

**MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY**

APRIL 21, 2005

The Lake County Local Planning Agency met on Thursday, April 21, 2005 at 9:00 a.m. in the Commission Chambers on the second floor of the Round Administration Building in Tavares, Florida. The Lake County Local Planning Agency considers comprehensive planning issues including amendments to Lake County's Comprehensive Plan.

Members Present:

David Jordan	District 1
Ann Dupee	District 2
Michael F. Carey	District 3
Richard Dunkel	District 4
Nadine Foley, Vice-Chairman	District 5
Sean Parks	At-Large Representative
Keith Schue, Secretary	At-Large Representative
Barbara Newman, Chairman	At-Large Representative

Member(s) Absent:

Becky Elswick	School Board Representative
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Staff Present:

Gregg Welstead, Deputy County Manager; Director, Growth Management Department
Sanford A. Minkoff, County Attorney
Amye King, AICP, Planning Manager, Comprehensive Planning Division
Jeff Richardson, AICP, Planning Manager, Planning & Development Services Division
Kitty Cooper, Director, Geographic Information Services Division
Terrie Diesbourg, Director, Customer Service Division
John Bringard, Acting Director, Parks& Recreation, Public Works
Liz Eginton, Director, Community Development Grant Program, Community Services
Allan Hewitt, Director, Water Resources, Environmental Services
Gary Debo, Director, Solid Waste Operations, Environmental Services.
Alfredo Massa, Senior Planner, Comprehensive Planning Division
Amelyn Regis, Senior Planner, Comprehensive Planning Division
Francis Franco, Senior GIS Analyst, Comprehensive Planning Division
Shannon Suffron, Senior Planner, Comprehensive Planning Division
Thomas Wheeler, Comprehensive Planning Intern
Donna Bohrer, Office Associate III, Planning & Development Services Division

Barbara Newman, Chairman, called the meeting to order at 9:00 a.m. and noted that a quorum was present. She confirmed that Proof of Publication was on file in the Comprehensive Planning Division and that the meeting had been noticed pursuant to the Sunshine Statute.

Chairman Newman welcomed Ann Dupee the new member of the Local Planning Agency (LPA).

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CASE NO: LPA #05/4/7-2
OWNER: Howell & Eddy
AGENT: Steven J. Richey

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Amye King, Planning Manager Comprehensive Planning, said there was one change to the agenda. Applicant Howell & Eddy, LPA #05/4/7-2 has requested a continuance to the May 19, 2005 meeting.

MOTION by Michael Carey, SECONDED by Nadine Foley to continue LPA #05/4/7-2 to the May 19, 2005 meeting.

Tammy Phelps said she represented Voters Organization Interested in Children’s Education (VOICE), a concerned citizen group that includes parents and teachers. Ms. Phelps said this group was concerned over the growth in south Lake County and its negative influence on schools and quality of life. She said VOICE members have met with the City of Clermont. Elaine Renick, Clermont council member, has drafted a resolution on these issues for consideration at a joint meeting between the City of Clermont and the School Board.

Ms. Phelps said changes in land use that increase densities cause over-crowded schools and she requested that this be taken into consideration. She also referred to an interlocal agreement between the County and the School Board.

Chairman Newman thanked Ms. Phelps and assured her that the purpose of the LPA is to examine those very issues.

David Jordan explained that the public was welcome and they were glad to have them in attendance.

Elaine Renick stated that City staff was also present for this application and now recognized that it was being continued. Mr. Schue commented that the repeated continuation of agenda items deters public participation, and suggested that the county examine steps that Seminole County is taking to address this issue.

FOR: Newman, Foley, Schue, Carey, Parks, Dunkel, Dupee, Jordan

ABSENT: Elswick

AGAINST: None

MOTION PASSED: 8-0

CASE NO: SLPA #05/4/1-2
OWNER: C.A. Meyer, Jr.
AGENT: Jimmy Crawford

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John Kruse, Senior Planner presented the case and explained staff's recommendation of denial. The application is to change the Future Land Use designation from Employment Center to Urban Expansion. Mr. Kruse explained that commercial uses in an Employment Center designation are intended to provide services for employees associated with the Employment Center. In addition, this parcel is located in the Clermont Joint Planning Area Agreement. The City intends have this site retain the Employment Center designation.

Mr. Kruse explained that the Applicants also had filed a rezoning request to change the zoning to Planned Unit Development (PUD) with Community Commercial (C-2) uses. Staff has recommended denial of the rezoning application.

Jimmy Crawford said his client is the owner of this property and that he also is the owner of Toyota of Orlando. Mr. Crawford gave a brief background of the Employment Center Future Land Use designation from the original comprehensive plan. He described recent development in the immediate area, including Plaza Collina, a proposed Development of Regional Impact (DRI).

Mr. Crawford said the applicant had met with the City of Clermont and he was told that the City did not want a car dealership on this parcel. The applicant has agreed to stipulate that he will comply with the Joint Land Development Regulation (LDRs) within the PUD ordinance. They also have agreed not to impact the wetlands on site.

Mr. Crawford had recommended his client file a Small Land Plan Amendment (SLPA) on the 9 acres as a way to remove the car dealership site from the Employment Center designation. It is his opinion that the body shop would be an allowed use in the Employment Center.

Mr. Crawford explained this proposed dealership would employ approximately 200 people with an average wage of \$35,000.00. In addition this dealership would generate considerable sales tax revenue.

The applicant is willing to build to whichever design standards are in place. They will also design the dealership with access from the proposed frontage road. They are not proposing any additional highway cuts onto Highway 50.

Mr. Crawford explained that eventually the dealership owner would like to do an overlay zoning district. This could be a site for several car dealerships that would be subject to special design and landscape requirements.

Sean Parks asked if an access easement to Plaza Collina was being proposed. Mr.

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OWNER: C.A. Meyer, Jr.
AGENT: Jimmy Crawford

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Crawford said the Recommendations Request for Additional Information (RAI) from the Department of Community Affairs (DCA) strongly suggested a frontage road.

In response to a question from Michael Carey, Mr. Crawford said if it weren't for the uncertainty surrounding the Comprehensive Plan revision, this application would be to remove the Employment Center designation.

Mr. Crawford explained to Mr. Schue that the body shop site could not be included because it would exceed the acreage restriction for a Small Land Plan Amendment (SLPA). Mr. Schue commented that the body shop would not serve the employees as businesses in the Employment Center were intended to do. Mr. Crawford said body shop uses are allowed in an employment center. He added that according to the LDRs a body shop is considered an industrial use not commercial or retail use.

Mr. Parks said his concern was the lack of adopted design standards. Mr. Crawford agreed it would be difficult for the County to enforce design standards. He said the City of Clermont does impose design standards plus Toyota has their own design standards.

In response to Ann Dupee, Mr. Crawford said the County could mandate landscaping requirements through a PUD ordinance. He added that in this case the PUD would be heard with the SLPA before the Board of County Commissioners (BCC).

Mr. Crawford said the City of Clermont code allows auto dealerships in their industrial zones.

In response to Mr. Schue, Mr. Crawford explained the PUD zoning would include 28 acres. They discussed the boundary of the employment center. Mr. Crawford explained some of the difficulties he has experienced regarding the time necessary for large-scale amendments.

Mr. Dunkle thought the PUD process could create a quality development and provide quality employment. Mr. Crawford said the county plan for trails does not include this property.

Mr. Carey said perhaps Employment Centers should be designated Industrial Centers. He hoped the Applicant would follow through and install some extraordinary landscaping.

Correcting a statement from Mr. Crawford, Mr. Jordan said 1-cent of the sales tax is distributed to the residential county of the buyer not to the county of the dealership. He commented that this dealership might be the most visually appealing use for this location. And it would be better than more houses. He also voiced a concern that the applicant would follow through on his promises.

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OWNER: C.A. Meyer, Jr.
AGENT: Jimmy Crawford

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David Yergey, attorney with Yergey and Yergey, stated that he is the representative of C.A. Meyer, the seller of this property. He disputed the ownership of the adjoining 28 acres. He said they are still owned by Mr. Meyer and that there is no option on this parcel, only a disputed right of first refusal.

Darrin Gray, Assistant City Manager, City of Clermont, said this application had been presented to the city council. It is the City's position that no land use changes in the JPA be approved until the joint LDRs are adopted. He said there is a good possibility the remaining issues on the joint LDRs could be resolved within thirty days. The City would like the Employment Center designation to remain in this area.

In response to Mr. Schue, Mr. Gray said the City would like light industrial in this area.

Mr. Dunkle asked about the City's position on car dealerships. Mr. Gray said staff has not had that discussion with the City council.

Mr. Gray said this proposal would have to be developed to conform to the standards of the City.

Mr. Dunkle asked if this could be continued for thirty days.

Sanford Minkoff pointed out that other Comprehensive Plan amendments were already scheduled on the next agenda. A 30-day continuance would not affect the timing of this application.

Mr. Crawford said the Applicant would not oppose a thirty-day continuance.

Mr. Schue said he would like to know where the City council would like to locate car dealerships and if the City believed that this site would be appropriate.

Mr. Parks said he would like to have more information on the Plaza Collina DRI.

Ms. Foley said she would not be at the next meeting. She said that in her opinion that this proposal is an opportunity for some high-end employment and she thinks it is a good idea.

MOTION by Michael Carey, SECONDED by David Jordan to continue SLPA #05/4/1-2 to the May 21, 2005 meeting

FOR: Newman, Foley, Schue, Carey, Parks, Dunkel, Dupee, Jordan

CASE NO: SLPA #05/4/1-2

OWNER: C.A. Meyer, Jr.
AGENT: Jimmy Crawford

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ABSENT: Elswick

AGAINST: None

PASSED: 8-0

There was a 5-minute break

Update to the Comprehensive Plan

Ms. King updated the LPA on the Comprehensive Plan schedule. She said staff is continuing to collect information on the optional elements as requested by the BCC.

Ms. King said that May 26 has been designated as a workshop for all of the data sets. She said staff would put information together on an Economic Element to review at the workshop. Ms. King said informational economic presentations would be scheduled in the future.

Amelyn Regis, Senior Planner, gave a brief overview of the Conservation Element and its purpose. She commented that during the public meetings many citizens voiced concerns about Conservation policies and preservation of the environment.

Sean Parks said he was very pleased with the material provided. He provided copies of a proposed outline for the Conservation Element and a list of possible impacts of development on the environment.

Richard Dunkel said open space was a frequent issue brought up at the public meetings. One of his concerns is that open space in clustered developments actually receive permanent protection from development. Ms. King said the land acquisition committee was looking into that issue. Keith Schue said a conservation easement was the most common method used to protect lands. Sanford Minkoff said a negative easement or conservation easements can be used, however, he felt there is always a way to change easements.

Mr. Parks thought an endangered and threatened species table should be included. Mr. Schue explained that he had made extensive comments to Staff and he would not object if those were provided to the other members.

There was some discussion which element would be the most appropriate location for Open Space.

Mr. Schue suggested identifying the Wekiva River Protection Area and Green Swamp Area of Critical State Concern separately from the listed public lands, since they are actually planning areas that include private property.

Nadine Foley was pleased to see the work of the Public Land Advisory Committee reflected in the Conservation Element. She added that the Committee thought the Conservation Element would be the most appropriate element for the conservation lands the County would be purchasing.

Michael Carey asked about topics such as wetland alteration, significant excavation and man-made lakes. He asked if those issues would not also apply to sand mining and peat

mining. Ms. Regis said she would investigate this.

David Jordan said he was surprised by the amount of information revealed by the maps.

In response to an inquiry from Mr. Carey, Ms. Regis said she would find out if any County owned lands were leased out. Ms. Foley said St. John River Water Management District (SJRWMD) does lease lands, but it is not the intent of the Public Land Acquisition Committee to lease lands. Ms. Foley also commented that peat mines are found in wetlands and that is why they are emphasized in the section referred to earlier.

Ann Dupee asked about the private utilities data within this element and she asked if the Consumptive Use Permit (CUP) information was current. Ms. Regis said that information could be added. Mr. Massa said some of the information Ms. Dupee mentioned is included in the Public Facilities Element.

Mr. Schue said that a map depicting all public lands should be included. He also suggested that it would be helpful to include maps that show conservation easements, aquifer recharge and a strategic habitat.

Mr. Parks reiterated his belief that the environment impact list should be included in the Conservation Element. He said the impact list would help identify what could be lost as a result of developing a particular parcel.

Shannon Suffron, Senior Planner, presented the DIA on the Recreation Element. The Master Parks and Recreation Plan is the basis for most of this information. She has also included updated information, including the Blueways project.

In response to a question from Ms. Dupee, Ms. King said Lake County has a Recreation impact fee. Mr. Minkoff added that there was also an impact fee for libraries.

Mr. Schue asked if there is any intent to develop separate level of service guidelines for passive and active recreation.. Ms. King said the Parks Master Plan discusses provisions for passive and active use. She also said staff would investigate to see if other counties separated passive and active recreation. Ms. Foley said the Public Lands Acquisition and Advisory Council (PLAAC) had decided the lands purchased on their recommendation would be resource lands for passive recreation.

Mr. Jordan said the process now would be to quantify data so it can be used to make both qualitative and quantitative determinations and to set policy.

Mr. Parks complimented Staff and said he would like to learn more about how these lands would be listed. Ms. Foley thought that policy had been decided by the BCC.

Ms. Dupee asked about matching funds for municipalities, and asked about policy regarding equity in usage fees.

Mr. Dunkle asked if the DIA might include information about partnering between groups and government agencies to create more recreational opportunities. Ms. Suffron said she was working to identify partnerships not included in the Parks Master Plan.

In response to a question by Ms. Dupee, Mr. Minkoff stated that County contracts prohibit the charging of differing fees for County and city residents.

Mr. Bringard, acting Parks and Recreation Director, presented recreation impact fee figures. The fee for a single-family residence (SFR) is \$222. Fees are divided into north, south and central districts and he added that the money would remain in the district that it was collected in. Those monies would be used within the County park system.

Mr. Minkoff said the County Budget Office was projecting Parks impact fee revenue to be \$900,000.00 this year. Ms. Schue asked if that included money for land acquisition, land management and capital improvements. Mr. Minkoff said impact fees could only be used to increase capacity; therefore they can be used to purchase land or to build new facilities.

Alfredo Massa, Senior Planner, gave a brief overview of the Housing Element data. He said the population of Lake County would more than likely double by 2025 from the 2000 census. Mr. Massa presented data showing that by 2025 Lake County will need an additional 67,000 affordable single family homes in addition to 5,800 affordable multiple family homes. This translates into 68% of all housing built by 2025 should be affordable housing. Mr. Massa explained how legislative actions by the Federal and State governments were affecting funding for low-income and affordable housing.

Mr. Carey was concerned that not everyone was contributing to the cost of education. He asked about the impact fee exemption for communities comprised of residents that are 55+ and older. Mr. Massa said about 25% of the population is 65 or older, and that percentage is expected to increase.

Mr. Jordan suggested it might be useful to consider south Lake County separately because of the demographics in that area. He would also like to see a breakdown in south Lake County that separates the unincorporated areas from the municipalities. Ms. King said staff had been using the Planning Zones boundaries that are based on the Joint Planning Areas (JPA).

Mr. Minkoff said there are South, Middle and North sections for recreation monies. He said revenue in the South section were almost double the other two districts. Ms. King said a map would be created showing some of the different boundaries.

Mr. Jordan and Mr. Massa discussed the population projections and the methodology used in those projections.

Ms. Foley thought Mr. Massa had done an excellent job and this information would be important in discussions about affordable housing policies.

Mr. Schue commented that in general residential developments do not “pay for themselves” with the exception of high-end developments. He said that Lake County needs to promote employment opportunities that generate higher wages for residents of the county.

Mr. Jordan and Mr. Schue discussed the percentages of new home construction in the municipalities compared to that in the unincorporated areas.

Ms. King introduced Liz Eginton, Community Development Block Grant (CDBG) Director for Lake County. Ms. Eginton said staff was developing the socio-economic profiles of several low-income areas of the County. She thought that information might be useful as a guide to where low and affordable housing is needed most.

Ms. Regis explained the purpose of Intergovernmental Coordination Elements. Lake County has entered into Joint Planning Agreements with two municipalities. Mr. Schue commented that although this is true, agreement regarding future lands use within the Clermont Joint Planning Area has not yet been achieved. In 2003 DCA mandated that each county compile an inventory of all current agreements with special districts and the municipalities.

Mr. Parks said he would like to see the relationship between the Lake County Water Authority (LCWA) and the County better defined, especially as it relates to stormwater issues.

Mr. Schue suggested that a comparison of the number of homes on wells and septic with those on central utilities would be useful.

Kelly Piscotty, Executive Director of Affordable Housing by Lake, emphasized the growing need for Affordable Housing.

Mr. Parks pointed out that South Lake Interim Design Standards (SLIDS) were included in the meeting books.

In response to a question from Mr. Schue, Mr. Welstead said that staff is still waiting for Future Land Use information that has been requested from the municipalities. In order for there to be a countywide balance between land uses some municipalities may have to comprise. Mr. Welstead he will be continuing to elicit the information that it needed from the municipalities. Mr. Schue recommended that the Local Planning Agency conduct a joint planning workshop with the City of Clermont to address unresolved Future Land Use planning issues within the Clermont Joint Planning Area.

The Chair adjourned the meeting at 11:55 a.m.

Donna R. Bohrer, Office Associate III

Keith Schue, Secretary