

**REGULAR MEETING
TOWN OF LAKE PLACID LOCAL PLANNING AGENCY/
BOARD OF ADJUSTMENT
OCTOBER 31, 2005 4:00 P.M.**

1. ROLL CALL:

- A. Chairman Hoz Compton
- B. Commissioner Jon Andersen
- C. Commissioner Carol Smart
- D. Commissioner Luis Celaya
- E. Commissioner Steve Bastardi

Town Clerk Arlene Tuck

Town Planning & Zoning Director Jim LaRue (and Mohsen Salehi)

Town Utility Director Gary Freeman

2. PUBLIC HEARINGS:

- A. Ordinance No. 05-479 – Rezoning of Lake Sirena Estates, Ltd. – Mr. LaRue informed the Local Planning Agency Lake Sirena Estates was requesting to redesignate 72 acres from Highlands County Agriculture (AG) Zoning District and Town of Lake Placid Agriculture (A-1). The rezoning request would be as follows:

12.38 acres into the Single Family Residential (R-1A) Zoning District; and
59.11 acres into the Two Family Residential Dwelling (R-2A) Zoning District.

The property is currently being used for citrus groves. The applicant intends to develop the property to accommodate the proposed project known as the Shore Club on Lake Sirena. This development will contain a total of 230 dwelling units consisting of a mix of residential uses.

Forty-two (42) acres of the subject property is being annexed into the Town and is now under review by the Florida Department of Community Affairs for the requested future land use change. All recommendations made to this request are subject to approval of the requested Future Land Use Map change being approved and the Annexation phase of the review being completed.

The rezoning request will accommodate a gated residential development, which will consist of 230 dwelling units. The types of dwelling units being proposed by the applicant will range from estate sized homes to traditional single-family homes.

The applicant's request to amend the Future Land Use Map will be adopted on or about March of 2006, thus allowing compatibility between the proposed Zoning Districts and the Future Land Use categories.

Mr. LaRue further stated based upon the zoning criteria being met, the rezoning request should be recommended for approval, as it is consistent with the existing Comprehensive Plan.

Commissioner Bastardi made a motion the Board recommend approval of the request, upon representation of the developer there will be only 230 single family, unattached dwelling units and they meet all setbacks; motion seconded by Commissioner Celaya. On roll call, Commissioner Andersen, Commissioner Bastardi, Commissioner Celaya and Chairman Compton voted yes; Commissioner Smart voted no. Motion carried 4 to 1.

- B. Site Plan Review – Robert Barger – Mr. LaRue informed the Board that the applicant, Robert Barger, was requesting a site plan review for a 2,050 square foot office building to be located on Dal Hall Boulevard. Although a review would not normally be required for a structure of this size (less than 10,000 square feet), the applicant was informed and decided to proceed at any rate.

Mr. LaRue stated at this time Staff cannot recommend approval of the site plan until the applicant receives approval of a Small Scale Future Land Use Map Amendment to be compliant with the zoning on the subject property. The applicant's site plan can then be recommended for approval contingent upon the applicant revising the parking spaces to be 10 X 20 in size.

Commissioner Andersen made a motion the Board recommend approval to the Town Council of the site plan subject to applicant obtaining a Small Scale Future Land Use Map Amendment to be compliant with the zoning on the subject property and revising the parking spaces to be 10 X 20 in size; motion seconded by Commissioner Smart. On roll call, motion carried unanimously.

Mr. LaRue stated his office would prepare and submit the Small Scale Comprehensive Plan.

- C. Site Plan Review – Highlands Independent Bank and Walgreens – Mr. LaRue stated as to Highlands Independent Bank the following:
1. The Site Plan has been modified to accommodate a required 5’ landscaped buffer on the North side. It is not clear that a five-foot buffer has been added on the South border of the bank.
 2. No change has been made to the entryway point from S. Hibiscus into the Bank. The staff recommended a “T” intersection or an improved horizontal curve S. Hibiscus for the traffic safety purposes. Neither of these improvements is shown on the construction plans.
 3. The applicant has indicated that the Bank no longer shares a pond area for drainage purposes and open space with Walgreens. A cultic system is added to the Walgreen’s site underneath four parking spaces on the North side of the Bank building. Details are unclear how this is used.
 4. The pipe under the Bank’s Hibiscus driveway is tied to the proposed storm water bypass in Walgreen’s property. Although the pipe is presumably allowed through an easement instrument, it conveys the storm water from Hibiscus exclusively to US 27 via a storm water bypass. The connection to the proposed bypass remains problematic and inconsistent with the Land Development Code, in reference to independent systems.

As to Walgreen’s:

1. The building has been decreased from 14,580 square feet to 13,580 square feet in size.
2. A five foot buffer has been added to the property at the rear or west border of the property next to S. Hibiscus.
3. A curb cut has been inserted at the rear portion of the property as an ingress/egress point on S. Hibiscus. The applicant’s response to the staff’s recommended use of 25’ wide (existing 2nd driveway) driveway, which is consistent with Land Development Code, remains unclear. Furthermore the buffer as shown in the construction plans without proper signage may give an impression of a divided road segment. The loading and driving through combination is also problematic since in case of loading and unloading operation may cause stacking of through vehicles and eastbound traffic to Walgreen’s drive thru operations along Hibiscus.

4. The loading zone area has been modified to accommodate a drive thru passage lane, but the aisle is very narrow.
5. Some parking has been reduced in order to provide more green area open space.
6. A portion of open space area has reverted back to the Bank (pond area).
7. The applicant has indicated a 648 lineal feet cultic system for drainage would be underneath parking spaces adjacent to the building east façade. Details unclear.
8. The applicant has presented traffic impact data to illustrate that from a LOS standpoint, the net impact of the new uses (pharmacy with drive thru) versus the impact of a gas station and retail stores; there is not a degradation of service. However, from a traffic operations standpoint, concern remains as illustrated in item 3.

Mr. LaRue further stated staff was not recommending that the Highlands Independent Bank modification be approved based on the following:

- A. Separate/independent ownership has not been demonstrated for the land contiguous to Walgreens. (A neither contract to purchase nor fee simple ownership has been presented for this site.)
- B. Drainage for this site still involves usage of a property that is not recorded as property of Highlands Independent Bank.
- C. It is not shown that a 5' landscape buffer is on the south border of the property.
- D. Traffic improvements have not been shown for modifying ingress from S. Hibiscus.

Mr. LaRue states staff was not recommending Walgreens for approval based on the following:

- A. Separate/independent ownership has not been demonstrated for the land contiguous to Highlands Independent Bank.
- B. Drainage for this site still involves usage of a property that is not recorded as a property of Walgreens.
- C. S. Hibiscus rear access curb is too close to the Interlake intersection.
- D. Property is not deep enough to prevent stacking for drive through on Hibiscus.
- E. Internal drive through aisle near loading zone is too narrow.

Mr. LaRue stated in conclusion, although the Walgreens site has been slightly reduced in square footage, the site itself is not large enough in a truly independent manner. Traffic safety concerns remain, with regard to the use of the S. Hibiscus and the fact that

drainage independence has not been demonstrated with regard to Highlands Independent Bank.

Commissioner Bastardi made a motion the Highlands Independent Bank site plan be recommended for approval to the Town Council subject to a landscape buffer being approved on the south side of the Bank; motion seconded by Commissioner Smart. On roll call, Commissioner Smart and Commissioner Bastardi voted yes; Commissioner Andersen, Commissioner Celaya and Chairman Compton voted no. Motion failed 3 to 2.

Commissioner Celaya made a motion to deny recommendation of the site plan for Highlands Independent Bank to the Town Council; motion seconded by Commissioner Andersen. On roll call, Commissioner Andersen, Commissioner Celaya and Chairman Compton voted yes; Commissioner Smart and Commissioner Bastardi voted no. Motion carried 3 to 2.

Commissioner Bastardi made a motion to deny recommendation of the site plan for Walgreens to the Town Council; motion seconded by Commissioner Celaya. On roll call, Commissioner Bastardi, Commissioner Celaya, Commissioner Smart, Commissioner Andersen and Chairman Compton voted yes. Motion carried 5 to 0.

Commissioner Bastardi made a motion the meeting adjourn; motion seconded by Commissioner Andersen. Chairman Compton hearing no objections declared the meeting adjourned at 6:00 P.M.