

TOWN COMMISSION AGENDA ITEM TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Ordinance 2020-08 (First Reading) — An Ordinance of the Town Commission of Lady Lake, Florida, Adopting the Eleventh Amendment to the Amended Development Order for the Tri-County Villages Development of Regional Impact (DRI) Lake County

AGENDA ITEM ID

2020145

DEPARTMENT

Growth Management

STAFF RECOMMENDED MOTION

Staff recommends approval of the first reading of Ordinance 2020-08 as presented.

SUMMARY

On Thursday, August 13, 2020, Marty Dzuro filed for an amendment to The Villages of Lake-Sumter Inc. to accomplish the following:

1. Remove references to state and regional review from the DRI Development Order.
2. Add multi-family as a permitted use in the town center.
3. Remove references to acreage for residential and non-residential uses.
4. Extend the phase and buildout dates for the DRI to December 31, 2025.

In 2018, the Florida Legislature amended Chapter 380 of the Florida Statutes to remove all state and regional agency review for existing Developments of Regional Impact, thereby leaving the review of existing DRIs to the local governments and making the existing DRI developments orders local development orders. Pending the adoption of the proposed ordinance, the Tri-County Villages Lake DRI Development Order shall be amended such that the substantial deviation process and the submittal of annual reports will no longer be a requirement, and no longer subject to review by state and regional agencies.

To summarize the purpose of the ordinance, The Villages is proposing the following revisions to the Development of Regional Impact Development Order (DRI DO) consistent with state law:

A. Adopt language in the DRI DO stating that the Tri-County Villages Lake DRI DO is a local development order and is consistent with the Town of Lady Lake's Comprehensive Plan and Land Development Regulations.

B. Remove all references to the Chapter 380 DRI review process including substantial deviation review and criteria and requiring further review pursuant to Chapter 380.06(19), F.S.

C. Remove all references to state and regional review including transmitting or sending documents to Department of Community Affairs/Department of Economic Opportunity (DCA/DEO), Regional Planning Councils (RPCs) (East Central and Withlacoochee), and all other state agencies.

D. Delete all references to annual and final report.

E. Delete consistency requirements with the East Central Florida and Withlacoochee Strategic Regional Policy Plans.

F. Remove the Sumter County portion from this DRI which requires amending the master plan, the entitlements table, and the legal description. This amendment is needed because the Town of Lady Lake has no jurisdiction over that portion of the DRI and the state requirements are no longer in effect that required both portions to be included.

The Villages also proposes to amend the DRI DO to add multi-family as a permitted use in the town center portion of the DRI. The applicant purports that this amendment is needed because there is not a strong demand for commercial uses on the second floor of the two-story town center buildings. However, multi-family is a high demand use for that location and the addition of multi-family to the town center encourages a more vibrant town center with the mixture of retail/restaurants, office and residential uses.

The addition of multi-family in the town center is consistent with the Town of Lady Lake Comprehensive Plan and furthers the policies in the Town's comprehensive plan by creating a more mixed-use development pattern. The town center is designated Commercial General, Retail Sales & Service (REI) on the future land use map and zoned Planned Commercial (CP). The land use and zoning permits multi-family residential at a maximum of 12 units per acre.

In order to permit multi-family in the town center, the following amendments are needed:

A. Amend the DRI DO to state that the approved 2,108 residential units are approved for single family and multi-family attached or detached units. Also, delete the phrase "not more than" because it is possible that non-residential square footage could be converted, resulting in more than 2,108 residential units at buildout.

B. Rename Map H as Master Plan and create a single master plan for the DRI by eliminating Maps H-1 and H-2 and combining with Map H.

C. Amend Master Plan to add multi-family as a permitted use. In addition to multi-family, The Villages is also proposing to amend the list of permitted land uses to remove those uses that are not located in the Lady Lake portion of the project. For example, the hospital use is being deleted from the DRI since it is only located in the Sumter County portion of the DRI.

D. Add a land use conversion table including multi-family residential. The Villages has historically used conversion of entitlements to increase and decrease land uses in the DRI but never adopted a conversion table. All the other Villages DRIs have adopted conversion tables. The conversion table will allow The Villages to add multi-family units by the conversion of other land uses without having to file a DRI amendment. The conversion table ensures that no new external traffic impacts are created. See EXHIBIT 3 of Ordinance 2020-08.

E. Delete the three-dwelling unit per gross acre density standard in the DRI Development Order. This density standard is no longer needed because the comprehensive plan establishes the maximum density permitted and the DRI Development Order establishes the total development entitlements permitted.

The DRI Development Order contains total acreage for residential and non-residential. The original DRI process required the acreage by use as part of the substantial deviation review. Over time, the acreage requirements were deleted from the statutes, but they have remained in the adopted DRI Development Order. Keeping the acreage totals also works against the ability to encourage mixed use development and flexibility in the development.

The DRI Development Order currently has a buildout date of December 31, 2018 and an expiration date of December 31, 2023. The applicant states that the project is essentially a built-out project with very little land left to develop and remaining entitlements of approximately 66 single family units and 23,000 square feet of non-residential. In addition, The Villages has already mitigated for all the approved development entitlements and is not seeking additional entitlements. The Villages is requesting an extension of the DRI buildout and expiration dates to December 31, 2025. The Master Plan (formerly Maps H, H-land H-2) will also be amended to remove the phasing schedule consistent with the extension.

In a letter dated June 15, 2020, Richard Barr, AICP, of Kimley Horn, provided a conversion table showing the equivalency of traffic impacts as a result of exchanging commercial space to multi-family, as well as the exchange of single-family to multi-family. Provided that subsequent proposals in The Village Center Downtown produce neutral net trip impacts, Town staff supports the request to amend the development order to incorporate the use of “multi-family” into the development order, as well as all other administrative changes as proposed above.

The 11th Amendment to the Development Order proposal was received on Thursday, August 13, 2020, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Notices to inform the four surrounding property owners within 150 feet of the property affected by the proposed 11th Amendment were mailed Monday, August 31, 2020. The properties were posted on Monday, August 31, 2020 as well.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDING

Not applicable.

FUNDING ACCOUNT

Not applicable.

PAST ACTIONS

The Technical Review Committee (TRC) members individually reviewed Ordinance 2020-08 and determined it to be complete and ready for transmittal to the Planning and Zoning Board.

At the September 14, 2020 meeting, the Planning and Zoning Board voted 3 to 0 to forward Ordinance 2020-08 to the Town Commission with the recommendation of approval of Item 1 — Remove References to State and Regional review from the DRI Development Order; and with the recommendation of denial on Item 2 — Add multi-family as a permitted use in the town center, Item 3 — Remove references to acreage for residential and non-residential uses; and Item 4 — Extend the phase and buildout dates for the DRI to December 31, 2025.

PUBLIC HEARINGS

The Town Commission is scheduled to consider Ordinance 2020-08 for second and final reading on Monday, October 19, 2020, at 6 p.m.

TC/ns