

SPECIAL MEETING OF THE LADY LAKE TOWN COMMISSION

DATE: Monday, December 15, 2014
TIME: 4:30 p.m.
PLACE: 409 Fennell Blvd.
Town Hall Commission Chambers

ALL INTERESTED PERSONS ARE CORDIALLY INVITED TO ATTEND THIS PUBLIC MEETING

AGENDA

1. Call to Order: Mayor Ruth Kussard
2. Roll Call
3. Public Comment
4. Conceptual Presentation of the Texas Roadhouse – Proposal of a New High-Turnover (Sit-Down) Restaurant of 281 Seats with Approximately 7,163 Sq. Ft. of Building Space – Located at 745 N. Hwy 27/44 1 (Thad Carroll)
5. Conceptual Presentation of Lady Lake Crossings East – Proposal for 52,000 Sq. Ft. of New Retail Building Space, and a 4,000 Sq. Ft. Building Development on the Outparcel Between Tire Kingdom and McDonald's – Located on US Hwy 27/441 (Thad Carroll)
6. Conceptual Presentation of Changes for Rolling Acres Self Storage (Tree Tops) – Proposal for a Manager's Residence in Phase 2 in an Existing Building Near the Secondary Egress Drive on West Lady Lake Blvd.; Proposal to Change the Planned 12 Mini-Storage Buildings Totaling 41,000 Sq. Ft. to Two Proposed Indoor Motor Vehicle/RV/Boat Storage Buildings Totaling Same; Proposal for an RV Sewage Dump Station Approximately 40' Inside the Gate at the Secondary Egress Drive; and Cancellation of Proposed Phase 3 of the Project (Thad Carroll)
7. Adjourn

This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring an interpreter for the hearing impaired or the visually impaired should contact the Clerk's Office at least five (5) calendar days prior to the meeting and an interpreter will be provided. To access a Telecommunication Device for Deaf Persons (TDD), please call (352) 751-1565. Any handicapped person requiring special accommodation at this meeting should contact the Clerk's Office at least five (5) calendar days prior to the meeting.

Advice to the Public: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he may need a verbatim record of the proceedings including the testimony and evidence which record is not proved by the Town of Lady Lake. (F.S. 286-0105)

Please be advised that one or more members of any other Town Board or Committee may be in attendance of this meeting.



SPECIAL TOWN COMMISSION - CONCEPTUAL WORKSHOP AGENDA ITEM

REQUESTED MEETING DATE: December 15, 2014

SUBJECT: Conceptual Presentation of the Texas Roadhouse Restaurant MJSP 11/14-001- The construction of a 7,163-Square-foot High Turnover (Sit-Down) Restaurant proposing 281 seats - To be located at 745 N. Hwy 27/441 (AK 3861958).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDATION:

Staff recommends having the applicant submit the Major Site Plan Application to advance the proposed project for approval and subsequently to the construction phase.

SUMMARY:

Benchmark Lady Lake 25 Associates, LLC is the property owner of a 2.01 +/- acre parcel located at 745 North Highway 27/441, just south of the Sam's Club and north of the Lady Lake Town Hall Municipal Complex. The parcel originally received Major Site Plan approval back on August 4, 2008, by the Town Commission for the construction of 16,100 square feet of retail under the project name of Sam's Outparcel. The property has a Heavy Commercial (HC) Zoning Designation; which allows for the proposed restaurant land use.

Under the Sam's Outparcel development, the applicant was granted site plan approval for five-foot building and landscaping buffers along the North and South Elevations. After the approval of the Site Plan by the Town Commission on August 4, 2008, the Landscaping Buffer Codes changed in 2009; however, the applicant would like to still pursue a five-foot landscaping buffer for the North and South Elevations on this project primarily to accommodate a five-foot concrete sidewalk on both sides.

The applicant will also be pursuing the following waivers/variances:

- Two (2) landscaping Waivers in accordance to **Chapter 10, Section 10-3. b).1).**:
 - North Elevation/Buffer 3 - Waive four (4) Canopy Trees due to existing off-site landscaping.

- West Elevation/Buffer 2- Substitute the required six (6) canopy trees for Understory Trees due to Overhead Utility Line conflict along North Highway 27/441.
- As per LDRs- **Chapter 20-Section 20-3C.10.L)**- Parking lots with two (2) or more double rows will have a continuous landscaped strip between the sections. This landscaped strip will run parallel to the circulation flow and shall be a minimum of six (6) feet wide.
- Administrative Variance as per **Chapter 3, Section 13-3).b).4).** to address Parking Deficiency in the amount of ten (10) percent or less of required parking spaces.
- Potential variance to address Monument Sign Separation Requirement

At this time, the developer is ready to move forward with the restaurant proposal; prior to submitting the major site plan application, the applicant would like to showcase the development proposal and exterior building elevations for the Town Commission's feedback. The building does not exhibit one of the four (4) preferred architectural styles; however, **Chapter 20, Section 20-3C). 3).** has provisions to submit elevations where the compatibility of the proposed building will be reviewed for consistency with adjacent architecture on a case-by-case basis. The building elevations won't exceed the maximum allowed three (3) exterior colors. A similar product is the Longhorn Steakhouse within the Village Crossroads Plaza across Highway 27/441.

The developer has submitted an introduction letter; which is contained within your packets. Please also find the following items:

- Approved Site Plan for the Sam's Out Parcel
- New Proposed Site Plan for Texas Roadhouse
- Exterior Building Elevations for Texas Roadhouse

The applicant is expected to make full site plan submittal within the next few weeks.

FISCAL IMPACT: \$ _____

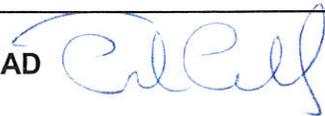
Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other – Site Plan

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD



Submitted

12/8/14

Date

WT
12-8-14

FINANCE DEPARTMENT

Approved as to Budget Requirements Date

TOWN ATTORNEY

Approved as to Form and Legality Date

TOWN MANAGER

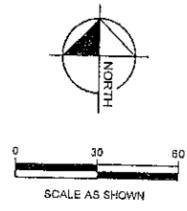
[Handwritten signature]

Approved Agenda Item for: *12/15/14* Date

12/1

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain Approved w/Modification



SITE DATA:
 PROJECT AREA: 2.01 ACRES (87,555.60 SF)
 EXISTING USE: VACANT
 PROPOSED USE: RETAIL
 ZONING: HC

BUILDING AREA:
 RETAIL SALES AREA (NON-STORAGE AREA): 0.33 AC (14,490 SF)
 STORAGE/OFFICE AREA: 0.04 AC (1,610 SF)
 TOTAL BUILDING AREA: 0.370 AC (16,100 SF)
 PROPOSED BUILDING HEIGHT: 24'-0" 1 STORIES
 MAX. ALLOWABLE IMPERVIOUS AREA: 80% (1,608 AC) (70,044.48 SF)
 PROPOSED IMPERVIOUS AREA:
 BUILDING: 0.37 AC (16,100 SF)
 CONCRETE (SIDEWALKS, ETC.): 0.17 AC (7,465.20 SF)
 ASPHALT DRIVE AND PARKING AREA: 0.90 AC (39,123 SF)
 TOTAL IMPERVIOUS AREA: 1.44 AC (62,633.20 SF) (73%)
 PROPOSED PERVIOUS (OPEN) AREA: 0.57 AC (24,922.40 SF) (27%)
 10% INTERNAL PERVIOUS AREA REQUIRED: 0.20 AC (8,755.56 SF)
 PROVIDED: 0.22 AC (9,583.2 SF)

BUILDING SETBACKS:

FRONT (S.R. 441)	REAR	SIDES
80' MAX.	15'	5'
10'	24 1/2'	12'

NUMBER OF EMPLOYEES: 24

PARKING REQUIRED:
 1 SPACE x 200 SF (16,100/200) = 81 SPACES

PARKING PROVIDED:
 HANDICAP SPACES: 4 SPACES
 REGULAR SPACES: 63 SPACES
 TOTAL SPACES: 67 SPACES

BICYCLE PARKING REQUIRED:
 0.03 SPACES PER REQUIRED VEHICULAR PARKING (81/0.03) = 3 SPACES

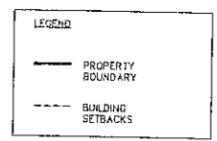
BICYCLE PARKING PROVIDED: 6 SPACES

LOADING ZONES:
 REQUIRED (12'x25'): 2 LOADING ZONES
 PROVIDED (12'x25'): 2 LOADING ZONES

NOTE:
 NO FENCES OR WALLS ARE PROPOSED ON THIS DEVELOPMENT.

ERU CALCULATION:
 1 ERU FOR THE FIRST 2,500 SF
 1 ADDITIONAL ERU FOR EACH ADDITIONAL 5,000 SF
 16,100 SF = 1 FIRST 2,500 SF
 16,100 SF - 2,500 SF = 13,600 SF/5,000 SF = 2.72
 TOTAL = 1 + 2.72 = 3.72 ERU's
 1 ERU = 250 CPD = 3.72 x 250 CPD = 930 CPD
 5 TOTAL ERU'S HAVE BEEN RESERVED FOR THIS PROJECT

JUL 25 2008



REVISIONS	DATE	BY					
NO	05/06/08	MJC					
			REVISED PER TOWN OF LADY LAKE				
 Kimley-Horn and Associates, Inc. 2008 KIMLEY-HORN AND ASSOCIATES, INC. 3610 Lake Shore Drive, Suite 200, Orlando, FL 32803 Phone: (407) 898-1511 Fax: (407) 898-7971 WWW.KIMLEY-HORN.COM CA 0000896							
DESIGN ENGINEER	CHAD S. LINN, P.E.	FLORIDA REGISTRATION NUMBER:	57524				
SCALE AS NOTED	DESIGNED BY	DRAWN BY	CHECKED BY	SEAL			
CSL	DAH	JFJ					
SITE PLAN							
SAM'S OUTPARCEL							
TOWN OF LADY LAKE FLORIDA							
DATE 07/2/2008							
PROJECT NO. 049372005							
SHEET NUMBER							
C4							

This document, together with the exhibits and design, is prepared for the specific purpose and client for which it was prepared. It is not to be used for any other purpose without the written consent of Kimley-Horn and Associates, Inc.



FRONT ELEVATION



REAR ELEVATION

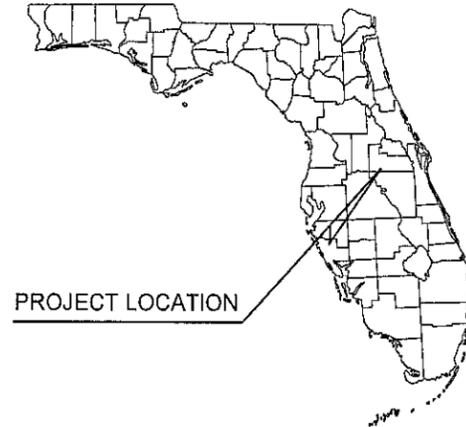
EXTERIOR FINISH SCHEDULE	
WOOD SIDING, TRIM, & WOOD SHUTTERS	PRE-STAINED CEDAR CEDARTONE TWP #1501 STAIN FORMULA PHONE: 800-255-7913
FRONT ENTRANCE WOOD DOORS	METAL DOORS (FAUX WOOD) CECO DOOR "MADERA" (CS-5) PHONE: 270.441.7171
TRIM	PAINT #1: PORTER PAINTS #614 "ACRYLIC GLOSS" FINISH COLOR - DARK GREEN FORMULA
METAL FLASHING & GUTTERS	PAINT #2: PORTER PAINTS #614 "AVRYLIC GLOSS" FINISH COLOR - DARK GREEN FORMULA
WOOD DOOR FRAME & DOWNSPOUTS	PAINT #3: PORTER PAINTS #610 "ACRYLIC GLOSS" FINISH COLOR TO MATCH PRE-STAINED CEDAR
BRICK VENEER	GENERAL SHALE BRICK CO. "PHOENIX" #143 OVERSIZE 1-800-277-2700
BRICK VENEER (ALTERNATE)	ACME BRICK "OLD DENVER" QUEEN SIZE 502-245-3135
METAL ROOF	5 RIBBED V GROOVED COLOR: GALVALUME
DUMPSTER GATES, BOLLARDS, METAL DOORS & FRAMES	PAINT #4: PORTER PAINTS "EXTERIOR GLOSS" BLACK
SPLIT FACE CMU	PAINT TO MATCH CEDAR SIDING

CONSTRUCTION PLANS

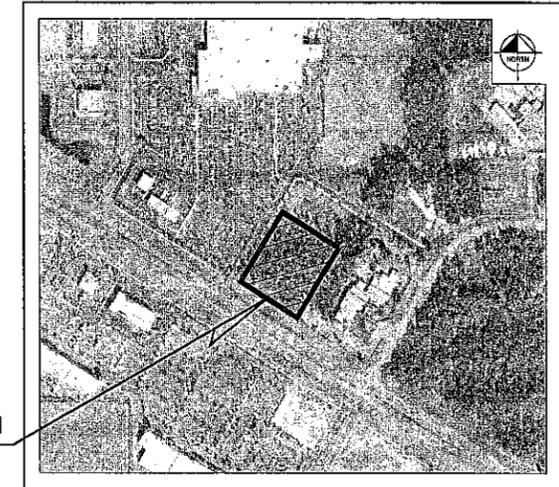
FOR



PARCEL ID #: 08-18-24-015002700200
 TOWN OF LADY LAKE, FLORIDA
 NOVEMBER 5, 2014



PROJECT LOCATION



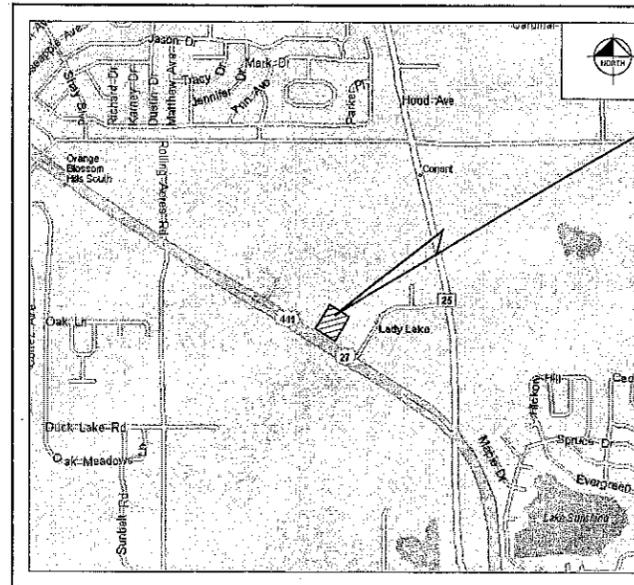
PROJECT LOCATION

AERIAL PHOTOGRAPH
 N.T.S.

LEGAL DESCRIPTION

COMMENCE AT THE MOST SOUTHEASTERLY CORNER OF LOT 1, HOME DEPOT SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 57, PAGE 22, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 88° 09' 15" EAST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27441, ALSO BEING STATE ROAD NO. 25 AND 500 PER RIGHT-OF-WAY MAP LABELED SECTION 1190 AND DATED 9-9-03, A DISTANCE OF 60.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SECOND STREET; THENCE CONTINUE SOUTH 58° 08' 15" EAST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27441, A DISTANCE OF 617.68 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE RUN NORTH 31° 51' 47" EAST, A DISTANCE OF 325.00 FEET; THENCE RUN SOUTH 58° 08' 15" EAST, A DISTANCE OF 230.00 FEET; SOUTH 31° 52' 45" WEST A DISTANCE OF 324.92 FEET TO A POINT ON THE AFORESAID NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27441; THENCE RUN NORTH 58° 09' 15" WEST, A DISTANCE OF 269.50 FEET ALONG NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27441 TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.01 ACRES, 87,724 SQUARE FEET, MORE OR LESS.



PROJECT LOCATION

SECTION 08, TOWNSHIP 18S, RANGE 24E
 LOCATION MAP
 N.T.S.

SHEET INDEX

- C0.0 COVER SHEET
- C1.0 - C1.1 GENERAL NOTES
- C2.0 STORM WATER POLLUTION PREVENTION PLAN
- C3.0 DEMOLITION PLAN
- C4.0 SITE PLAN
- C5.0 PAVING, GRADING AND DRAINAGE PLAN
- C6.0 UTILITY PLAN
- C7.0 - C7.1 CONSTRUCTION DETAILS
- C7.2 - C7.3 TOWN OF LADY LAKE UTILITY DETAILS
- L-1.0 LANDSCAPE PLAN

PROJECT TEAM

DEVELOPER

BENCHMARK LADY LAKE 25 ASSOCIATES LLC
 4063 MAPLE ROAD
 AMHERST, NY 14226
 CONTACT: OWEN MIETUS
 PHONE: (800) 876-8275
 FAX: (716) 961-1299
 EMAIL: omietus@benchmarkgrp.com

ARCHITECT

GREENBERG FARROW
 3 EXECUTIVE DRIVE, SUITE 150
 SOMERSET, NJ 08873
 CONTACT: DAWN SCHAFFRAN
 PHONE: (732) 537-0811
 EMAIL: dschaffran@greenbergfarrow.com

ENGINEER

KIMLEY HORN AND ASSOCIATES
 3880 MAGUIRE BLVD., SUITE 200
 ORLANDO, FL 32803
 CONTACT: JAY R. JACKSON, P.E.
 PHONE: (407) 898-1511
 EMAIL: jay.jackson@kimley-horn.com

SURVEYOR

GPH
 900 WEST FULTON STREET
 SANFORD, FLORIDA 32771
 P. O. BOX 2808
 SANFORD, FLORIDA 32772-2808
 PHONE 407 322-8941
 FAX 407 330-0639

LANDSCAPE ARCHITECT:

URBAN RESOURCE GROUP
 A DIVISION OF KIMLEY-HORN AND ASSOCIATES, INC.
 2801 CATTLEMAN ROAD, SUITE 500
 SARASOTA, FL 34232
 CONTACT: CHRIS NICE, RLA, ASLA
 PHONE: (941) 922-8167
 FAX: (941) 922-2351
 EMAIL: chris.nice@kimley-horn.com

PREPARED BY
Kimley»Horn

© 2014 KIMLEY-HORN AND ASSOCIATES, INC.
 3660 Maguire Boulevard, Suite 200, Orlando, FL 32803
 Phone: (407) 898-1511
 WWW.KIMLEY-HORN.COM CA 00000696

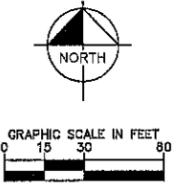
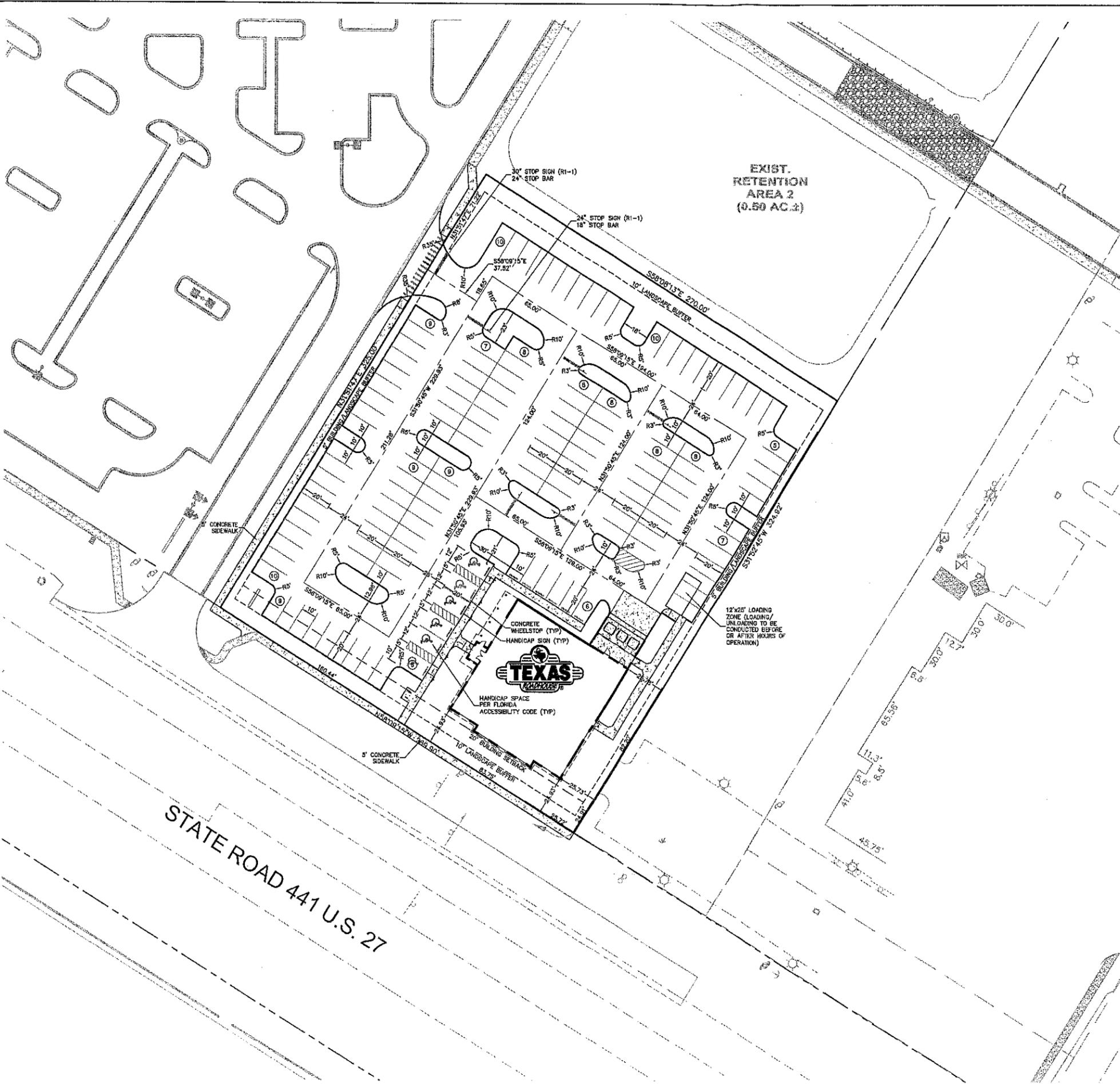
JAY R. JACKSON, P.E.
 FL P.E. NO. 54247

NO.	REVISIONS	DATE	BY

TEXAS ROADHOUSE - LADY LAKE
 SEPTEMBER 05, 2014
 ENGINEER'S PROJECT No. 046372010

Drawing name: K:\ORL\Civil\049372010 Texas Roadhouse-Lady Lake\CADD\CONSTR\PlanSheets\C0.0-COVER.dwg C0.0-COVER Nov 05, 2014 4:15pm by: robert.lespence
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of any information contained herein without written authorization and approval by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Prepared By: Sources, Robert Street, Set: TexasRoadhouse, Lady Lake, CAD: CONSTRUCTION, Plan: Sheets C4.0 - SITE.dwg, K:\VOR\Civil\048372010_Texas Roadhouse-Lady Lake\CADD\CONSTRUCTION\Plan\Sheets\C4.0 - SITE.dwg, November 05, 2014, 04:18:02pm
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and effort for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



SITE DATA:

PROJECT AREA:	2.01 ACRES (87,555.60 SF)
EXISTING USE:	VACANT
PROPOSED USE:	RESTAURANT
ZONING:	HC
BUILDING AREA:	7,163 SF
MAX. ALLOWABLE IMPERVIOUS AREA:	80% (1,608 AC) (70,044.48 SF)
NUMBER OF EMPLOYEES:	20
PROPOSED IMPERVIOUS AREA:	
BUILDING:	0.16 AC (7,163 SF)
CONCRETE (SIDEWALKS, ETC.):	0.05 AC (2,274 SF)
ASPHALT DRIVE AND PARKING AREA:	1.28 AC (55,655 SF)
TOTAL IMPERVIOUS AREA:	1.49 AC (65,092 SF)
PROPOSED PERVIOUS (OPEN) AREA:	
10% INTERNAL PERVIOUS AREA REQUIRED:	0.20 AC (8,755.56 SF)
PROVIDED:	0.48 AC (20,832.5 SF)
BUILDING SETBACKS:	REQUIRED PROVIDED
FRONT (S.R. 441)	8' MAX. 10'
REAR	15' 21'
SIDES	5' 28'

PARKING REQUIRED:

1 SPACE PER 2 SEATS:	
(20 SEATS / 2) =	10 SPACES
1 SPACE PER 2 EMPLOYEES:	
(20 EMPLOYEES / 2) =	10 SPACES
TOTAL PARKING SPACES:	151 SPACES

PARKING PROVIDED:

HANDICAP SPACES	5 SPACES
REGULAR SPACES	132 SPACES
TOTAL SPACES	137 SPACES

BICYCLE PARKING REQUIRED:

0.03 SPACES PER REQUIRED VEHICULAR PARKING (137/0.03) =	4 SPACES
---	----------

BICYCLE PARKING PROVIDED:

BICYCLE PARKING	4 SPACES
-----------------	----------

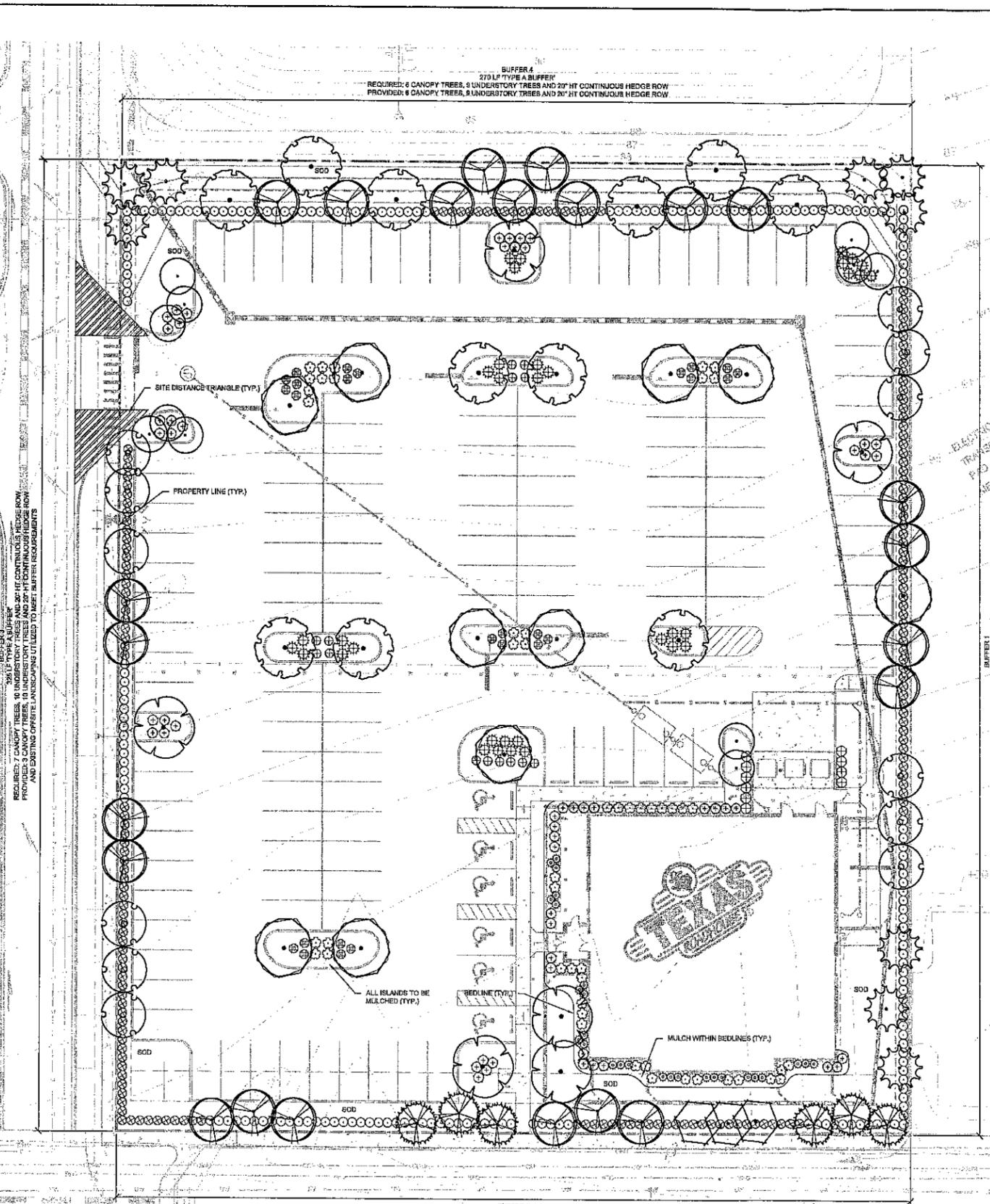
LOADING ZONE:

REQUIRED (12'x25')	2 LOADING ZONES
LOADING WILL BE PERFORMED DURING OFF HOURS	

NOTE:
NO FENCES OR WALLS ARE PROPOSED ON THIS DEVELOPMENT.

Kimley»Horn	© 2014 KIMLEY-HORN AND ASSOCIATES, INC. 3560 MAGUIRE BOULEVARD, SUITE 200, ORLANDO, FL 32803 PHONE: 407-898-1511 WWW.KIMLEY-HORN.COM CA 00000096							
LICENSED PROFESSIONAL JAY R. JACKSON, P.E. FLORIDA LICENSE NUMBER 54247								
KHA PROJECT 048372010 DATE 11/05/2014 SCALE - AS SHOWN DESIGNED BY RWS DRAWN BY RWS CHECKED BY JRJ	SITE PLAN							
TOWN OF LADY LAKE FLORIDA								
SHEET NUMBER C4.0								
NO.	REVISIONS	DATE						BY

Printed By: hreder, Christopher. Sheet: 049372010 - Texas Roadhouse - Lady Lake, Layout: L-100, Landscape Plan, November 05, 2014, 03:58:27pm. K:\SAR_ARCH\049372010 - Texas Roadhouse - Lady Lake\CAD\layouts\L-100.dwg. This document, together with the concepts and designs presented herein, is an instrument of service, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. No part of this document shall be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without written permission from Kimley-Horn and Associates, Inc. All rights reserved.



BUFFER 4
270 LF TYPE A BUFFER
REQUIRED: 8 CANOPY TREES, 8 UNDERSTORY TREES AND 20' HT CONTINUOUS HEDGE ROW
PROVIDED: 8 CANOPY TREES, 8 UNDERSTORY TREES AND 20' HT CONTINUOUS HEDGE ROW

BUFFER 3
270 LF TYPE A BUFFER
REQUIRED: 7 CANOPY TREES, 10 UNDERSTORY TREES AND 20' HT CONTINUOUS HEDGE ROW
PROVIDED: 7 CANOPY TREES, 10 UNDERSTORY TREES AND 20' HT CONTINUOUS HEDGE ROW
AND EXISTING OFFSITE LANDSCAPING UTILIZED TO MEET BUFFER REQUIREMENTS

BUFFER 2
270 LF TYPE A BUFFER
REQUIRED: 8 CANOPY TREES, 9 UNDERSTORY TREES AND 20' HT CONTINUOUS HEDGE ROW
PROVIDED: 16 UNDERSTORY TREES AND 20' HT CONTINUOUS HEDGE ROW
UNDERSTORY TREES USED IN LIEU OF CANOPY TREES DUE TO OVER HEAD UTILITY LINE CONFLICT

BUFFER 1
270 LF TYPE A BUFFER
REQUIRED: 7 CANOPY TREES, 10 UNDERSTORY TREES AND 20' HT CONTINUOUS HEDGE ROW
PROVIDED: 7 CANOPY TREES, 10 UNDERSTORY TREES AND 20' HT CONTINUOUS HEDGE ROW

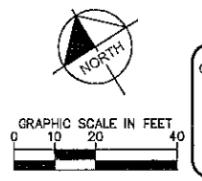
LANDSCAPE CALCULATIONS

	REQUIRED	PROVIDED
NATIVE TREES	50%	80%
DROUGHT TOLERANT	50%	100%
MAX OF 1 SPECIES ALLOWABLE	75%	25%
MINIMUM NUMBER OF TREES PER SECTION 10-3 (a)(2)		
TOTAL ACREAGE: 2 ACRES		
160 TREE CALIPER INCHES PER ACRE	2 (160"/ACRE) = 320'	355'
25% MAX TO BE PALMS @ 8" EACH		45 CANOPY TREES @ 4" EACH 38 UNDERSTORY TREES @ 2.5" EACH 10 PALMS @ 8" EACH (22.2%) 355' TOTAL
VEHICULAR USE AREA LANDSCAPE REQUIREMENTS PER SECTION 10-3 (G)		
10% OF GROSS SF OF PARKING AREA SHALL BE LANDSCAPE	55,316' x 10% = 5,531'	6,012 SF LANDSCAPE (10.5%)
TOTAL VUA AREA = 55,319 SF		
BUILDING FOUNDATION REQUIREMENTS PER SECTION 10-3 (G)		
70% OF LENGTH OF FACADE ORIENTED TOWARDS ROW PARKING TO BE LANDSCAPE @ 4' MIN WIDTH	280 LF (70% x 182) 182 LF (4' WIDTH x 728 SF)	280 LF 1,040 SF
1 TREE/500 SF OF REQUIRED AREA	728 SF/500 SF = 2 TREES	2 TREES
VUA BUFFER REQUIREMENTS PER SECTION 6.05.04		
BUFFER 1 10' WIDTH MIN- 825 LF 2 CANOPY & 3 UNDERSTORY TREES/100LF (32% / 100) 20' HEDGE	10 UNDERSTORY TREES 7 CANOPY TREES	10 UNDERSTORY TREES 7 CANOPY TREES
BUFFER 2 10' WIDTH MIN- 270 LF 2 CANOPY & 3 UNDERSTORY TREES/100LF (32% / 100) 20' HEDGE	6 UNDERSTORY TREES 6 CANOPY TREES	16 UNDERSTORY TREES (UNDERSTORY TREES USED DUE TO OVER HEAD UTILITY LINES)
BUFFER 3 10' WIDTH MIN- 325 LF 2 CANOPY & 3 UNDERSTORY TREES/100LF (32% / 100) 20' HEDGE	10 UNDERSTORY TREES 7 CANOPY TREES	10 UNDERSTORY TREES 3 CANOPY TREES EXISTING OFFSITE LANDSCAPING USED TO MEET BUFFER REQUIREMENTS
BUFFER 4 10' WIDTH MIN- 270 LF 2 CANOPY & 3 UNDERSTORY TREES/100LF (32% / 100) 20' HEDGE	8 UNDERSTORY TREES 8 CANOPY TREES	8 UNDERSTORY TREES 8 CANOPY TREES

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
	AR	11	ACER RUBRUM 'FLORIDA FLAME'	FLORIDA FLAME RED MAPLE	F.O.	4" CAL MIN	12' HT MIN
	JS	6	JUNIPERUS SILICICOLA	SOUTHERN RED CEDAR	F.O.	2.5" CAL MIN	
	LT	23	LAGERSTROEMIA X 'TUSKEGEE'	TUSKEGEE CRAWF MYRTLE MULTI-TRUNK	F.O.	2.6" CAL MIN	
	MC2	3	MYRICA CERIFERA	WAX MYRTLE	F.O.	2.6" CAL MIN	
	MG	6	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	F.O.	4" CAL MIN	12' HT MIN
	QV	10	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	F.G.	4" CAL MIN	12' HT MIN
	SS	11	SABAL PALMETTO HARDENED OFF FULLY REGENERATED	CABBAGE PALMETTO	F.O.		10' CT MIN
	TD	9	TAXODIUM DISTICHUM	BALD CYPRESS	F.G.	4" CAL MIN	12' HT MIN
	UA	12	ULMUS ALATA	WINGED ELM	F.O.	2.6" CAL MIN	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
	GG	185	GALPHIMIA GLAUCA	THRYSALIS	3 GAL	SEE PLAN	20' HT MIN
	HF	56	HAMELIA PATENS	FIRE BUSH	3 GAL	SEE PLAN	18" FULL
	IN	20	ILEX VOMITORIA 'NANA'	DWARF YALPON	3 GAL	SEE PLAN	12" FULL
	MC	10	MYRSINANTHES FRAGRANS 'COMPACTA'	COMPACT SIMPSON'S STOPPER	7 GAL	SEE PLAN	36" HT MIN
	PA	49	FLUMBAGO AURICULATA	BLUE FLUMBAGO	3 GAL	SEE PLAN	10" FULL
	RI	27	RHAPHOLEPIS INDICA	INDIAN HAWTHORN	3 GAL	SEE PLAN	16" FULL
	VO	186	VIBURNUM ODORATISSIMUM	SWEET VIBURNUM	3 GAL	SEE PLAN	20" HT MIN
	ZF	34	ZAMA FLORIDANA	COONTIE PALM	3 GAL	SEE PLAN	19" FULL

NOTE: ALL PLANT SPECIFICATIONS IN THE PLANT SCHEDULE SHALL BE CONSIDERED THE MINIMUM ALLOWABLE SPECIFICATIONS. CONTRACTOR SHALL PROCURE PLANT MATERIALS AND UPSIZE AS NECESSARY TO MEET THE MOST STRINGENT SPECIFICATION.



CALL 2 WORKING DAYS BEFORE YOU DIG
IT'S THE LAW! DIAL 811
Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

Kimley-Horn
© 2014 KIMLEY-HORN AND ASSOCIATES, INC.
3680 MAGUIRE BOULEVARD, SUITE 200, ORLANDO, FL 32803
PHONE: 407-898-1511 FAX: 407-894-4781
WWW.KIMLEY-HORN.COM CA 0000696

LICENSED PROFESSIONAL
JAMES R. PANKOW, P.E.
FL LICENSE NUMBER 6566300
DATE: 11/5/2014
DRAWN BY: JRP
CHECKED BY: JRP

LANDSCAPE PLAN

TOWN OF LADY LAKE
SHEET NUMBER L-1.0



SPECIAL TOWN COMMISSION - CONCEPTUAL WORKSHOP AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 15, 2014

SUBJECT: Conceptual Presentation of Lady Lake Crossings East – Proposal for 52,000 Sq. Ft. of New Retail Building Space, and a 4,000 Sq. Ft. Building Development on the Outparcel Between Tire Kingdom and McDonald's – Located on US Hwy 27/441

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDATION:

Staff recommends advancing the site plan as presented, as it has been designed in accordance to the site specifications as required under the Memorandum of Agreement of Ordinance 2006-14.

SUMMARY:

SRK Lady Lake 43 & Associates, also known as the Benchmark Group, is the property owner of a 41-acre parcel located at the southeast corner of N. Hwy 27/441 and Fennell Boulevard designated as Lady Lake Crossings. Lady Lake Crossings currently exhibits major retail stores such as Kohl's, Kirkland's, The Salt Room, Dollar Tree, and Rug World in the shopping plaza as well as the Tire Kingdom and the recently-developed McDonald's Restaurant on the outparcels. The property has a zoning designation of PUD-Planned Unit Development, which is governed under the Memorandum of Agreement (MOA) of Ordinance 2006-04.

At this time, the developer has secured negotiations with a tenant on the remaining 7.39-acre parcel piece located within the existing PUD to complement the existing retail. Approximately 52,000 square feet of new retail space is proposed to be built on the 7-acre parcel. For the .65-acre outparcel located in between McDonalds and the Tire Kingdom, the developer proposes a 4,000-square-foot building.

Prior to submitting the site plan application, the applicant would like to present the conceptual elevations, discuss Commercial Design Standards, and minor modifications to the PUD Ordinance, and/or potential variances. Within your packet, you will find the following information

- Conceptual Site Plan
- Planned Unit Development Memorandum of Agreement Ord. 2006-04

- Landscaping Plans
- Exterior Building Elevations

At which time the applicant submits a full site plan application, Town Staff will conduct a comprehensive review regarding the site plan, commercial design standards, parking, landscaping, and signage requirements. This phase will be built following elements of the Mediterranean Architectural Design Style in conjunction with the existing exterior elevations of the buildings in Lady Lake Crossings and the Villages Crossroad Plaza. Any landscaping waivers will be brought before the Parks, Recreation, and Tree Advisory Committee, and any commercial landscaping waivers will be brought before the Town Commission for final consideration.

FISCAL IMPACT: \$ _____

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other – Conceptual Site Plan

Support Documents/Contracts Available for Review in Manager's Office

WJ
12-8-14

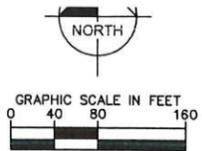
DEPARTMENT HEAD		Submitted	12/3/14	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements		Date
TOWN ATTORNEY		Approved as to Form and Legality		Date
TOWN MANAGER		Approved Agenda Item for:	12/3/14	Date 12/8/14

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain Approved w/Modification



TOTAL PROJECT AREA: 8.04 ACRES (350,272 SF)
 EXISTING ZONING: PUD
 EXISTING LAND USE: VACANT
 PROPOSED LAND USE: RETAIL
 MAX. BUILDING HEIGHT: 35 FEET
 FLOOD ZONE: ZONE X
 PROPOSED BUILDING AREA: 56,270 SF
 MAXIMUM FAR: 0.3
 FAR PROVIDED: 0.16



PERVIOUS AREA: 95,155 SF (27.17% OF LEASABLE AREA)
 IMPERVIOUS AREA: 190,338 SF
 PAVEMENT: 8,679 SF
 CONCRETE: 56,000 SF
 BUILDING AREA: 255,067 SF (72.83% OF LEASABLE AREA)
 TOTAL IMPERVIOUS AREA: 255,067 SF (72.83% OF LEASABLE AREA)
 OPEN SPACE: 2.23 AC x 20% = 0.45 AC (19,462 SF)
 REQUIRED: 2.18 AC (95,155 SF)
 PROVIDED:

BUILDING SETBACKS:
 FRONT (SR 441/US 27): 50 FEET
 20 FEET
 SIDE: 10 FEET
 REAR: 10 FEET

PAVING SETBACKS:
 FRONT: 10 FEET
 SIDE: 10 FEET
 REAR: 10 FEET

REQUIRED PARKING:
 GENERAL RETAIL - 1 SPACE/200 GFA: 280 SPACES
 (56,000 GFA/200):
 TOTAL PARKING SPACES REQUIRED: 280 SPACES

PROVIDED PARKING:
 REGULAR SPACES (10'x20'): 276 SPACES
 HANDICAP SPACES: 12 SPACES
 TOTAL SPACES PROVIDED: 288 SPACES

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	50.00'	19.99'	N87°08'09"E	19.86'	22°54'37"	10.13'
C2	50.00'	38.15'	N53°49'23"E	37.23'	43°42'54"	20.06'
C3	200.00'	192.55'	S0°09'49"W	185.20'	55°09'40"	104.47'
C4	200.00'	14.74'	S29°51'17"W	14.73'	4°13'17"	7.37'
C5	22.00'	34.56'	S76°57'56"W	31.11'	90°00'00"	22.00'
C6	78.00'	19.40'	N50°54'31"W	19.35'	14°15'05"	9.75'
C7	78.00'	60.01'	N21°44'38"W	58.54'	44°04'41"	31.58'
C8	162.00'	74.11'	N13°24'02"E	73.47'	26°12'40"	37.72'
C9	162.00'	15.44'	N29°14'09"E	15.43'	5°27'34"	7.72'
C10	326.00'	215.89'	S39°03'46"E	211.96'	37°56'35"	112.07'

LINE TABLE		
LINE	LENGTH	BEARING
L1	101.46	S58°02'03.84"E
L2	111.46	S58°02'03.84"E
L4	10.00	S58°02'03.84"E
L6	239.50	N31°57'56.16"E
L7	224.09	N31°57'56.16"E
L8	30.00	N31°57'56.16"E
L9	54.27	S58°02'03.84"E
L10	64.00	S58°02'03.84"E
L11	64.00	S58°02'03.84"E
L12	74.00	S58°02'03.84"E
L13	64.00	S58°02'03.84"E
L14	64.00	S58°02'03.84"E
L15	74.00	S58°02'03.84"E
L16	54.00	S58°02'03.84"E
L17	120.00	N31°57'56.16"E
L18	64.00	N31°57'56.16"E
L19	33.78	S81°24'32.86"E
L20	228.00	S58°02'03.84"E
L21	64.00	S58°02'03.84"E
L22	55.00	S58°02'03.84"E
L23	60.66	N31°57'56.16"E
L24	125.17	N31°57'56.16"E
L25	4.67	S81°24'32.86"E

LINE TABLE		
LINE	LENGTH	BEARING
L26	81.42	S58°02'03.84"E
L27	90.60	S58°02'03.84"E
L28	185.83	N31°57'56.16"E
L29	80.00	S58°02'03.84"E
L30	184.00	N31°57'56.16"E
L31	184.00	N31°57'56.16"E
L32	184.00	N31°57'56.16"E
L33	184.00	N31°57'56.16"E
L34	184.00	N31°57'56.16"E
L35	184.00	N31°57'56.16"E
L36	90.84	N01°17'42.22"E
L37	512.27	S58°02'03.84"E
L38	239.50	N31°57'56.16"E
L39	421.10	N31°57'56.16"E
L40	254.09	N31°57'56.16"E
L41	122.84	N31°57'56.16"E
L42	83.28	N31°57'56.16"E
L43	38.45	S81°24'32.86"E
L44	347.00	S58°02'03.84"E
L45	181.60	N31°57'56.16"E

NOTE:
 L3 AND L5 PURPOSELY OMITTED

CALL 48 HOURS BEFORE YOU DIG
 IT'S THE LAW! DIAL 811
 Know what's below. Call before you dig.

Kimley»Horn
 © 2014 KIMLEY-HORN AND ASSOCIATES, INC.
 3660 MAGUIRE BOULEVARD, SUITE 200, ORLANDO, FL 32803
 PHONE: 407-898-1511
 WWW.KIMLEY-HORN.COM CA 00000696

LICENSURE PROFESSIONAL
 JAY R JACKSON, P.E.
 FLORIDA LICENSE NUMBER 54247

KHA PROJECT 049372008
 DATE 08/08/2014
 SCALE AS SHOWN
 DESIGNED BY RWS
 DRAWN BY RWS
 CHECKED BY JRJ

OVERALL SITE PLAN

LADY LAKE CROSSING
 TOWN OF LADY LAKE
 FLORIDA

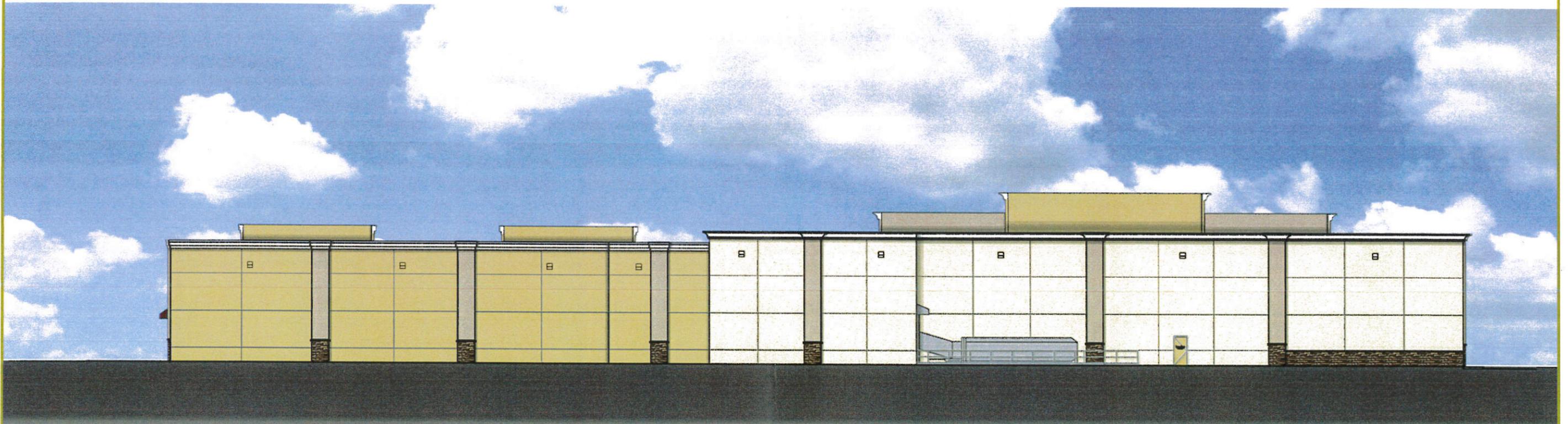
REVISIONS
 NO. DATE



Front Elevation



Left Side Elevation



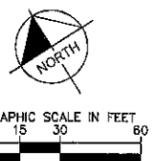
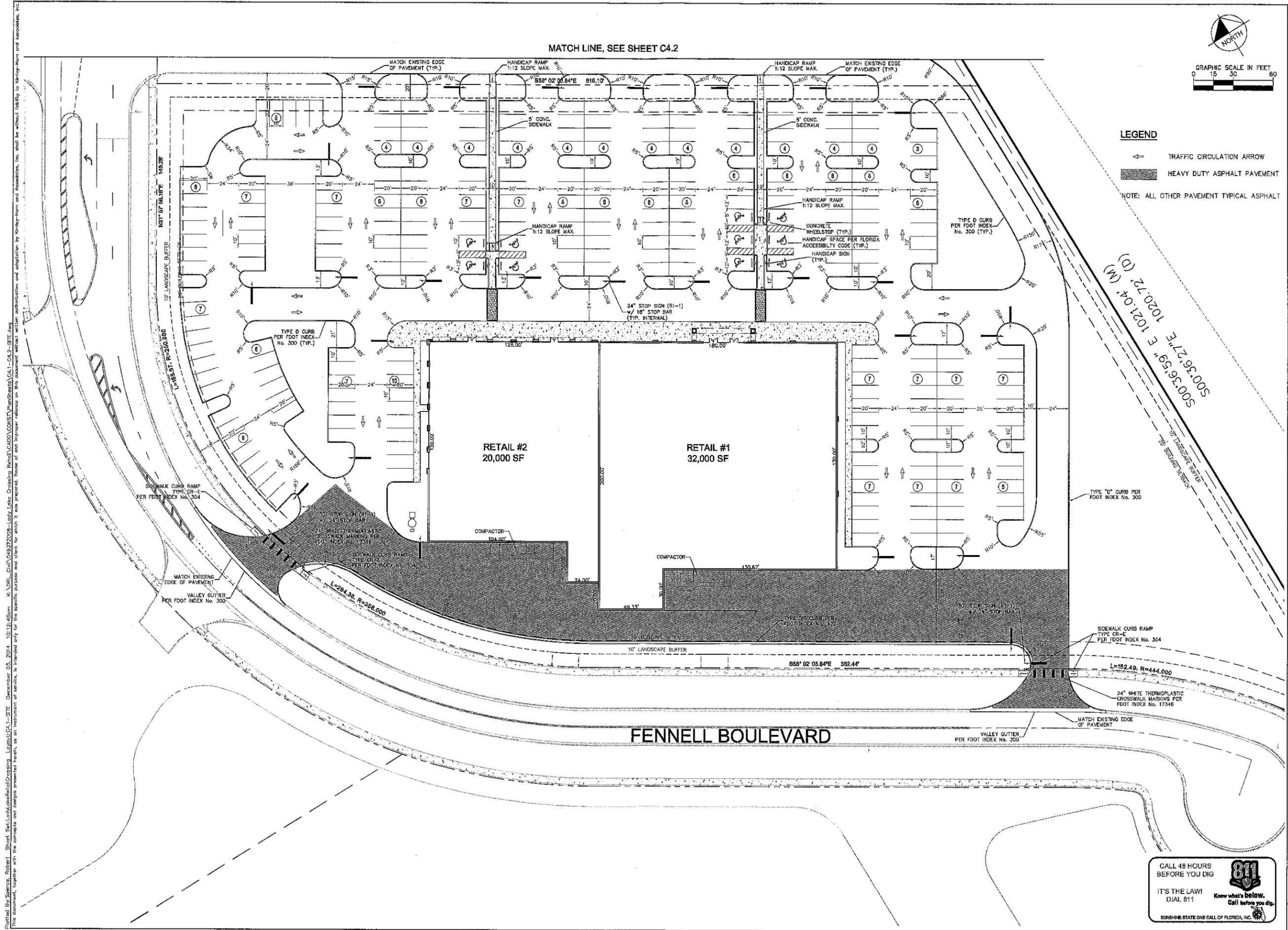
Rear Elevation

2130712 LADY LAKE CROSSING EAST



Right Side Elevation

2130712 LADY LAKE CROSSING EAST



LEGEND

→ TRAFFIC CIRCULATION ARROW

■ HEAVY DUTY ASPHALT PAVEMENT

NOTE: ALL OTHER PAVEMENT TYPICAL ASPHALT

MATCH LINE, SEE SHEET C4.2

FENNEL BOULEVARD

RETAIL #2
20,000 SF

RETAIL #1
32,000 SF

<p>Kimley»Horn</p> <p>© 2014 KIMLEY-HORN AND ASSOCIATES, INC. 3650 MAGUIRE BOULEVARD, SUITE 200, ORLANDO, FL 32803 PHONE: 407-868-1511 WWW.KIMLEY-HORN.COM CA 00006868</p>	
<p>LICENSED PROFESSIONAL</p> <p>JAY R JACKSON, P.E.</p> <p>FLORIDA LICENSE NUMBER 54247</p>	<p>DATE 08/05/2014</p> <p>SCALE AS SHOWN</p> <p>DESIGNED BY RWS</p> <p>DRAWN BY RWS</p> <p>CHECKED BY JRL</p> <p>DATE</p>
<p>SITE PLAN</p>	
<p>LADY LAKE CROSSING</p> <p>TOWN OF LADY LAKE</p> <p>FLORIDA</p>	
<p>SHEET NUMBER C4.1</p>	

CALL 48 HOURS BEFORE YOU DIG

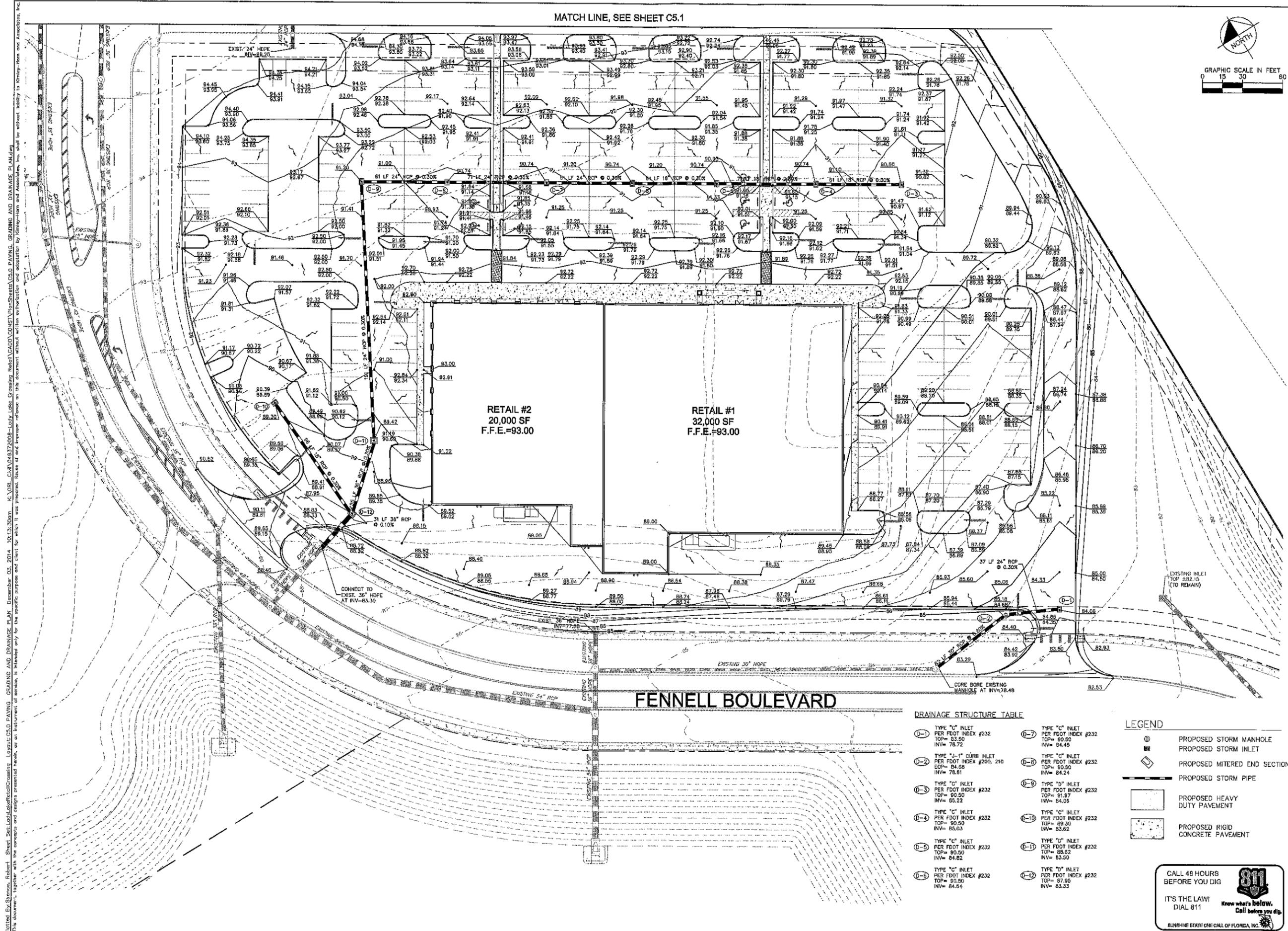
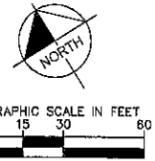
IT'S THE LAW! DIAL 811

Know what's below. Call before you dig.

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

Plotted By: Spencer, Robert. Sheet: LadyLakesRetailCrossing_LADYLAKE-1-SITE December 03, 2014 10:12:45am K:\ORL_Civil\048372009-LADY Lake Crossing Retail\CAD\CONST\PlanSheets\C4-1-SITE.dwg
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Review of and approval of this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

MATCH LINE, SEE SHEET C5.1



Plotted By: Spencer, Robert. Sheet Set: Lady Lake Retail Crossing - LEV/LS/D PAVING, GRADING AND DRAINAGE PLAN. December 03, 2014. 10:13:30am. K:\VPL\CA\049372008-Lady Lake Crossing Retail\CA\CONSTR\Plan\Sheet\C5.1.dwg. Created: Retail\CA\CONSTR\Plan\Sheet\C5.1.dwg. This document, together with the concepts and designs presented herein, is an instrument of service, as an instrument of service, it is intended to be used in conjunction with the specific purpose and client for which it was prepared. Failure of any engineer or architect to adhere to the specific purpose and client for which it was prepared, without the written authorization and signature of the engineer or architect, shall be without liability to Kimley-Horn and Associates, Inc.

Kimley»Horn
 © 2014 KIMLEY-HORN AND ASSOCIATES, INC.
 3666 MAGUIRE BOULEVARD, SUITE 200, ORLANDO, FL 32803
 PHONE: 407-886-1511
 WWW.KIMLEY-HORN.COM CA 00000696

Licensed Professional
 JAY R. JACKSON, P.E.
 FLORIDA LICENSE NUMBER: 54247
 CHECKED BY: JRS DATE:

PAVING, GRADING AND DRAINAGE PLAN

LADY LAKE CROSSING
 TOWN OF LADY LAKE, FLORIDA
 SHEET NUMBER
C5.0

DRAINAGE STRUCTURE TABLE

- | | |
|---|--|
| <p>⊖-1 TYPE "C" INLET PER FOOT INDEX #232 TOP= 83.50 INV= 78.72</p> <p>⊖-2 TYPE "L-1" CURB INLET PER FOOT INDEX #200, 210 EOP= 84.68 INV= 78.81</p> <p>⊖-3 TYPE "C" INLET PER FOOT INDEX #232 TOP= 80.50 INV= 85.22</p> <p>⊖-4 TYPE "C" INLET PER FOOT INDEX #232 TOP= 80.50 INV= 85.03</p> <p>⊖-5 TYPE "C" INLET PER FOOT INDEX #232 TOP= 80.50 INV= 84.82</p> <p>⊖-6 TYPE "C" INLET PER FOOT INDEX #232 TOP= 80.50 INV= 84.54</p> | <p>⊖-7 TYPE "C" INLET PER FOOT INDEX #232 TOP= 80.50 INV= 84.49</p> <p>⊖-8 TYPE "C" INLET PER FOOT INDEX #232 TOP= 80.50 INV= 84.24</p> <p>⊖-9 TYPE "D" INLET PER FOOT INDEX #232 TOP= 81.97 INV= 84.05</p> <p>⊖-10 TYPE "C" INLET PER FOOT INDEX #232 TOP= 89.30 INV= 83.62</p> <p>⊖-11 TYPE "D" INLET PER FOOT INDEX #232 TOP= 86.62 INV= 83.50</p> <p>⊖-12 TYPE "D" INLET PER FOOT INDEX #232 TOP= 87.80 INV= 83.33</p> |
|---|--|

LEGEND

- ⊖ PROPOSED STORM MANHOLE
- ⊖ PROPOSED STORM INLET
- ▭ PROPOSED MITERED END SECTION
- PROPOSED STORM PIPE
- ▭ PROPOSED HEAVY DUTY PAVEMENT
- ▭ PROPOSED RIGID CONCRETE PAVEMENT

CALL 48 HOURS BEFORE YOU DIG
 IT'S THE LAW!
 DIAL 811

 Know what's below. Call before you dig.
 SUNSHINE STATE ONE CALL OF FLORIDA, INC.

R: TOWN OF LADY LAKE
409 FENNEL BOULEVARD
LADY LAKE, FL 32159

ORDINANCE 2006 - 04

LIBRARY COUNTY CLERK OFFICE
CFN 2006027451
Bk 03090 Pgs 0819 - 820 (12pgs)
DATE: 02/22/2006 08:02:43 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 103.50

AN ORDINANCE REDESIGNATING ZONING CLASSIFICATION FOR CERTAIN PROPERTIES OWNED BY SRK LADY LAKE 43 ASSOCIATES, LLC, f/k/a M/Z ASSOCIATES, LLC, a/k/a BENCHMARK DEVELOPMENT AND LOCATED WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE, FLORIDA; REZONING SUBJECT PROPERTIES FROM PLANNED UNIT DEVELOPMENT "PUD" AS SET FORTH IN ORDINANCE NO. 97-08 RECORDED IN OFFICIAL RECORDS BOOK 1654, PAGE 2308, PUBLIC RECORDS OF LAKE COUNTY, TO PLANNED UNIT DEVELOPMENT "PUD" AS SET FORTH HEREIN; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

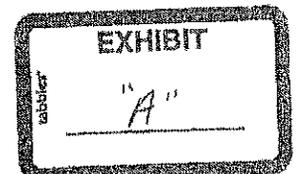
WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida, and Official Zoning Map in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

WHEREAS, on November 3, 1997, the Town of Lady Lake redesignated the zoning classification for said properties to Planned Unit Development ("PUD") as more particularly set forth in Ordinance no. 97-08 recorded in Official Records Book 1654, Page 2308, Public Records of Lake County, Florida and the Owner, SRK Lady Lake 43 Associates, LLC f/k/a M/Z Associates, LLC, a/k/a Benchmark Development (hereinafter the "Owner"), desires to redesignate the properties at issue as more particularly set forth herein.

WHEREAS, the Town Commission of the Town of Lady Lake held a public hearing to consider a proposed amendment to the Official Zoning Map and determined



that said amendment as proposed is consistent with the Town of Lady Lake Comprehensive Plan and meets the requirements of the Town of Lady Lake Land Development Regulations.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE:

Section 1. Approval of PUD The Owner's petition concerning the properties at issue which are located in the Town limits of the Town of Lady Lake, and more particularly described in Exhibit "A" attached hereto and incorporated herein, is approved. The properties at issue are zoned Planned Unit Development ("PUD") as set forth in the Memorandum of Agreement ("Exhibit B") and as shown on the Bubble Plan ("Exhibit C") both of which are attached hereto and incorporated herein. Said petition has been approved by the Town Commission of the Town of Lady Lake in accordance with the Town of Lady Lake Comprehensive Plan, the Land Development Regulations of the Town of Lady Lake, the Charter of the Town of Lady Lake and Florida Statutes. The property described in Exhibit "A" hereto is hereby rezoned to Planned Unit Development ("PUD") as set forth herein.

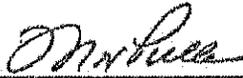
Section 2. Conflicting Provisions Repealed. To the extent this Ordinance conflicts with Ordinance No. 97-08, recorded in Official Records Book 1654, Page 2308, Public Records of Lake County, Florida, this Ordinance supersedes any conflicting provisions and such conflicting provisions in Ordinance No. 97-08 are hereby repealed.

Section 3. Severability. If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not effect the remaining portions of this ordinance; and it shall be construed to have been the Town Commission's intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or

any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not effect the applicability thereof to any other person, property or circumstances.

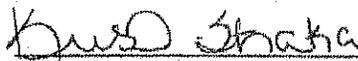
Section 4. Effective Date. This ordinance shall become effective upon passage.

PASSED AND ORDAINED this 11th day of February, 2006, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the second and final reading.

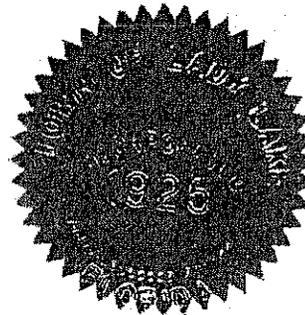


Max Pullen, Mayor

ATTEST:



Kristen Straka, Town Clerk



Approved as to Form:


Derek Schroth, Town Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

Parcel "A"

A PARCEL OF LAND LYING IN THE NORTHEAST ¼ OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 24 EAST LAKE COUNTY, FLORIDA, RUN N89°43'50"W, ALONG THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 1327.74 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 17 FOR A POINT OF BEGINNING; THENCE CONTINUE N29°43'50" DISTANCE OF 833.52 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 500/U.S. 27; THENCE RUN S58°56'45"E, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 580.63 FE TO A POINT ON THE EAST LINE OF THE NORTHEAST ¼ OF THE NORTHWEST 1/4 OF SAID SECTION THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN S00°36'27"E, ALONG SAID EAST LINE, A DISTANCE OF 1020.72 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 17; THENCE DEPARTING SAID EAST LINE, RUN S89°43'02"W, ALONG THE SOUTH LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 17, A DISTANCE OF 1326.54 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 17; THENCE DEPARTING SAID SOUTH LINE, RUN N00°39'32"W, A DISTANCE OF 1322.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 38.597 ACRES, MORE OR LESS.

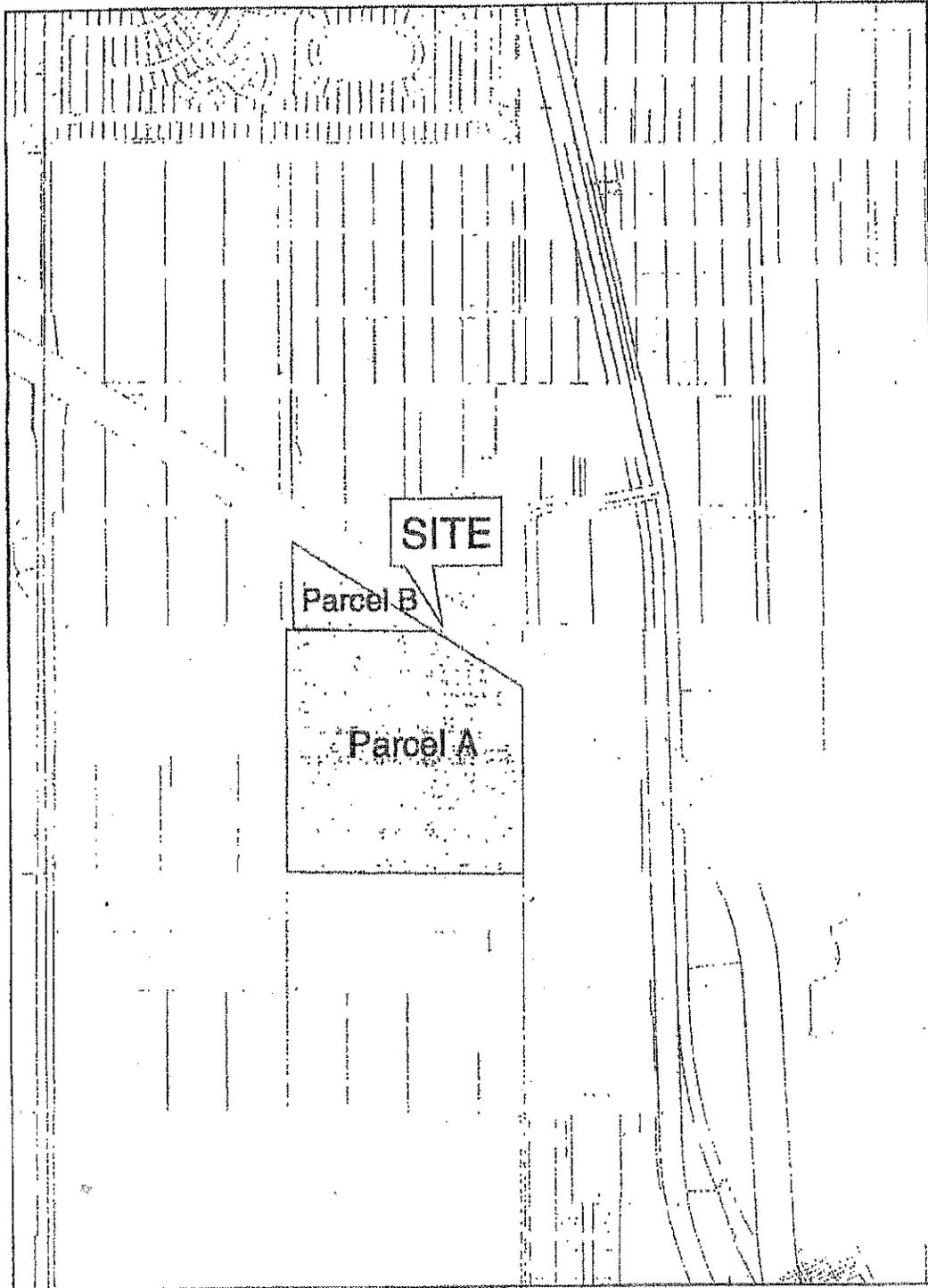
AND ALSO: (PARCEL B)

A PARCEL OF LAND LYING IN THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN N89°43'50"W, ALONG THE SOUTH LINE OF SAID SECTION 8, A DISTANCE OF 1327.74 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 8 FOR A POINT OF BEGINNING; THENCE RUN N31°03'15"E, A DISTANCE OF 433.32 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 500/U.S.27; THENCE RUN S58°56'45"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 712.03 FE TO A POINT ON THE AFORESAID SOUTH LINE OF AFORESAID SOUTH LINE OF SAID SECTION 8; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN S 89°43'50"W, ALONG SAID SOUTH LINE, A DISTANCE OF 833.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.542 ACRES, MORE OR LESS.

SRK LADY LAKE 43 ASSOCIATES LLC



The quality of this image
is equivalent to the quality
of the original document.



EXHIBIT "B"

MEMORANDUM OF AGREEMENT

This memorandum of agreement, dated this 11th day of February 2006 between SRK Lady Lake 43 Associates, LLC, f/k/a M/Z Associates, LLC, d/b/a Benchmark Development, hereinafter referred to as the Developer, and the Town of Lady Lake, Florida, hereinafter referred to as the Town.

This Planned Unit Development is granted by the Town of Lady Lake Commission, Lake County, Florida to the Developer for the purposes and terms, and conditions as set forth hereon pursuant to authority granted by the Town Charter, Land Development Regulations, and Comprehensive Plan.

BACKGROUND: The Developer is desirous of obtaining a Commercial Planned Unit Development (PUD) zoning classification to allow a variety of medical, professional office and commercial uses as described herein.

1. Permission

Permission is granted to the Developer to construct, operate, and maintain a Planned Unit Development in and on real property in the Town of Lady Lake, Florida. The property is more particularly described as:

Parcel "A"

A parcel of land lying in the Northeast ¼ of the Northwest ¼ of Section 17, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows:

Commence at the Northwest corner of Section 17, Township 18 South, Range 24 East, Lake County, Florida, run N89°43'50"W, along the North line of said Section 17, a distance of 1327.74 feet to the Northwest corner of the Northeast ¼ of the Northwest ¼ of said Section 17 for a point of beginning; thence run continue N89°43'50"E, a distance of 833.52 to a point on the southerly right-of-way line of State Road 500/U.S. 27; thence run S58°56'45"E, along said right-of-way line, a distance of 580.63 feet to a point on the East line of the Northeast ¼ of the Northwest ¼ of said Section 17; thence departing said right-of-way line, run S00°36'27"E, along said East line, a distance of 1020.72 feet to the Southeast corner of the Northeast ¼ of the Northwest ¼ of said Section 17; thence departing said East line, run S89°43'02"W, along the South line of the Northeast ¼ of the Northwest ¼ of said Section 17, a distance of 1326.54 feet to a point on the West line of the Northeast ¼ of the Northwest ¼ said Section 17; thence departing said South line, run N00°39'32"W, a distance of 1322.89 feet to the point of beginning.

Containing 38.587 acres, more or less.

And also: (Parcel B)

A parcel of land lying in the Southeast ¼ of the Southwest ¼ of Section 8, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows:

Commence at the Southwest corner of Section 8, Township 18 South, Range 24 East, Lake County, Florida, run N89°43'50"W, along the South line of said Section 8, a distance of 1327.74 feet to the Southwest corner of the Southeast ¼ of the Southwest ¼ of said Section 8 for a point of beginning; thence run N31°03'15"E, a distance of 433.32 to a point on the southerly right-of-way line of State Road 500/U.S. 27; thence run S58°56'45"E, along said right-of-way line, a distance of 712.03 feet to a point on the aforesaid South line of said Section 8; thence departing said right-of-way line, run S89°43'50"W, along said South line, a distance of 833.52 feet to the point of beginning.

Containing 3.542 acres, more or less.

2. Land Use

The above described property, containing 42.129± acres, shall be used for the following uses. The tract designations correspond to the attached Concept Plan.

<u>Tracts</u>	<u>Permitted Uses</u>
A, B & C	All permitted uses in the LC, CT, and HC zoning districts.

ALL	<u>Prohibited Uses:</u> Bars, Lounges, and Night Clubs (Restaurants with liquor licenses are permitted) Kennels, boarding Mini-storage warehouses Mobile Home Sales Motor vehicle, RV and Boat Storage Facilities
-----	--

3. Design Standards

A. Impervious Surface Ratio

The maximum impervious surface ratio shall be 80%.

B. Access

Direct ingress and egress to the development shall be from only (1) entrance road entering from SR 500 (U.S. 27), as shown on the attached Concept Plan. Such Direct Access Road shall be substantially as shown on the Concept Plan, but may be extended south along Clay Street, provided offsite right-of-way can be obtained by the Town. In that event, the Town and the Owner shall cooperate to extend Clay Street southward, through a separate agreement, which shall provide for impact fee credits and/or direct reimbursement for design, permitting and construction costs expended by the Owner.

C. Maximum Height of Structures

No structure shall exceed thirty-five (35) feet without proof of adequate fire protection being provided to the Town.

D. Distance from Property Boundaries

All structures shall be setback a minimum of ten (10) feet from property contiguous to the PUD boundaries. The setback between structures shall be a minimum of ten (10) feet unless structures abut in which case the setback shall be zero feet. The front setback shall be a minimum of fifty (50) feet from an arterial roadway.

The Property shall be developed substantially in accordance with the Concept Plan, however, nonsubstantial deviations in lot or building size and location, road layout, and similar improvements may be made by approval of the Town Manager or designee, without formal amendment to Ordinance No. ~~2006-04~~ or this Agreement.

E. Parking

Individual parking spaces shall be 10' x 18'. Parking requirements shall be as required to support each specific use. Parking shall meet the parking requirements of the Land Development Regulations.

4. Open Space

A. Open Space

The Developer shall provide a minimum of twenty (20) percent of the PUD site as common space and recreation area. Said space may be

developed as, but not limited to, lakes, landscaped areas and/or passive recreational area(s).

B. Maintenance of Open Space and Recreational Areas

The Town will not be responsible for the maintenance of any common open space or recreational structure or area(s). The Developer shall be responsible for maintaining recreational areas or establishing an appropriate legal entity with the ability to pay the cost on maintaining such.

5. Improvement Plans

A. The Developer or its designee shall provide all necessary improvements within PUD. This shall include roads and parking areas, drainage, water, wastewater, solid waste disposal, street lights, C.A.T.V., telephone and power. The Town of Lady Lake Subdivision Regulations shall apply.

B. Utilities

Prior to receiving Final Development Plan approval, the Developer shall submit a Master Site Plan, Utilities Improvement Plan and Drainage Plan acceptable to the Town. The plans may be submitted and constructed in phases at the option of the Developer pursuant to the Town's approval.

C. Roads

All roads shall be constructed according to the road specifications listed below:

1. All edge of pavement radii shall be a minimum of twenty-five (25) feet except at parking areas which may be ten (10) feet.
2. Minimum width of streets shall be twenty (20) feet.
3. Streets shall be constructed to Town standards. Width, thickness and compaction for subgrade, base and asphalt surface will be the same as the standard Town typical specifications.

6. Maintenance

The Town will not be responsible for the maintenance of any onsite transportation improvement not dedicated to the Town. The Developer shall be responsible for maintaining the onsite transportation improvements not dedicated to the Town or establish an appropriate legal entity to pay the cost of maintaining such.

7. Landscaping

Plans and site design for the installation of landscaping shall be submitted with the major site plan approval.

8. Interior Improvements

A. Maintenance

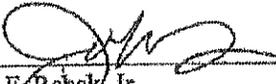
With the exception of public utilities, such as telephone, electric and cable television, maintenance of all site improvements shall be the responsibility of the Developer or a legally created entity established for such. The Town will not be responsible for the maintenance of any of the above improvements.

9. Plat Requirements

- A. Prior to request of any building permits from the Town, the Developer shall submit a Preliminary Plan of the subdivision pursuant to Ordinance No. 94-08 Town of Lady Lake PUD Land Development Regulations Ordinance.
- B. The Developer shall submit Improvement Plans. Upon issuance of a development order, the Developer may commence development construction but no certificate of occupancy may be issued prior to final platting. Chapter 8, Section 6 of the Land Development Regulations shall apply.
- C. The PUD project may be developed and platted in phases in which event the requirements of this agreement will apply to each phase only.
- D. The Developer shall submit a final subdivision plat conforming to Chapter 177 Florida Statutes depicting lots and common areas within thirty (30) months of final development approval date.
- E. The Developer shall submit an opinion of title current with ninety (90) days of the requested final plat review, in accordance with Chapter 177, Florida Statutes.
- F. Upon recording of the Final Plat of each Phase in the Public Records, the Developer shall provide the Town with a copy of the plat which shall include plat book and page numbers.
- G. The Developer shall submit Record Drawings to the Town upon completion of the project.

- H. The final plat must be approved by the Town Commission and recorded in the public records of Lady Lake County prior to the developer selling any lot or parcel; provided however, notwithstanding anything herein to the contrary, the developer may gain approval, sell and begin construction of up to two lots or buildings prior to plat approval as a lot split or site plan approval, provided all Town, regional and state requirements are met.

SRK Lady Lake 43 Associates, LLC
f/k/a M/Z Associates, LLC
a/k/a Benchmark Development

By: 
John F. Rehak, Jr.,
Vice President

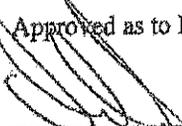
The Town of Lady Lake, Florida
Lady County, Florida

By: 
Mr. Mike Fuller, Mayor

Attest:


K. S. Shaker

Approved as to Form:


Mr. Alan Schrey, Town Attorney

Phyllis Ehart

SRK 42.

From: Bill Vance
Sent: Thursday, November 09, 2006 11:16 AM
To: Phyllis Ehart
Subject: FW: Letter supporting administrative deviation of PUD Lot Line.

Attachments: gw1185.pdf



gw1185.pdf (631 KB)

-----Original Message-----

From: Jimmy Crawford [mailto:Jcrawford@gray-robinson.com]
Sent: Wednesday, November 08, 2006 4:29 PM
To: Bill Vance
Cc: jrehak@benchmarkgrp.com; MDelleBovi@benchmarkgrp.com
Subject: Letter supporting administrative deviation of PUD Lot Line.

Bill: Thanks, please let me know if you need more than the attached letter. The original is coming snail mail.

Jimmy

Jimmy D. Crawford
GrayRobinson
1635 East Hwy. 50
Suite 300
Clermont, Florida 34711
352.394.2103 phone
352.394.2105 facsimile

THIS DOCUMENT CONTAINS LEGALLY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, DISSEMINATION OR DISTRIBUTION OF THIS MESSAGE IS PROHIBITED. IF THIS EMAIL WAS RECEIVED IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN EMAIL. THANK YOU.

SECTION 8 & 17, TOWNSHIP 22 SOUTH, RANGE 30 EAST
VICINITY MAP
N.T.S.

LEGAL DESCRIPTION
PARCEL "A"

A PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN N89°43'50"W, ALONG THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 1327.74 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17 FOR A POINT OF BEGINNING; THENCE CONTINUE N29°43'50"E, A DISTANCE OF 833.52 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 500/US. 27; THENCE RUN S58°56'45"E, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 580.63 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN S00°36'27"E, ALONG SAID EAST LINE, A DISTANCE OF 1028.72 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE DEPARTING SAID EAST LINE, RUN S89°43'02"W, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17, A DISTANCE OF 1326.54 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE DEPARTING SAID SOUTH LINE, RUN N00°39'32"W, A DISTANCE OF 1322.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 38.597 ACRES, MORE OR LESS.

AND ALSO (PARCEL B)

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN N89°43'50"W, ALONG THE SOUTH LINE OF SAID SECTION 8, A DISTANCE OF 1327.74 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8 FOR A POINT OF BEGINNING; THENCE RUN N81°03'18"E, A DISTANCE OF 433.32 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 500/US. 27; THENCE RUN S58°56'45"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 712.03 FEET TO A POINT ON THE AFORESAID SOUTH LINE OF SAID SECTION 8; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN S89°43'50"W, ALONG SAID SOUTH LINE, A DISTANCE OF 833.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.543 ACRES, MORE OR LESS.

APPLICANT:
BENCHMARK DEVELOPMENT
4053 MAPLE ROAD
AMHERST, NEW YORK 14226-3772
PHONE (716) 833-4986
FAX (716) 833-2954
CONTACT: JOHN R. BHAK, JR.

CIVIL ENGINEER:
KIMBLEYHORN & ASSOCIATES, INC.
3660 MAGUIRE BLVD, SUITE 200
ORLANDO, FL 32803
PHONE: (407) 898-1511
FAX: (407) 894-4791
CONTACT: JAY JACKSON

PHASING

THIS PROJECT SHALL BE DONE IN MULTIPLE PHASES DEPENDING ON MARKET DEMAND.

STORMWATER MANAGEMENT

THE PROJECT WILL BE DESIGNED WITH CENTRAL STORMWATER MANAGEMENT FACILITY UNDER CRITERIA IN ACCORDANCE WITH THE TOWN OF LADY LAKE AND SJRWMD STANDARDS.

UTILITIES

DOMESTIC WATER, WASTE WATER AND FIRE PROTECTION SERVICES SHALL BE PROVIDED BY THE TOWN OF LADY LAKE UTILITIES.

PERMITTED PUD COMMERCIAL USES

ALL USES PERMITTED UNDER THE LC, CT AND HC ZONING DISTRICTS AND OTHERS DEEMED APPROPRIATE BY THE TOWN MANAGER, LESS THOSE PROHIBITED USES SHOWN IN THE MEMORANDUM OF AGREEMENT.

MAXIMUM DENSITY

COMMERCIAL - 10,000 SF/GA.ACRE
HOTEL - 60 UNITS/ACRE
MULTIFAMILY - 12 UNITS/ACRE

OPEN SPACE

TWENTY PERCENT OPEN SPACE AS SHOWN IN THE MEMORANDUM OF AGREEMENT.

NUMBER/USE/TYPE OF BUILDINGS

TRACT A - 8 BUILDINGS/LC, CT AND HC
TRACT B - 10 BUILDINGS/LC, CT AND HC
TRACT C - 20 BUILDINGS/LC, CT AND HC (40 BUILDINGS IF MULTIFAMILY)

FLOOR AREA RATIO

FLOOR AREA FOR COMMERCIAL = 0.30
FLOOR AREA FOR HOTEL = 150

BUILDING HEIGHTS

MAX. BUILDING HEIGHTS TO CONFORM WITH TOWN LDR. REQUIREMENTS WITH EVIDENCE OF ADEQUATE FIRE PREVENTION.

EXISTING ZONING: HEAVY COMMERCIAL

4. Recommend that the application be denied.
- E) Town Commission Approval. The Town Commission shall consider the submitted plan and rezoning application at a regularly scheduled meeting to determine if the submittal meets the requirements of this Code. Upon consideration of the comments of the TRC, the public, and the recommendation of the Planning and Zoning Board, the Town Commission shall take one of the following actions:
1. Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
 2. Approve the application.
 3. Approve the application with conditions.
 4. Deny the application.
- 10) Alterations to Conceptual Development Plan. All alterations to the approved Conceptual Development Plan shall be classified as either substantial or non-substantial alterations as determined by the Town Manager. The following criteria shall be used to identify a substantial alteration.
- A) A change which would include a land use not previously permitted under the approved PUD zoning.
 - B) A change that would increase the land use intensity by ten percent (10%) within any development phase without a corresponding decrease in some other portion of the overall PUD.
 - C) A change that would require an amendment to the conditions approved by the Town Commission.

Alterations to the Conceptual Development Plan which are determined to be substantial must be submitted with plans, support data and fee for review by the TRC, the Planning and Zoning Board and the Town Commission.

- 11) Execution of Master Development Agreement. The second reading of the ordinance for designating any land as a PUD shall not take place until the developer has provided an executed copy of the master development agreement to the Town Manager or designee. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. The document shall also include reduced copies of the revised Conceptual Development Plan exhibits or Memorandum of Agreement with bubble plan. If there are no additional requirements, corrections or conditions attached by the Town Commission at the second reading, the executed document shall be signed by the Town Manager and Mayor and forwarded to the County Clerk for recording. If there are additional requirements, corrections or conditions attached by the Town Commission at the second reading, the applicant shall revise the development agreement and Conceptual Development Plan or Memorandum of Agreement and bubble plan and return the documents to the Town Manager within thirty (30) days for execution and recording. The requirement to return the document within thirty (30) days shall be specified by the Town Commission as a condition for approval of the rezoning.
- 12) Timely Resubmission



SPECIAL TOWN COMMISSION - CONCEPTUAL WORKSHOP AGENDA ITEM

REQUESTED MEETING DATE: December 15, 2014

SUBJECT: Conceptual Presentation of Changes for Rolling Acres Self Storage (Tree Tops) – Proposal for a Manager’s Residence in Phase 2 in an Existing Building Near the Secondary Egress Drive on West Lady Lake Blvd.; Proposal to Change the Planned 12 Mini-Storage Buildings Totaling 41,000 Sq. Ft. to Two Proposed Indoor Motor Vehicle/RV/Boat Storage Buildings Totaling Same; Proposal for an RV Sewage Dump Station Approximately 40’ Inside the Gate at the Secondary Egress Drive; and Cancellation of Proposed Phase 3 of the Project

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDATION:

Staff recommends having the applicant submit an application to amend the Memorandum of Agreement adopted under Ordinance 2013-10 to incorporate the uses as proposed.

SUMMARY:

On December 16, 2013, Tree Tops Golf Inc., received site plan approval for the construction of a development consisting of three (3) phases with thirty-two (32) buildings on a 12.65-acre parcel located at 175 S. Rolling Acres Road (referenced by Alternate Key # 3250290). On December 17, 2014, the Development Order for the first phase of MJSP 10/13-003 was issued consisting of eight (8) buildings, being 110,289 square feet of Mini-Storage Space.

The Memorandum of Agreement of Ordinance 2013-10 was approved for the property by the Town Commission on September 18, 2013 (please find Ordinance 2013-10 with MOA attached). At this time, the applicant is seeking to amend the Memorandum of Agreement to propose the changes as follows:

- A manager's residence was not constructed in Phase 1. This is now proposed in Phase 2 in an existing building near the secondary egress drive on West Lady Lake Boulevard, approximately 763 square feet in size.

- Phase 2 changes the originally planned twelve (12) mini storage buildings totaling 41,000 square feet to two (2) proposed Indoor Motor Vehicle/RV/Boat Storage Buildings totaling 41,400 square feet.
- Phase 2 includes a proposed RV sewage dump station approximately 40' inside the gate at the secondary egress drive.
- Phase 3 is no longer proposed. Six (6) mini storage buildings will not be planned in Phase 3.
- A new total of 152,452 square feet of buildings are planned for the site with a net reduction of 9,548 square feet from the originally approved development. The originally approved building coverage on-site was 162,000 square feet.

The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and property is zoned Planned Commercial (CP). The proposed changes are consistent with the directives of the Comprehensive Plan and zoning classification, provided that the amendments are incorporated and adopted under a revised Memorandum of Agreement.

The applicant has submitted a summary of proposed modifications; which is contained within your packet. Please also find the following items:

- Approved Ordinance 2010-13 with Memorandum of Agreement
- Proposed changes to the Memorandum of Agreement
- Proposed Conceptual Plan to accompany MOA (in color)
- Approved and Proposed Site Plans 24" x 36" in black & white
- Executed Development Order for Phase I

FISCAL IMPACT: \$ _____

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other – Proposed Revision to Site Plan/Memorandum of Agreement

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD



Submitted

12/8/14

Date

12-8-14

FINANCE DEPARTMENT

Approved as to Budget Requirements Date

TOWN ATTORNEY

Approved as to Form and Legality Date

TOWN MANAGER

Approved Agenda Item for: 12/15/14 Date

12/15/11

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain Approved w/Modification

ROLLING ACRES SELF STORAGE

SUMMARY OF PROPOSED MODIFICATIONS

- A manager's residence was not constructed in Phase 1. This is now proposed in Phase 2 in an existing building near the secondary egress drive on West Lady Lake Boulevard. Approximately 763 sf.
- Phase 2 changes the originally planned twelve (12) mini storage buildings totaling 41,000 square feet to two (2) proposed Indoor Motor Vehicle/RV/Boat Storage Buildings totaling 41,400 square feet.
- Phase 2 includes a proposed RV sewage dump station approximately 40' inside the gate at the secondary egress drive.
- Phase 3 is no longer proposed. Six (6) mini storage buildings will not be planned in Phase 3.
- A new total of 152,452 square feet of buildings are planned for the site with a net reduction of 9,548 square feet from the originally approved development. The originally approved building coverage on-site was 162,000 square feet.

EXHIBIT "B"
MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is dated this 18th day of September, 2013-2014 between the Town of Lady Lake, Florida (the "Town") and Rolling Acres Self Storage, aka Tree Tops Golf, Inc. ("Property Owner").

RECITALS

1. The Property Owner is the fee simple owner of certain real property in Lady Lake, Florida as described in the legal description attached as Exhibit "A".
2. On September 10, 2003, the Town and the owner entered into a Memorandum of Agreement ("MOA") pursuant to the provisions of Chapter 5, Section 4) o) 5) a) 1) of the Town's Land Development regulations.
3. The real property described in the legal description is zoned CP "Planned Commercial" pursuant to the Ordinance No. 98-08, November 2, 1998.
4. The applicant wishes to amend the existing MOA to include additional uses.
5. At this time, the parties wish to enter into an amended Memorandum of Agreement pursuant to the provisions of the Town's Land Development Regulations.

NOW THEREFORE, In recognition of the foregoing, the parties agree to the following terms and conditions as part of the CP zoning for that property described in the attached legal description, Exhibit "A".

1. Permitted Uses.
Retail Sales & Services, Miniature Golf and associated retail sales and services, Softball Batting Cages, Golf Driving Range, and associated accessory uses, Mini Storage with Manager's residence and office, Manager's Residence, RV Sewage Dump Station, and Indoor Motor Vehicle/RV/Boat Storage.
2. Uses Expressly Prohibited. Any and all uses other than those aforementioned as "permitted uses" shall be expressly prohibited.
3. Hours of Operation. The hours of operation shall be as follows:
 - A. Open at 7:00 a.m.
 - B. Close at 9:00 p.m.
4. Design Standards.
 - A. The maximum impervious surface ratio (which includes building coverage) shall be limited to eighty percent (80%).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

- B. Maximum building height is thirty-five feet (35') unless adequate fire protection measures are provided.
- C. Setback requirements shall be:
 - 1. Front Yard Setback – Front Yard to Rolling Acres Road & West Lady Lake Boulevard – Twenty-Five (25) feet minimum
 - 2. Side Yard Setback: - Five (5) feet minimum
 - 3. Rear Yard Setback: - Fifteen (15) feet minimum

- 5. Parking and Accessibility. Parking requirements shall be as required pursuant to Chapter 7 of the Town's Land Development Regulations for the specific use. All parking spaces shall be ten by twenty (10 x 20) feet in size. The required parking on the site shall be comprised of a minimum of 59 61 paved parking spaces in conformance with adopted code and as indicated on the site plan. Cross Access Easement to other sites will not be provided based on the nature of the business as a gated mini storage facility operation. The mandatory paving extension of Lady Lake Boulevard shall occur prior to, or concurrent with, the opening of the secondary egress location in Phase II as depicted on the Bubble Plan, and attached hereto as Exhibit "C". The paved access shall comply with all Town road construction standards.

- 6. Landscaping. The applicant shall utilize the existing natural vegetative (Oak Tree) buffer within the property as shown on the site plan for buffer landscape requirements. At which time the property is redeveloped, a Class "A" Landscape Buffer, ten (10) feet in width, shall be installed pursuant to Chapter 10, Landscaping section of the Land Development Regulations. In addition, the west buffer abutting Rolling Acres Road shall contain a decorative fence; all other buffers shall contain decorative (coated) chain link fencing in addition to the landscaping material.

- 7. Water Retention Areas. The drainage and stormwater retention requirements of the Town and the appropriate regulatory agencies shall be met and approved by the Town Consulting Engineer. These areas shall be properly maintained by the developer.

- 8. Lighting. All lighting for the proposed facilities shall be designed and located such that light and/or glare shall be directed upon the subject property only.

- 9. Potable water & Sanitary Sewer. The property described in Exhibit "A" shall connect to the Town of Lady Lake's potable water, central sewer, and reclaim/reuse systems at time of commencement of Phase I. All costs associated with design, permitting, engineering, materials, construction and inspections shall be the sole cost of the developer.

- 10. Development Phases:

- 1 A. Phase I: (~~4~~ 8) Mini storage buildings, parking spaces, front parking
2 lot area, , ~~manager's residence~~, existing retail building,, dumpster area,
3 and retention ponds.
4 B. Phase II: (~~12~~ 2) ~~Additional mini storage buildings~~ Additional Indoor
5 Motor Vehicle RV/Boat Storage Buildings, & parking spaces, retention
6 pond, and secondary egress drive, managers residence and RV sewage
7 dump station.
8 ~~C. Phase III: (6) Additional mini storage buildings & parking spaces~~
9 ~~Manager's Residence.~~

10
11 Note: The mini golf course, batting cages, and associated accessory uses may
12 continue in operation ~~until that time which Phase III improvements~~
13 ~~commence.~~ through the entire development buildout.

- 14
15 11. Compliance with All Requirements. Nothing herein shall relieve the
16 Developer or their successors or assigns from obtaining any local, regional,
17 state or federal permits or compliance with any applicable ordinance, laws,
18 rules or regulations necessary for the development of the property.
19
20 12. Heirs and Successors. The terms and conditions as set forth in this
21 Memorandum of Agreement shall insure to the benefit of, and shall constitute a
22 covenant running with the land and under the terms, conditions and provisions
23 hereof, and shall be legally binding upon any heirs, assigns and successors in
24 title or interest, and shall be subject to each and every condition herein set out.
25
26 13. Recordation. The Memorandum of Agreement shall be recorded in the Public
27 Records of Lake County, Florida.
28
29 14. Enforcement. Enforcement of this Memorandum of Agreement shall be
30 through the Town of Lady Lake Town Commission. Upon approval of this
31 agreement, the aforementioned property shall only be used for the purposes
32 described herein. No change in the use, further expansion of the uses,
33 additions to the uses, or additions to the facilities shall be permitted except as
34 approved by formal amendment of this Memorandum of Agreement. Any
35 other proposed use shall be specifically authorized by amendment and
36 approval of the Town of Lady Lake Commission and shall be legally binding
37 upon any heirs, assigns and successors in title or interest.
38

1 IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first
2 above written.

3
4 **OWNER**

5
6
7
8 By: _____
9 Michael Girard

10
11 State of Florida
12 County of Lake

13
14 The foregoing instrument was acknowledged before me this ____ day of _____,
15 ~~2013-2014~~ by _____, Owner of the Property, who is personally known to
16 me or has produced _____ as identification.

17
18
19
20 My Commission Expires:

21 _____
22 Notary Public, State of Florida
23

24
25 **TOWN OF LADY LAKE, FLORIDA**
26 **LAKE COUNTY, FLORIDA**

27
28
29
30 By: _____
31 James Richards, Mayor
32

33
34 **ATTEST:**

35
36
37 _____
38 Kris Kollgaard, Town Clerk
39

40
41 **APPROVED AS TO FORM:**

42
43
44 _____
45 Derek Schroth, Town Attorney
46

TOWN OF LADY LAKE
409 FENNEL BOULEVARD
LADY LAKE FL 32159



ORDINANCE NO. 2013-10

AN ORDINANCE OF THE TOWN OF LADY LAKE; AMENDING ORDINANCE NO. 98-08; REQUESTING AMENDMENT OF THE MEMORANDUM OF AGREEMENT (MOA) FOR THE PLANNED COMMERCIAL DISTRICT (CP) FOR PROPERTY OWNED BY TREE TOPS GOLF INC., SUBJECT PROPERTY LOCATED AT 175 S. ROLLING ACRES RD. (ALTERNATE KEY #3250290), WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE, FLORIDA; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part II, Florida Statutes, and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida, and Official Zoning Map in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

WHEREAS, on August 12, 2013, pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the Planning and Zoning Board of the Town of Lady Lake reviewed the proposed amendment to the Memorandum of Agreement which is attached hereto as Exhibit "B" and recommended to the Town Commission of the Town of Lady Lake that said amendment be adopted; and

WHEREAS, the Town Commission of the Town of Lady Lake, through Ordinance No. 98-08, approved, at a duly noticed meeting, redesignation of said property owned by Tree Tops Golf Inc., and approved and entered into a Memorandum of Agreement setting forth certain permitted uses under the "CP" zoning; and

WHEREAS, on September 10, 2003, the Town of Lady Lake and Tree Tops Golf Inc. amended the Memorandum of Agreement to include additional uses as recorded in ORB 2418, Pgs. 2070-2074, and at this time, again desire to amend the Memorandum of Agreement and the "CP" zoning to include and establish new permitted uses as well as other terms regarding setbacks, new buildings, landscaping buffers, parking spaces, loading space requirements, and water retention areas.

NOW THEREFORE, be it ordained and enacted by the Town Commission of the Town of Lady Lake, in Lake County, Florida:

Ordinance No. 2013-10

Section 1. Amendment for Changes Within the Site. Said property is more particularly described in Exhibit "A", attached hereto and incorporated herein. The existing "CP" zoning and the existing Memorandum of Agreement entered into by the parties is hereby modified and amended to include and establish new permitted uses as well as other terms regarding setbacks, new buildings, landscaping buffers, parking spaces, loading space requirement and water retention areas.

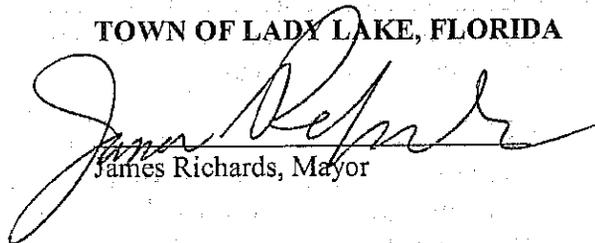
Section 2. Conflict. The prior agreement as adopted under Ordinance No. 98-08 is hereby deleted in its entirety and is replaced in its entirety by Exhibit "B".

Section 3. Severability. If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not effect the remaining portions of this Ordinance; and it shall be construed to have been the Town Commission's intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not effect the applicability thereof to any other person, property or circumstances.

Section 4. Effective Date. This Ordinance shall become effective immediately upon final reading and adoption by the Town Commission of Town of Lady Lake, Florida in accordance with Florida law.

PASSED AND ORDAINED this 18th day of September, 2013, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the Second/Final Reading.

TOWN OF LADY LAKE, FLORIDA


James Richards, Mayor

ATTEST:

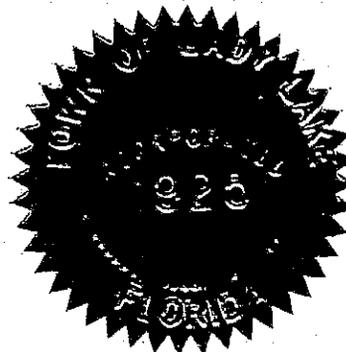


Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:



Derek Schroth, Town Attorney



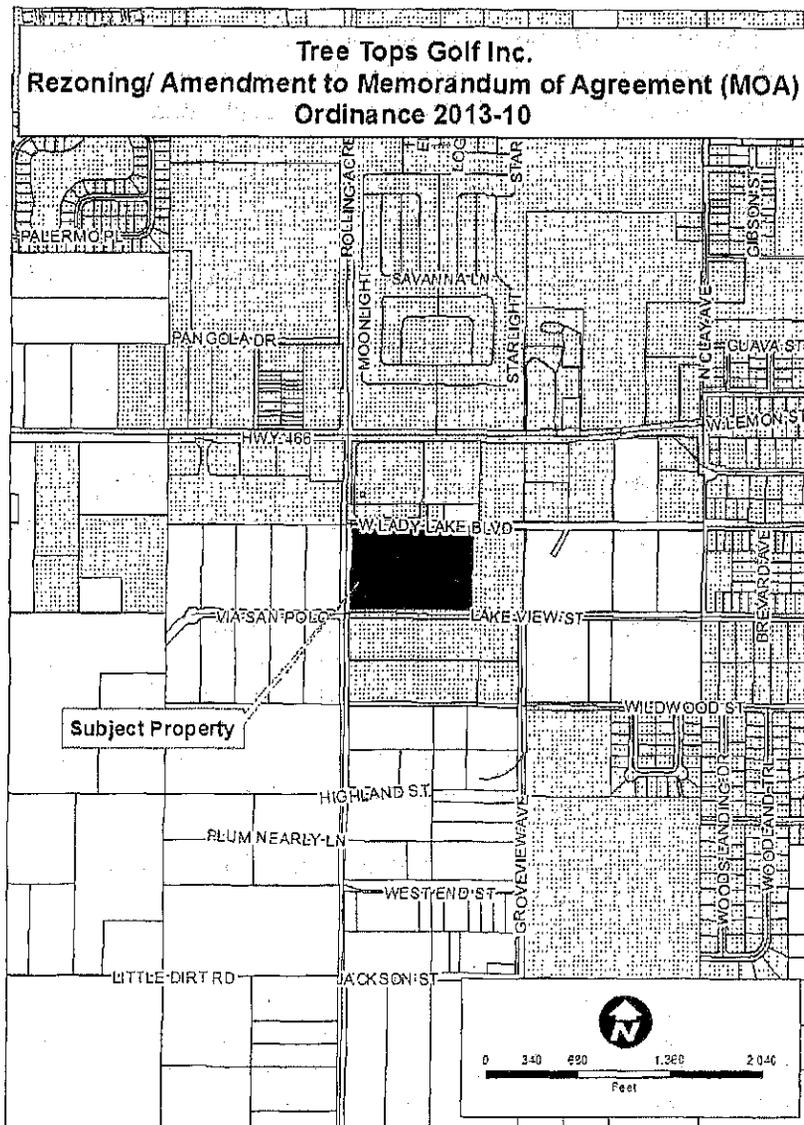
Ordinance No. 2013-10

EXHIBIT "A"
Legal Description

SECTION 20, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA

LADY LAKE, LEE & STEVENS ADD LOT 9, 10, 11--LESS E 46 FT--PB 8 PG 11 ORB
1671 PG 823

Property Appraisers Parcel Identification (Folio) Number: 2018241105-000-00900



Ordinance No. 2013-10

EXHIBIT "B"
MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is dated this 18th day of September, 2013 between the Town of Lady Lake, Florida (the "Town") and Tree Tops Golf, Inc. ("Property Owner").

RECITALS

1. The Property Owner is the fee simple owner of certain real property in Lady Lake, Florida as described in the legal description attached as Exhibit "A".
2. On September 10, 2003, the Town and the owner entered into a Memorandum of Agreement ("MOA") pursuant to the provisions of Chapter 5, Section 4) o) 5) a) 1) of the Town's Land Development regulations.
3. The real property described in the legal description is zoned CP "Planned Commercial" pursuant to the Ordinance No. 98-08, November 2, 1998.
4. The applicant wishes to amend the existing MOA to include additional uses.
5. At this time, the parties wish to enter into an amended Memorandum of Agreement pursuant to the provisions of the Town's Land Development Regulations.

NOW THEREFORE, In recognition of the foregoing, the parties agree to the following terms and conditions as part of the CP zoning for that property described in the attached legal description, Exhibit "A".

1. Permitted Uses. Retail sales & services, miniature golf and associated retail sales and services, softball batting cages, golf driving range and associated accessory uses, mini storage with manager's residence and office.
2. Uses Expressly Prohibited. Any and all uses other than those aforementioned as "permitted uses" shall be expressly prohibited.
3. Hours of Operation. The hours of operation shall be as follows:
 - A. Open at 7:00 a.m.
 - B. Close at 9:00 p.m.
4. Design Standards.
 - A. The maximum impervious surface ratio (which includes building coverage) shall be limited to eighty percent (80%).
 - B. Maximum building height is thirty-five feet (35') unless adequate fire protection measures are provided.
 - C. Setback requirements shall be:

Ordinance No. 2013-10

1. Front Yard Setback – Front Yard to Rolling Acres Road & West Lady Lake Boulevard – Twenty-Five (25) feet minimum
 2. Side Yard Setback: - Five (5) feet minimum
 3. Rear Yard Setback: - Fifteen (15) feet minimum
5. Parking and Accessibility. Parking requirements shall be as required pursuant to Chapter 7 of the Town's Land Development Regulations for the specific use. All parking spaces shall be ten by twenty (10 x 20) feet in size. The required parking on the site shall be comprised of a minimum of 59 paved parking spaces in conformance with adopted code and as indicated on the site plan. Cross Access Easement to other sites will not be provided based on the nature of the business as a gated mini storage facility operation. The mandatory paving extension of Lady Lake Boulevard shall occur prior to, or concurrent with, the opening of the secondary egress location in Phase II as depicted on the Bubble Plan, and attached hereto as Exhibit "C". The paved access shall comply with all Town road construction standards.
6. Landscaping. The applicant shall utilize the existing natural vegetative (Oak Tree) buffer within the property as shown on the site plan for buffer landscape requirements. At which time the property is redeveloped, a Class "A" Landscape Buffer, ten (10) feet in width, shall be installed pursuant to Chapter 10, Landscaping section of the Land Development Regulations. In addition, the west buffer abutting Rolling Acres Road shall contain a decorative fence; all other buffers shall contain decorative (coated) chain link fencing in addition to the landscaping material.
7. Water Retention Areas. The drainage and stormwater retention requirements of the Town and the appropriate regulatory agencies shall be met and approved by the Town Consulting Engineer. These areas shall be properly maintained by the developer.
8. Lighting. All lighting for the proposed facilities shall be designed and located such that light and/or glare shall be directed upon the subject property only.
9. Potable water & Sanitary Sewer. The property described in Exhibit "A" shall connect to the Town of Lady Lake's potable water, central sewer, and reclaim/reuse systems at time of commencement of Phase I. All costs associated with design, permitting, engineering, materials, construction and inspections shall be the sole cost of the developer.
10. Development Phases:
- A. Phase I: (14) Mini storage buildings, parking spaces, front parking lot area, manager's residence, existing retail building,, dumpster area, and retention ponds.
 - B. Phase II: (12) Additional mini storage buildings and parking spaces retention pond, and secondary egress drive.

Ordinance No. 2013-10

C. Phase III: (6) Additional mini storage buildings and parking spaces.

Note: The mini golf course, batting cages, and associated accessory uses may continue in operation until that time which Phase III improvements commence.

11. Compliance with All Requirements. Nothing herein shall relieve the Developer or their successors or assigns from obtaining any local, regional, state or federal permits or compliance with any applicable ordinance, laws, rules or regulations necessary for the development of the property.
12. Heirs and Successors. The terms and conditions as set forth in this Memorandum of Agreement shall insure to the benefit of, and shall constitute a covenant running with the land and under the terms, conditions and provisions hereof, and shall be legally binding upon any heirs, assigns and successors in title or interest, and shall be subject to each and every condition herein set out.
13. Recordation. The Memorandum of Agreement shall be recorded in the Public Records of Lake County, Florida.
14. Enforcement. Enforcement of this Memorandum of Agreement shall be through the Town of Lady Lake Town Commission. Upon approval of this agreement, the aforementioned property shall only be used for the purposes described herein. No change in the use, further expansion of the uses, additions to the uses, or additions to the facilities shall be permitted except as approved by formal amendment of this Memorandum of Agreement. Any other proposed use shall be specifically authorized by amendment and approval of the Town of Lady Lake Commission and shall be legally binding upon any heirs, assigns and successors in title or interest.

Ordinance No. 2013-10

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

OWNER

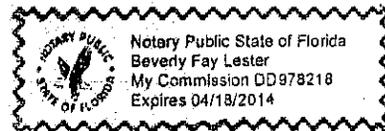
By: *Michael Girard*
Michael Girard

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 11 day of SEPT, 2013 by MICHAEL GIRARD, Owner of the Property, who is personally known to me or has produced FDL 6663-556-68-172-0 as identification.

Beverly Fay Lester
Notary Public, State of Florida

My Commission Expires:



TOWN OF LADY LAKE, FLORIDA
LAKE COUNTY, FLORIDA

By: *James Richards*
James Richards, Mayor

ATTEST:

Kris Kollgaard
Kris Kollgaard, Town Clerk

APPROVED AS TO FORM:
Derek Schroth
Derek Schroth, Town Attorney



**THE TOWN OF LADY LAKE
DEVELOPMENT ORDER
MJSP 10/13-003
Tree Tops Storage Facility
PHASE 1**

This Development Order is issued this 17th day of December 2013 to Tree Tops Golf Inc., with principal mailing office addressed as 698 West Lady Lake Blvd., Lady Lake, FL 32159.

The Town of Lady Lake hereby finds after review of the Site Plans for the Tree Tops Storage Facility and other documents submitted by the Developer, upon which the Town of Lady Lake has relied in issuing this Development Order, that the proposed Site Plans are consistent with the goals, objectives and policies of the Town's Comprehensive Plan and Land Development Regulations.

This Development Order authorizes the construction of all site improvements required for Major Site Plan MJSP 10/13-003 entitled "Tree Tops Storage Facility" approved by the Lady Lake Town Commission on December 16, 2013, proposing a development consisting of three (3) phases with thirty-two (32) buildings. This approval is for Phase I, consisting of eight (8) buildings with approximately 110,289 square feet of Mini Storage Building area, on a 12.65 – acre parcel located at 175 S. Rolling Acres Road (Alternate Key 3250290), further legally described on attached Exhibit "A", with the following waivers:

Commercial Design Standards Waiver:

- Waiver to LDRs- Chapter 20- Section 20-3 C.)3).A), which requires new buildings to adopt one of four (4) architectural styles. The applicant is proposing a mix of styles combining modern/contemporary construction design on the existing one-story retail building and the rest are Mini Storage Warehouse Buildings.

Landscaping and Tree Protection Waivers:

- Waiver to LDRs - Chapter 10, Section 10-3, a).2). for a reduction in 234.5 tree caliper inches required to be planted on site.
- Waiver to LDRs - Chapter 10, Section 10-3, b).B).1) for South Landscaping Buffer.
- Waiver to LDRs - Chapter 10, Section 10-3, b).B).2) for North Landscaping Buffer.

The following plans and other legal documents are hereby incorporated into this Development Order as if fully set forth herein:

- Site Plan (Engineering Plans), Landscaping Plans, and Irrigation Plans, as prepared by David W. Springstead Professional Engineer with Springstead Engineering, signed and sealed December 9, 2013, consisting of 17 sheets.
- Elevation Plans as prepared by Express Building Systems Inc., consisting of 8 sheets.
- Review comments prepared by Neel-Schaffer, Inc., Town of Lady Lake Engineer dated November 25, 2013.

- St. Johns River Water Management District Modification Permit No. IND-069-76459-3 dated November 20, 2013.
- Florida Department of Environmental Protection Domestic Wastewater Collection/Transmission Individual Permit No. CS35-0322763-001 dated December 13, 2013.
- Florida Department of Environmental Protection Water Main Extensions Exemption Determination as per Rule 62-555.520(1)(d)13, F.A.C. email dated November 20, 2013.
- Fire Review conducted by the Town of Lady Lake, Kerry Barnett, dated November 14, 2013.
- Review No. 1 of Traffic Analysis by Lake-Sumter MPO email dated October 23, 2013.

Note: Disclaimer in accordance with House Bill 7019: The property is within a Flood Zone X (outside the 500-yr flood plain), as per effective FIRM 12069C0170E dated December 18, 2012.

The following conditions are required prior to issuance of a certificate of occupancy:

1. Execute a Water and Sewer Agreement with the Town of Lady Lake.
2. Completion of all site improvements.

In accordance with Chapters 3 and 7 of the Town of Lady Lake Land Development Regulations (LDRs), this Development Order shall expire if construction of the Land Development has not commenced prior to December 17, 2014, and shall expire after one year from the date of issuance. A request for an extension may be submitted to the Town Manager or designee in accordance with the requirements of the LDRs.

All development orders are issued contingent upon the following:

- The accuracy of information provided in the development plans and associated documents. Inaccuracies that affect compliance with the Town Code, or the soundness of engineering design, may be considered grounds for the voiding of a development order.
- Clarification of discrepancies within the approved plans or associated documents. Where there are contradictions or discrepancies, the Town may require their correction based on the requirements of the Code, and as appropriate to the internal consistency of the documents.
- The issuance of this Development Order shall not be construed as a waiver of applicable regulations and all on/off site improvement work performed pursuant to this Development Order shall comply with the provision of the Town of Lady Lake Land Development Regulations and Comprehensive Plan in all aspects.

In consideration for approving the Development and to ensure that the Development is consistent with this Development Order, the Town of Lady Lake is authorized to take the following actions in the event it determines, at a duly noticed public commission hearing satisfying due process requirements, that the Developer is not complying with this Development Agreement (1) revoke the rights conferred in the Developer's Agreement and pursue remedies through code enforcement, (2) file for injunctive relief in the Lake County Fifth Judicial Circuit Court enjoining further Developer acts until the Developer complies with the Agreement, or (3)

file for injunctive relief in the Lake County Fifth Judicial Circuit Court to force Developer to act consistent with the Agreement. The prevailing party in such court action shall be awarded attorney's fees and costs.

Kristen Kollgaard

Kristen Kollgaard
Town Manager

12-17-13

Date

EXHIBIT "A"

LEGAL DESCRIPTION

SECTION 20, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA

LADY LAKE, LEE & STEVENS ADD LOT 9, 10, 11--LESS E 46 FT--PB 8 PG 11 ORB 1671 PG 823

Property Appraisers Parcel Identification (Folio) Number: 2018241105-000-00900

