

TOWN COMMISSION AGENDA ITEM TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Ordinance 2020-09 (First Reading) — An Ordinance of the Town of Lady Lake Requesting Amendment of the Planned Commercial “CP” Zoning Classification for Certain Property Owned by The Villages Operating Company; Located in the Vicinity of Main Street, Alvarez Avenue, and Del Mar Avenue in Lady Lake, Florida; Providing for a Second Supplemental Agreement to the Regulations of The Village Downtown Center

AGENDA ITEM ID

2020146

DEPARTMENT

Growth Management

STAFF RECOMMENDED MOTION

Staff recommends approval of Ordinance 2020-09 as presented.

SUMMARY

On Thursday, August 13, 2020, applicant Marty Dzuro, on behalf of the Villages Operating Company, filed for an amendment to the Planned Commercial (CP) Zoning designation entitlements for property referenced as The Village Center through the submittal of a Second Supplemental Agreement.

The original Memorandum of Agreement (MOA) between the Town and The Villages, Lazy B Cattle Venture, LTD., First Bank of The Villages and the District was approved on October 2, 1995 to establish the framework to develop The Village Center subdivision. The permitted uses under the original agreement were established as: “Any commercial use, and any use permitted in a Public Facilities District under Chapter 5, Section 4)n) of the Town’s Land Development Regulations”. The following uses were expressly prohibited:

- a. Industrial Uses Except Manufacturing Fabrication (This section is not meant to prohibit the operation of a “brew pub” within the meaning of Florida Statutes Section 561.221, which is specifically authorized herein.)
- b. Adult entertainment
- c. RV park
- d. Airports
- e. Sewage treatment facilities

On February 2, 1998, a supplemental agreement was adopted between the same parties, to clarify Section 3.b pertaining to maximum height limitations, and Section 3.e. pertaining to setbacks. Additionally, Section 3. b. of the MOA was amended to limit the height of walls to 12 feet.

The Second Supplemental Agreement as proposed by Ordinance 2020-09 includes the Permitted Uses within Building Areas as described in Exhibit A of the Ordinance as follows:

“Single-family residential, multifamily residential, commercial, and any use permitted in a Public Facilities District under Chapter 5, Section 4(q) of the Town’s Land Development Regulations, is permitted for Building Areas except for those uses expressly prohibited in the Agreement.”

Concurrently, Ordinance 2020-08 has been filed as the 11th amendment to the Development Order of the Development of Regional Impact. Among the several changes proposed by the amendment, the use of “multi-family residential” has been added as a permitted use. Pending the approval of Ordinance 2020-08, the Town Commission will also have the authority to approve Ordinance 2020-09, to allow for the construction of multi-family residential in The Village Center Downtown. The areas that would allow for the multi-family residential is shown in the map of Exhibit A of Ordinance 2020-09.

The Rezoning application 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 proposed by the rezoning request were mailed Monday, August 31, 2020. The properties were posted on Monday, August 31, 2020, as well.

FISCAL IMPACT

Not applicable.

FUNDING SOURCE

Not applicable.

FUNDING ACCOUNT

Not applicable.

PAST ACTIONS

The Technical Review Committee (TRC) members individually reviewed Ordinance 2020-09 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 2020-09 to the Town Commission with the recommendation of denial.

PUBLIC HEARINGS

The Town Commission is scheduled to consider Ordinance 2020-09 for second and final reading on Monday, October 19, 2020 at 6 p.m.

TC/na