



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

THADDEUS L. COHEN, AIA
Secretary

December 14, 2005

The Honorable Jennifer Hill
Chairman, Lake County Board
of County Commissioners
315 West Main Street
P.O. Box 7800
Tavares, Florida 32778-7800



Dear Chairman Hill:

The Department has completed its review of the proposed Comprehensive Plan Amendment for Lake County (DCA reference number 05-D1), which was received on October 14, 2005. Based on Chapter 163, F.S., we have prepared the attached report, which outlines our findings concerning the amendment. It is particularly important that the County address the "objections" set forth in our review report so that these issues can be successfully resolved prior to adoption. We have also included a copy of local, regional and state agency comments for your consideration. Within the next 60 days, the County should act by choosing to adopt, adopt with changes or not adopt the proposed amendment. For your assistance, our report outlines procedures for final adoption and transmittal.

The County's proposed Amendment 05-D1 consists of one amendment to the Future Land Use Map (FLUM) for the proposed new Plaza Collina Development of Regional Impact located on 142 acres along State Road 50. The FLUM amendment changes the 142 acres from several FLUM categories (Urban Expansion, Employment Center Overlay, and Community Commercial) to Urban Expansion on 132 acres, Regional Commercial Overlay on 132, and Public Resource Lands on 10 acres. The Department has concerns that the FLUM amendment is not appropriately supported by data and analysis regarding public facilities (transportation, potable water, and sanitary sewer facilities) and the need for the proposed amount of nonresidential land use allowed by the Regional Commercial Overlay.

If you, or your staff, have any questions or if we may be of further assistance as you formulate your response to this Report, please contact Scott Rogers, Principal Planner, at (850) 922-1809.

Sincerely yours,

James D. Stansbury
Regional Planning Administrator

Enclosures: Objections, Recommendations and Comments Report
Review Agency Comments

cc: Ms. Amye King, Assistant Director, Department of Growth Management, Lake County
Mr. Jeff Jones, Acting Director, East Central Florida Regional Planning Council

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
Internet address: <http://www.dca.state.fl.us>

TRANSMITTAL PROCEDURES

The process for adoption of local comprehensive plan amendments is outlined in s. 163.3184, Florida Statutes, and Rule 9J-11.011, Florida Administrative Code.

Within ten working days of the date of adoption, the County must submit the following to the Department:

- Three copies of the adopted comprehensive plan amendment;
- A copy of the adoption ordinance;
- A listing of additional changes not previously reviewed;
- A listing of findings by the local governing body, if any, which were not included in the ordinance; and
- A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination and issue the appropriate notice of intent.

In order to expedite the regional planning council's review of the amendment, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to Mr. Jeff Jones, Acting Director of the East Central Florida Regional Planning Council.

Please be advised that the Florida legislature amended Section 163.3184(8)(b), F.S., requiring the Department to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by the law to furnish to the Department the names and addresses of the citizens requesting this information. This list is to be submitted at the time of transmittal of the adopted plan amendment (a sample Information Sheet is attached for your use).

DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS AND COMMENTS
FOR
LAKE COUNTY
AMENDMENT 05-D1

December 14, 2005
Division of Community Planning
Bureau of Local Planning

This report is prepared pursuant to Rule 9J-11.010, F.A.C.

**OBJECTIONS, RECOMMENDATIONS AND COMMENTS
FOR
LAKE COUNTY
AMENDMENT 05-D1**

I. CONSISTENCY WITH CHAPTER 163, PART II, F.S., AND RULE 9J-5, F.A.C.

The County's proposed Amendment 05-D1 consists of one amendment to the Future Land Use Map (FLUM) for the proposed new Plaza Collina Development of Regional Impact located on 142 acres along State Road 50. The FLUM amendment changes the 142 acres from several FLUM categories (Urban Expansion, Employment Center Overlay, and Community Commercial) to Urban Expansion on 132 acres, Regional Commercial Overlay on 132, and Public Resource Lands on 10 acres. The Department raises the following objections to proposed Amendment 05-D1:

A. FLUM Amendment

1. Objection: The proposed FLUM amendment increases the potential amount of nonresidential (commercial and office) uses on the amendment parcel to approximately 5,749,920 square feet (based on FAR 1.0 in the Regional Commercial Overlay). The proposed FLUM amendment increases the potential number of vehicle trips that may be generated by the amendment parcel. The proposed FLUM amendment relies on the transportation analysis (DRI Transportation Analysis) that was submitted for the proposed Plaza Collina Development of Regional Impact (DRI). The DRI Transportation Analysis is based on the amounts of development for the DRI (1,200,000 square feet of nonresidential primarily commercial and office type land uses; and 200 residential dwelling units) and the analysis assumes buildout by the year 2010.

The proposed FLUM amendment is not supported by a transportation analysis (including assumptions, data sources, and description of methodologies used) for the five year and long term planning timeframes addressing the following: (1) the number of peak hour vehicle trips generated by the maximum development potential allowed by the FLUM amendment; (2) the impact of the peak hour vehicle trips on the projected operating level of service of the affected roadways; (3) the need for road improvements (scope, timing and cost of improvements) or other planning alternatives to maintain the adopted level of service standards for roadways; (4) coordination of the road improvements or other planning alternatives with the Future Land Use Element, Traffic Circulation Element (including Future Transportation Map or map series), and Capital Improvements Element, and implementation through the Five-Year Schedule of Capital Improvements; and (5) coordination of the road improvements (or other planning alternatives) with the plans and programs of the Florida Department of Transportation, plans and programs of the applicable Metropolitan Planning Organization(s), and the plans of local governments that may have roads affected by the amendment. The amendment has not been demonstrated to be consistent with the Future Land Use Element, Transportation (or Traffic Circulation) Element, Capital Improvements Element, and Intergovernmental Coordination Element of the Lake County Comprehensive Plan. The amendment is not supported by data and analysis

demonstrating the amendment is consistent with the following goals, objectives, and policies of the Lake County Comprehensive Plan: Future Land Use Element Goal 1, Objective 1-12, and Policies 1-1.6, 1-1.12, 1-1.14, 1-3.4, 1-10.2; Traffic Circulation Element Goal 2, Objectives 2-1 and 2-2, and Policies 2-1.1, 2-1.2, 2-1.3, 2-2.1, 2-2.2, 2-2.3, 2-2.4, 2-4.1, and 2-4.3, and Future Transportation Map (or map series); Intergovernmental Coordination Element Goal 9, Objectives 9-1, 9-3, 9-6, and 9-10, and Policies 9-1.1, 9-1.2, 9-3.2, 9-6.1, 9-6.2, 9-10.1, 9-10.2, and 9-11.3; and Capital Improvements Element Goals 10 and 10A, Objectives 10-1, 10-2, 10-5, 10-6, 10-7, 10-8, 10-10, 10-12, and 10A-1, and Policies 10-1.1, 10-1.2, 10-1.3, 10-1.4, 10-2.2, 10-2.5, 10-5.1, 10-5.2, 10-5.3, 10-6.1, 10-6.2, 10-7.1, 10-7.2, 10-7.3, 10-8.1, 10-8.3, 10-10.1, 10-10.4, 10-12.1, 10A-1.1, 10A-1.2, and 10A-1.6, and Five-Year Schedule of Capital Improvements.

In addition, based on the Plaza Collina DRI Transportation Analysis, the DRI will need various road improvements (including intersection improvements along State Road 50, County Road 455, and County Road 50; and road segment improvements or additional lanes along State Road 50, County Road 50, and a Frontage Road). The proposed amendment is not supported by data and analysis demonstrating that these roadway improvements are coordinated and consistent with the Lake County Comprehensive Plan Transportation (or Traffic Circulation) Element, Capital Improvements Element, and Future Land Use Element, and coordinated with the plans and programs of the Florida Department of Transportation, coordinated with the plans and programs of the applicable Metropolitan Planning Organization(s), and coordinated with the plans of other local governments. Therefore, the amendment is not consistent with the Lake County Comprehensive Plan Transportation (or Traffic Circulation) Element, Capital Improvements Element, Future Land Use Element, and Intergovernmental Coordination Element.

The proposed amendments are not consistent with the following requirements: Rules 9J-5.005(2 and 5); 9J-5.006(3)(b)1; 9J-5.006(3)(c)3; 9J-5.006(4); 9J-5.019(3)(f, g, h, and i); 9J-5.019(4)(b)1, 2, and 3; 9J-5.019(4)(c)1; 9J-5.019(5)(a and b); 9J-5.016(1)(a); 9J-5.016(2)(b, c, and f); 9J-5.016(3)(b)1, 3, and 5; 9J-5.016(3)(c)1.d, 1.e, 1.f, and 1.g; 9J-5.016(4)(a)1, 2, and 4; 9J-5.015(3)(b)1 and 2; 9J-5.015(3)(c)1, 5, and 11, F.A.C.; and Sections 163.3177(2 and 3); 163.3177(6)(a and j); and 163.3177(8)(h)1 and 2; 163.3177(8), F.S.

Recommendation: Do not adopt the amendment. Alternatively, revise the amendment to include the required data and analysis necessary to support the FLUM amendment and demonstrate coordination of the land use with the planning and provision of transportation facilities and coordination with the Capital Improvements Element. Revise the Transportation (or Traffic Circulation), Capital Improvements, and Future Land Use Elements, as necessary, to be consistent with and supported by the data and analysis and to achieve internal consistency with the FLUM. Include data and analysis demonstrating coordination of the amendment with the plans and programs of the Florida Department of Transportation and applicable Metropolitan Planning Organization and other affected local governments. Revise the amendment as necessary to be consistent with and supported by the data and analysis. The analysis should be based on the maximum development allowed by the FLUM amendment.

As a second alternative, revise the plan amendment to establish a provision in the adopted portion of the Comprehensive Plan that limits the maximum development potential on the amendment parcel to the types and amounts of land uses addressed by the Plaza Collina Development of Regional Impact Transportation Analysis. This provision could be a "subarea

objective and policy” text amendment in the Future Land Use Element that specifically addresses the types and amounts of land uses on the amendment parcel. Revise the Traffic Circulation Element and Capital Improvements to include the road improvements that are needed to support the FLUM amendment. It is important that the types and amounts of land uses allowed by the subarea objective/policy result in internal consistency among Plan Elements (Future Land Use Element, Traffic Circulation Element, and Capital Improvements Element) regarding road improvements needed to support the types and amounts of land use allowed by the FLUM amendment. Revise the amendment as necessary to be supported by data and analysis demonstrating internal consistency among Plan Elements. Include data and analysis demonstrating coordination of the amendment with the plans and programs of the Florida Department of Transportation and applicable Metropolitan Planning Organization and other affected local governments.

2. Objection: The FLUM amendment is not supported by a public facilities analysis (including assumptions, data sources, and description of methodologies used) for the five year and long term planning timeframes addressing the following: (1) the amount of potable water and sanitary sewer demand generated by the maximum development potential allowed by the FLUM amendment combined with the projected five year and long term community-wide growth (background growth) in demand for potable water and sanitary sewer for the service area of these facilities; (2) the available and planned uncommitted capacity of potable water and sanitary sewer facilities that would serve the demand; (3) the impact of the demand for potable water and sanitary sewer on the projected operating level of service on available and planned uncommitted capacity of the facilities, and impact on the amount of water available under the consumptive use permit issued by the water management district; (4) the need for potable water and sanitary sewer facilities improvements (scope, timing and cost of improvements) or other planning alternatives to maintain the adopted level of service standards for the facilities; (5) coordination of any needed improvements or other planning alternatives with the Lake County Comprehensive Plan Future Land Use Element, Potable Water Sub-Element, Sanitary Sewer Sub-Element, and Capital Improvements Elements, including implementation through the Five-Year Schedule of Capital Improvements; and (6) coordination of any needed potable water facilities and sanitary sewer facilities improvements with the plans of other local governments that may provide potable water and sanitary sewer facilities to the amendment parcel.

The amendment is not supported by data and analysis demonstrating that the amendment is consistent with the following goals, objectives, and policies of the Lake County Comprehensive Plan: Future Land Use Element Goal 1, Objective 1-12, and Policies 1-1.6, 1-1.6A, 1-1.6B, 1-1.12, 1-3.4, and 1-10.2; Potable Water Sub-Element Goal 6D, Objective 6D-1, 6D-2, and 6D-3, and Policies 6D-1.3, 6D-2.2, 6D-2.5, and 6D-4.5; Sanitary Sewer Sub-Element Goal 6A, Objectives 6A-1, 6A-2, and 6A-3, and Policies 6A-2.1, 6A-2.7, 6A-3.2, and 6A-4.5; Capital Improvements Element Goal 10, Objectives 10-1, 10-2, 10-5, 10-6, 10-7, 10-8, 10-10, 10-12, and 10A-1, and Policies 10-1.1, 10-1.2, 10-1.3, 10-1.4, 10-2.2, 10-2.5, 10-2.6, 10-2.9, 10-5.1, 10-5.2, 10-5.3, 10-6.1, 10-6.2, 10-7.1, 10-7.2, 10-7.3, 10-8.1, 10-8.6, 10-10.1, 10-10.4, 10-12.1, 10A-1.1, 10A1.2, and 10A1.6, and Five-Year Schedule of Capital Improvements; and Intergovernmental Coordination Element Goal 9, Objectives 9.1, 9.3, 9.5, 9.6, and 9-10, and Policies 9-1.1, 9-1.2, 9-3.4, 9-5.1, 9-6.1, 9-6.2, 9-10.1, and 9-10.2.

The proposed amendment is not consistent with the following requirements: Rules 9J-5.005(2 and 5); 9J-5.006(3)(b)1; 9J-5.006(3)(c); 9J-5.006(4); 9J-5.011(1)(a through f); 9J-5.011(2)(a); 9J-5.011(2)(b)2; 9J-5.011(2)(c)1 and 2; 9J-5.016(1)(a); 9J-5.016(2)(b, c, and f); 9J-5.016(3)(b)1, 3, and 5; 9J-5.016(3)(c)1.d, 1.e, 1.f, and 1.g; 9J-5.016(4)(a); 9J-5.015(3)(b)1 and 2; 9J-5.015(3)(c)1 and 11, F.A.C.; and Sections 163.3177(2, 3, and 8); 163.3177(6)(a and c); and 163.3177(6)(h)1 and 2, F.S.

Recommendation: Do not adopt the amendment. Alternatively, revise the amendment to include the required data and analysis necessary to support the FLUM amendment and demonstrate coordination of land use with the planning and provision of potable water and sanitary sewer facilities, demonstrate coordination with the Potable Water Sub-Element, Sanitary Sewer Sub-Element, and Capital Improvements Element, and demonstrate consistency with the Comprehensive Plan goals, objectives and policies. The analysis should be based on the maximum development potential allowed by the FLUM amendment. Revise the amendment as necessary to be consistent with and supported by the data and analysis.

As a second alternative, revise the plan amendment to establish a provision in the adopted portion of the Comprehensive Plan that limits the maximum development potential on the amendment parcel to the types and amounts of development proposed in the Plaza Collina Development of Regional Impact for the amendment parcel. This provision could be a "subarea objective and policy" text amendment in the Future Land Use Element that specifically addresses the type and amount of land uses on the amendment parcel. Revise the amendment to include the required public facilities analysis based on the types and amounts of land uses allowed by the subarea objective/policy. It is important that the types and amounts of land uses allowed by the subarea objective/policy result in internal consistency among Plan Elements (Future Land Use Element, Potable Water Sub-Element, Sanitary Sewer Sub-Element, Capital Improvements Element, and Intergovernmental Coordination Element) regarding public facilities improvements needed to support the types and amounts of land uses allowed. Revise the amendment, as necessary, to be supported by data and analysis demonstrating internal consistency among Plan Elements. Include data and analysis demonstrating coordination of any needed public facilities (potable water and sanitary sewer facilities) improvements with the plans of other local governments that may provide potable water and sanitary sewer facilities to the amendment parcel.

3. Objection: The proposed amendment is not supported by data and analysis demonstrating the need for the amount of additional acreage of Regional Commercial Overlay in order to accommodate the County's projected population growth within the planning timeframe of the FLUM. The proposed amendment is not supported by data and analysis demonstrating consistency with Lake County Comprehensive Plan Future Land Use Element Objectives 1-3 and 1-12 and Policies 1-1.15 and 1-10.1.

The proposed amendment is not consistent with the following requirements: Rules 9J-5.005(2 and 5); 9J-5.006(1, 2, 3, and 4); 9J-5.006(3)(a, b and c), F.A.C.; and Sections 163.3177(6)(a); 163.3177(2, 3, 8, and 10); and 163.3177(6)(h), F.S.

Recommendation: Do not adopt the amendment. Alternatively, revise the amendment to include a land use needs analysis demonstrating there is a need for the amount of Regional Commercial Overlay allowed by the FLUM amendment in order to accommodate the Comprehensive Plan's projected population growth within the planning timeframe of the FLUM. The analysis should be based on the maximum development potential allowed by the Regional Commercial Overlay designation. Revise the amendment as necessary to be consistent with and supported by the data and analysis.

As a second alternative, revise the plan amendment to establish a provision in the adopted portion of the Comprehensive Plan that limits the maximum development potential on the amendment parcel to the types and amounts of development proposed in the Plaza Collina DRI for the amendment parcel. This provision could be a "subarea objective/policy" text amendment in the Future Land Use Element that specifically addresses the type and amount of land uses on the amendment parcel. Revise the amendment to include a land use needs analysis demonstrating there is a need for the type and amount of land uses allowed by the subarea objective/policy in order to accommodate the Comprehensive Plan's projected population growth within the planning timeframe of the FLUM.

II. CONSISTENCY WITH STATE COMPREHENSIVE PLAN

Objection: The proposed Comprehensive Plan FLUM Amendment is not consistent with and does not further the following provisions of the State Comprehensive Plan (Chapter 187, Florida Statutes) for the reasons noted in the objections raised above in Section I:

- (a) Goal 15.a (Land Use); Policy 15.b.1;
- (b) Goal 17.a (Public Facilities); Policy 17.b.7;
- (c) Goal 19.a (Transportation); Policies 19.b.2, 19.b.3, 19.b.9, 19.b.11, and 19.b.13;
- (d) Goal 25.a (Plan Implementation); Policy 25.b.7.

Recommendation: Revise the plan amendment as recommended for the objections raised above.



Florida Department of Transportation

JEB BUSH
GOVERNOR

Intermodal Systems Development
133 South Semoran Boulevard
Orlando, FL 32807-3230

DENVER J. STUTLER, JR.
SECRETARY

06 SS
11/15/05

November 10, 2005

Mr. Ray Eubanks, Community Program Administrator
Department of Community Affairs, State of Florida
Plan Review & DRI Processing Section
2555 Shumard Oaks Boulevard
Tallahassee, FL 32399-2100

SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENT
LOCAL GOVERNMENT: LAKE COUNTY
DCA #: 05-1

Dear Mr. Eubanks:

The Department of Transportation has completed its review of the above proposed comprehensive plan amendments as requested in your memorandum dated, October 17, 2005.

We appreciate the opportunity to participate in this review process and we offer our comments with this letter. If you have any questions, please contact me at 407-482-7856 (Suncom: 335-7856) or e-mail me at betty.mckee@dot.state.fl.us.

Sincerely,

Betty McKee
Systems Planner

BMcK
attachment

cc: Alan Hewitt, Lake County
Rob Magee, FDOT
James Stansbury, DCA

COMPREHENSIVE PLAN AMENDMENT REVIEW COMMENTS

Local Government: Lake County
DCA Amendment #: Lake County 05-1
Date of DCA's Request Memo: October 17, 2005
Review Comments Deadline: November 12, 2005
Today's Date: November 2, 2005

FLUM AMENDMENT

Elements: Future Land Use Element
Rule Reference: Chapter 163, Florida Statutes, and Chapter 9J, Florida Administrative Code

Background:

Lake County has submitted a Future Land Use Map (FLUM) amendment associated with the Plaza Collina Development of Regional Impact (DRI). For this FLUM amendment, the Department has evaluated how the trip generation potential of the property will change if the proposed FLUM designation is adopted. (Trip generation potential reflects the maximum amount of development that could occur on the property.) The pertinent FLUM designations are described as follows:

- *Urban Expansion.* Allows 4 dwelling units per acre and commercial and industrial development.
- *Employment Center Overlay.* Allows light industrial, heavy industrial, wholesale, manufacturing, and assembly uses with a maximum 1.0 FAR and a maximum 0.70 ISR.
- *Community Commercial Overlay.* Allows 50,000 to 500,000 sf of commercial development with a maximum 0.70 FAR, a maximum building height of 50 feet, and a maximum 0.70 ISR.
- *Regional Commercial Overlay.* Allows 500,000+ sf of commercial development with a maximum 1.0 FAR, a maximum building height of 50 feet, and a maximum 0.70 ISR.
- *Public Resource Lands Overlay.* Allows passive recreation facilities and conservation facilities.

In the descriptions above, FAR = floor area ratio and ISR = impervious surface ratio.

This amendment affects 142 acres located north of SR 50 between CR 455 and the Orange County line.

FDOT Contact:	Betty McKee FDOT District 5 Office of Intermodal Systems Development	Reviewed by:	Kelly Blume, P.E. Kittelson & Associates, Inc.
Telephone:	407-482-7856 (Suncom) 335-7856		407-540-0555
Fax:	407-275-4188		407-540-0550
E-mail:	betty.mckee@dot.state.fl.us		kblume@kittelson.com
File:	J:\Growth Management\Comprehensive Plans\CommentsandCoverLetters\LakeCo\LakeCounty05-1Comments111005.doc		

COMPREHENSIVE PLAN AMENDMENT REVIEW COMMENTS

Local Government: Lake County
 DCA Amendment #: Lake County 05-1
 Date of DCA's Request Memo: October 17, 2005
 Review Comments Deadline: November 12, 2005
 Today's Date: November 2, 2005

Trip Generation Potential of Parcels Affected by FLUM Amendment

Scenario	Land Use Designation	Maximum Allowed Intensity	ITE Land Use Code	Size of Development		Daily Trips
				Acres	Allowed Development	
Adopted	Urban Expansion without Overlay	4 units/acre	210	31.2*	125 units	1,196
	Urban Expansion with Employment Center Overlay	1.0 FAR	130	95.1*	4,142,556 sf	28,832
	Urban Expansion with Community Commercial Overlay	0.70 FAR or 500,000 sf	820	15.6*	475,675 sf	18,715
Proposed	Urban Expansion with Regional Commercial Overlay	1.0 FAR	820	132	5,749,920 sf	94,563
	Urban Expansion with Public Resource Lands Overlay	No development	N/A	10	N/A	0
Change in Daily Trips						+45,820

*No breakdown by adopted land use designation was provided. These acreages were estimated from the map provided in the submittal.

NOTE: Internal capture and pass-by reductions are not included.

Review Comments:

The proposed amendment will result in a net increase in the trip generation potential of the parcel. Based on the FDOT 2005 LOS_ALL generalized LOS tables, there are segments of SR 50, the Turnpike, US 27, SR 438, and SR 537 in the vicinity that currently operate unacceptably and/or are projected to operate unacceptably. A traffic analysis to support the amendment should be submitted. The analysis should show impacts to all state roadways in the vicinity, include a trip distribution pattern, and should demonstrate that mitigation of impacted segments will result in acceptable short and long term operations.

The Department understands that the DRI process for Plaza Collina may result in the completion of transportation improvement projects necessary to maintain acceptable operations on impacted segments. If the DRI does not fully mitigate the maximum build-out scenario and/or the DRI does not mitigate *all* impacted segments, a comprehensive plan policy amendment limiting development to the DRI development plan may be required.

FDOT Contact:	Betty McKee FDOT District 5 Office of Intermodal Systems Development	Reviewed by:	Kelly Blume, P.E. Kittelson & Associates, Inc.
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File:	J:\Growth Management\Comprehensive Plans\CommentsandCoverLetters\LakeCo\LakeCounty05-1Comments111005.doc		



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
 Secretary of State
 DIVISION OF HISTORICAL RESOURCES

06 JS
 11/15/05

November 9, 2005

Mr. Ray Eubanks
 Department of Community Affairs
 Bureau of State Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

Re: Historic Preservation Review of the Lake County (05-1) Comprehensive Plan Amendment Request

Dear Mr. Eubanks:

According to this agency's responsibilities under sections 163.3177 and 163.3178, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document to determine if data regarding historic resources have been given sufficient consideration in the request to amend the Lake County Comprehensive Plan.

We reviewed one proposed amendment to the Future Land Use Map to consider the potential effects of this action on historic resources. Because of the nature of the maps, we could not determine the exact parameters of the proposed project. Nevertheless, this parcel appears to have at least moderate archaeological site probability. The most effective way to guarantee that such sites are not adversely affected is for the county to sponsor or require historic resource surveys so that it can ensure its archaeological resources and historic structures fifty years of age or older will be considered when substantive changes in land use are proposed. Nevertheless, it appears that some of the project area may have already been subjected to a cultural resources assessment survey. Therefore, we are only recommending that those areas not previously investigated be assessed.

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at (850) 245-6333.

Sincerely,

Frederick P. Gaske, Director

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Director's Office
(850) 245-6300 • FAX: 245-6436 | <input type="checkbox"/> Archaeological Research
(850) 245-6444 • FAX: 245-6436 | <input checked="" type="checkbox"/> Historic Preservation
(850) 245-6333 • FAX: 245-6437 | <input type="checkbox"/> Historical Museums
(850) 245-6400 • FAX: 245-6433 |
| <input type="checkbox"/> Southeast Regional Office
(904) 467-4990 • FAX: 467-4991 | <input type="checkbox"/> Northeast Regional Office
(904) 875-5015 • FAX: 875-5011 | <input type="checkbox"/> Central Florida Regional Office
(813) 777-3813 • FAX: 777-7310 | |



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

*06 JS
11/16/05*

November 11, 2005

D. Ray Eubanks, Administrator
Plan Review and Processing
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

NOV 16 2005

Subject: Lake County Proposed Comprehensive Plan Amendment
DCA Reference #05D1

Dear Mr. Eubanks:

St. Johns River Water Management District (District) planning staff have reviewed the above-referenced proposed comprehensive plan amendment. The proposed amendment consists of one change to the County's future land use map related to the Plaza Collina Development of Regional Impact. The District staff review focuses on water supply availability and related water resource issues in an effort to link land use planning and water supply planning. In the review of water supply availability, District staff consider infrastructure, permitted allocation under consumptive use permits, and source. District staff have no comments because no substantial water supply availability or related water resource issues were identified.

We appreciate the opportunity to provide comments. If you have any questions, please contact District Policy Analyst Peter Brown at (386) 329-4311/Suncom 860-4311 or pbrown@sjrwmd.com.

Sincerely,

Linda Burnette, Director
Office of Communications and Governmental Affairs

LB/PB

cc: Amye King, Lake County
Jeff Jones, ECFRPC
Lindy McDowell, FDEP
Jeff Cole, SJRWMD
Gene Caputo, SJRWMD
Peter Brown, SJRWMD

GOVERNING BOARD

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Department of Environmental Protection

Jeb Bush
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard, MS 47
Tallahassee, Florida 32399-3000

Colleen M. Castille
Secretary

November 10, 2005

Mr. D. Ray Eubanks
Bureau of Local Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

06 33
11/15/05

Re: Lake County 05D1, Comprehensive Plan Amendment Review

Dear Mr. Eubanks:

On behalf of the Department of Environmental Protection, the Office of Intergovernmental Programs has reviewed the proposed comprehensive plan amendment in accordance with the provisions of Chapter 163, *Florida Statutes*. As required by law, the scope of our comments and recommendations is limited to the environmental suitability of the proposed changes in light of the Department's regulatory and proprietary responsibilities. Based on our review of the proposed amendment, the Department has found no provision that requires comment, recommendation or objection under the laws that form the basis of the Department's jurisdiction and authority. If the amendment pertains to changes in the future land use map or supporting text, please be advised that at such time as specific lands are proposed for development, the Department will review the proposal to ensure compliance with environmental rules and regulations in effect at the time such action is proposed. In addition, any development of the subject lands will have to comply with local ordinances, other comprehensive plan requirements and restrictions, and applicable rules and regulations of other state and regional agencies.

Thank you for the opportunity to comment on this proposal. If I may be of further assistance, please call me at (850)245-2172.

Sincerely,

SER

Suzanne E. Ray
Office of Intergovernmental Programs

/ser

MEMORANDUM

TO: D. Ray Eubanks, FDCA, Planning Manager
James Stansbury, Regional Planning Administrator

FROM: Teri Hualp, ECFRPC

DATE: Monday, November 14, 2005

SUBJECT: Comprehensive Plan Amendment Review

06 JS
11/15/05

LOCAL GOVERNMENT: Lake County
LOCAL AMENDMENT #:
DCA AMENDMENT #: 05D1

Council staff has completed a technical review of the above referenced comprehensive plan amendment. The review was conducted in accordance with the provisions of the East Central Florida Regional Planning Council's current contract with the Florida Department of Community Affairs for Plan and Plan Amendment Reviews. We offer the following comments and suggestions for your review.

Please review attached Plaza Collina DRI Comments and Recommendations.

The East Central Florida Regional Planning Council is available to assist in the resolution of any issues that should arise in the course of your review. If you should have any questions, please contact me at SunCom 334-1075 x304.

cc: Local Government Contact
File

Recommendations for Plaza Collina

A. Introduction

The Plaza Collina DRI Application for Development Approval has been reviewed to consider whether, and the extent to which:

- 1) The development will have a favorable or unfavorable impact on state or regional resources or facilities identified in the applicable state or regional plans.
- 2) The development will significantly impact adjacent jurisdictions.
- 3) The development will adversely affect the ability of people to find adequate housing reasonably accessible to their places of employment (380.06(12) (a), F.S.).

B. Findings and Recommendations

After balancing the identified regionally significant impacts associated with each of the criteria of s. 380.06(12) (a), Florida Statutes, and for the reasons presented in the preceding report, it is the recommendation of the East Central Florida Regional Planning Council that the Application for Development Approval may be approved if the following conditions are included as a part of the development order. These minimum conditions are not intended to address issues of local significance.

1. The Plaza Collina DRI project shall be developed in accordance with the information, data, plans and commitments contained in the Plaza Collina DRI ADA and supplemental information incorporated herein by reference, unless otherwise provided by the conditions of this Development Order. The Development Order shall prevail over any conflicting information, data, plan, or commitments. For the purposes of this condition, the ADA shall consist of the following items:

- a. ADA dated December 2004.
- b. First Sufficiency Response dated March 2005.
- c. Second Sufficiency Response dated June 2005.

27 2. The DRI Development Order shall govern the development of lands totaling
28 approximately 142 gross acres, as described in Exhibit 1 of the Development Order and
29 shall consist of 1,200,000 square feet of retail and 200 condominium dwelling units.

30 **Transportation**

31 3. For purposes of the transportation conditions, the Plaza Collina DRI shall be divided into
32 the following traffic phases based on reaching any of the following thresholds or years, as
33 follows:

Phase	Daily Trips	Daily Trips Cumulative	External Daily Trips*	External Daily Trips Cumulative*	Peak Hour Trips	Peak Hour Trips Cumulative	External Peak Hour Trips*	External Peak Hour Trips Cumulative*
Phase 1 (2008)	37,289	37,289	31,696	31,696	3,492	3,492	2,968	2,968
Phase 2 (2010)	7,396	44,685	6,285	37,981	702	4,194	598	3,566

34 * Includes passer-by and diverted trip ends but not transit or internally captured trip ends.

35 4. **Monitoring and Modeling Methodology.** Prior to the initiation of Phase 2 as identified
36 in the preceding paragraph, the developer shall conduct a monitoring/modeling program.
37 This program shall ascertain the Level of Service (LOS) on facilities where the Plaza
38 Collina DRI is estimated to contribute an amount of traffic greater than or equal to 5
39 percent of the adopted LOS service volume. The methodology of the
40 monitoring/modeling program shall be agreed upon by Lake County, the East Central
41 Florida Regional Planning Council (ECFRPC), Orange County, the City of Clermont, the
42 City of Winter Garden, the Town of Oakland, the Florida Department of Transportation,
43 the Florida Department of Community Affairs and the Developer. The depth of each
44 monitoring and modeling effort shall be similar to that required within an Application for
45 Development Approval but shall be consistent with the requirements of Lake County
46 Concurrency Management Systems as it relates to facilities within that jurisdiction. All
47 studies and monitoring/modeling programs shall be consistent with the ECFRPC's
48 methodology. Empirical data will be required to be collected for the monitoring and
49 modeling program on facilities where it is estimated that the project contributes an
50 amount of traffic greater than or equal to five percent (5%) of the adopted LOS maximum

51 service volume. In the event that all parties cannot come to agreement on the
52 methodology, the ECFRPC, FDOT, Lake County, the Town of Oakland and Orange
53 County shall be the final arbiters. Lake County's decision shall be final as it relates to
54 Lake County facilities, the Town of Oakland's decision shall be final as it relates to CR
55 438 and DR 50 within the Town's limits, Orange County's decision shall be final as it
56 relates to the remaining Orange County facilities, the FDOT's decision shall be final on
57 state facilities and the ECFRPC's decision shall be final as it relates to all other facilities.

58 5. The facilities to be monitored/modeled for the Phase 2 shall include, but shall not be
59 limited to, those segments of the regional roadways within this list and one segment
60 beyond where the Plaza Collina DRI is estimated to contribute a cumulative amount of
61 traffic greater than or equal to five percent of the adopted LOS service volume. The
62 analyzed facilities will include signalized intersections and link analyses of collector and
63 higher classified roadways and interchange ramps.

64 Lake County, the ECFRPC, Orange County, the Cities of Clermont and Winter Garden,
65 the Town of Oakland, the Florida Department of Transportation and the Florida
66 Department of Community Affairs shall have the right to make reasonable requests for
67 additional information from the Developer to verify adherence to these provisions. The
68 developer shall supply adequate information toward compliance with these requirements.

69 Candidate Roadways* for Monitoring/Modeling Study

Roadway	From	To
Florida's Turnpike	SR 50	SR 27
CR 535/Winter Garden Vineland Road	Tilden Road	SR 50
CR 545/Avalon Road	McKinney Road	Oakland Avenue
Hartwood Marsh Road	Maguire Road	US 27
Oakland Avenue	SR 50	Avalon Road
Tilden Road	Avalon Road	Winter Garden-Vineland Road
Story Road	Bluford Street	Plant Street

West Plant Street	Avalon Road	Bowens Road
CR 50	Lake Avenue	Oakland Avenue
SR 50	Florida's Turnpike	Winter Garden Vineland Road
SR 50	CR 561	Beulah Road
US 27	Johns Lake Road	CR 50
CR 455	CR 561A	SR 50
Citrus Tower Boulevard	SR 50	Grand Highway
Hancock Road	Hartwood Marsh Road	CR 50

70 * Intersection analyses shall also be conducted.

71 6. Monitoring and Modeling Results/Mitigation

- 72 I. The Plaza Collina DRI shall not commence beyond phase 1 (an equivalent of
73 2,968 external peak hour project trip ends) into Phase 2 when service levels are
74 below the minimum service level adopted in the applicable local government's
75 comprehensive plan during the peak hour and the project contributes, or is
76 projected to contribute with the next phase of traffic, five percent of the adopted
77 LOS service volume of the roadway or intersection as determined by the
78 monitoring program required in the preceding condition, unless mitigation
79 measures and/or improvements are secured and committed for completion of
80 construction during the phase in which the impacts occur. The schedule of
81 required roadway improvements shall be tied to the development level when the
82 improvement is needed within each subphase. The Development Order shall be
83 amended to incorporate the required improvements and the commensurate trip
84 level by which the improvement is needed to support project development.
- 85 II. For the purposes of this development order, adequate "secured and committed"
86 mitigation measures shall include one of the following:
- 87 (a) A roadway improvement scheduled for construction within the first three
88 (3) years of the appropriate local government's adopted comprehensive
89 plan capital improvement element (or as otherwise provided in the
90 applicable jurisdiction's capital improvement element); A roadway

91 improvement scheduled for construction within the first three (3) years of
92 the Florida Department of Transportation's five-year Work Program.

93 (b) A binding financially secured and irrevocable commitment by the
94 Developer or other appropriate persons or entities for the design,
95 engineering, land acquisition and actual construction of the necessary
96 improvements (with the posting of a cash bond, surety bond, irrevocable
97 letter of credit, escrow account or other security in a form acceptable to
98 the agency of jurisdiction) within the next three years and incorporated
99 by reference into the development order.

100 (c) Any other mitigation option specifically provided for in this
101 development order.

102 (d) Any other mitigation option permitted by law, including a local
103 government development agreement consistent with Chapter 163, F.S.,
104 which ameliorates the projected impact and is incorporated into the
105 development order by amendment.

106 These mitigation measures shall occur by the required threshold in order for the project
107 to proceed through the balance of the applicable phase. If the Developer can
108 demonstrate that a portion of a phase or subphase does not adversely affect the Regional
109 Roadway network as determined by the monitoring and modeling tests discussed above,
110 then the Developer may proceed with that portion of the phase (and only that portion).

111 7. In the event that a roadway widening is identified which is not compatible with
112 adopted policy of the FDOT (e.g. 8 or 10 laning of a state roadway) or local
113 government (e.g. constrained), the Developer, Lake County, or the party having either
114 maintenance or jurisdictional responsibility for the facility, together with the
115 ECFRPC and Orange County shall determine alternate mitigation solutions to provide
116 for the movement of people.

117 8. Toward the achievement of the objectives in the two preceding conditions, an
118 agreement(s) among Lake County, the ECFRPC, Orange County, the Cities of Clermont
119 and Winter Garden, the Town of Oakland, the Florida Department of Transportation and
120 the developer may be entered into within twelve months of the issuance of a development
121 order for this project by Lake County. Said agreement(s) shall address and clarify such

122 issues related to equity in the application of collected fees for transportation
 123 improvements. Application of fees shall be on a fair-share basis with respect to the
 124 improvements to be provided and not solely on the basis of impact fees. However, such
 125 an agreement would not alter or waive the provisions and requirements of the other
 126 conditions of the Development Order as a mitigative measure for the transportation
 127 impacts of the Plaza Collina DRI. In the event that one of the designated parties to the
 128 agreement (other than the Developer) fails to execute said interlocal agreement(s) within
 129 the specified time, then the developer may proceed with the project based upon the
 130 monitoring/modeling schedule and all other recommendations specified herein as it affects
 131 the non-participating party. Separate agreements may be entered into with one or more
 132 parties and the Developer.

133 9. The following state and regionally significant roadway segments are projected to be
 134 both significantly impacted by traffic from the Plaza Collina DRI development and to
 135 operate below the adopted level of service standard. Mitigation as defined above
 136 must be in place prior to Plaza Collina entering the trip levels noted below. Changes
 137 to the Phase 2 improvements shall be altered based on the final results of the
 138 monitoring and modeling study as necessary.

Prior to

Intersection	Improvement	External Peak Hour Trip Level
Phase 1		
SR 50 & US 27 SB off ramp	Dual SB left turn lanes and modify signal timing	1,900
SR 50 & Hancock Road	Add NB right turn lanes	780
SR 50 & Remmington St.	Add NB left turn lane	1392
SR 50 & Lakes Blvd.	Signalize (assuming warrants are met)	750
SR 50 & CR 535	Add dual NB left turn lanes	2,950
SR 50 & CR 545	Add NB left turn lane	2,950

FINAL RECOMMENDATIONS AS ADOPTED BY THE
EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL ON OCTOBER 19, 2005

SR 50 & Tubbs St.	Signalize (assuming warrants are met)	2,950
CR 455 & Old SR 50	Signalize (assuming warrants are met)	1,850
CR 50 & SR 438/Oakland Ave	Add turn lanes	1,500

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Phase 1			
Roadway	Section	Improvement Need	External Peak Hour Trip Level
SR 50	From US 27 to Hancock Road	6 lane divided	650
SR 50	From Hancock Road to Florida's Turnpike	6 lane divided	650
SR 50	Along Project Frontage	Dual left turn into project at signalized intersections	When required by Lake County Public Works Department
Frontage Road	Lake Boulevard to Western Project Boundary	Two lane roadway internal to site	
SR 50	Lake Boulevard to CR 455	Additional (7 th) westbound lane	
Phase 2			
SR 50	From Florida's Turnpike to Winter Garden Vineland Road	6 lane divided	3,000
CR 50	CR 455 to SR 438	4 lane divided	3,000

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10. If the monitoring/modeling results as required hereinabove show that improvements must be made to roadway facilities, and if mitigation is not provided as set forth in these conditions or as otherwise required pursuant to 9J-2.045(7), then prior to any construction of future phases and subject to the provisions of Section 380.06(15)(e), Florida Statutes, the developer, Lake County, and to the extent that they have impacted facilities requiring mitigation, Orange County, the City of Clermont, the City of Winter Garden, the Town of Oakland and FDOT may enter into an agreement which ensures that:

- 150 a) a proportionate share payment is made by the developer to the appropriate
151 entity/(ies) to mitigate project impacts;
- 152 b) said proportionate share payment shall be used by the appropriate entity only for
153 the design, engineering, right-of-way purchase, permitting and/or construction of
154 improvement to the segments/intersections for which the payment is made; and
- 155 c) said proportionate share payment by the developer constitutes adequate provision
156 for the public facilities needed with respect to the road segments to accommodate the
157 impacts of the project through the phase for which the fair share was calculated, as
158 required by Section 380.15(e)(2), Florida Statutes. All such proportionate fair share
159 agreements shall be included in this development order by amendment pursuant to
160 Section 380.06(19), F.S. The formula to be used to determine proportionate share
161 contribution is as follows:

$$\frac{\text{(DRI Trips)}}{\text{(SV Increase)}} * \text{Cost} = \text{Proportionate Share}$$

- 162
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- 165 d) For this formula, DRI Trips is the cumulative number of trips from the
166 development expected to reach the roadway during the peak hour from the phase
167 under development. SV Increase is the change in peak hour maximum service
168 volume of the roadway resulting from construction of the improvement necessary to
169 maintain the desired level of service; and Cost of Improvement is the cost (at the time
170 of Developer payment) of constructing an improvement necessary to maintain the
171 desired level of service, including all improvement associated costs (engineering
172 design, right-of-way acquisition, planning, engineering, inspection, and other
173 associated physical development costs directly required and associated with the
174 construction of the improvement) as determined by the governmental agency having
175 maintenance obligations over the roadway.

- 176 11. Notwithstanding any provision contained herein to the contrary, except as specifically
177 agreed in writing, Lake County, Orange County and the Town of Oakland shall have no
178 financial responsibility to contribute to or participate in the funding of the design,
179 engineering, permitting, and/or construction of roadway improvements.

- 180 12. The monitoring and modeling required prior to Phase 2 shall be used to verify impacts
181 from previous phases and to more accurately estimate probable impacts from later
182 phases. If necessary, the proportionate share amount will be adjusted to reflect actual
183 impacts from a phase and the more accurate information, which will result from the
184 estimates for later phases; provided, however, that any impacts from prior phases which
185 have been mitigated in accordance with any of the methods set forth in this
186 Development Order shall not be included in any subsequent proportionate share
187 calculations. If it is verified that the roadway improvements mentioned above are still
188 needed, then the project shall not proceed into later phases until either the proportionate
189 share payment is made or the needed improvements are scheduled for construction in the
190 applicable entities' work program within the first three years from the date when
191 impacts are estimated to be significant and adverse.
- 192 13. If the parties cannot reach agreement independently prior to the date when impacts are
193 estimated to be significant and adverse, or if so desired by the parties at any time, then
194 the issues in dispute shall be submitted to the ECFRPC for either voluntary mediation
195 pursuant to its adopted dispute resolution processor to binding arbitration pursuant to the
196 rules and procedures of the American Arbitration Association (AAA). The solutions
197 recommended as a result of this process shall be implemented and the development order
198 amended pursuant to Section 380.06(19), Florida Statutes, to include these solutions.
- 199 14. The developer shall fund the engineering and installation of an interconnected
200 intersection system to maximize the movement of vehicles on SR 50, with prioritization
201 given to through traffic to the maximum extent practicable as determined by FDOT. The
202 extent of the system shall include the section of SR 50, from the Florida Turnpike to
203 Hancock Road, where the project is expected to have significant impacts and may be
204 divided into separate interconnect systems as deemed appropriate by FDOT.
- 205 15. The developer shall coordinate with Lake County, the Town of Oakland and Orange
206 County to address significant impacts on CR 438. The obligation to accomplish the
207 following commences upon the issuance of the DRI Development Order by Lake County:
- 208 a. Any improvements on CR 438 through the Town of Oakland shall take into
209 consideration the rural nature of the area and capacity improvements shall include

- 210 landscaping, turn lanes and traffic calming as deemed warranted by the Town of
211 Oakland and Orange County. Consideration of alternatives to the signalization of
212 Tubb Street and Oakland Avenue shall be explored, including, but not limited to the
213 use of landscaped traffic roundabouts. Roadway widening shall be discouraged.
- 214 b. Prior to the issuance of the first certificate of occupancy (CO), the developer shall
215 conduct a study to ascertain the best configuration for the intersections of CR 438,
216 CR 50 and JW Jones Road. As a part of this roadway realignment study, the
217 intersection of CR 438, CR 50 and JW Jones Road should be studied as a new 4-way
218 intersection. Other alternatives shall provide for the safe and efficient flow of traffic
219 in the area and shall include the installation of landscaped roundabouts, the
220 relocation/realignment of the West Orange Trail, the extension of Lake Boulevard
221 north of CR 50 to intersect with CR 438 east of the CR 50/CR 438 intersection, and
222 the realignment of the CR 50/CR 438 intersection northward to provide sufficient
223 distance from SR 50 so that the minimum spacing between them for a signal can be
224 achieved. The developer shall pay for the roundabout option, however, if the Town
225 opts for a different alternative, then the developer shall pay \$200,000 to the Town of
226 Oakland at the point in time that Developer obtains a certificate of occupancy for
227 425,000 square feet of leased space. The improvement shall be reviewed and
228 approved by Lake County in consultation with the Town of Oakland and Orange
229 County.
- 230 16. In order to provide safe access and to preserve operational capacity, left and right turn
231 deceleration lanes shall be evaluated and installed by the developer at all project
232 entrances on collector and arterial roadways. The Developer, FDOT and Lake County
233 have confirmed the need for and the cost of signalization at the Project entrance(s)
234 consistent with policies of the appropriate government entity and when nationally
235 recognized warrants are met. The cost for signalization at project entrances is the
236 responsibility of the developer. Dual left turn lanes shall be provided at the signalized
237 intersections on SR 50, along the frontage of the project. Design of the dual left turn
238 lanes shall be coordinated with final design plan for SR 50 widening. Transitioning
239 along SR 50 shall be done in compliance with FDOT design standards. Developer will
240 work with FDOT and Lake County to expedite that portion of the widening of SR 50

241 which abuts the project. Developer shall have the option to enter into an agreement with
242 FDOT and Lake County whereby Developer will advance the funding for the SR 50
243 widening along the project boundary and receive reimbursement and/or impact fee credits
244 from the appropriate governmental agency.

245 17. In the interest of safety, and to promote alternative forms of transportation, the Developer
246 shall provide an on-site system of bikeways and shaded pedestrian circulation that
247 accesses all areas within the project and shall install appropriate signage identifying bike
248 routes and pedestrian facilities. Bicycle support facilities in the form of covered parking
249 shall be made available at commercial areas for both employees and patrons. Shower
250 facilities shall be provided for employees of single retail tenants occupying more than
251 100,000 square feet of leased space.

252 18. The on-site bicycle systems shall be connected into any proximate external bicycle
253 systems existing at the time of construction. Construction standards shall conform to
254 latest state standards and criteria. Improvements to area roadways should be encouraged
255 to incorporate bicycle and pedestrian facilities.

256 19. LYNX has developed a routing plan for S.R. 50 through Winter Garden that would include
257 the Plaza Collina development in Lake County as a connecting point. LYNX would utilize
258 two routes to provide service for both this project and other nearby developments and
259 connect to existing service along S.R. 50. The developer will work with LYNX to
260 implement a superstop on the Plaza Collina site. The Developer will contribute to an
261 operations fund for extension of LYNX service into Lake County through a one time
262 payment of \$200,000.00 to LYNX. LYNX shall consult with Lake County on the
263 expenditure of these funds.

264
265 20. The following transit related conditions shall apply

266 a. Internal collector and arterial road geometrics should accommodate standard 40' and
267 articulated buses as described on page 5.5 of the LYNX Design Manual. The design
268 manual is located in local libraries and on the LYNX website under news and events,
269 LYNX documents at www.golynx.com.

- 270 b. A four (4) bus capacity onsite-superstop shall be provided by the developer, the size and
271 location to be negotiated with LYNX together with parking for 25 cars within a reasonable
272 proximity and with appropriate access.
- 273 c. The superstop site shall be of adequate size for amenities (passenger shelters, transit parking
274 bays and parking spaces for vanpool vehicles) in the development area. Passenger shelters
275 shall be built at no cost to the developer and maintained by LYNX.
- 276 d. Developer will provide two (2) designated locations for bus stops together with additional
277 parking for twenty-five (25) cars within reasonable proximity and with appropriate access.
- 278 e. The developer shall employ or appoint, part-time, an employee transportation coordinator
279 (ETC) when employment levels reach five hundred (500) and a full-time ETC if
280 employment levels and onsite residency reach four thousand (4,000). The ETC may be
281 incorporated into the functions of any Transportation Management Association (TMA) if
282 one exists for the project area. The developer shall also coordinate with the area transit
283 provider, hold ridesharing campaigns and distribute information regarding alternative transit
284 modes.
- 285 f. The developer is required to inform both residents and tenants that the Development is
286 served by LYNX's ridesharing program. Literature regarding the ridesharing program shall
287 be displayed in public, commercial and employment areas.
- 288 g. Sufficient funding shall be provided to the ETC to undertake a program to identify 100
289 employees and pay 50% of the cost of transit for those employees.
- 290 h. The Developer shall promote and encourage variable work hours and flextime
291 participation by on-site employers.
- 292 21. In order to minimize impacts to the roadway network, parcels within the Plaza Collina
293 DRI property shall, subject to environmental constraints, be interconnected to the
294 maximum extent feasible as determined by Lake County. The Developer shall cooperate
295 with any city or county supported efforts to continue roadways from or through the site
296 with other roadway facilities that are hereafter endorsed by Lake County. At a minimum,
297 an east-west roadway shall be provided from Lake Boulevard to the western property
298 boundary where it will join the frontage roadway of the adjacent property.

- 299 22. In order to protect the integrity of CR 50 as a Florida Scenic Highway and the South
300 Lake Trail as an attractive and safe facility, the developer:
- 301 a. Shall preserve and protect the existing oaks along the north property line, unless
302 unavoidable due to site development. Existing oaks internal to the site shall be
303 preserved to the maximum extent feasible.
 - 304 b. Shall provide native trees and plantings along the property adjacent to the trail where
305 applicable.
 - 306 c. Shall allow only one access point from CR 50 and no commercial delivery trucks
307 shall be permitted through this entrance. Deliveries shall be restricted through SR 50
308 and Lake Avenue for ingress and egress.
 - 309 d. Shall provide a proportionate share (based on share of traffic on Lake Avenue) of a
310 grade separated crossing at Lake Avenue for the trail, if Lake County decides to
311 construct such a crossing.

312 **Wildlife systems**

313

- 314 23. Except as otherwise allowable by this Development Order or by permits obtained by the
315 Developer from the Florida Fish and Wildlife Conservation Commission (FWC) or the US
316 Fish and Wildlife Service (FWS), site development related activities shall not result in the
317 harming, pursuit or harassment of plant or animal species classified as Endangered,
318 Threatened or a Species of Special Concern by either the state or Federal government in
319 contravention of applicable state or federal laws. Should such species be at any time
320 determined to be residing on, or be otherwise significantly dependent upon the project site,
321 the Developer shall immediately notify the local jurisdiction (Lake County), FWC and
322 FWS and, to the extent required by laws and regulations, the Developer shall cease all
323 activities which might negatively affect that individual or population. The Developer shall
324 provide proper protection, to the satisfaction of all agencies with jurisdiction.
325 "Harming" and "harassment" as used in this recommendation shall be defined in the same
326 manner as "harm" and "harass" respectively are defined in 50 CFR Section 17.3.

327 24. Gopher tortoise is known to occur on the property. Prior to development activities, permits
328 for development from FWC shall be obtained. For this particular project, offsite relocation or
329 incidental take is an acceptable process to pursue.

330 Water quality

- 331
- 332 25. The developer (or owner/successors, as applicable) or its assigns shall establish and
333 implement an inspection and maintenance program for the Project's surface water
334 management system to assure proper operation of all components at their permitted
335 design specifications, to include schedules for the performance of:
- 336 a. Stormwater facility operating inspections on a regular basis;
 - 337 b. Routine maintenance activities (e.g., mowing, trash removal, etc.)
 - 338 c. Periodic removal of accumulated silts and other materials;
 - 339 d. Ongoing educational programs for maintenance staff personnel shall be conducted
340 regarding the correct usage of and application rates for fertilizers and chemicals
341 (e.g., herbicides, pesticides) on other common landscaped areas, the removal of
342 noxious weeds and retention of desirable aquatic vegetation, and correct
343 procedures for other maintenance/landscaping-related activities which have the
344 potential for adversely affecting water quality conditions on or off the Project site.
- 345 26. Artificial ponds designed to have open water of more than five acres in surface area shall
346 constitute a natural system and shall be constructed with slopes no steeper than a 4:1
347 horizontal to vertical ratio and planted in, or allowed to be colonized by, native emergent
348 and submergent vegetation.
- 349 27. The Developer shall demonstrate to the satisfaction of Lake County and the SJRWMD
350 that the entity (ies) that is proposed to assume responsibility for the project surface water
351 management system will have defined duties and responsibilities regarding the operation
352 and maintenance of the surface water management system. These responsibilities shall
353 include sufficient legal authority and power to establish the mandatory collection of fees
354 or assessments, or both, from all property owners or users for financing the operation,

355 replacement and maintenance of all components of the Project's surface water
356 management system.

357 Conservation of Water

- 358
359 28. A Waterwise landscaping approach shall be used throughout the development that
360 includes at least 75% of the landscaped vegetation in drought-tolerant or native
361 vegetation varieties. Landscaped area is defined as any pervious area within the
362 proposed development that will be altered due to the development, exclusive of pervious
363 area within wetlands, wetland buffers, vegetative buffers between land uses, stormwater
364 systems and required preservation areas. Native or drought-resistant plants include
365 those in the SJRWMD Waterwise Florida Landscapes, available at
366 <http://www.sjrwmd.com/programs/outreach/conservation/landscape.index.html>: the
367 Florida Native Plant Society's list of native landscape plants for Lake County, available
368 at http://www.fnps.org/pages/plants/landscape_plants.php: A Gardner's Guide to
369 Florida's Native Plants (Osorio 2001); or other comparable guidelines.
- 370 29. The applicant shall follow best management practices for landscape installation,
371 irrigation, and fertilizer and pesticide application, specifically addressing:
- 372 a. Appropriate type of fertilizer to avoid the release of excess nutrients
 - 373 b. Rate and frequency of application
 - 374 c. Appropriate watering schedules
 - 375 d. Preferred plant materials
 - 376 e. Landscape design that minimizes the impacts of fertilizer applications, and
 - 377 f. Design and maintenance of drainage control systems.
- 378 30. The applicant shall provide information on Waterwise landscaping and/or native
379 vegetation and /or drought-tolerant vegetation to all residents.
- 380 31. The project shall utilize ultra-low volume water use plumbing fixtures, self-closing
381 and/or metered water faucets as governed by the Lake County Code, in all construction.

- 382 32. The entire project will connect to reclaimed water for irrigation when it becomes
383 available to the site. Separate irrigation lines shall be included in the initial project
384 construction.
- 385 33. Any single use of more than 100,000 gallons of water per day, estimated on an annual
386 average, shall apply for a secondary consumptive use permit (CUP) if required by
387 SJRWMD rules.
- 388 34. To meet the non-potable water use demands of the project, the development shall use the
389 following sources, in order of priority, for surface irrigation of common and private
390 areas, to include parks, commercial, institutional and residential areas, unless prohibited
391 by the Florida Department of Environmental Protection, SJRWMD, or other regulatory
392 agency:
- 393 a. Treated wastewater made available to the property
 - 394 b. Surface water stored on-site in surface water storage ponds
 - 395 c. Potable water used on residential lots if no lesser quality source such as irrigation
396 wells is available, but shall be converted to a lesser quality when it becomes
397 available.

398 **Natural Systems**

- 399 35. The on-site wetlands systems and upland buffers shall be placed in a conservation
400 easement and identified as a separate tract in accordance with the requirements of
401 SJRWMD and USACOE. Developmental uses of this area shall be restricted by the
402 Conservation Easement conveyed to the SJRWMD, USACOE, FFWCC or other
403 conservation oriented agency acceptable to the ECFRPC and FDCA. Any use of this
404 area shall be limited to those permitted by the SJRWMD and the USACOE and which
405 can be constructed and maintained in such a manner that adverse impacts to wetlands
406 and habitat protection areas are avoided. Nothing in the language of the Conservation
407 Easement shall preclude the Developer or other entity designated by the Developer from
408 performing maintenance or management of these lands as long as these activities are
409 consistent with the limitations set forth in the applicable resource permits. All such areas

410 will be administered and managed by an entity identified in the applicable resource
411 permits. Such entity shall have the power to access and lien property owners within the
412 Plaza Collina property development for the purpose of insuring adequate funding to
413 implement the purposes set forth herein.

414 36. Designated preserves, conservation buffers and the edges of retained wetlands shall be
415 inspected by the developer at least annually for the establishment of any Category I
416 Invasive Plant Species, as defined by the Florida Exotic Pest Plant Council (FLEPPC).
417 Should any such plants be observed during the scheduled annual review or during any
418 unscheduled review, then they shall be systematically removed and destroyed within 30
419 days to prevent further propagation.

420 37. To provide additional wetland buffer and promote wildlife utilization areas, native vegetation
421 such as prairie grasses and other prairie vegetation shall be utilized in the dry retention pond
422 instead of the typical Bahia grass sodding or seeding. Limited areas of sodding with Bahia
423 are acceptable but shall be limited to no more than 25% of the area for stabilization purposes,
424 unless more is needed for safe engineering design or additional sodding for stabilization is
425 mandated by the applicable permitting agency, for more critical areas of potential erosion.

426 38. Upland buffers of 25 feet average and 15' minimum along the northern property line shall be
427 maintained in native vegetation or replanted in native vegetation to provide a visual buffer
428 between development and the proposed Lake County recreational trail, subject to site plan
429 approval by Lake County.

430 Wetlands

431
432 39. Upland buffers between on-site wetlands and any type of development or land alteration shall
433 be established in accordance with St. Johns River Water Management District permit
434 approvals, but shall be no less than an average 25 feet, minimum 15 feet in width for the
435 onsite preserved wetland provided that the dry bottom retention pond is placed adjacent to
436 and outside of the upland buffer. The berms and dry bottom of the retention area provide
437 additional buffering to the wetland. In absence of the dry bottom pond being placed adjacent

438 to the upland buffer, the buffer shall be expanded to a minimum of 25 feet and average of 50
439 feet.

440

441 40. The onsite depressional wetland and the associated upland buffer shall be placed under
442 conservation easement conveyed to the SJRWMD. The conservation easement may be
443 conveyed in conjunction with the SJRWMD ERP permitting, but in no instance shall be
444 delayed until after construction begins.

445 Archeological Resources

446

447 41. Project construction personnel shall be notified, through posted advisories or other methods,
448 of the potential for artifact discoveries on the site and to report suspected findings to the
449 project manager. In the event of discovery of artifacts of historic or archaeological
450 significance during project construction, the Developer shall stop construction at the site of
451 discovery and notify Lake County and the Division of Historical Resources (DHR) of the
452 Florida Department of State. From the date of notification, construction shall be suspended
453 within a 100-foot radius of the site of discovery for a period of up to 120 days to allow
454 evaluation of the site. The Developer shall provide proper protection of the discovery, to
455 the satisfaction of the DHR.

456