

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
JUNE 11, 2007 5:30 P.M.**

Mayor Tom Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday, Jun 11, 2007 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. The invocation was given by Rev. Ray Cameron of the First Presbyterian Church of Lake Placid, which was followed by the pledge of allegiance to the American Flag. A quorum was present.

ROLL CALL:

Mayor Thomas Katsanis
Council Member Charles Wilson
Council Member Debra Worley
Council Member Jim Waller
Council Member Bill Brantley

Town Clerk Arlene Tuck
Town Attorney Bert Harris
Town Utility Director Gary Freeman
Town Public Works Director Jim Fulton
Town Police Chief Phil Williams
Town Planners Susan BuChans

APPROVAL OF AGENDA:

Council Member Wilson made a motion to approve the agenda; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

CONSENT AGENDA:

1. Approval of monthly reports and payment of monthly bills
2. Approval of minutes for May 14th regular meeting and special meeting on May 29, 2007.

Council Member Wilson made a motion the consent agenda be approved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Utility Director:

1. Approval of Community Redevelopment Grant – CDBG Bid - Mr. Freeman stated he had held a bid opening for the project. He stated he received three bids from Flow-Line, Inc., KDL Underground, Inc. and Homestead Concrete. He stated the low bid was \$581,790.91. However the low bid exceeds the estimated price by \$64,990.91. Mr. Freeman asked that the Town Council approve the low bid of \$581,790.91 by Flow-Line, Inc. and allow him to take the balance out of the Capital Water System Development Fund. Council Member Worley made a motion to approve the low bid from Flow-Line, Inc.; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

Council Member Waller made a motion Mr. Freeman extract the balance due on the project from the Capital Water System Development Funds; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Ordinance 07-550 – Large Scale Comp. Plan – Genor Farms – Mrs. BuChans stated the applicant is requesting an amendment to the Future Land Use Map to redesignate property with Highlands County future land use designation Agriculture and the Town of Lake Placid’s future land use designation to Town of Lake Placid Low Density Residential designation. The property has roadway frontage on Catfish Creek Road. The Applicant is also requesting a change to the Official Zoning Map from Highlands County Agricultural (AU) and Town of Lake Placid Agriculture (A-1) to Planned Development (PD) for the approximate 55.01 acres.

Council Member Worley made a motion to approve Ordinance 07-550 on first hearing by reading of title only for transmittal to DCA for the required State of Florida review of the large scale comprehensive plan amendment to amend the Future Land Use Map from Highlands County Agricultural and Town of Lake Placid Agricultural/Residential to Town of Lake Placid Low Estate Residential with the following conditions:

1. Developer shall enter into a Capacity Agreement with Town for the surrender of certain water rights to the Town; the provision by the Town of potable water and wastewater service to the Development; and the Developer’s payment of the System Development. The Agreement shall be secured by Bond or Certificate of Deposit approved by the Town Attorney.
2. Provide sufficient right of way along Catfish Creek Road to total a minimum of 100 feet of right of way (but to contribute only their one-half), unless the road designation has been reduced prior to the preliminary plat.
3. Development not to exceed 55 units.
4. Provide external community park and recreation LOS. The community park LOS should be outside the development’s boundaries. The developer can offer a fee in lieu to the Town for construction of a community park to satisfy the external community park and recreation LOS requirement.
5. Install central wastewater collection lines within the project site at time of development from existing wastewater lines and agree to hook up when available.
6. The zoning for this project will be a PD overlay and will be made a part of this Comprehensive Plan Amendment.

Motion seconded by Council Member Waller. On roll call, motion carried unanimously.

- D. Ordinance 07-551 – PD/Rezoning – Genor Farms – Mrs. BuChans stated the applicant is requesting a rezoning for the subject property from Highlands County Agriculture and Town of Lake Placid Agriculture Residential to Planned

Development Zoning District. It is the applicant's intent to develop a planned single-family development with recreational ancillary uses and amenities.

Council Member Waller made a motion to approve on first hearing by reading of title only Ordinance 07-551, as presented by Attorney John McClure at this meeting, with amendments as stated in Attorney Bert Harris's letter and including recommendations of the Town of Lake Placid Local Planning Agency, all as discussed in open meeting; motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Waller and Council Member Brantley voted yes; Council Member Worley had asked to be excused to leave the meeting during the discussion and had not returned prior to the vote. Motion carried 3 to 0.

Prior to the discussion on the Grigsby property Council Member Wilson stated he had a conflict of interest with the Grigsby property and would not be involved in the discussion or voting on the matter.

E. Ordinance 07-545 – Large Scale Comprehensive Plan – Alan Grigsby – Prior to getting into the public hearing for the Comprehensive Plan and PD Ordinances, Attorney Bert Harris stated the Grigsbys have offered to convey a 100-foot right-of-way for a new Grigsby Road. The Grigsbys project the cost of constructing the three-lane section of road and the ten-foot multi-path will be \$2,560,000.00. Further the Grigsby recognize that the new Grigsby Road is needed to serve not only their development, but also the traffic impacts created by Placid Lakes and other lands. It appears that Placid Lakes will use well more than one-half of the capacity of the New Grigsby Road.

Attorney Harris suggested that the Town adopt a Resolution asking Highlands County to agree to grant transportation impact fee credits equal to a reasonable percentage of the cost of construction and a similar portion of the value of right-of-way. Currently the law requires that the specified right-of-way and road construction be included in the county's capital improvement plan of committed funds before impact fee credits could be allocated. There is a significant chance that current law would leave Alan Grigsby paying for the new Grigsby Road without impact fee credits. Assurance of impact fee credits will allow the Town to require a wider right-of-way to accommodate a wider road in the future.

Attorney Harris also stated a similar effort should be made on the North/South Connector, Maquata Drive and Stuart Road. He stated the total cost to the Grigsbys is estimated to be \$846,000.00.

Council Member Brantley made a motion the Resolution presented by Attorney Harris be executed by the appropriate individuals and forwarded to the Highlands County Board of County Commissioners; motion seconded by Council Member Waller. On roll call, Council Member Brantley, Council Member Waller and Council Member Worley (who had just returned) voted yes; Council Member Wilson abstained from voting. Motion carried 3 to 0.

F. Ordinance 07-545 Large Scale Comprehensive Plan – Alan Grigsby - Mrs. BuChans stated the applicant is requesting an amendment to the Future Land Use Map to redesignate approximately 375.07 acres from Highlands County Agricultural (AG) and Low Density Residential (LDR) and the Town of Lake

Placid Agricultural/Residential (AR) to Town of Lake Placid Medium Density Residential (MDR). The applicant intends to develop the property to accommodate the proposed project known as the Grigsby Community. The proposed land use category for the site is Medium Density Residential and allows a gross density of 12 dwelling units per acre and a commercial intensity of 0.35-floor area ratio, which would translate to 4,106 dwelling units and 501,593 sq. ft. of commercial use. The applicant voluntarily limits the residential to an overall density of 2.75 dwelling units per acre and reduces the commercial intensity to 0.05 FAR on the site. Thus, the overall density of 2.75 and a commercial intensity of 0.05 FAR translates to 942 residential dwelling units and 68,000 sq. ft. of commercial use planned for the subject property. If for any reason the dedications offered were not accepted, the applicant would like to develop to a total Floor Area Ratio of 0.02 (20%).

Council Member Waller made a motion to approval Ordinance 07-545 on first hearing by reading of title only for transmittal to DCA for the required State of Florida review of the large scale comprehensive plan amendment to amend the Future Land Use Map from Highlands County Agriculture (AU) and Low Density Residential (LDR) and Lake Placid Agriculture/Residential (AR) to Medium Density Residential (MDR) with the following conditions:

1. Developer shall enter into a Capacity Agreement with the Town for the surrender of certain water rights to the Town; the provision by the Town of potable water and wastewater service to the Development; and the Developer's payment of the System Development. The Agreement shall be secured by a letter of credit or other means as approved by the Town Attorney at the time the plat is presented.
2. The residential property shall be capped at 942 residential units.
3. The commercial property shall be capped at 20% FAR, plus any other governmental use, school board use or public use uncapped.
4. The zoning for this project will be a PD overlay and will be made a part of this Comprehensive Plan Amendment.
5. Property shall be served by municipal water and wastewater.
6. The applicant shall provide staff with a CIE for the property.

Motion seconded by Council Member Brantley. On roll call, Council Member Waller, Council Member Worley and Council Member Brantley voted yes; Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 3 to 0.

G. Ordinance 07-546 – PD/Rezoning – Alan Grigsby – Mrs. BuChans stated the applicant is requesting a rezoning for his property from Highlands County Agricultural (AU), Residential District (R1-A), Mobile Home Park (M-2) and Lake Placid Agricultural/Residential (A-1) to Single-Family Dwelling District PD overlay (R-1/PD), Two-Family Dwelling District PD overlay (R-2A/PD), Multifamily Dwelling District PD overlay (R-2/PD), and Professional Commercial District PD overlay (C-2A/PD) zoning districts. Under the Agricultural zoning, development is limited. Agricultural uses, restricted residential development and limited semi-public and recreational uses are currently permitted. The Residential District is intended to be single-family ranging from 4 du/ac to 8-du/ac densities. Mobile home parks allow the

establishment of mobile home parks where mobile homes are placed on rental spaces and are allowed for single-family uses.

Council Member Brantley made a motion to approve on first hearing by reading of title only Ordinance 07-546 with the following additions and/or modifications:

1. All height limitations being a maximum of 35 feet (with this matter being referred back to the Local Planning Agency to be revisited by them).
2. Septic tanks being allowed on the south end of the property.
3. Rezone to amend the Town zoning map from AU to PD Ordinance/Development Order (DO) to implement and coordinate with the conditions contained in the Comprehensive Plan Amendment. The DO shall include detailed zoning district conditions that include permitted uses, setbacks, and all other zoning conditions, preferably based on an existing district and shall be considered for adoption concurrent with the Large Scale Comprehensive Plan Amendment.
4. Additional collector roadways shall be located within the development.
5. Install reuse lines to serve the development.
6. The Developer shall install wastewater reuse lines (to lawful standards) within the Development. The Developer shall pay the reuse system development charge established by the Town Code.
7. Attorney Harris's comments in letter dated June 8, 2007.

Motion seconded by Council Member Waller. On roll call, Council Member Waller, Council Member Brantley and Council Member Worley voted yes; Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 3 to 0.

Mayor Katsanis stated at this time (8:30 P.M.) he was continuing this meeting until Tuesday June 12, 2007 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida.

**RECONVENED REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
JUNE 11, 2007 5:30 P.M.**

Mayor Thomas Katsanis reconvened the regular meeting of the Town of Lake Placid Town Council on Tuesday June 11, 2007 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Mayor Katsanis who also led in the Pledge of Allegiance to the American Flag gave the Invocation.

ROLL CALL:

Mayor Tom Katsanis
Council Member Debra Worley
Council Member Jim Waller
Council Member Bill Brantley
Council Member Charles Wilson

Town Clerk Arlene Tuck

Town Attorney Bert Harris
Town Utility Director Gary Freeman
Town Planner Sue BuChans

PUBLIC HEARINGS:

- A. Ordinance 07-548 – Large Scale Comprehensive Plan – Groves 27 – Mrs. BuChans stated the applicant is requesting an amendment to the Future Land Use Map to redesignate property annexed into the Town of Lake Placid in November, 2005 in accordance with the previous Highlands County designation, to the Town of Lake Placid’s future land use categories. Currently, the Highlands County Future Land Use Map designates 9.56 acres as Commercial and 47.99 acres as Medium Density Residential. The applicant requests the commercially designated area expanded 9.28 acres to total 18.84 acres and designated the Town of Lake Placid’s future land use category, Commercial-General (CG). Additionally, the applicant requests the residentially designated area reduced by approximately 9.28 acres to a total of 38.71 acres and designated the Town of Lake Placid’s future land use category Low Medium Density Residential (LMDR).

The development will consist of commercial development on U.S. Highway 27 of 18.84 acres. They are also proposing residential development of a 20 single-family dwelling units and 137 townhouse units, with each townhouse until on a separate lot, totaling 157 residential units.

The development would consist of zero lot line concept, with 157 residential units and 152,766 sq. ft. of commercial development.

Council Member Brantley made a motion to approve transmittal to DCA for the required State of Florida review of the large scale comprehensive plan amendment to amend the Future Land Use Map from Highlands County Commercial and Highlands County Medium Density Residential to Town of Lake Placid Commercial General and Low Medium Density Residential to Town of Lake Placid Commercial General and Low Medium Density Residential with the following conditions as recommended by the Town of Lake Placid Local Planning Agency:

1. Developer shall enter into a Capacity Agreement with the Town for the surrender of certain water rights to the Town; the provision by the Town of potable water and wastewater service to the Development; and the Developer’s payment of the System Development. The Agreement shall be secured by Bond or Certificate of Deposit approved by the Town Attorney
2. The residential property shall be capped at 157 residential units.
3. Commercial property shall be restricted to 153,000 square feet commercial use.
4. The zoning for this project will be a PD overlay and will be made a part of this Comprehensive Plan Amendment.

Motion seconded by Council Member Worley. On roll call, Council Member Worley and Council Member Brantley voted yes; Council Member Waller voted no; Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 2 to 1.

- B. Ordinance 07-549 – PD/Rezoning – Groves 27 – Mrs. BuChans stated the applicant is requesting a rezoning for the subject property from Agriculture to

Planned Development Zoning District. Under the Agricultural zoning, development is limited. Agricultural uses, restricted residential development and limited semi-public and recreational uses are currently permitted. It is the applicant's intent to develop a planned commercial village center and single-family development with recreational ancillary uses and amenities.

The applicant is hereby requesting a rezone to (PD) Planned Development from Agriculture Residential (AU). The total acreage of the property is approximately 57.5 acres in size. The subject property is located in the northeast corner of US 27 and Huntley Drive, west of Pendarvis Drive.

The applicant would like to develop the west end of the property with commercial and retail as a Village Center development due to frontage on U.S. Highway 27. The applicant is proposing to expand the commercial area to 18.84 acres, from 9.56 acres to allow a depth of 400 feet for greater flexibility in site planning considerations. The commercial development proposes two access points along U.S. Highway 27. The plan concept is a zero lot line concept with 20 single-family dwelling units and 137 town house dwelling units and each town home on a separate lot, totaling 157 residential units.

Council Member Worley made a motion to approve Ordinance 07-549 (as presented at this meeting and prepared June 7, 2007) on first hearing by reading of title only with the following recommendations of the Local Planning Agency and the additions and/or modifications suggested by Council at this meeting:

1. On Page 35 of the Ordinance – under COMPLETION/SCHEDULING – right of ways shall state “At platting or final Site Plan”. (delete but not later than the first residential building permit).
2. On Page 35 of the Ordinance – under COMPLETION/SCHEDULING – under U.S. 27 (b) shall be changed to read “By first CO” (delete At completion of 60,000 square feet of building area and before final CO)
3. On Page 35 of the Ordinance – under IMPROVEMENT/OBLIGATION – PARKS/RECREATION (a) change to “Neighborhood park of 1.3 acres and clubhouse shown on plan.”
4. On Page 37 of the Ordinance – under D. USES 2) add e. Parapets – structures or features of commercial buildings shall completely encircle the buildings.
5. On Page 38 of the Ordinance – under I. HEIGHT. Bullet three shall read: “Commercial – 35 feet or two stories (delete plus 10 feet additional for penthouse structures).
6. On Page 39 of the Ordinance – under C. PARKS – The second paragraph shall read: “The Developer shall provide for a community park to the Town of Lake Placid. Based upon the 157 units with an average occupancy of 2.4 persons per residence, the Developer's community park obligation is 1.88 acres of community park land. To satisfy the community park requirements, the Developer shall pay to the Town the sum of \$80,136.00 per acre for each acre of required community park, which is the responsibility of the developer (the Developer shall pay to the Town the sum of \$161,670.00). Said payment shall be paid as stated on the chart on Page 35 of this Ordinance. The Developer shall receive credit towards the satisfaction of the Town's park level of service requirement equivalent to Developer's contribution of the internal and externally adjacent multi-use path, pursuant to Section 7.F. This same land, (i.e. the multi-use path), may not be used

- for transportation impact fee credit if used to meet the Town's Community Park level of service.”
7. Easement along lakeside shall be used by the eight-lakefront homeowners exclusively.
 8. Attorney Harris and Attorney Mike Gallaher be given the ability to rewrite the additions and/or modifications in the Ordinance as made by this Council at this meeting.

Motion seconded by Council Member Brantley. On roll call Council Member Brantley, Council Member Worley, and Council Member Waller voted yes; Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 3 to 0.

- C. Ordinance 07-552 – Large Scale Comprehensive Plan Text Amendment – Mrs. BuChans presented the Ordinance. Council Member Waller made a motion Ordinance 07-552 be approved on first hearing by reading of title only; motion seconded by Council Member Brantley. On roll call, Council Member Worley, Council Member Brantley Council Member Waller and Council Member Wilson voted yes. Motion carried 4 to 0.

Council Member Wilson made a motion the meeting adjourn; motion seconded by Council Member Waller. Mayor Katsanis hearing no objections declared the meeting adjourned at 7:30 P.M.