the receipt and processing of annexation applications to provide staff the opportunity to perform a comprehensive inventory of land use entitlements and the projected demand on public infrastructure. (Wendy Then)

Senior Planner Wendy Then summarized the moratorium request. In the past year, the Town of Lady Lake has added a few hundred acres of land to the incorporated limits of town, much of which has been designated for single and multi-family development. During Public Hearings, for annexations and land use changes, residents of the Town and elected officials have voiced their concerns about the resources required to support the proposed growth. Staff feels that it is time to perform a comprehensive analysis of the entitlements of the annexed properties in town. This will show how many lots are platted but not yet developed. Also, staff will determine the composition of land uses within the town in terms of both acreage and percentages of what has yet to be developed. The moratorium would be effective January 1, 2023 through June 30, 2023. The prohibition would only bar the addition of new property into the Town's incorporated limits and would not bar properties that presently have land use entitlements.

Member Furch made a motion to forward Ordinance 2022-20 to the Town Commission with the recommendation of approval; Member Saunders seconded the motion. The motion passed by the following roll call vote:

Member	Present
Furch	Yes
Saunders	Yes
Regan	Yes

Member	Present
Vincent	Yes
Sigurdson	Yes

**7. Ordinance 2022-21 — An Ordinance Adopting Corrections, Updates, and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan.
(Wendy Then)**

Senior Planner Wendy Then said that Ordinance 2022-21 is a proposal of the annual update of the Capital Improvements Schedule, which is part of the Town's Comprehensive Plan. The Capital Improvement Plan update process and the corresponding requirements are no longer required to be processed by a Comprehensive Plan Amendment but may be adopted by local Ordinance.

The Town must annually update the Five-Year Schedule of Capital Improvements pursuant to Florida Statutes. The purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service (LOS) standards are achieved and maintained for concurrency related facilities.

These facilities include water supply, sewer, solid waste, drainage, parks and recreation, public schools, transportation, and mass transit. While the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five-year capital improvement schedules from other entities.

Corrections, updates, and modifications concerning costs, revenues, or the dates of construction of any facility or project identified in the Comprehensive Plan or Capital Improvement Program are not considered amendments and may be accomplished by local ordinance.

Member Vincent made a motion to forward Ordinance 2022-21 to the Town Commission with the recommendation of approval; Member Saunders seconded the motion. The motion passed by the following roll call vote:

Member	Present
Furch	Yes
Saunders	Yes

Member	Present
Regan	Yes
Vincent	Yes
Sigurdson	Yes

E. CHAIRPERSON and MEMBERS' REPORT

No reports

F. PUBLIC COMMENT

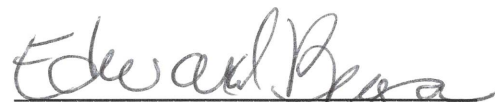
No public comments

G. ADJOURN

With nothing further to discuss, the meeting adjourned at 7:35 p.m.

Respectfully submitted,


Nancy Wilson, Town Clerk


William Sigurdson, Chairman

*Ed Regan chaired the meeting
in William Sigurdson's absence.*

