

REGULAR PLANNING AND ZONING BOARD MEETING

Date: Monday, October 13, 2014
Time: 6:00 p.m.
Place: Town Hall Commission Chambers
409 Fennell Blvd., Lady Lake

ALL INTERESTED PERSONS ARE CORDIALLY INVITED TO ATTEND THIS PUBLIC MEETING

AGENDA

CALL TO ORDER: John Gauder, Chairperson

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN FORUM

NEW BUSINESS:

1. **Approval of Minutes** – September 8, 2014 Meeting
2. **Ordinance No. 2014-08** – Minor Amendment to The Tri-County Villages Development of Regional Impact (DRI), Adopting a Ninth Amendment to the Amended Development Order Amending Map H and Map H-1 to Convert 29 Hotel Rooms into 48 Townhome/Condominium Units and to Show the Acreage Changes to Hotel and Residential. (Wendy Then)
3. Consideration of Changing the Planning and Zoning Board Meeting Time to begin at 5:30 p.m.

CHAIRPERSON/MEMBERS' REPORT

ADJOURN

NOTE: THIS BOARD IS ADVISORY. ALL RECOMMENDATIONS ARE FORWARDED TO THE TOWN COMMISSION.

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, a record of which is not provided 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.

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**MINUTES OF THE TOWN OF LADY LAKE
REGULAR PLANNING AND ZONING BOARD MEETING
LADY LAKE, FLORIDA**

1

September 8, 2014
6:00 p.m.

The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake, Florida.

CALL TO ORDER: John Gauder, Chairperson

PLEDGE OF ALLEGIANCE: John Gauder, Chairperson

ROLL CALL Gil Pierson, Member
 Alfred Monteleone, Member
 William Sigurdson, Vice Chairperson/Member
 John Gauder, Chairperson

ABSENT: Mike McKenzie, Member

STAFF MEMBERS PRESENT: Thad Carroll, Growth Management Director; Wendy Then, Town Planner; and Julia Wolfe, Staff Assistant to Town Clerk

Also Present: Mayor/Commissioner Ruth Kussard

OPEN FORUM:

Chairperson Gauder asked if anyone in the audience had any comments or questions. There were no comments or questions.

NEW BUSINESS:

1. **Approval of Minutes** – August 11, 2014 Regular & August 27, 2014 Special Meetings

Upon a motion by Vice Chairperson/Member Sigurdson and a second by Member Monteleone, the Planning and Zoning Board approved the minutes of the Planning and Zoning Board Meeting of August 11, 2014 and August 27, 2014 as presented by the following roll call vote.

<i>MONTELEONE</i>	<i>YES</i>
<i>PIERSON</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

2. **Resolution No. 2014-114 –Villages Operating Company – Pursuant to Chapter 15, Article II, Section 15-52).a).2).C)., Citizen’s First Bank Drive-Through Facility – Variance Request for Commercial Driveway Distance to Right-of-Way – Located at 1105 Caballero Court (Wendy Then)**

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Clerk’s Office). She stated applicant, Martin L Dzuro, on behalf of The Villages Operating

1 Company, has submitted an application for a variance from Chapter 15, Article II, Section 15-
2 52).a).2).C). She stated the applicant is requesting to allow the driveway to be constructed 23 feet
3 from the right-of-way edge line rather than the minimum 100 foot distance requirement on the
4 property owned by The Villages Operating Company located at 1105 Caballero Court, within the
5 Villages Downtown Center in Spanish Springs, identified by alternate key number 3840565, within
6 the Town of Lady Lake, Florida.

7
8 Ms. Then stated no vehicles will be coming out of the facility onto Caballero Court in close
9 proximity to the intersection. Also, the four-way stop should control traffic in a manner that does
10 not cause a problem entering the drive-through, therefore, Town staff is in support of the request.

11
12 Aerial views of the property and photos of the property and postings were shown.

13
14 Ms. Then stated as required of the application, a Justification Statement has been submitted. The
15 site is proposed to be home to a new Citizen's First Bank drive-through facility. The new project is
16 considered in-fill development within The Villages Downtown Center in Spanish Springs and due
17 to space limitations and constraints unique to this narrow parcel, the driveway has been placed in
18 the most practical location to the best extent possible. She stated the site in itself is located within
19 The Villages Center Planned Commercial Master Plan and the area has been developed primarily
20 instituting Urban Design principles.

21
22 Lastly, the applicant pointed out that Spanish Springs has low speed limits; therefore, the incoming
23 traffic via that driveway into the proposed drive-through facility would not have an adverse effect
24 and would follow similar traffic patterns to the ones currently experienced on the western parking
25 lot area. Additionally, proposed entry and exit signs have been proposed throughout the facility to
26 maximize external and internal traffic circulation.

27
28 When reviewing an application for a variance, the Planning and Zoning Board and the Town
29 Commission shall consider the following requirements and criteria according to Chapter 3, Section
30 14 f) – Review criteria for variances in the Land Development Regulations:

- 31
32 1. No diminution in value of surrounding properties would be suffered.
33 2. Granting the permit would be of benefit to the public interest.
34 3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
35 4. The use must not be contrary to the spirit of this Code.
36 5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves
37 constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify
38 granting of a variance.
39 6. Physical hardships such as disabilities of any applicant may be considered grounds to justify
40 granting of a variance at the discretion of the Town Commission.

41
42 Ms. Then stated the subject property lies in Section 06, Township 18, Range 24, in Lady Lake,
43 Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales &
44 Services (RET) and is zoned Planned Commercial (CP). The application is complete and ready to
45 be reviewed by the Planning and Zoning Board for their recommendation. Resolution No. 2014-
46 114 was reviewed by Town Attorney Derek Schroth on Monday, August 11, 2014, and was
47 determined to be correct in form.

48
49 Ms. Then noted that notices to inform the surrounding property owners (3) within 150' of the
50 subject property of the proposed variance were mailed by certified mail return receipt on Monday,
51 August 25, 2014 and the property was also posted this same day. She reported that of the three

1 notices sent out, three return receipts were received back, and there have been no phone calls, e-
2 mails or written statements thus far on the matter.
3

4 The members of the Technical Review Committee individually reviewed the application for
5 Resolution No. 2014-114 and provided all comments by Wednesday, August 13, 2014. The TRC
6 report was included in the packet. The Town Commission will review the application for
7 Resolution No. 2014-114 for first and final consideration at its regular Meeting on Monday,
8 October 6, 2014 at 6:00 p.m.
9

10 Ms. Then stated the applicant was present to answer any questions.
11

12 Member Monteleone referred to the Justification Statement and asked the definition of stacking.
13

14 Ms. Then replied that stacking is addressed in the next variance application and asked if the Board
15 would like for her to address it now or wait for the next item, Resolution No. 2014-115.
16

17 Chairperson Gauder stated they would like to hear it now.
18

19 Ms. Then explained that stacking is required for any drive-through facility, and that stacking is the
20 car length of each vehicle in a service lane that has a drive-through facility. She stated a drive-
21 through is required to have up to five stacking areas for vehicles.
22

23 Member Monteleone asked how the building would be installed without removing some trees. He
24 also asked if the one large tree would be affected.
25

26 Ms. Then stated some pear trees will be removed as part of the site plan application, however, the
27 40" historic oak tree closest to the east boundary will be saved. She stated no large trees have been
28 proposed to be removed at this time, just a few understory trees. Ms. Then stated no historic trees
29 will be affected and they would have to go through the variance process before the Board if they
30 were. She stated any tree less than 36 inches in diameter can be removed through the site
31 development process which has to be approved by Town Commission.
32

33 Vice Chairperson Sigurdson asked if The Villages Operating Company owns all of the Citizen's
34 First Banks in The Villages area.
35

36 Marty Dzuro of The Villages replied that The Villages Operating Company owns this parcel of land
37 and will be leasing it to the Citizen's First Bank.
38

39 Vice Chairperson Sigurdson asked if that particular drive-through serves all of the Citizen's First
40 Banks in The Villages.
41

42 Mr. Dzuro replied that all of the Citizen's First Bank drive-throughs, branch or main offices are
43 connected.
44

45 Vice Chairperson Sigurdson stated there is another bank just to the west at the corner of Main
46 Street, and another to the east of the development which has multiple drive-throughs. He stated this
47 is going to be crowded into a parking lot and parking there is already a hazard, and now there are
48 going to be more vehicles in and out of the area just for adding another minor drive-through service.
49

50 Mr. Dzuro stated this portion of The Villages is Building Area 11 which is part of the approved
51 Village Center Plat and it has been always designated to be developed as Commercial. He stated it

1 is one of the last of two remaining vacant parcels in the Village Center. He stated when they did the
2 traffic studies during the DRI process and the Memorandum of Agreement process for the Village
3 Center, they accounted for traffic on that parcel as well as the other vacant parcel. Mr. Dzuro stated
4 it has been approved by the local, state and regional government. He stated this will provide
5 customers in the immediate downtown area a good place to go through and do their drive-through
6 banking rather than go all the way to Publix or Winn-Dixie.

7
8 Mr. Dzuro asked the Board to remember that 75% of the internal traffic is golf carts, and stacking
9 lanes in the Town are designed for cars, trucks, etc., and that is why they are asking for a variance
10 for stacking and the entry way. He stated 75% of that will be golf carts traffic and they do not need
11 the 10' x 20' long stacking spaces.

12
13 Chairperson Gauder clarified that the entrance will be off Caballero and the exit will be over by the
14 existing bank.

15
16 Mr. Dzuro replied he is correct. He stated when they go through the drive-through and they come
17 out, they can either turn right and go out the existing bank entrance, or go left and go through the
18 parking lot and come out at the entrance where the pizza place use to be.

19
20 Chairperson Gauder asked what the width of the lane is leading out to the stop sign.

21
22 Mr. Dzuro stated it was 12 ft., then it goes into the radius required to make the turn out. He stated
23 the original plan would have required the removal of the historic tree, but staff advised that the
24 Town has strict tree ordinances. As a result, the applicant actually flipped the site and it saved the
25 tree and worked better with traffic flow.

26
27 Member Monteleone read from the justification statement as follows:

28
29 *3. "Denial of the permit would result in unnecessary hardship to the owner." Applicant's*
30 *Response: Yes, denial of the permit would result in the owner having to remove the existing 40"*
31 *historical tree on-site to allow the stacking.*

32
33 Member Monteleone stated he has seen the tree and cannot see how they are going to have to take
34 that tree out, because it is a big beautiful tree.

35
36 Mr. Dzuro reiterated that the original plan called for taking the tree out, but it worked out that it was
37 not necessary by flipping the site plan. He stated they are going to plant more trees than required
38 when they build, as they always do in The Villages.

39
40 Chairperson Gauder asked if the packet includes the site plan that has been flipped.

41
42 Ms. Then replied that was correct; what is being presented is what will be proposed.

43
44 Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter.
45 There was no one.

46
47 ***Upon a motion by Vice Chairperson/Member Sigurdson, and a second by Member Pierson, the***
48 ***Planning and Zoning Board recommended transmittal of Resolution No. 2014-114 to the Town***
49 ***Commission with a recommendation of denial by the following roll call vote:***

50
51 **MONTELEONE YES**

1	<i>PIERSON</i>	<i>YES</i>
2	<i>SIGURDSON</i>	<i>YES</i>
3	<i>GAUDER</i>	<i>NO</i>

4
5 Prior to the roll call vote, Marty Dzuro asked the reason for the motion of denial and he was told
6 that the vote needed to be completed before his question was answered.
7

8 **3. Resolution No. 2014-115 – Villages Operating Company – Pursuant to Chapter 7,**
9 **Section 7-7).b)., Citizen’ First Bank Drive-through Facility – Variance Request for Stacking**
10 **Area Reduction – Located at 1105 Caballero Court (Wendy Then)**

11
12 Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the
13 Clerk’s Office). She stated applicant, Martin L Dzuro, on behalf of The Villages Operating
14 Company, has submitted an application for a variance from Chapter 7, Section 7-7).b). She stated
15 the applicant is requesting the reduction of two spaces per each service lane of the drive-through
16 stacking area rather than the required five spaces on the property owned by The Villages Operating
17 Company located at 1105 Caballero Court, within The Villages Downtown Center in Spanish
18 Springs, identified by alternate key number 3840565, within the Town of Lady Lake, Florida.
19

20 Ms. Then stated as required of the application, a Justification Statement has been submitted. The
21 site is proposed to be home to a new Citizen’s First Bank drive-through facility. The new project is
22 considered infill development within The Villages Downtown Center in Spanish Springs and due to
23 space limitations and constraints unique to this narrow parcel, the site can only accommodate three
24 (3) spaces per each proposed service lanes. She stated the site in itself is located within The
25 Villages Center Planned Commercial Master Plan and the area has been developed primarily
26 instituting Urban Design principle; therefore, in order to compensate for the reduction in spaces
27 within the stacking area, the site plan design includes three service lanes.
28

29 Lastly, the applicant pointed out that in order to save an existing 40” historic oak tree, the drive-
30 through facility is limited to provide the required stacking lengths because of the existing tree,
31 therefore, Town staff is in support of the request.
32

33 Aerial views of the property and photos of the property and postings were shown.
34

35 When reviewing an application for a variance, the Planning and Zoning Board and the Town
36 Commission shall consider the following requirements and criteria according to Chapter 3, Section
37 14 f) – Review criteria for variances in the Land Development Regulations:
38

- 39 1. No diminution in value of surrounding properties would be suffered.
- 40 2. Granting the permit would be of benefit to the public interest.
- 41 3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
- 42 4. The use must not be contrary to the spirit of this Code.
- 43 5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves
44 constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify
45 granting of a variance.
- 46 6. Physical hardships such as disabilities of any applicant may be considered grounds to justify
47 granting of a variance at the discretion of the Town Commission.
48

49 The subject property lies in Section 06, Township 18, Range 24, in Lady Lake, Florida. The Future
50 Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is
51 zoned Planned Commercial (CP). The application is complete and ready to be reviewed by the

1 Planning and Zoning Board for their recommendation. Resolution No. 2014-115 was reviewed by
2 Town Attorney Derek Schroth on Monday, August 11, 2014, and was determined to be correct in
3 form.

4
5 Ms. Then reported that notices to inform the surrounding property owners (3) within 150' of the
6 subject property of the proposed variance were mailed by certified mail return receipt on Monday,
7 August 25, 2014 and the property was also posted this same day.

8
9 The members of the Technical Review Committee individually reviewed the application for
10 Resolution No. 2014-115 and provided all comments by Wednesday, August 13, 2014. The TRC
11 report was included in the packet. The Town Commission will review the application for
12 Resolution No. 2014-115 for first and final consideration at its regular meeting on Monday, October
13 6, 2014 at 6:00 p.m.

14
15 Ms. Then stated the applicant was present to answer any questions.

16
17 Member Pierson asked how many parking spaces would be removed.

18
19 Ms. Then replied a service lane would require five, but the applicant is proposing three, so they are
20 reducing two.

21
22 Thad Carroll, Growth Management Director, stated he thinks the question is are any parking spaces
23 in the current lots going to be removed in the site plan.

24
25 Ms. Then replied there is no proposal to remove any parking, but the proposal is to shorten the
26 stacking area from what is normally required in a drive-through facility.

27
28 Member Monteleone clarified where the building would be located and asked how they would put
29 the whole pad in without having to remove those trees.

30
31 Ms. Then replied the site plan shows six pear trees to be removed, along with some shrubby trees,
32 but the main 40 inch oak tree will be saved. Ms. Then reviewed the Site Plan of the development
33 with Mr. Monteleone.

34
35 Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter.

36
37 Marty Dzuro of The Villages stated the Town's Land Development Code and the Tree Ordinance
38 protects historic trees which is what is being done on this site. He stated the code also allows for
39 tree removal, but it does require replacement diameter inches for what you take out. He stated they
40 are taking out mature oaks in the area, but as always, The Villages will require landscaping and they
41 are replacing three times as many diameter inches as the Town of Lady Lake requires in the Town
42 Center and throughout the whole project. Mr. Dzuro stated they are very sensitive about the trees
43 and the landscaping, and they are in compliance with the Land Development Code and the tree
44 ordinance.

45
46 *Upon a motion by Member Pierson, and a second by Vice Chairperson/Member Sigurdson, the*
47 *Planning and Zoning Board recommended transmittal of Resolution No. 2014-115 to the Town*
48 *Commission with the recommendation of denial by the following roll call vote:*

49
50 **MONTELEONE** **YES**
51 **PIERSON** **YES**

SIGURDSON **YES**
GAUDER **NO**

4. O’Hanrahan Farms Subdivision – Preliminary Plat of a 28-Unit Single-Family Residential Subdivision on 9.12 +/-Acres – Located at 1310 Wildwood Street, Approximately 1,962 Ft. West of the Intersection at Arlington Avenue (Wendy Then)

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Clerk’s Office). She stated applicant, Dr. Sheikh M. Hasan, with Planning & Engineering Resources, Inc., on behalf of property owner Edward O’Hanrahan Jr., has submitted plans for Preliminary Plat Approval of a subdivision which proposes the construction of 28 single-family residential units on approximately 9.12 +/- acres. She stated the property is located at 1310 Wildwood Street, approximately 1,962 ft. west of the intersection at Arlington Avenue (Alternate Key Numbers 1819580). The Preliminary Plat was reviewed to determine if it is in compliance with the Land Development Regulations (LDRs). Attached are the following items in the packet:

1. Preliminary Plan Review completed by Public Works dated 08/27/2014 (Satisfied).
2. Fire Review No. 3 for the Preliminary Plat completed by Kerry Barnett dated 08/21/2014 (Satisfied).
3. Review No. 3 for Preliminary Plat completed by Neel-Schaffer Engineering, dated 08/26/2014. (Satisfied).
4. Lake County Public Works Review completed by Seth Lynch dated 7/2/2014 (Satisfied).
5. Lake County School District-School Concurrency Review by Dawn McDonald dated 6/26/2014 (Satisfied).
6. Lake Sumter MPO Traffic Analysis review dated 7/2/2014 (Satisfied).
7. Lady Lake Building Official comments dated 08/26/2014 (Satisfied).

The property Future Land Use designation is Single Family Medium Density (SF-MD). The Zoning designation is Single Family Medium Density allowing up to six dwelling units per acre.

Aerial views of the property and photos of the property and postings were shown.

The Preliminary Plan meets the design requirements of the Town of Lady Lake Land Development Regulations, Chapter 8 – Subdivision and Plats, and adheres to the requirements of the Comprehensive Plan of the Town of Lady Lake. The preliminary plat plans, consisting of six sheets, are drawn in 24”x36” pages and have been certified by Dr. Shiekh M. Hasan, Professional Engineer of Planning & Engineering Resources Inc.

Ms. Then stated the applicant is proposing a 60 feet right-of-way with sidewalks on both sides. She stated the subdivision proposes to connect to Town’s water, sewer, and reuse; therefore, the applicant will be required to execute a water, sewer, and reuse utilities agreement reserving capacity for 28 ERU’s, which will be done at the very end after the final plot process is completed.

The O’Hanrahan Farms residential subdivision will be providing the required Open Space area for activity-based recreation facilities, as provided by the following matrix:

Zoning District	Open Space Percentage	Activity-Based Recreation Area*
RS-6	25%	5%

9.12 +/- Site Acreage	2.32 +/- Acres to be provided	Minimum 15,000 Sq. Ft. to be provided
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1
2 In accordance with the provisions of Chapter 8, Section 8-5).f.1), the applicant has provided the
3 dimensional acreage for activity-based recreation areas on the plans, meeting the required 5% of the
4 25% Open Space.

5
6 The applicant has proposed the following amenities for the Activity-based Recreation Area:

- 7 ✓ Swing Sets (minimum of four)
- 8 ✓ Picnic Tables
- 9 ✓ Built-In Grill

10 All comments have been satisfied for this application.

11

12 To be submitted at the Time of Improvement Plans Submittal:

13

14 1) In accordance with the provisions of Chapter 8, Section 8-6).e).1, the applicant shall submit
15 copies of all jurisdictional agency approved permits and/or exemption letters (when
16 applicable), including:

17

- 18 • Lady Lake Right-of-Way Utilization Permit
- 19 • Lake County Right-of-Way Utilization Permit
- 20 • Florida Department of Environmental Protection Water Main Extensions permit and/or
21 exemption.
- 22 • Florida Department of Environmental Protection Wastewater Collection/Transmission
23 System and/or exemption.
- 24 • St. John's River Water Management District ER Permit

25

26 2) The applicant will be required to submit the Articles of Incorporation for the Home Owner's
27 Association for the subdivision at the time of Improvement Plans submittal.

28

29 3) The applicant will be required to submit the Street Lighting Plan for the subdivision at the
30 time of Improvement Plans submittal.

31

32 4) A tree survey will be required at the time of submittal of improvement plans. Removal of
33 any trees 36" in diameter at breast height shall require a variance and mitigation of \$100 per
34 caliper inches for the Tree Bank.

35

36 5) All utilities (gas, water, sewer, electric, telephone, cable) for new construction shall be
37 underground as per Chapter 9, Section 9-6).a).1).

38

39 Preliminary Plat Approval does not permit the construction of any improvements. All permits from
40 other agencies with jurisdiction must be completed before a development order may be issued.

41

42 The Technical Review Committee members individually reviewed the application on Tuesday,
43 August 26, 2014, and provided comments regarding the Preliminary Plat Plan application, those

1 comments have been satisfied. The Town Commission is scheduled to consider the Preliminary
2 Plat for final consideration at their regular meeting on Monday, October 6, 2014.

3
4 Ms. Then stated the applicant was present to answer any questions.

5
6 Vice Chairperson Sigurdson stated the drainage retention area at the entrance has a culvert, and
7 asked if that was going to the recreation area.

8
9 Ms. Then stated some of the details will be tightened up in the improvement plans part, which they
10 are working on, so they may be able to elaborate more on that.

11
12 Aneash Tiwari with Planning and Engineering Resources stated the drainage retention area is on the
13 northeast corner.

14
15 Ms. Then stated it shows the typical section of what the road would look like with the sidewalks on
16 page four. She stated there is an area that is going to be grassy with mulch.

17
18 Vice Chairperson Sigurdson stated his concern is the retention area looks a little small area-wise
19 compared to the whole area, and he is concerned it will drown out the recreational area if it gets
20 filled up.

21
22 Ms. Tiwari stated they are required to submit an application to St. Johns Water Management
23 District (SJWMD), and they have not done the detailed calculation, but they will. She stated to help
24 the grassy area, the seed and mulch is actually swales, so that helps in the percolation of the water
25 below the surface.

26
27 Vice Chairperson Sigurdson stated there is going to be a lot of water coming down as there is a 35
28 ft. drop from the southwest corner to the northeast corner.

29
30 Ms. Tiwari stated the site development will take care of some of that, and the Civil Engineering
31 work will make sure. She stated they are just going through the Preliminary Plat process and there
32 is a lot more work to be done when the final plat and the development is ready for construction.

33
34 Ms. Then stated the Town has instituted regulations for the illicit discharge when it comes to storm
35 water and that is something that will be thoroughly reviewed through the improvement plan process.
36 She stated anything to do with culverts and such will be covered.

37
38 Ms. Tiwari thanked the Growth Management and Public Works staff for their patience with all their
39 questions. She stated they are working very closely with them to address all the issues.

40
41 Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter.

42
43 *Upon a motion by Vice Member Monteleone, and a second by Member Pierson, the Planning and*
44 *Zoning Board recommended transmittal and approval of Preliminary Plat to the Town*
45 *Commission for consideration by the following roll call vote:*

46
47 **MONTELEONE** **YES**
48 **PIERSON** **YES**
49 **SIGURDSON** **YES**
50 **GAUDER** **YES**

1 **CHAIRPERSON/MEMBERS' REPORT:**
2

3 Member Monteleone stated a comment was made regarding the possibility of having the meetings a
4 little earlier.

5
6 Mr. Carroll stated there was discussion at the last meeting about changing the meeting to 5:30 p.m.
7 He stated he has spoken with the Town Manager on the issue, and visited the Land Development
8 Regulations, and there is nothing specifically written regarding the time the meeting would
9 convene. He stated it does not need to be changed through the ordinance process, however, it needs
10 to be formally taken back to the Planning and Zoning Board to get the Board's recommendation.
11 Mr. Carroll stated staff will get a formal recommendation at the next meeting and then carry it
12 forward to the Town Commission for their approval. He stated staff's work schedule will be voted
13 on at the next meeting of the Town Commission, and if it does change from the four ten hour days,
14 he did not know if the Board wanted to go to a 5:30 p.m. meeting as one of the issues brought up
15 was that it could save staff time.

16
17 Mr. Carroll stated during the course of the discussion on Resolution No. 2014-114, the issue of
18 stacking was brought up and it is certainly purview of the Board to ask those questions. He stated
19 when you have multiple ordinances or resolutions on the same piece of property, sometimes
20 conversations that are more pertinent to one variance come forth in the first variance and staff tries
21 to keep those separate so the judgment is made based on what the variance is actually for. He stated
22 the first variance was for a 23 ft. separation requirement and although stacking was discussed before
23 the vote on the 23 ft. separation variance was made, it should not factor into the decision by the
24 Board or sway the position of the vote, when that is not the variance being considered. He stated he
25 wanted to explain why the variance applications are separate.

26
27 **ADJOURN:**
28

29 *With nothing further to discuss, the meeting was adjourned at 6:52 p.m.*
30
31
32

33
34 _____
35 Julia Wolfe, Staff Assistant to Town Clerk

33
34 _____
35 John Gauder, Chairperson

36
37 Minutes transcribed by Julia Wolfe, Staff Assistant to Town Clerk



PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: October 13, 2014

SUBJECT: Ordinance No. 2014-08 - Minor Amendment to The Tri-County Villages Development of Regional Impact, Adopting a Ninth Amendment to the Amended Development Order to convert 29 Hotel Rooms into 48 townhomes/condominium units and to show the acreage changes to Hotel and Residential.

DEPARTMENT: Growth Management

RECOMMENDED MOTIONS:

1. Motion to forward Ordinance 2014-08 to the Town Commission with the Recommendation of Approval.
2. Motion to forward Ordinance 2014-08 to the Town Commission with the Recommendation of Denial.

Staff is in support of Motion Number 1.

SUMMARY

Applicant Martin L. Dzuro on behalf of Central Florida Lodging, LLC, has submitted an application for a minor amendment to the Tri-County Villages of Lake Development of Regional Impact (DRI) development order. The DRI Development Order must be amended in order to convert 29 Hotel Rooms into 48 townhomes/condominium units and to show the acreage changes to Hotel and Residential. La Hacienda Hotel is located at 1201 Avenida Central, in Spanish Springs within The Village Town Center.

The Town Center Commercial category in the DRI is being amended to permit the townhomes/condominium use by amending the Phase Allocation table to identify townhomes/condominium units as a permitted use in the Town Center Commercial category. The Town of Lady Lake Comprehensive Plan and Zoning Designation of the property already permit the townhomes/condominium use.

In accordance with Florida Statute 380.06(19)(e)2, a local government can approve the amendment based on their local approval process. However, courtesy copies of the proposed amendment have been provided, under separate cover, to the East Central Florida Regional Planning Council (ECFRPC), Withlacoochee Regional Planning Council (WRPC) and the Florida Department of Economic Opportunity (DEO). The statute does require that a copy of the adopted amendment be submitted to the ECFRPC, WRPC and DEO pursuant to Section 380.06(19)(e)2., F.S.

Traffic: The Lake Sumter MPO indicated that the amendment as submitted results in a potential net increase of up to 8 new trips, so the applicant will be providing the additional supporting documentation necessary for approval to use a site specific trip generation rate resulting in trips not to exceed 25 p.m. Peak Hours Trips. The resulting trip generation would be as follows:

ITE LUC 310 Hotel	42 Rooms	25 P.M. Peak Hour Trips
ITE LUC 323 Resid. Condo/Townhouse	48 DU	25 P.M. Peak Hour Trips

With the change to convert 42 rooms to condominiums rather than the original proposal of 29, the finding stated in the study that the proposed land use change from hotel to residential condominium will not result in any net new trips for the DRI. The applicant has agreed to this modification, pending determination of additional data. Should the data demonstrate that the 29 hotel room reduction is an equivalent traffic reduction, the applicant would revert to the original request.

Open Space: The amendment would also not reduce conservation lands or open space in the DRI. All of the subject property is designated as Town Center Commercial on the DRI Master Plan and none of the subject property is classified as Open Space or Conservation within the DRI. There are lands designated as Open Space and Conservation within the DRI but those lands are not impacted by this change.

Other Impacts: This amendment will have no impact to the Town's Water and Sewer Utilities, as these Town services are not provided to the Villages properties. In addition, no impacts to schools, parks and recreation, or library services will occur as a result of approval of the proposed amendment.

Based upon the evaluation of the justification as provided above, this amendment meets the criteria in s.380.06(19)(e)2.k. because the amendment 1) does not generate an increase in external vehicle trips, and 2) the amendment does not reduce any approved open space or conservation areas in the DRI. The applicant has provided the Department's determination letter with the application.

Past Actions:

The members of the **Technical Review Committee** individually reviewed the application for Ordinance 2014-08 and provided all comments by Tuesday, October 7, 2014. Please find TRC Report attached.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2014-08 at first reading on Monday, November 3, 2014. Second and final reading is tentatively scheduled for Monday, November 17, 2014.

FISCAL IMPACT: \$ _____

Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other -

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

68

10-27-14

DEPARTMENT HEAD

[Handwritten signature]

Submitted

10/7/14

Date

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality Date

TOWN MANAGER

[Handwritten initials]

Approved Agenda Item for:

10/13/14

Date

10/8/14

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modification

ORDINANCE NO. 2014-08

AN ORDINANCE OF THE TOWN COMMISSION OF LADY LAKE, FLORIDA, ADOPTING A NINTH AMENDMENT TO THE AMENDED DEVELOPMENT ORDER FOR THE TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT LAKE COUNTY; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA:

WHEREAS, on January 18, 1988, a DRI known as Orange Blossom Gardens-South (OBGS) was approved by the Town of Lady Lake in Ordinance 88-1. A substantial deviation to the OBG-South DRI was approved on May 7, 1990 by Town of Lady Lake Ordinance 90-12. A second substantial deviation was approved as the Orange Blossom Gardens-West (OBGW) DRI on May 29, 1990 by the Sumter County Board of County Commissioners and on May 7, 1990 by the Town of Lady Lake. The OBGW DRI Development Order was amended on August 14, 1990 and again on February 16, 1993. On September 20, 1994 and October 12, 1994, Sumter County and Lady Lake respectively approved a substantial deviation to the OBGS and OBGW DRI development orders, combining them and referring to the development collectively as the Tri-County Villages DRI. A first revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 29, 1996. On August 3, 1998, a first revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 98-13. A second revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on September 15, 1998. On May 15, 2000, a third revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission. A fourth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on September 12, 2001. A fifth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on May 15, 2002. A sixth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on April 22, 2003. On October 18, 1999, a second revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 99-37. On May 8, 2000, a third revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 2000-20. A fourth revision to the Lady Lake Tri-County Villages development order was approved on May 15, 2003 by Town of Lady Lake Ordinance 2003-07. A seventh revision to the Sumter Tri-

County Villages development order was approved by the Sumter County Commission on March 16, 2004. A seventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on March 16, 2004. On August 2, 2004, a fifth revision to the Lady Lake Tri-County Villages development order was approved on August 2, 2004 by Town of Lady Lake Ordinance 2004-6. An eighth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 26, 2004. A sixth revision to the Lady Lake Tri-County Villages development order was approved on March 17, 2005 by Town of Lady Lake Ordinance 2005-7. A ninth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 11, 2005. A tenth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on February 10, 2009; a seventh revision to the Lady Lake Tri-County Villages development order was approved by the Lady Lake Town Commission on February 23, 2009. An eleventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on December 11, 2012; an eleventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on December 11, 2012; and an eighth revision to the Lady Lake Tri-County Villages development order was approved by the Lady Lake Town Commission on March 17, 2014.

WHEREAS, on September 23, 2014, The Villages of Lake-Sumter, Inc. and Central Florida Lodging, LLC submitted their e2 application pursuant to 380.06 (19)(e)(2.)k., Florida Statutes (F.S.), to the Town of Lady Lake to amend the Tri-County Villages Development of Regional Impact (DRI) Amended Development Order, (the ADO); and

WHEREAS, the Town of Lady Lake (Lady Lake), as governing body of the local government having jurisdiction, is authorized and empowered to consider DRIs; and

WHEREAS, Lady Lake has reviewed the e2 application, as well as all related testimony and evidence submitted by each party and members of the general public; and

WHEREAS, Lady Lake has conducted an advertised public hearing on _____, 2014 for the purpose of receiving public comment.

NOW, THEREFORE BE IT RESOLVED BY THE LADY LAKE TOWN COMMISSION, IN PUBLIC MEETING DULY CONSTITUTED AND ASSEMBLED ~~THIS _____~~ THIS 17th DAY OF _____, NOVEMBER, 2014, THAT THE TRI-COUNTY VILLAGES OF LAKE DRI IS HEREBY APPROVED, EFFECTIVE AS SPECIFIED HEREIN, BASED UPON AND SUBJECT TO THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW AND CONDITIONS/RESTRICTIONS:

SECTION 1. Findings of Fact. Based on the documentation and testimony received at the public hearing, the Board hereby finds as fact as follows:

1. The Tri-County Villages DRI is a mixed-use retirement community Development of Regional Impact located in northwestern Lake County/Lady Lake and in northeastern Sumter County.
2. On September 23, 2014, The Villages of Lake-Sumter, Inc. and Central Florida Lodging, LLC submitted an e2 application to a previously approved DRI pursuant to Section 380.06 (19)(e)(2)k., F.S. to amend the DRI in Lady Lake as follows:
 - Amend Map H to change a portion of the Hotel Land Use to Residential.
 - Amend Map H-1 to convert 29 hotel rooms into 48 townhome/condominium units and to show the acreage changes to Hotel and Residential. (see **EXHIBIT 1**);
3. The changes proposed in the e2 application meet the criteria in s.380.06(19)(e)2.k. because the amendment results in no increase in external peak hour trips and does not reduce open space or conserved lands in the Tri-County Villages Development of Regional Impact (DRI).
4. This amendment is not a substantial deviation to the DRI pursuant to s.380.06(19)(e)2.k.
3. A duly noticed public hearing was conducted on the e2 application by the Town of Lady Lake on _____, 2014 and all interested parties and members of the public were similarly afforded the opportunity to participate.

SECTION 2. Conclusions of Law. Based on the findings of fact adopted above, Lady Lake hereby adopts the following conclusions of law:

1. The Town of Lady Lake is the governing body having jurisdiction over the review and approval of the e2 application, pursuant to Chapter 380, F.S., and is authorized and empowered to issue this Ninth Amendment to the Tri-County Villages DRI ADO.
2. The property does not lie within an Area of Critical State Concern as designated pursuant to Chapter 380.05, F.S.
3. The proposed development is consistent with the applicable local comprehensive plan and is consistent with the applicable local land development regulations.
4. The proposed development is consistent with the East Central Florida Strategic Regional Policy Plan.
6. The provisions of this amendment to the ADO shall not be construed as a waiver of or exception to any local, state or federal law or regulation.
7. The impacts of this development, as conditioned by this Ninth Amendment to the ADO, are adequately addressed pursuant to the requirements of Chapter 380, F.S., and the changes as approved by the Town of Lady Lake do not constitute a substantial deviation to the original DRI Development Order or subsequent amendments or create additional local impacts.
8. To the extent that the application for development approval (ADA), NOPC or e2 application, or any other document is inconsistent with the terms and conditions of this amendment to the ADO, this amendment to the ADO shall prevail.

SECTION 3. General Conditions. The Town of Lady Lake, having made the aforementioned Findings of Fact and Conclusions of Law, hereby approves the proposed changes contained in the NOPC and subsequent addendum submittals and incorporated by reference herein, subject to the following modifications and conditions of development set forth in this amendment to the ADO:

1. Revisions to Development Order
 - a. Revised Master Development Plan A revised Master Plan (Map H) and DRI Phase Allocation Table (Map H-1) (revised August, 2014) are hereby adopted for the Tri-County Villages DRI and a copy is attached and incorporated herein as **EXHIBIT 1**.

- b. Amend Map H and H-1 to show the change of Hotel Land Use to Residential and a conversion of 29 hotel rooms into 48 townhome/condominium units. (see **EXHIBIT 1**).
- c. Final Order. That this amendment to the ADO shall constitute the final order of the Town of Lady Lake in response to the DRI e2 application filed by the Developer.
- d. Definitions. That the definitions found in Chapter 380, F.S. (2003) shall apply to this amendment to the ADO.
- e. Assignability: Persons Bound. That this amendment to the ADO shall be binding upon the Developer and its heirs, assignees, or successors in interest.
- f. Severability. That in the event any portion or section of this amendment to the ADO is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this amendment to the ADO, which shall remain in full force and effect.
- g. Recordation of Notice of Adoption. That within sixty (60) days of the issuance of this amendment to the ADO, The Villages of Lake-Sumter, Inc. shall cause a Notice of Adoption of this amendment to be recorded among the Public Records of Lake County in accordance with Section 380.06 (15), F.S., and shall provide a copy of the recorded Notice to the Town of Lady Lake, Sumter County, the ECFRPC, the WRPC and the DEO.
- h. Restriction on Downzoning, Density Reduction or Intensity Reduction. That the Town of Lady Lake agrees that the approved DRI shall not be subject to down zoning, density reduction, or intensity reduction after the effective date of this amendment to the ADO, unless the Town of Lady Lake can demonstrate that substantial changes in the conditions underlying the approval of the amendment to the ADO have occurred, or that the amendment to the ADO was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the Town of Lady Lake to be essential to the public health, safety or welfare.

- i. Impact Fees. That approval of this amendment to the ADO shall not exempt any portion or unit of the Tri-County Villages of Lake development from any future impact fees imposed by the Town of Lady Lake. Developer credit for applicable improvements paid for by it pursuant to the requirements of this amendment to the ADO shall be given as provided for by Section 380.06(16), F.S.
- j. Effective Date. That upon adoption, this Amendment to the ADO shall be transmitted to the ECFRPC, the DEO and the Developer and shall become effective upon rendering of this Development Order by the Town of Lady Lake.
- k. Transmittal of Amendment. That certified copies of this amendment to the ADO shall be transmitted immediately by certified mail to ECFRPC, DEO and the Developer, by the Town of Lady Lake.

PASSED AND ORDAINED in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, this 17th day of November, 2014.

TOWN OF LADY LAKE, FLORIDA

Ruth Kussard, Mayor

ATTEST:

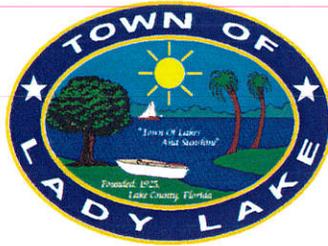
Kris Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth, Town Attorney

EXHIBIT 1

Master Development Plan, Map H and H-1 (Revised September, 2014)



TECHNICAL REVIEW COMMITTEE COMMENTS FIRST REVIEW 10/07/2014

Project: La Hacienda- Amendment to the Tri-County Villages of Lake DRI
Proposal: Ordinance 2014-08– 1st & Final Submittal

Description: Applicant Martin L. DZuro on behalf of Central Florida Lodging, LLC, has submitted an application for a minor amendment to the Tri-County Villages of Lake Development of Regional Impact (DRI) development order. The DRI Development Order must be amended in order to convert 29 Hotel Rooms into 48 townhomes/condominium units and to show the acreage changes to Hotel and Residential. La Hacienda Hotel is located at 1201 Avenida Central, in Spanish Springs within The Village Town Center.

In accordance with Florida Statute 380.06(19)(e)2, a local government can approve the amendment based on their local approval process. Town Staff will review for Traffic, Open Spaces, and other impacts such as Utilities, Parks, Recreation, and Library.

In order for changes in a DRI to be considered eligible to be processed as an E2 Amendment, it must meet certain criteria based on Section 380.06(19)(e)2., of the Florida Statute:

- 1) The amendment does not generate an increase in external vehicle trips, and
- 2) the amendment does not reduce any approved open space or conservation areas in the DRI.

Re-submittals will not be accepted without bulleted written responses.

Following submittal of any required revisions and responses, correspondence will be forwarded indicating the proposal's status, either: (1) requiring additional revision or documentations; or (2) ready for approval. Site plans are subject to public hearing, as well as plats, annexation requests, zoning requests, and comprehensive plan requests. When applicable, you will receive written notification that the item is scheduled for review by the Planning and Zoning Board or Town Commission. For additional information, contact Thad Carroll at (352) 751-1521.

GROWTH MANAGEMENT

Questions may be directed to Wendy Then, at wthen@ladylake.org

1. The requirement to submit a Modification to Site Plan may apply for this project to accommodate the changes in conjunction from going from Hotel to

POLICE

Questions may be directed to Chief Chris McKinstry at cmckinstry@ladylake.org

1. No comments at this time from the Police Dept.

FIRE

Questions may be directed to Capt. Dan Hickey, Fire Marshall with the Villages Fire Dept. at 352-205-8280.

1. No comments at this time from The Villages Fire Dept.

BUILDING

Questions may be directed to Dallas Foss, Building Official at dfoss@usanova.com.

1. No comments at this time by the Building Official.

PUBLIC WORKS

Questions may be directed to Butch Goodman, Utilities Supervisor at bgoodman@ladylakepw.org

1. No comments at this time from the Lady Lake Public Works Dept. The location is serviced by Utilities provided by the Villages.

LAKE-SUMTER MPO

Questions may be directed to Pam Richmond with prichmond@lakesumtermpo.com or at 352-315-0170

1. The amendment as submitted indicates a potential net increase of up to 8 new trips, so the applicant will be providing the supporting documentation necessary for approval to use a site specific trip generation rate resulting in trips not to exceed 25 p.m. Peak Hours Trips.

Wendy Then

From: Richmond, Pamela [prichmond@lakesumtermpo.com]
Sent: Tuesday, October 07, 2014 2:00 PM
To: Thad Carroll; Wendy Then
Cc: Taylor, Darrin
Subject: The Villages

Good Afternoon Wendy, I have reviewed the trip generation analysis submitted to support a request for a Section 380.06(19)(e)2.k., F.S. change for the Tri-County Villages (Lake) DRI. The analysis I reviewed was included as Appendix D to the request document. I have the following comments:

A change to convert a portion of the approved hotel land use to residential condominiums in The Tri-County Villages (Lake) DRI has been proposed subject to Section 380.06(19)(e)2.k., F.S. This conversion would reduce the approved number of hotel rooms by 29 and replaced them with 48 condominium units. The trip generation analysis provided to support this amendment states that this proposed land use swap will result in no net new trip generation, i.e., each land use will generate 17 P.M. Peak Hour trips and traffic impacts will not change. My calculations, using ITE Trip Generation, 9th Edition rates, confirm that 29 hotel rooms (ITE LUC 310 Hotel Rooms) generate 17 P.M. Peak Hour trips. The trip generation reported in the study for residential condominium was "calculated using data from The Villages DRI Studies, Villages O-D Survey" according to the footnote to Table 1 of the study. The data, analysis and calculations used to derive the site specific trip generation rate for condominiums was not provided in the trip generation study but is needed to verify and approve the use of a rate other than the ITE rate. Therefore my review must be based using ITE rates. According to my calculations, 48 condominiums (ITE LUC 230 residential condominiums/townhouse dwelling units) generate 25 P.M. Peak Hour trips. This amendment, as submitted, will result in 8 net new trips.

The applicant was contacted and agreed to provide the supporting documentation necessary for approval to use a site specific trip generation rate. To allow the project to move forward now, the applicant agreed to revise the study using the ITE trip generation rate for condominiums and adjust the number of hotel rooms from 29 to 41. The resulting trip generation would be as follows:

ITE LUC 310 Hotel	41 Rooms	25 P.M. Peak Hour Trips
ITE LUC 323 Resd. Condo/Townhouse	48 DU	25 P.M. Peak Hour Trips

With this change, the finding stated in the study that the proposed land use change from hotel to residential condominium will not result in any net new trips for the DRI.

If you would like to discuss my comments, please contact me at your convenience.

Pam Richmond

Pamela Richmond, AICP
MPO Project Manager



1616 South 14th Street
Leesburg, Florida 34748
Ph: (352) 315-0170
Fx: (352) 315-0993

www.LakeSumterMPO.com

"Promoting Regional Transportation Partnerships."

Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Wendy Then

From: Taylor, Darrin [DTaylor@cfjblaw.com]
Sent: Tuesday, October 07, 2014 2:33 PM
To: Richmond, Pamela; Thad Carroll; Wendy Then
Cc: Dzuro, Marty
Subject: RE: The Villages

Thank you Pam.

Thad I have a letter I am drafting on behalf of the Villages that concurs with Pam's statement below. We do agree to change the conversion to reflect ITE. We have also provided Pam with the Villages O-D study. When Pam reviews the documents if she agrees that the original conversion in fact resulted in no increase in trips then we will amend our request. Otherwise we will remain at the more conservative conversion rate using ITE.

Either way the application will not result in any increase in external trips.

My letter which you will have this afternoon will also include a revised table to reflect the recommended change.

If you need anything more from me let me know.

Thanks again Pam and Thad.

CARLTON FIELDS
JORDEN BURT

Darrin Taylor
Government Consultant

215 S. Monroe St., Ste. 500
Tallahassee, Florida 32301-1866
Direct: 850.425.3398 | Fax: 850.222.0398

DTaylor@cfjblaw.com | www.CFJBLaw.com

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From: Richmond, Pamela [<mailto:prichmond@lakesumtermo.com>]
Sent: Tuesday, October 07, 2014 2:00 PM
To: Thad Carroll (tcarroll@ladylake.org); wthen@ladylake.org
Cc: Taylor, Darrin
Subject: The Villages

Good Afternoon Wendy, I have reviewed the trip generation analysis submitted to support a request for a Section 380.06(19)(e)2.k., F.S. change for the Tri-County Villages (Lake) DRI. The analysis I reviewed was included as Appendix D to the request document. I have the following comments:

A change to convert a portion of the approved hotel land use to residential condominiums in The Tri-County Villages (Lake) DRI has been proposed subject to Section 380.06(19)(e)2.k., F.S. This conversion would reduce the approved number of hotel rooms by 29 and replaced them with 48 condominium units. The trip generation analysis provided to

support this amendment states that this proposed land use swap will result in no net new trip generation, i.e., each land use will generate 17 P.M. Peak Hour trips and traffic impacts will not change. My calculations, using ITE Trip Generation, 9th Edition rates, confirm that 29 hotel rooms (ITE LUC 310 Hotel Rooms) generate 17 P.M. Peak Hour trips. The trip generation reported in the study for residential condominium was "calculated using data from The Villages DRI Studies, Villages O-D Survey" according to the footnote to Table 1 of the study. The data, analysis and calculations used to derive the site specific trip generation rate for condominiums was not provided in the trip generation study but is needed to verify and approve the use of a rate other than the ITE rate. Therefore my review must be based using ITE rates. According to my calculations, 48 condominiums (ITE LUC 230 residential condominiums/townhouse dwelling units) generate 25 P.M. Peak Hour trips. This amendment, as submitted, will result in 8 net new trips.

The applicant was contacted and agreed to provide the supporting documentation necessary for approval to use a site specific trip generation rate. To allow the project to move forward now, the applicant agreed to revise the study using the ITE trip generation rate for condominiums and adjust the number of hotel rooms from 29 to 41. The resulting trip generation would be as follows:

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With this change, the finding stated in the study that the proposed land use change from hotel to residential condominium will not result in any net new trips for the DRI.

If you would like to discuss my comments, please contact me at your convenience.

Pam Richmond

Pamela Richmond, AICP
MPO Project Manager



1616 South 14th Street
Leesburg, Florida 34748
Ph: (352) 315-0170
Fx: (352) 315-0993

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Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Thad Carroll

From: Taylor, Darrin [DTaylor@cfjblaw.com]
Sent: Tuesday, October 07, 2014 3:05 PM
To: Thad Carroll
Subject: DRAFT letter to Lady Lake - e2 amendment revision

Thad, let me know if this works for you -

Re: Amendment to Tri-County Villages DRI DO

Thad:

This morning we received the Lake-Sumter MPO's (MPO) comments regarding our proposed land use conversion from 29 hotel rooms to 48 condominium units (see **Exhibit 1**). In its letter, the MPO determined that they did not have the Villages Origin and Destination Study (O-D Study) to support our proposed conversion. The MPO recommended that either the conversion be based on the standard ITE rates or the supporting documentation be provided to the MPO for their review.

Since receiving the letter this morning, we have coordinated with the MPO to resolve their concerns. Attached is an email from Pamela Richmond to you determining that a revised conversion from 42 hotel rooms to 48 condominium units results in no increase in impacts (see **Exhibit 2**). By this letter we are amending our e2 application to use the conversion of 42 hotel rooms to 48 condominium units. Attached as **Exhibit 3** is a revised Map H-1 reflecting this conversion.

We also submitted to the MPO this morning the Villages O-D study for the MPO's review. This study has been the basis of numerous DRI amendments that have been previously approved and is more accurate than the standard ITE analysis because it is specific to The Villages. Upon conclusion of the MPO's review if they determine that the original conversion in fact results in no increase in impacts then we request to use the original conversion. Otherwise we will use the ITE conversion rates.

Based on my discussions with the MPO and you I understand this is an acceptable approach. It is also my understanding that our e2 amendment will be placed on the November 13th Planning and Zoning agenda. If that is not the case please let me know as soon as possible.

Sincerely,

DFT

CARLTON FIELDS
JORDEN BURT

Darrin Taylor
Government Consultant

215 S. Monroe St., Ste. 500
Tallahassee, Florida 32301-1866
Direct: 850.425.3398 | Fax: 850.222.0398

DTaylor@cfjblaw.com | www.CFJBLaw.com

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Darrin F. Taylor
Government Consultant
dtaylor@cfjblaw.com

Atlanta
Hartford
Los Angeles
Miami
New York
Orlando
Tallahassee
Tampa
Washington, DC
West Palm Beach

October 8, 2014

Mr. Thad Carroll, Director
Growth Management Department
Town of Lady Lake
409 Fennell Boulevard
Lady Lake, Florida 32159

VIA EMAIL

RE: Amendment to Tri-County Villages DRI DO

Dear Thad:

Yesterday we received the Lake-Sumter MPO's (MPO) comments regarding our proposed land use conversion from 29 hotel rooms to 48 condominium units (see **Exhibit 1**). In its letter, the MPO stated they did not have adequate information to confirm our proposed conversion rates because they did not receive the Villages Origin and Destination Study (O-D Study) which was the basis for our conversion rates. The MPO recommended that either the conversion be based on the standard ITE rates or the supporting documentation be provided to the MPO for their review.

In response, we coordinated with the MPO staff and were able to resolve their concerns. Attached is an email from Pamela Richmond to you determining that a revised conversion from 41 hotel rooms to 48 condominium units results in no increase in impacts (see **Exhibit 2**). By this letter we are amending our e2 application to use the conversion of 41 hotel rooms to 48 condominium units. Attached as **Exhibit 3** is our revised Map H-1 reflecting this conversion.

We have also submitted the Villages O-D study for the MPO's review. This study has been the basis of numerous DRI amendments that have been previously approved by the Town and the MPO and it is specific to the Villages. Upon conclusion of the MPO's review if they determine that the original conversion in fact results in no increase in impacts then we request to use the original conversion. Otherwise we will continue with the ITE conversion rates.

Mr. Thad Carroll, Director
October 8, 2014
Page 2

Based on my discussions with the MPO and you I understand this is an acceptable approach. You have also confirmed that we are on the October 13th Planning and Zoning Commission agenda and are scheduled to go before the Town of Lady Lake Commission for first reading on November 3rd and second reading on November 17th.

If you have any questions regarding this letter or our application feel free to call me.

Sincerely,



Darrin F. Taylor
Government Consultant

CC: Marty Dzuro, Grant-Dzuro
Ana Richmond, DEO
Fred Milch, ECFRFC
Pam Richmond, Lake-Sumter MPC



From: Thad Carroll [<mailto:tcarroll@ladylake.org>]
Sent: Tuesday, October 07, 2014 8:02 AM
To: Dzuro, Marty
Cc: Wendy Then; Varnon, Vicki
Subject: FW: E2 Traffic Analysis - Tri-County Village MPO Comments
Importance: High

Marty,

We have received comment from the MPO regarding the traffic analysis (see below). In order to qualify under Section 380.06(19)(e)2.k., F.S, the number of external peak hour trips cannot be increased. In accordance with Pam's analysis there is an increase in trips when using the ITE data; as noted, the Villages O-D data was not provided. It is recommended that the Proposed Dwelling units be reduced to 33 when using the ITE to ITE conversions.

At this point without the reduction, I fail to see how this can qualify under the E2k with the increase in PM trips. At this point. Would you like to proceed with the proposed 33 units, or table the item to next month's P&Z to provide the additional data to Pam to support your methodology? Please respond at your earliest convenience. Thanks again.

Thad Carroll, AICP, LEED Green Associate
Growth Management Director
Town of Lady Lake
(352) 751-1521
tcarroll@ladylake.org

Note: The Growth Management Department's office hours are Monday - Thursday 7:30 am - 6:00 pm

Fla. Stat. 668.6076 "Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

From: Richmond, Pamela [<mailto:prichmond@lakesumtermmpo.com>]
Sent: Monday, October 06, 2014 6:30 PM
To: Wendy Then
Cc: Thad Carroll
Subject: FW: E2 Traffic Analysis - Tri-County Village MPO Comments

Hi Wendy, below is my revised version of comments. It is a little wordy and you probably only need the first 2 paragraphs for your report. I provided the table and other comments to put things in perspective.

I have reviewed the trip generation analysis submitted to support a request for a Section 380.06(19)(e)2.k., F.S. change for the Tri-County Villages (Lake) DRI. The analysis I reviewed was included as Appendix D of the request document. My comments are below.

A change to convert a portion of the approved hotel land use to residential condominiums in The Tri-County Villages (Lake) DRI has been proposed. Under this scenario, the approved number of hotel rooms

would be reduced by 29 and replaced with 48 condominium units. The trip generation analysis provided to support this amendment suggests that this proposed land use swap is a wash, that is to say, each land use will generate 17 P.M. Peak Hour trips and traffic impacts will not change. My calculations, using ITE Trip Generation, 9th Edition rates, confirm that 29 hotel rooms (ITE LUC 310 Hotel Rooms) generate 17 P.M. Peak Hour trips; however, I cannot replicate the trip generation reported in the study for residential condominium because the rate used was “calculated using data from The Villages DRI Studies, Villages O-D Survey” according to the footnote to Table 1 of the study. No documentation was provided to support using this rate, .35 trips/DU, instead of the ITE rate for residential condominium/townhouse, .52 trips/DU, and before I can agree with the findings presented in this analysis, I need to review the data, analysis and calculations used to derive the site specific trip generation rate. The calculated trip generation rate seems reasonable based on a review of similar land uses, it would not be appropriate for me or the City to accept it without supporting documentation.

For comparative purposes I have provided trip generation using ITE rates for similar land uses assuming 48 DU. As you can see, the trip generation ranges from 17 to 37. The trip generation for 48 High Rise Apartment (LUC 222) is 17 P.M. peak hour trips (but the in/out split is slightly different than reported in the study – could be due to rounding).

Land Use	ITE LUC	PMPH Trips	Entering	Exiting
Apartment	220	30	19	10
Low Rise Apartment	221	28	18	16
High Rise Apartment	222	17	10	7
Mid-Rise Apartment	223	19	11	8
Resd. Condo/Townhouse	230	25	17	8
Low Rise Resd. Condo	231	37	22	16
High Rise Resd. Condo	232	18	11	7
Luxury Condo/Townhouse	233	26	17	10

If the applicant intends to reduce the number of hotel rooms by 29 and add 48 condominium units, there is a net increase of 8 P.M. peak hour trips, applying ITE trip generation. Using the applicant’s rate, trip generation for 48 condominiums is equal to trip generation for 29 hotel rooms. To avoid confusion later and to maintain accurate records, I would recommend that the applicant be requested to either provide documentation that supports using a trip generation rate for condominiums other than ITE or revise the trip generation analysis using the ITE rate. In order to show no net trip increase using ITE for condominiums, the DUs would need to be reduced to 33.

Please contact me if you would like to discuss my comments.

Pam

Pamela Richmond, AICP
MPO Project Manager



1616 South 14th Street
Leesburg, Florida 34748
Ph: (352) 315-0170
Fx: (352) 315-0993

www.LakeSumterMPO.com

"Promoting Regional Transportation Partnerships."

Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Richmond, Pamela
Sent: Monday, October 06, 2014 2:43 PM
To: 'wthen@ladylake.org'
Cc: Thad Carroll (tcarroll@ladylake.org)
Subject: E2 Traffic Analysis - Tri-County Village MPO Comments

Good Afternoon Wendy, I have reviewed the trip generation analysis submitted to support a request for a Section 380.06(19)(e)2.k., F.S. change for the Tri-County Villages (Lake) DRI. The analysis I reviewed was included as Appendix D of the request document. My comments are below.

A change to convert a portion of the approved hotel land use to residential condominiums in The Tri-County Villages (Lake) DRI has been proposed. Under this scenario, the approved number of hotel rooms would be reduced by 29 and replaced with 48 condominium units. The trip generation analysis provided to support this amendment suggests that this proposed land use swap is a wash, that is to say, each land use will generate 17 P.M. Peak Hour trips and traffic impacts will not change. My calculations, using ITE Trip Generation, 9th Edition rates, confirm that 29 hotel rooms (ITE LUC 310 Hotel Rooms) generate 17 P.M. Peak Hour trips; however, I cannot replicate the trip generation reported in the study for residential condominiums. According to my calculations, 48 condominiums (ITE LUC 230 residential condominiums/townhouse dwelling units) generate 25 P.M. Peak Hour trips. 33 residential condominiums generates 17 P.M. Peak Hour trips.

For comparative purposes I have provided trip generation for similar land uses assuming 48 DU. As you can see, the trip generation ranges from 17 to 37. The trip generation for 48 High Rise Apartment (LUC 222) is 17 P.M. peak hour trips (but the in/out split is slightly different than reported in the study – could be due to rounding).

The point I am trying to make is that the information recorded should be correct as DRIs are approved for a total number of trips. If the applicant is proposing residential condominiums as indicated by the trip generation study, the trip generation numbers should reflect that land use. If the land use change increases trips, the overall available trips should decrease by the difference.

Land Use	ITE LUC	PMPH Trips	Entering	Exiting
----------	---------	------------	----------	---------

Apartment	220	30	19	10
Low Rise Apartment	221	28	18	16
High Rise Apartment	222	17	10	7
Mid-Rise Apartment	223	19	11	8
Resd. Condo/Townhouse	230	25	17	8
Low Rise Resd. Condo	231	37	22	16
High Rise Resd. Condo	232	18	11	7
Luxury Condo/Townhouse	233	26	17	10

If the applicant intends to reduce the number of hotel rooms by 29 to add 48 condominium units, there is a net increase of 8 P.M. peak hour trips. To avoid confusion later and to maintain accurate records, I would recommend that the applicant be requested to verify the proposed land use is residential condominium by either correcting the trip generation or reducing the number of units to 33.

Please contact me if you would like to discuss my comments.

Pam

Pamela Richmond, AICP
MPO Project Manager



1616 South 14th Street
 Leesburg, Florida 34748
 Ph: (352) 315-0170
 Fx: (352) 315-0993

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Taylor, Darrin

From: Richmond, Pamela [prichmond@lakesumtermo.com]
Sent: Tuesday, October 07, 2014 2:00 PM
To: Thad Carroll (tcarroll@ladylake.org); wthen@ladylake.org
Cc: Taylor, Darrin
Subject: The Villages

Good Afternoon Wendy, I have reviewed the trip generation analysis submitted to support a request for a Section 380.06(19)(e)2.k., F.S. change for the Tri-County Villages (Lake) DRI. The analysis I reviewed was included as Appendix D to the request document. I have the following comments:

A change to convert a portion of the approved hotel land use to residential condominiums in The Tri-County Villages (Lake) DRI has been proposed subject to Section 380.06(19)(e)2.k., F.S. This conversion would reduce the approved number of hotel rooms by 29 and replaced them with 48 condominium units. The trip generation analysis provided to support this amendment states that this proposed land use swap will result in no net new trip generation, i.e., each land use will generate 17 P.M. Peak Hour trips and traffic impacts will not change. My calculations, using ITE Trip Generation, 9th Edition rates, confirm that 29 hotel rooms (ITE LUC 310 Hotel Rooms) generate 17 P.M. Peak Hour trips. The trip generation reported in the study for residential condominium was "calculated using data from The Villages DRI Studies, Villages O-D Survey" according to the footnote to Table 1 of the study. The data, analysis and calculations used to derive the site specific trip generation rate for condominiums was not provided in the trip generation study but is needed to verify and approve the use of a rate other than the ITE rate. Therefore my review must be based using ITE rates. According to my calculations, 48 condominiums (ITE LUC 230 residential condominiums/townhouse dwelling units) generate 25 P.M. Peak Hour trips. This amendment, as submitted, will result in 8 net new trips.

The applicant was contacted and agreed to provide the supporting documentation necessary for approval to use a site specific trip generation rate. To allow the project to move forward now, the applicant agreed to revise the study using the ITE trip generation rate for condominiums and adjust the number of hotel rooms from 29 to 41. The resulting trip generation would be as follows:

Table with 3 columns: ITE LUC 310 Hotel (41 Rooms, 25 P.M. Peak Hour Trips), ITE LUC 323 Resd. Condo/Townhouse (48 DU, 25 P.M. Peak Hour Trips)

With this change, the finding stated in the study that the proposed land use change from hotel to residential condominium will not result in any net new trips for the DRI.

If you would like to discuss my comments, please contact me at your convenience.

Pam Richmond
Pamela Richmond, AICP
MPO Project Manager



1616 South 14th Street
Leesburg, Florida 34748
Ph: (352) 315-0170
Fx: (352) 315-0993

MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT SECTION 380.06(9)(E)2K.F.9. CHANGE NINTH AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

SEPTEMBER, 2014

REVISED: 10-7-14

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.)		THE VILLAGES OF SUMMER (OBG WEST/SUMMER CO.)		TOTALS	
	ACRES	UNITS/S.F. OTHER	ACRES	UNITS/S.F. OTHER	ACRES	UNITS/S.F. OTHER
RESIDENTIAL (ALFALF (BEDS))	412.1	2,108	2,341.0	11,719	2,753.1	13,827
COMMERCIAL			15.5		15.5	
TOURIST RESORTS						
ASSISTED LIVING FACILITY (BEDS)	151.4	1,191,450	249		1,211,450	94
VILLAGE WITNESS CENTER (V.C.)			259.4	1,582,300	259.4	1,582,300
SNOW (BEDS) (V.C.)			2.1	37,000	2.1	37,000
SNOW (BEDS) (V.C.)			3.7		3.7	
TOTAL COMMERCIAL	151.4	3,321,450	76	1,594,300	409.6	2,715,750
OFFICE (GENERAL)			6.0	59,000	6.0	59,000
MEDICAL CENTER						
HOSPITAL			6.8		6.8	
MEDICAL OFFICES (OFFICES)			14.4	120,000	14.4	120,000
HOUSING	7.3		11.0		18.3	
ATTRACTION/RECREATION						
THEATRE						
SCREENS						
SEATING						
INSTITUTIONAL						
GOLF COURSE	8.7		34.6		43.3	
SUN COURSES (VILLAGES CENTER)	60.0	1	766.0	6.5	826.0	7.5
WILDLIFE PRESERVE/NIGHT AREA	3.0		4.4	7	7.4	9
POWER USE R.O.W.			192.8		192.8	
ROADS			141.0		141.0	
LANES	30.2		183.0		213.2	
PERCOLATION PONDS	40.0		124.2		164.2	
WASTEWATER TREATMENT PLANT /			8.0		8.0	
PERCOLATION PONDS			15.0		15.0	
WATER TREATMENT PLANT			3.2		3.2	
INLET			2.6		2.6	
OPEN SPACE			2.6		2.6	
TOTAL ACRES	719.1		4,134.0		4,853.1	

PHASING SCHEDULE

LAND USE	EXISTING PRE 1990	1990-2014					TOTALS
		1990-1994	1995-1999	2000-2004	2005-2009	2010-2014	
THE VILLAGES OF LAKE (OBG WEST/SUMMER COUNTY)							
RESIDENTIAL (UNITS)	75	1,448	438	147			2,108
COMMERCIAL (RETAIL/SERVICES)							
TOTAL COMMERCIAL (BEDS)	140,888	100,000	180,000	634,387	35,947	42,805	1,121,450
ASSISTED LIVING FACILITY (BEDS)						94	94
HOTEL (ROOMS)		0		60	224		304
ATTRACTION/RECREATION							
THEATRE (SCREENS)			0				0
GOLF COURSE (ACRES)	90	30					60
(HOLE)	9	3					18
WASTEWATER TREATMENT PLANT /							
PERCOLATION PONDS			8.7				8.7
THE VILLAGES OF SUMMER (OBG WEST - SUMMER COUNTY)							
RESIDENTIAL (UNITS)		837	5,865	4,096	921		11,719
COMMERCIAL (BEDS)					249		249
VILLAGE (S.F.)			318,000	158,300	585,000	650,000	1,652,300
RECREATION (S.F.)					76		76
HOTEL (ROOMS) (V.C.)					100		100
OFFICE (GENERAL)					59,000		59,000
MEDICAL CENTER							
HOSPITAL (BEDS)					200		200
MEDICAL OFFICES (OFFICES)					30,000		30,000
WASTEWATER TREATMENT PLANT /							
PERCOLATION PONDS					32.6		32.6
GOLF COURSE (ACRES)		106	205	35			346
(HOLE)		11	41	3			55
SERVICES							
TOTAL RESIDENTIAL (UNITS)	75	2,285	6,300	4,131	921		13,827
TOTAL COMMERCIAL (BEDS)	140,888	100,000	180,000	634,387	35,947	42,805	1,121,450
TOTAL OFFICE (S.F.)					60,000		60,000
TOTAL INSTITUTIONAL (ACRES)					34.8		34.8





September 23, 2014

Thad Carroll, Director
Growth Management Department
Town of Lady Lake
409 Fennell Boulevard
Lady Lake, Florida 32159

Re: Section 380.06(19)(e)2. Amendment to Tri-County Villages of Lake DRI

Dear Mr. Carroll:

Central Florida Lodging, LLC, owner of the La Hacienda Hotel, is proposing to convert the Hotel to a Townhome/Condominium. The first step in this process is to change the DRI Hotel Land Use to Residential Land Use.

Central Florida Lodging, LLC and The Villages of Lake-Sumter, Inc. are requesting a minor amendment to the Tri-County Villages of Lake DRI Development Order to change a portion of the Hotel Land Use to Residential Land Use. We are also requesting to amend the DRI entitlements by reducing hotel by 29 rooms and increasing residential by 48 units which will be townhome/condominiums. We have included a traffic analysis demonstrating that the conversion results in no increase in impacts.

This Amendment meets the criteria for a minor change based on a determination by the Department of Economic Opportunity (DEO) pursuant to s.380.06(19)(e)2.k. The Department's determination letter is attached as Exhibit A to the application.

Since this Amendment is an (e)2. change, then no NOPC review is required. Enclosed is our application requesting an amendment to the Development Order which includes the proposed Development Order language. Please place this request on the 10/13/14 Planning and Zoning Board Agenda. We also request that the Town Commission act on the recommendation of the Planning and Zoning Board at the 11/03/14 meeting for first reading and 11/17/14 for final approval.

Thank you for your cooperation and assistance. Should you require any additional information or have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Martin L. Dzuro', written in a cursive style.

Martin L. Dzuro
Vice President

CONSENT AND DESIGNATION OF AGENT

The undersigned, CENTRAL FLORIDA LODGING, LLC, a Florida limited liability company, as Owner of the Property shown on Exhibit 1, hereby designates Martin L. Dzuro, Vice President of The Villages of Lake-Sumter, Inc., a Florida corporation, as its agent, and authorizes him to execute all documents on its behalf in its Application for an Amendment to the Tri-County Villages of Lake Development of Regional Impact to facilitate a change to the Land Use of Hotel to Residential, and for submission of the Property for those purposes as set forth in the documents rendered in that process.

Dated this 22nd day of September, 2014.

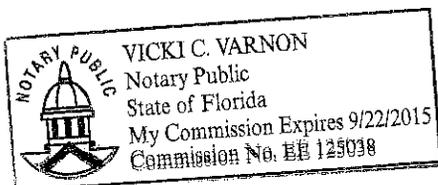
CENTRAL FLORIDA LODGING, LLC,
a Florida limited liability company

By: Larry Ducat
Larry Ducat, Manager

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this 22nd day of September, 2014 by Larry Ducat, Manager of Central Florida Lodging, LLC, a Florida limited liability company, who produced _____ as identification or who is personally known to me.

Vicki C. Varnon
Notary Public, State of Florida
Vicki C. Varnon



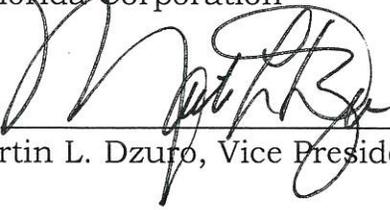
Printed Name _____
My Commission Expires: 9-22-15

CONSENT

The undersigned, THE VILLAGES OF LAKE-SUMTER, INC., a Florida Corporation, hereby consents and authorizes Central Florida Lodging, LLC, to apply for an Amendment to the Tri-County Villages of Lake Development of Regional Impact to facilitate a change to the Land Use of Hotel to Residential on the Property shown on Exhibit 1, and for the submission of the Property for those purposes as set forth in the documents rendered in that process.

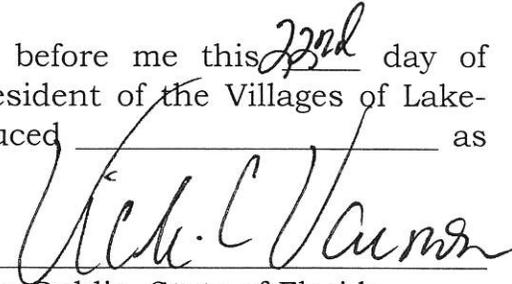
Dated this 22nd day of September, 2014.

The Villages of Lake-Sumter, Inc.
a Florida Corporation

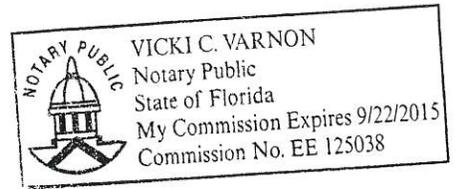
By: 
Martin L. Dzuro, Vice President

STATE OF FLORIDA
COUNTY OF Sumter

The foregoing instrument was acknowledged before me this 22nd day of September, 2014 by Martin L. Dzuro, Vice President of the Villages of Lake-Sumter, Inc., a Florida Corporation, who produced _____ as identification or who is personally known to me.


Notary Public, State of Florida
Vicki C. Varnon

Printed Name
My Commission Expires: 9-22-15





**REQUEST FOR SECTION 380.06(19)(E)2.K., F.S.
CHANGE FOR THE
TRI-COUNTY VILLAGES (LAKE) DRI**

(9th Amendment to the Amended Development Order)



Prepared for:

**THE VILLAGES OF LAKE-SUMTER, INC.
1020 LAKE SUMTER LANDING
THE VILLAGES, FLORIDA 32162**

**CENTRAL FLORIDA LODGING, LLC
1202 AVENIDA CENTRAL
THE VILLAGES, FLORIDA 32159**

Prepared by:

**CARLTON FIELDS, P.A.
215 SOUTH MONROE, SUITE 500
TALLAHASSEE, FLORIDA 32302**

and

**GRANT & DZURO
1045 LAKE SUMTER LANDING
THE VILLAGES, FLORIDA 32162**

SEPTEMBER, 2014

**REQUEST FOR SECTION 380.06(19)(E)2.K., F.S.
CHANGE FOR THE TRI-COUNTY VILLAGES (LAKE) DRI**

1. I, Martin L. Dzuro, the undersigned authorized representative of Central Florida Lodging, LLC, hereby gives notice of an amendment to an approved Development of Regional Impact (DRI) in accordance with Section 380.06(19)(e)2.k., F.S. In support, I submit the following information concerning the Tri-County Villages DRI, which information is true and correct to the best of my knowledge. As supported in this application, this change meets the criteria of Section 380.06(19)(e)2.k., F.S., thereby no NOPC review is required. A copy of paragraph (e)2.k. is attached along with the Department of Economic Opportunity's (DEO) interpretation as **Exhibit A**. The local government can approve the amendment based on their local approval process. However, we are providing courtesy copies of the proposed amendment, under separate cover, to the East Central Florida Regional Planning council (ECFRPC), the Withlacoochee Regional Planning Council (WRPC) and the Florida Department of Economic Opportunity (DEO). The statute does require that a copy of the adopted amendment be submitted to the ECFRPC, WRPC and DEO pursuant to Section 380.06(19)(e)2., F.S.

9/23/14
(Date)


(Signature)

2. Applicants (name, address, phone).

The Villages of Lake-Sumter, Inc.
c/o Martin L. Dzuro, Vice President
1045 Lake Sumter Landing
The Villages, Florida 32162
(352) 753-6262

Central Florida Lodging, LLC
Larry Ducat, Manager
1202 Avenida Central
The Villages, Florida 32159
(352) 259-6578

3. Authorized Agent (name, address, phone).

Martin L. Dzuro, Vice President
The Villages of Lake-Sumter, Inc.
1045 Lake Sumter Landing
The Villages, Florida 32162
(352) 753-6262
marty.dzuro@thevillages.com

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Town of Lady Lake, Lake County, Township 18 South, Range 24 East Sections 6, 7 and 18.

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate.

Central Florida Lodging, LLC is proposing to convert the La Hacienda Hotel to a townhome/condominium in the Spanish Springs area, located within a portion of the Hotel area of the Tri-County Villages Development of Regional Impact in Lady Lake, Lake County, inside of Avenida Central and US Highway 441/27. **Exhibit C** identifies this Hotel area. The townhome/condominium will consist of 48 Residential Units.

The Villages is proposing to convert the existing DRI entitlements by reducing hotel by 29 rooms and increasing residential by 48 units. The converted residential will for the 48 townhome/condominium units. Attached as **Exhibit D** is a traffic analysis by Kimley Horn demonstrating that the conversion of 29 hotel rooms into 48 residential units results in no increase in external vehicle trips.

Exhibit C is an updated Map H, Map H-1 and a Detail Map reflecting the Land Use Change.

Change in 2012 DRI Law

In the 2012 legislative session, a new criterion was added to the list of what constitutes an (e)2. change. **Exhibit A** is a copy of Section 380.06(19)(e)2., the portion of the statute addressing

(e)2. changes. Section 380.06(19)(e)2.k. was added which states if an amendment results in no increase in external vehicle trips and no decrease in open space or conservation areas then the change is not a substantial deviation. The statute already provided an exemption from NOPC review for (e)2. changes. Correspondence with DEO on reducing confusion on when the new (e)2.k. criterion applies is also attached.

This amendment meets the new criterion in (e)2.k. The Land Use Change results in no increase in projected external vehicle traffic as demonstrated in **Exhibit D**.

The amendment would also not reduce conservation lands or open space in the DRI. None of the subject property is classified as Open Space or Conservation within the DRI. There are lands designated as Open Space and Conservation within the DRI but those lands are not impacted by this change.

Thus, this amendment meets the criteria in s.380.06(19)(e)2.k. because the amendment 1) does not generate an increase in external vehicle trips and 2) the amendment does not reduce any approved open space or conservation areas in the DRI.

- 6. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?**

Tri-County Villages is a mixed-use retirement community located in northwestern Lake County/Town of Lady Lake and in northeastern Sumter County. It was formerly referred to as Orange Blossom Gardens and consists of four components.

- A. A portion of the property lying north and east of U.S. 27/441 was vested from Development of Regional Impact (DRI) review pursuant to a binding letter of vested rights dated November 29, 1973.
- B. On January 18, 1988, the second portion of the development was approved as a DRI known as Orange Blossom Gardens-South (OBGS) by the Town of Lady Lake in Ordinance 88-1.
- C. The third portion of the development was approved on May 7, 1990 by Town of Lady Lake Ordinance 90-12 for development as a substantial deviation to the original OBG-South DRI. This ordinance recognized the addition of a large development called Orange Blossom Gardens-West (OBGW) in Sumter County adjacent to OBGS. The OBGW DRI was approved on May 29, 1990 by the Sumter County Board of County Commissioners and on May 7, 1990 by the Town of Lady Lake. The OBGW DRI DO subsequently received minor amendments on August 14, 1990, and again on February 16, 1993.
- D. The fourth component of the Orange Blossom Gardens development was approved on September 20, 1994 by the Sumter County Commission and October

12, 1994, by the Town of Lady Lake. This component added significant land area and development to the OBGW and OBGS DRIs and consolidated the entire development into a single entity called the Tri-County Villages under the new corporate name of Villages of Lake-Sumter, Inc.

A complete history of the Tri-County Villages DOs and amendments in Lady Lake and Sumter County is provided below:

Lady Lake Ordinance 88-1

This ordinance, approved on January 18, 1988 by the Town Council, authorized the original DRI DO for OBGS. The DO authorized 1,375 single-family residential units, 225 multi-family units and 500,000 s.f. of commercial space on 595.17 acres.

Lady Lake Ordinance 90-12

The Town Council approved this ordinance on May 7, 1990. The ordinance was passed to recognize the authorization of additional development of Orange Blossom Gardens in Sumter County. The DRI-sized addition to the development in Sumter County was treated as a substantial deviation from the OBGS DO. However, the new development in Sumter County was named Orange Blossom Gardens-West. No additional development was authorized in the Town of Lady Lake. See Sumter resolution dated May 29, 1990 below for development authorized for OBGW.

Sumter County Resolution dated 05/29/90

This resolution authorized the OBGW substantial deviation to the OBGS DO. The DO authorized 200,000 s.f. gross leasable area (GLA) of community commercial space, 3,425 single family residential units and 2,725 multi-family units or any combination of these residential types, not exceeding 6,150 dwelling units on 1,737 acres and a gross density of 3.54 units per acre if conventionally constructed housing is employed. If any manufactured housing is utilized, a deviation of 10% from the maximum caps on 3,425 single family units and 2,725 multi-family units is allowed providing the total does not exceed 6,150 dwelling units on 1,737 acres and a gross density of 3.54 units per acre is maintained.

Sumter County Resolution dated 08/14/90

This amendment to the May 29, 1990 Sumter County DO provided clarification to Section III, H.3.b. (Page 9) of the resolution regarding hurricane preparedness. The amendment required the Developer to submit an emergency preparedness plan meeting the mitigation requirements of Rule 9J-2.0265 F.A.C. prior to the issuance of the 146th building permit or occupancy permit for mobile homes. The annual status report of the Developer shall show the cumulative and annual number of building permits and occupancy permits issued for mobile homes.

Sumter County Resolution dated 02/16/93

This amendment to the May 29, 1990 Sumter County DO amended the requirement that no building permit would be approved for any residential structure unless the structure had direct access via a Sumter County road to the North-South Collector road connecting CR-466 with US-441/27. The amendment provided an exception for a rectory for the St. Timothy's Catholic Church.

Sumter County Resolution dated 09/20/94

This amendment to the May 29, 1990 Sumter County DO consolidated all of the development in Sumter County approved for OBGW under the May 29, 1990 resolution and its amendments plus additional development and land area. The consolidated DO provided for 12,400 conventionally constructed single family dwelling units on 2,097.3 acres; 20 acres of institutional space, on which the Developer may construct local government and community facilities and up to 200,000 square feet of churches; up to 1,200 ACLF units; 910,000 square feet of Gross Floor Area (GFA) of neighborhood, community or general retail structures on 103 acres; 120,000 square feet GFA of office space on 12 acres; 720 acres of golf courses; and 738 acres of related roads, recreation and conservation areas, on a total project area of 3,697 acres, where residential density shall not exceed 3.354 dwelling units per gross acre.

Lady Lake Ordinance 94-17

This amendment to Ordinance 90-12 provided approval for additions to the OBGS or Lady Lake portion of the development and consolidated the total development in Lady Lake. The DO approved total development in the Town of Lady Lake to be 2,048 single family attached or detached dwelling units on 393 acres; 1,250,000 s.f. of Gross Floor Area of neighborhood, community, or general retail structures on 160 acres; 60 acres of golf courses, and 75 acres of related roads, recreation and conservation areas for a total project area of 688 acres, where residential density shall not exceed 3 dwelling units per gross acre.

Memorandum of Correction to Ordinance 94-17

A Memorandum of Correction was filed by the Town Manager of Lady Lake correcting three "scrivener's errors" to Ordinance 94-17.

Sumter County Resolution dated 10/29/96

This amendment to the September 20, 1994 resolution of Sumter County implemented the following changes: Reconfigured golf courses for Villages 4 and 5 to eliminate 9 Holes and eliminate 9 holes from Village 9; provided for filling wetland areas 12A and 12B in Village 4; realigned a road (El Camino Real) along the northern boundary of the project and added a roundabout (traffic circle) as an entrance feature; relocated residential land from Village 4 to Village 2 commercial area and relocated commercial development in Village 2 to east side of El Camino Real; created new lakes in Village 4; relocated water wellfields from Florida Power Corporation ROW easement to areas adjacent to the Gopher Tortoise Preserve and the Central Gopher Tortoise Management Area/Kestrel Preserve; added 43± acres to the northeast side of the DRI along US 441/27 and classified the area as Village Commercial on the Master Development Plan; corrected a scrivener's error in the alignment of the acreage totals with the corresponding land uses in the Tri-County Villages DO Land Use Allocations (Revised 4/6/94) table (**Exhibit B**) and correctly reflected the new land use totals in the revised Land Use Allocation Table (June 1996).

Lady Lake Ordinance 98-13 dated 8/3/98

This amendment designated an existing 48 unit hotel in the Village Town Center commercial area as a separate DRI land use and converted 100 units of residential sufficient to accommodate the 48 hotel units without increasing total traffic. The amendment added 47 townhouse hotel rental units to the Village Town Center commercial area and converted 35 units of residential and 8,000 s.f. of retail commercial sufficient to accommodate the 47 hotel units without increasing total traffic. The amendment also designated an existing 8 screen movie theater in the Village Town Center commercial area as a separate DRI land use and converted 32,000 s.f. of retail commercial sufficient to accommodate the 8 screen, 1,235 seat theater without increasing total traffic.

Sumter County Resolution dated 9/15/98

This resolution made minor changes in land use locations and acreage amounts and designated a Medical Center complex on Map H consisting of a possible 90 bed hospital, a wellness center and medical office; converted 39,700 s.f. (figure rounded) of the currently approved 850,000 s.f. of Village Commercial in Sumter County into a proposed 90 bed hospital; reduced the development plan by 410 residential units and 26,000 s.f. of Village Commercial to accommodate additional traffic resulting from conversion of general Office to Medical Office and to correct December 1993 traffic generation analysis which used 90,000 s.f. of Office instead of 120,000 s.f.

Lady Lake Ordinance No. 99-37 dated 10/18/99

This Ordinance amended the DO to provide for the following changes:

Land use changes as reflected in the Land Use Allocation Table and Phasing Chart and Map H (revised August 1999) for the Sumter County Tri-County Villages area; transfer 47 existing townhouse villa hotel units allocated in the Village Town Center commercial area to the La Hacienda hotel location to increase the hotel allocation in this location to 95 units; add 33 new hotel units to the La Hacienda hotel location thereby raising the total hotel allocation in this location to 128 hotel units and decreasing the land area for the hotel land use by 6.3 acres to construct 80 new hotel units; add 147 townhouse residential units to the Village Town Center commercial area and increase residential acreage by 20.1 acres; convert 27,000 s.f. of retail commercial sufficient to accommodate the additional 33 hotel units and 147 residential units and decrease Town Center commercial acreage by 13.8 acres.

Lady Lake Ordinance 2000-20

This ordinance added the Sumter County Commercial Area known as "Spanish Plaines" to Map H-1 so that it will depict the entire Town Center area. It reclassified three areas to Institutional land use to reflect church use. These areas include 4.0 acres for Church On The Square (Lady Lake), 3.4 acres for St. George Episcopal Church (Lady Lake), and 1.3 acres for St. Timothy's Catholic Church (Lady Lake). The ordinance reduced Town Center Commercial (Lady Lake) by 4.0 acres, 3.4 acres and 1.3 acres, a total of 8.7 acres. It added provisions to the DO strengthening the requirement to maintain level of service on public roads internal to the development.

Sumter County Resolution dated 5/15/00

This resolution added a commercial area known as "Spanish Plains" to Map H-1; redesignated 10.8 acres of Institutional land use to Village Center Commercial; reclassified 2.8 acres from Village Commercial to Institutional land use for St. Timothy's Catholic Church; reclassified 2.8 acres of Open Space to Institutional land use; reclassified .78 acres of Open Space to Well/Water Treatment Plant land use; reconfigured the medical center area of 3.9 acres of Village Commercial (retail), 7.5 acres of Office and 9.2 acres of Hospital to 14 acres of Office and 6.6 acres of Hospital without changing the overall gross floor area of Village Commercial, Offices or the number of Hospital beds; redesignated .9 acres of Village Center Commercial to Residential without changing the number of residential units; redesignated .6 acres of roads as Wellfields/Water Treatment Plant, and; added a condition strengthening the requirement to maintain level of service on public roads internal to the development.

Sumter County Resolution dated 9/12/01

This resolution made the following changes in land use locations, acreage amounts and entitlements to the Sumter County portion of the DRI:

Converted 14.8 acres of Residential land in Village 2 located adjacent to CR 466 to Institutional use for the construction of two churches; converted 19 acres of Neighborhood Commercial located in Village 9 at the intersection of Buena Vista Boulevard and El Camino Real to Residential Use; Increased the number of hospital beds from 90 to 350; revised the residential and golf course phasing of the DRI to reflect much higher absorption rates for residential housing and associated golf course construction than originally programmed; reduced the acreage for golf courses was by 2.8 acres and residential acreage was increased by 2.8 acres; deleted 60,000 s.f. of Neighborhood Commercial in Sumter County to accommodate additional traffic resulting from the increase of 260 hospital beds.

Sumter County Resolution dated 5/14/02

This resolution made the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

- A. Add 232.5 acres to the existing DRI but not increase existing entitlements;
- B. Add 184.8 acres of Residential land to the development plan;
- C. Add a net of 5.9 acres of Village Commercial land to the development plan and convert 23.4 acres of Village Commercial to Residential to accommodate Nursing Home beds and/or Adult Congregate Living Facilities;
- D. Add 15 acres of Institutional land to accommodate church construction;
- E. Increase Lakes/Retention land use by 15 acres;
- F. Add 11.7 acres of Roadways; and
- G. Provide for an additional access point to the regional roadway network via C.R. 101.

Sumter County Resolution dated 4/22/2003

This resolution made the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

- A. Add a 4.1 acre parcel to the existing DRI while simultaneously converting approximately 2.1 acres to the right-of-way for a relocation of CR 101, which yields a net increase in commercial land of approximately 2.0 acres but not increase existing entitlements;
- B. Revise the Master Development Plan (Map H) to show the relocation of the intersection of CR 101 with CR 466 at the southwestern corner of the development and show new property;
- C. Revise the legal description of the Tri-County Villages DRI.

Lady Lake Ordinance 2003-07

This Ordinance amended the DO to provide for the following changes:

- A. Add a 1.07 acre parcel located in the northwest quadrant of the US 27/441/Avenida Central intersection to the DRI to be designated on the Master Development Plan as Village Center Commercial without increasing any entitlements.
- B. Convert a 2.1 acre parcel located directly adjacent to the 1.07 acre (in A. above) from commercial to an 80 room hotel site by simultaneously reducing 25,000 square feet of currently approved commercial floor area to offset any external traffic impacts.
- C. Change the Annual Report due date from February 15 to May 1 beginning with the 2003 report.

Sumter County Resolution dated 3/16/2004

This resolution made the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

- A. Add 157.5 acres to the existing DRI.
- B. Increase entitlement by 95,000 square feet of retail/service use and 59,000 square feet of office use.

Lady Lake Ordinance 2004-6

This Ordinance amended the DO to provide for the following changes:

- A. Add a 29.88 acre parcel to the DRI to be designated as Town Center Commercial without increasing entitlements.
- B. Provide a list of land uses specifically allowed in the 29.88 acre parcel.
- C. Incorporate a change from Residential to Town Center Commercial use (without changing entitlements) for a 2.54 acre parcel in the Town Center Commercial Area.

Sumter County Resolution dated October 26, 2004

This Resolution created an amended and restated DO for the substantial deviation that provided for an increase of 715,000 square feet of retail/service floor area and the addition of 300 hotel rooms to be located in the southwestern part of the DRI in the "Leatherman-Smith Tract" (now known as "Buffalo Ridge").

Lady Lake Ordinance 2005-7

This Ordinance amended the DO to provide for the following changes:

- A. Convert 29,000 square feet of Town Center Commercial floor area to 125 hotel rooms.
- B. Convert 1.4 acres from Town Center Commercial to Hotel.
- C. Update the Tri-County Villages Map H, H-1 and H-2.

There has been no change of local government jurisdiction since the last approval or DO was issued.

Sumter County Resolution dated February 10, 2009

This Resolution amended the DO for the Sumter portion of the Tri-County Villages DRI as follows:

- 1. Updated Map H-1 Land Use Allocation and Phasing Tables to reflect the conversion of 24 approved, but unbuilt dwelling units to 16 skilled nursing facility beds and 14 approved, but unbuilt, dwelling units to 9 independent living units (all Assisted Living Facilities) pursuant to the land use conversion table contained within the DO.
- 2. Affordable Housing – Included requirement for a one-time payment of \$419,916 to the County for use in the County's affordable housing program to fully mitigate for the affordable housing conditions within the DO.
- 3. Transportation – Included the Proportionate Share Joint Participation Agreement between The Villages of Lake-Sumter, Inc. and the Florida Department of Transportation, executed on January 27, 2009. This agreement provides for the cumulative mitigation of transportation impacts through buildout. The transportation projects within the agreement include:
 - a. Adding 2 new lanes to US 301 from south of Oxford to the north end of the CSX railroad overpass in Wildwood
 - b. Intersection/operational improvements to US 301 and Florida Turnpike, CR 466 and US 301, US 301 and SR 44, and Morse Boulevard and CR 466
 - c. Commitment to commence construction of a partial interchange at CR 468 and the Florida Turnpike by December 1, 2014
- 4. Modeling and Monitoring – Removed transportation monitoring and modeling requirements from the DO. This was the result of the full mitigation of The Villages transportation impacts through buildout from the transportation improvements contained within the Proportionate Share Joint Participation

Agreement between The Villages of Lake-Sumter, Inc. and the Florida Department of Transportation. However, it does include a payment of \$15,000 per year from the Villages of Lake-Sumter Inc. from 2010 to 2014 to the County to support the County's traffic count and monitoring program. In addition, the requirement to address the annual monitoring and modeling report is removed from the DO due to the elimination of the transportation monitoring and modeling requirement.

5. Buildout and Expiration Date – The DO clarifies the buildout date as December 31, 2014 and expiration date of the DO as December 31, 2019. This maintains consistency between the four Developments of Regional Impact and one Florida Quality Development that comprises The Villages.

A similar amendment was adopted by the Town of Lake Lady Lake on February 23, 2009 for the Lake County portion of the Tri-County Villages DRI.

Lake County Ordinance 2009-1

This Ordinance amended the DO to provide for the following changes:

1. Establish December 31, 2014 as the buildout date.
2. Establish December 31, 2019 as the expiration date.
3. Establish the Developer's cumulative transportation mitigation for significant state and regional roadways and eliminate all monitoring and modeling requirements.
4. Establish full transportation mitigation on local roadways.
5. Recognize that the Developer has now fully mitigated for the cumulative impacts of its development on Affordable Housing.
6. Update the Master Development Plan (Maps H and H-1) to account for changes made by use of the Land Use Conversion Matrix and Amendments made by Sumter County.
7. Clarify that the requirements for Annual Reports cease upon reaching buildout.

Lady Lake, Notice of Section 54(19)(c)2. Chapter 2011-139, Laws of Florida dated August 2, 2011

This Notice pursuant to Section 54(19)(c)2. Chapter 2011-139, Laws of Florida extended Phase, Buildout and Expiration dates for Tri-County Villages DRI.

The extended dates are:

Phase V	December 31, 2018
Buildout	December 31, 2018
Expiration	December 31, 2023

Sumter County Resolution dated December 11, 2012

This Resolution amended the DO for the Sumter portion of Tri-County Villages DRI by amending solid waste provisions subsection 3 of Section III.H of the Amended DO by adding “Notwithstanding the expiration of the Developer Order, this provision shall continue until December 31, 2043.

Lady Lake Ordinance 2014-03

This Ordinance amended the DO to provide for the following changes:

A. This Amendment designated a portion of the Town Center Commercial (TCC) area to Assisted Living Facility (ALF), added 94 ALF beds and reduced the TCC square feet by 7,550.

7. **Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.**

No change in dates proposed.

8. **Will the proposed change require an amendment to the local government comprehensive plan?**

No.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06(15) F.S., and 9J-2.025, F.A.C.:

9. **An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.**

A revised Master Plan Map H-1 is included.

10. **Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order.**

Language changes related to this proposed DO amendment are found in the proposed Ordinance adopting this Ninth Amendment to the amended Lake County Development Order for the Tri-County Villages DRI attached as **Exhibit E**.

This amendment does not add or delete any land to the Tri-County Villages DRI or make any other changes.

EXHIBITS

- EXHIBIT A** COPY OF SECTION 380.06(19)(e)2.k., F.S. AND LETTER OF INTERPRETATION FROM DEO
- EXHIBIT B** CURRENT MASTER DEVELOPMENT PLAN (MAP H), LAND USE AND PHASING TABLES (MAP H-1), AND DETAIL MAP (JANUARY, 2014)
- EXHIBIT C** PROPOSED MASTER DEVELOPMENT PLAN (MAP H), LAND USE AND PHASING TABLES (MAP H-1) AND DETAIL MAP SHOWING THE HOTEL LAND USE CHANGED TO RESIDENTIAL. (SEPTEMBER, 2014)
- EXHIBIT D** TRAFFIC ANALYSIS BY KIMLEY-HORN & ASSOCIATES
- EXHIBIT E** PROPOSED AMENDMENT TO THE TRI-COUNTY VILLAGES DEVELOPMENT ORDER, LAKE COUNTY

EXHIBIT A

**COPY OF SECTION 380.06(19)(E)2.K., F.S. AND
LETTER OF INTERPRETATION FROM DEO**

EXHIBIT A

COPY OF FLORIDA STATUTES CH. 380.06(E)(2)K.

(2). The following changes, individually or cumulatively with any previous changes, are not substantial deviations:

- a. Changes in the name of the project, developer, owner, or monitoring official.
- b. Changes to a setback which do not affect noise buffers, environmental protection or mitigation areas, or archaeological or historical resources.
- c. Changes to minimum lot sizes.
- d. Changes in the configuration of internal roads which do not affect external access points.
- e. Changes to the building design or orientation which stay approximately within the approved area designated for such building and parking lot, and which do not affect historical buildings designated as significant by the Division of Historical Resources of the Department of State.
- f. Changes to increase the acreage in the development, if no development is proposed on the acreage to be added.
- g. Changes to eliminate an approved land use, if there are no additional regional impacts.
- h. Changes required to conform to permits approved by any federal, state, or regional permitting agency, if these changes do not create additional regional impacts.
- i. Any renovation or redevelopment of development within a previously approved development of regional impact which does not change land use or increase density or intensity of use.
- j. Changes that modify boundaries and configuration of areas described in subparagraph (b)11. due to science-based refinement of such areas by survey, by habitat evaluation, by other recognized assessment methodology, or by an environmental assessment. In order for changes to qualify under this sub-subparagraph, the survey, habitat evaluation, or assessment must occur before the time that a conservation easement protecting such lands is recorded and must not result in any net decrease in the total acreage of the lands specifically set aside for permanent preservation in the final development order.
- k. Changes that do not increase the number of external peak hour trips and do not reduce open space and conserved areas within the project except as otherwise permitted by sub-subparagraph j.
- l. Any other change that the state land planning agency, in consultation with the regional planning council, agrees in writing is similar in nature, impact, or character to the changes enumerated in sub-subparagraphs a.-k. and that does not create the likelihood of any additional regional impact.

This subsection does not require the filing of a notice of proposed change but requires an application to the local government to amend the development order in accordance with the local government's procedures for amendment of a development order. In accordance with the local government's procedures, including requirements for notice to the applicant and the public, the local government shall either deny the application for amendment or adopt an amendment to the development order which approves the application with or without conditions. Following adoption, the local government shall render to the state land planning agency the amendment to the development order. The state land planning agency may appeal, pursuant to s. 380.07(3), the amendment to the development order if the amendment involves sub-subparagraph g., sub-subparagraph h., sub-subparagraph j., sub-subparagraph k., or sub-subparagraph l. and if the agency believes that the change creates a reasonable likelihood of new or additional regional impacts.

Rick Scott
GOVERNOR



Hunting F. Deutsch
EXECUTIVE DIRECTOR

FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY

May 16, 2012

Mr. Darrin F. Taylor
Certified Planner/Government Consultant
Carlton Fields, Tallahassee Office
215 S. Monroe Street, Suite 500
Tallahassee, Florida 32301-1866

Dear Darrin:

I am writing in response to your letter of April 24, 2012 (copy attached), regarding the interpretation of House Bill 979 as it relates to a new provision included at sub-subparagraph 380.06(19)(e)2.k, F.S. This provision is an addition to the list of changes that are not substantial deviations and states that changes which do not increase external peak hour trips and do not reduce open space/conserved areas are not substantial deviations. We agree with the interpretations contained in your letter with the following clarifications:

1. On page 2, under item 2, we believe the fourth sentence should be revised to read as follows:

After adoption the local government must render the development order to DEO who may appeal if the amendment involves sub-subparagraphs g, h, j, k, or l and if the agency believes the change creates a reasonable likelihood of new or additional regional impacts ~~it meets the criteria in the statute.~~

It is unclear what "if it meets the criteria in the statute" means, and I have therefore quoted the portions of the statute that apply.

2. Also on page 2, item 2, we would rewrite the part of the paragraph that deals with the Florida Quality Development program as follows:

If the project is a Florida Quality Development (FQD), the developer must file the proposed changes (not a NOPC) with the local government, the DEO, and the RPC. The Department and the local government, in consultation with the regional planning council, determine whether the change is substantial. ~~The RPC is not required to review the change.~~ As long as the DEO and local government agree that the changes meet the (e)2 criteria, then no further regional review is required. The local government must in a public hearing make a recommendation for

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Darrin F. Taylor
May 16, 2012
Page Two

the DEO to issue the development order amendment ~~and then render the development order to DEO~~. The DEO issues the development order.

3. On page 3, item 3, you state that “development order amendments that do not result in an increase in external peak hour trips (as determined by the local government)” While it is true the local government makes the initial determination regarding whether there is an increase in peak hour trips, the Department is not bound by that determination and will conduct its own review.

If you have any questions, please contact Mike McDaniel at 717-8499 or James Stansbury at 717-8512.

Sincerely,



J. Thomas Beck, Director
Division of Community Development

JTB/mm

Attachment: April 24, 2012 Letter



Darrin Taylor
(850)425-3398
dtaylor@cartonfields.com

April 24, 2012

J. Thomas Beck, Director
Division of Community Development
Florida Department of Economic
Opportunity
The Caldwell Building
107 East Madison Street
Tallahassee, Florida 32399

Re: Interplay between HB 979 and s.380.06(19)(b) and substantial deviation presumptions

Dear Tom:

This week Nancy Linnan, Linda Shelley and I met with Mike McDaniel, David Jordan and James Stansbury to discuss how the Department will interpret the new DRI law approved in the 2012 Legislative Session, specifically s.380.06(19)(e)2.k. This provision exempts from the Notice of Proposed Change (NOPC) requirements development order amendments that result in no increase in peak hour trips or decrease in open space or preserved lands. It reads as follows:

- k. *Changes that do not increase the number of external peak hour trips and do not reduce open space and conserved areas within the project except as otherwise permitted by subparagraph j.*

As with all legislative changes, as the dust begins to settle from the Session and planners and land use attorneys begin to compare and contrast the new and existing law, it is important for DRI practitioners and local governments to understand how the Department interprets the new (e)2.k. language as it relates to the existing provisions in s.380.06(19)(b) - (e) and (i). The meeting with your team was to help us understand your Department's interpretation.

Our position is the new law provides clear direction that if the amendment results in no numerical increase in external peak hour trips (as defined by the local government) and

no decrease in open space or conservation lands, it is deemed to be an (e)2. change and no NOPC review is required. Thus, this provision trumps certain provisions in (19)(b) and (c) that relate to changes in development amounts if the proposed development order amendment does not result in an increase in peak hour trips or a decrease in open space or preserved areas in the project.

At the meeting your staff generally agreed with our recommended approach. It was also agreed, however, that provisions related to non-numerical considerations such as additions of new land within a DRI (s.380.06(19)(e)3.) and development order extensions (s.380.06(19)(c)) were not eligible to be deemed an (e)2. change pursuant to (e)(2)k. The Department could determine, on a case-by-case basis after looking at all the facts, that the addition of new land within a DRI is an (e)2. change pursuant to s.380.06(19)(e)2.l.

We agreed at the meeting to submit our position in writing in order to receive a written determination from the Department and that is the purpose of this letter. As always, the local government retains the ultimate authority to approve or deny the project even if the amendment is deemed to be an (e)2. change.

Below is a comprehensive review of the options available for amending development orders and our position on how s. 380.06(19) should be interpreted in light of the new law change.

1. Amendments that qualify under (19)(e)1.

Development order amendments that are less than any of the numerical criteria identified in (19)(b)1. – 10., and do not exceed any other criterion or are a development order extension of less than 5 years, do not require a determination of whether the change is a substantial deviation and do not require a public hearing under s. 380.06. No NOPC is required and only the local approval process is applied. The DO amendment must be sent to the DEO and the Regional Planning Council (RPC) and serves as notice of the amendment to the development order.

2. Amendments that qualify under (19)(e)2.

Development order amendments that are identified in (19)(e)a. – j. (copy attached) are not substantial deviations pursuant to s. 380.06(19). These changes are considered to have no regional impacts and no NOPC review is required. The developer must file an application with the local government in accordance with local procedures including notice to the applicant and the public. After adoption the local government must render the development order to DEO who may appeal if it meets the criteria in the statute. If the project is a Florida Quality Development (FQD), the developer must file the proposed change (not a NOPC) with the local government, the DEO and the RPC. The RPC is not required to review the change. As long as the DEO and local government

agree that the changes meet the (e)2. criteria, then no further regional review is required. The local government must in a public hearing make a recommendation for the DEO to issue the development order amendment and then render the development order to DEO. The DEO issues the development order.

3. Amendments that qualify under (19)(e)2.k.

Development order amendments that do not result in an increase in external peak hour trips (as determined by the local government) and do not reduce open space and conservation areas within the project (except as authorized in j.) are deemed to be an (e)2. change. The change can result in additional external non-peak trips and generate additional peak hour trips as long as the trips are all retained on-site. The local government must follow the approval process identified in #2 above (including no NOPC review) and the DEO retains appeal authority if it believes the amendment will generate additional regional impacts.

The following changes identified in (19)(b) and (c) qualify as an (e)2.k. change as long as the effect of the change meets the criteria stated above:

- A. Attraction/Recreation – 15% or greater increase in number of parking spaces or 500 or more spaces, or a 15% or greater increase in the number of spectators or 1,500 or more spectators, whichever is greater ((19)(b)1.)
- B. Airport – 25% or greater increase in lengthening of an existing runway, a new runway, a new terminal facility or a 25% or greater increase in the number of gates for an existing terminal if at least three gates are added, whichever is greater ((19)(b)2.)
- C. Office - 15% or greater increase in land area or gross floor area or 100,000 or more SF whichever is greater ((19)(b)3.)
- D. Residential – 10% or greater increase in dwelling units or 55 or more units whichever is greater ((19)(b)4.)
- E. Affordable Housing – 50% or greater increase in dwelling units or 200 or more units provided that 15% or more of the units are dedicated to affordable housing ((19)(b)5.)
- F. Commercial – 10% or greater increase in square feet of gross floor area, 60,000 or more square feet of gross floor area or 425 or more parking spaces, whichever is greater ((19)(b)6.)
- G. RV Parks – 10% or greater increase in vehicle spaces or 110 or more spaces, whichever is greater ((19)(b)7.)

- H. Multi-Use – 110% or greater increase in the sum of each land use ((19)(b)9.)
- I. New Land Use – Addition of new land use not previously reviewed for 15% or more of land area ((19)(e)5.a.)
- J. Simultaneous increases and decreases – A proposed change consisting of simultaneous increases and decreases of at least two of the uses for a DRI which was originally approved with 3 or more uses and residential ((19)(e)5.b.)
- K. Affordable Housing – An increase in affordable housing units within a DRI shall not constitute a substantial deviation and shall not be subject to DRI review for additional impacts as long as the total number of new affordable residential units does not exceed 200% of the substantial deviation threshold. ((19)(i))

4. Amendments that do not qualify under (e)1. or (e)2.

The following changes do not qualify under #1 - #3 above. These changes require the developer to either file a NOPC or seek a determination from the Department that the change will not result in additional regional impacts pursuant to s.380.06(19)(e)2.l.:

- A. Decrease in Open Space – Decrease in the area set aside for open space of 5% or 20 acres, whichever is less. ((19)(b)8.)
- B. External Vehicle Trips – A cumulative increase of 15% in external vehicle trips for the project. ((19)(b)10.)
- C. Changes to Preservation Areas – Any change resulting in development of an area specifically set aside for preservation, except those that qualify under the criteria of (e)(2)j. ((19)(b)11.)
- D. Changes as a result of requirements from DEP or Water Management District – Changes to an approved development order resulting from requirements imposed by the DEP or the Water Management District. These changes are presumed not to create a substantial deviation and may meet the criteria of (e)(2)l. ((19)(d))
- E. Time extensions of 5 Years or More – Extensions to development order approval dates that are for five years or more do not qualify under (e)(2)k. Extensions of less than five years do not require the filing of a NOPC pursuant to s.380.06(19)(e)1., F.S. ((19)(c))
- F. Addition of land not previously reviewed within the DRI – Additions of land within the DRI not previously reviewed are presumed to create a substantial

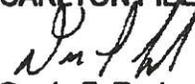
deviation. The amendment could receive a determination from the Department that the change would not result in additional regional impacts pursuant to (e)2.I. ((19)(e)3.)

G. Recalculation of Proportionate Share Calculation – Developers may request a recalculation of the proportionate share calculation and mitigation plan as a result of the new proportionate share formula. The local government is under no obligation to renegotiate the proportionate share calculation. The change, if agreed upon, is presumed not to create a substantial deviation and the change in the proportionate share calculation shall not be considered an additional regional impact. ((19)(e)6.)

Please review our interpretation and let us know if you agree with our position on s.380.06(19) and the new law change. If you have any questions you can call me at (850) 425 – 3398.

Sincerely,

CARLTON FIELDS, P.A.



Darrin F. Taylor

Cc: Linda Shelley
Nancy Linnan
David Jordan
Mike McDaniel
James Stansbury

List of s.380.06(19)(e)2. Changes

(e)2. The following changes, individually or cumulatively with any previous changes, are not substantial deviations:

- a. Changes in the name of the project, developer, owner, or monitoring official.
- b. Changes to a setback that do not affect noise buffers, environmental protection or mitigation areas, or archaeological or historical resources.
- c. Changes to minimum lot sizes.
- d. Changes in the configuration of internal roads that do not affect external access points.
- e. Changes to the building design or orientation that stay approximately within the approved area designated for such building and parking lot, and which do not affect historical buildings designated as significant by the Division of Historical Resources of the Department of State.
- f. Changes to increase the acreage in the development, provided that no development is proposed on the acreage to be added.
- g. Changes to eliminate an approved land use, provided that there are no additional regional impacts.
- h. Changes required to conform to permits approved by any federal, state, or regional permitting agency, provided that these changes do not create additional regional impacts.
- i. Any renovation or redevelopment of development within a previously approved development of regional impact which does not change land use or increase density or intensity of use.
- j. Changes that modify boundaries and configuration of areas described in subparagraph (b)11. due to science-based refinement of such areas by survey, by habitat evaluation, by other recognized assessment methodology, or by an environmental assessment. In order for changes to qualify under this sub-subparagraph, the survey, habitat evaluation, or assessment must occur prior to the time a conservation easement protecting such lands is recorded and must not result in any net decrease in the total acreage of the lands specifically set aside for permanent preservation in the final development order.

k. Any other change which the state land planning agency, in consultation with the regional planning council, agrees in writing is similar in nature, impact, or character to the changes enumerated in sub-subparagraphs a.-j. and which does not create the likelihood of any additional regional impact.

EXHIBIT B

**CURRENT MASTER DEVELOPMENT PLAN (MAP H),
LAND USE AND PHASING TABLES (MAP H-1) AND DETAIL MAP
(JANUARY, 2014)**

MAP H

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT
SECTION 380.06(19)(E)/2.K.F.S. CHANGE EIGHT AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

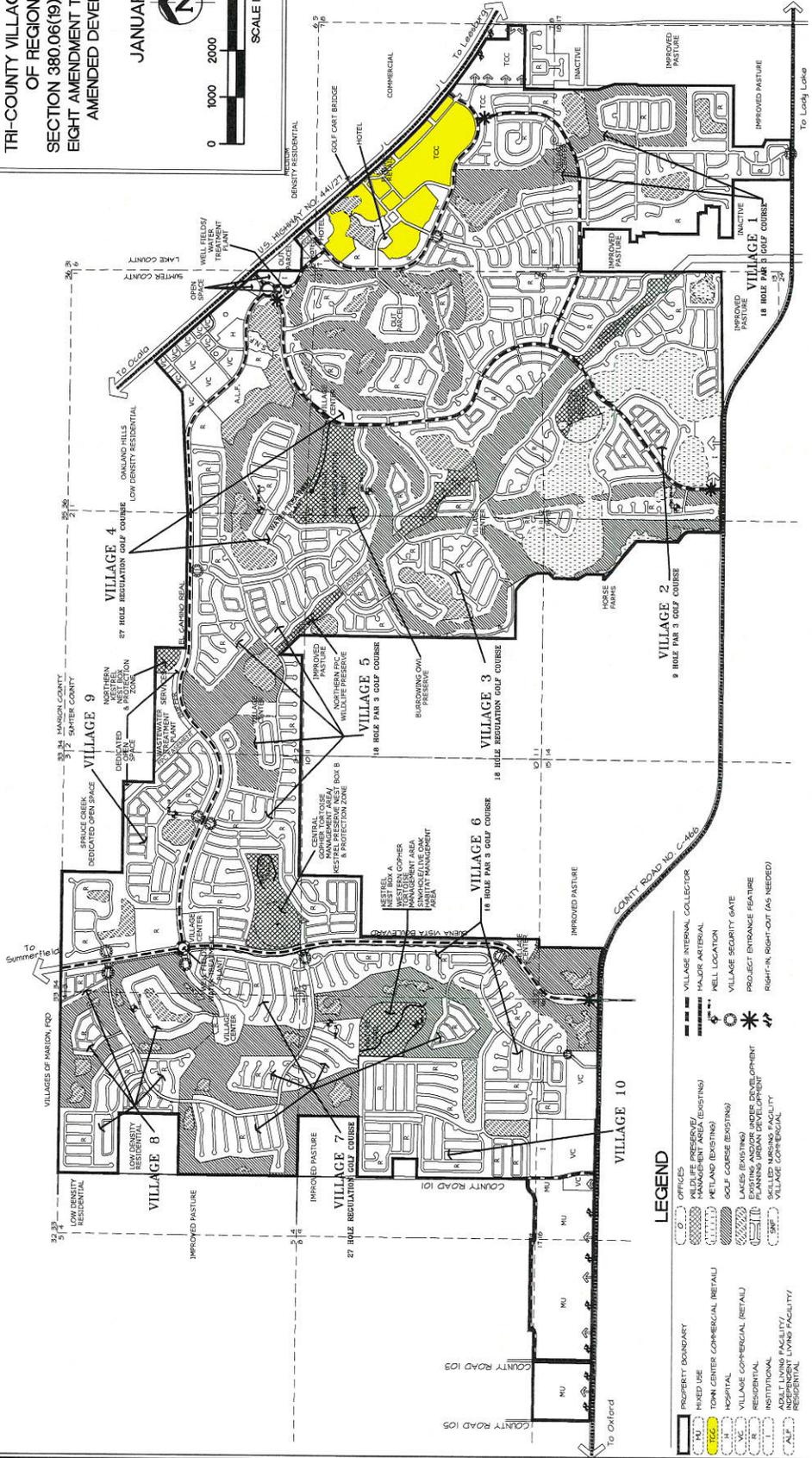
JANUARY, 2014



NOTE:

Lady Lake. Residential densities may vary. A gross residential density of 3 units per acre shall be maintained. This residential density is set for the medium density residential land use classification on the Lady Lake future land use map.

Sumter. Residential densities may vary. A gross residential density of 3.354 units per acre shall be maintained. This residential density is comparable to the medium density residential land use classification on the Sumter County future land use map.



LEGEND

- PROPERTY BOUNDARY
- HIRED USE
- TOWN CENTER COMMERCIAL (RETAIL)
- HOSPITAL
- VILLAGE COMMERCIAL (RETAIL)
- RESIDENTIAL
- INSTITUTIONAL
- ADULT LIVING FACILITY
- LIVING FACILITY
- OFFICES
- RESERVE/ MANAGEMENT AREA (EXISTING)
- WETLAND (EXISTING)
- GOLF COURSE (EXISTING)
- LANES (EXISTING)
- PLANNING AREA (EXISTING)
- SKILLED NURSING FACILITY
- VILLAGE COMMERCIAL
- VILLAGE INTERNAL COLLECTOR
- MAJOR ARTERIAL
- WELL LOCATION
- VILLAGE SECURITY GATE
- PROJECT ENTRANCE FEATURE
- RIGHT-IN, RIGHT-OUT (AS NEEDED)

DETAIL

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT
OF REGIONAL IMPACT
SECTION 380.06(19)(E)2.K., F.S. CHANGE
EIGHT AMENDMENT TO THE LAKE COUNTY
AMENDED DEVELOPMENT ORDER

JANUARY, 2014

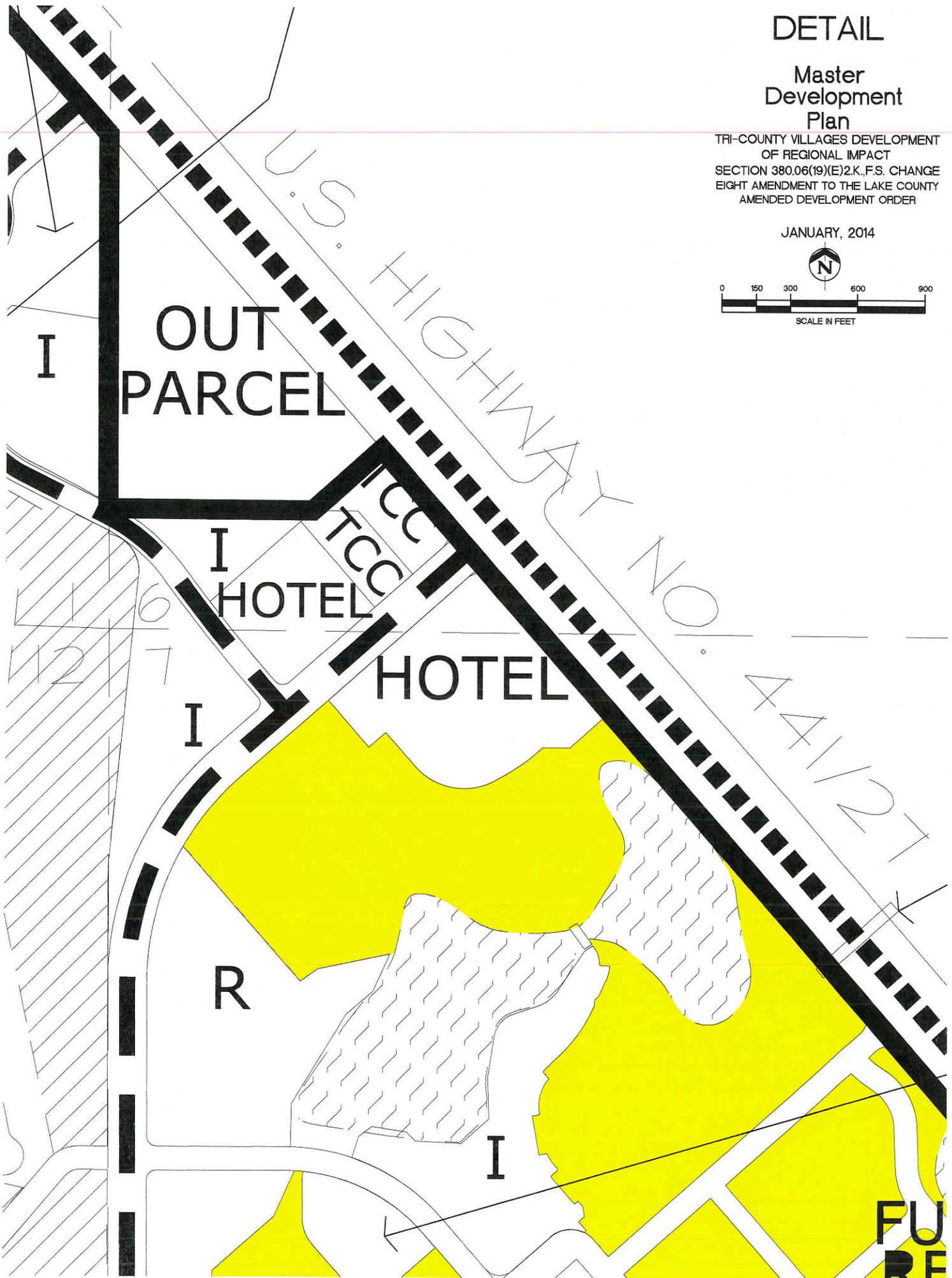
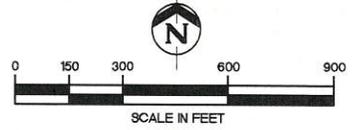


EXHIBIT C

**PROPOSED MASTER DEVELOPMENT PLAN (MAP H)
SHOWING THE HOTEL LAND USE CHANGED TO RESIDENTIAL,
MASTER DEVELOPMENT PLAN (MAP H-1) SHOWING THE HOTEL
AND RESIDENTIAL ACREAGE CHANGE AND DETAIL MAP
(SEPTEMBER, 2014)**

MAP H

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT SECTION 380.06(19)(E)2,K,F,S. CHANGE NINTH AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

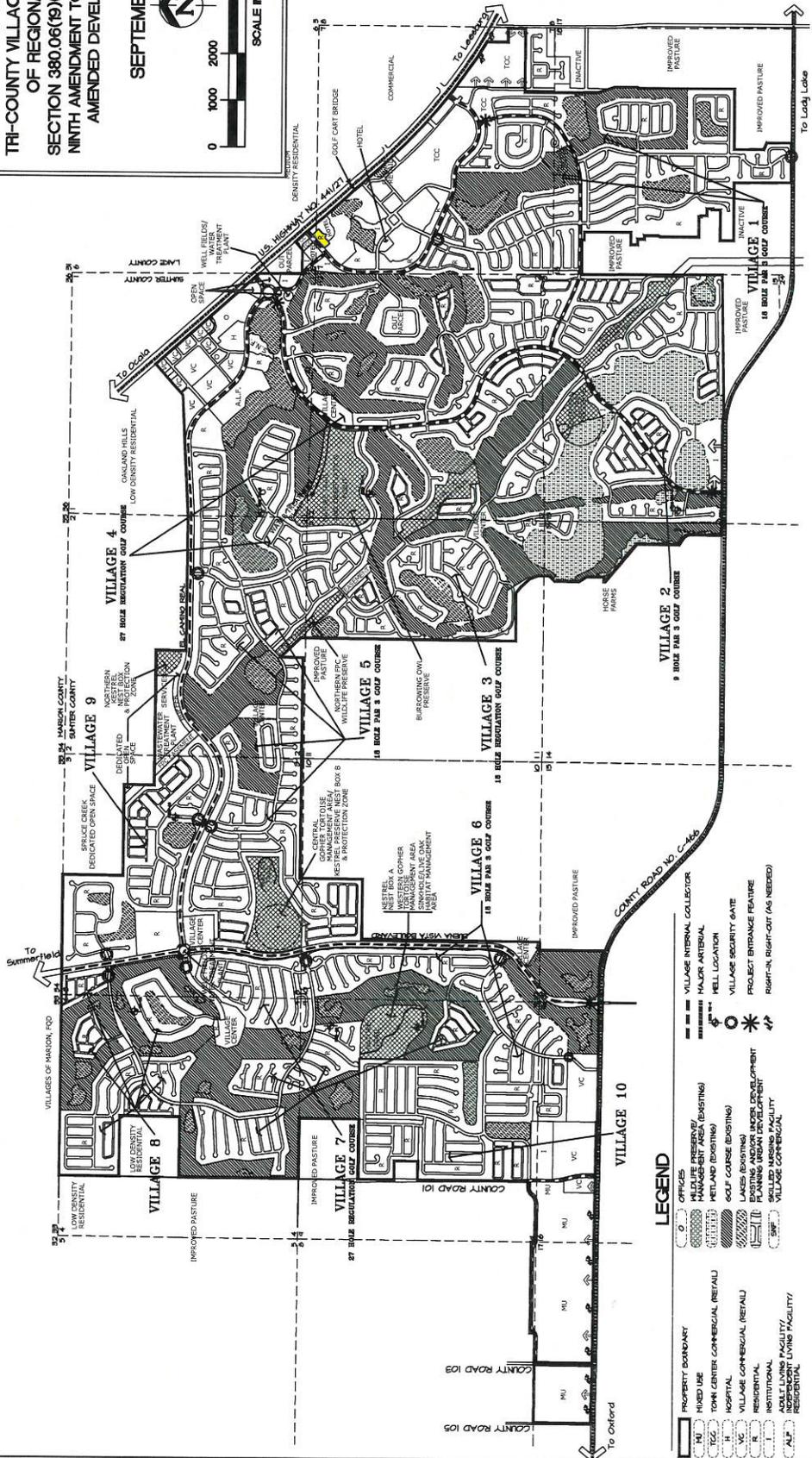
SEPTEMBER, 2014



*** NOTE:**

Lady Lake: Residential densities may vary, as indicated on the map, as the mixed, medium density residential land use classification on the Lady Lake future land use map.

Sumner: Residential densities may vary, as indicated on the map, as the medium density residential land use classification on the Sumner County future land use map.



LEGEND

- PROPERTY BOUNDARY
- MIXED USE
- TOWN CENTER COMMERCIAL (RETAIL)
- HOSPITAL
- VILLAGE COMMERCIAL (RETAIL)
- RESIDENTIAL
- INSTITUTIONAL
- ADULT LIVING FACILITY/LIVING FACILITY
- OFFICES
- MANAGEMENT AREA (EXISTING)
- WETLAND (EXISTING)
- GOLF COURSE (EXISTING)
- LAKES (EXISTING)
- EXISTING MAJOR WATER DEVELOPMENT
- SKILLED NURSING FACILITY
- VILLAGE COMMERCIAL
- VILLAGE INTERNAL COLLECTOR
- MAJOR ARTERIAL
- WELL LOCATION
- VILLAGE SECURITY GATE
- PROJECT ENTRANCE FEATURE RIGHT-IN, RIGHT-OUT (AS NEEDED)

MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT SECTION 380.06(19)(E)2.K.F.S. CHANGE NINTH AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

SEPTEMBER, 2014

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.)			THE VILLAGES OF SUMMER (OBG WEST/SUMMER CO.)			TOTALS	
	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F. OTHER
RESIDENTIAL ALF/ALF (BEDS)	412.2	2,108		2,343.0	11,719	249	2,755.2	13,927
COMMERCIAL CENTER	151.4	1,121,450		151.4			151.4	1,121,450
ASSISTED LIVING FACILITY (BEDS)			94					94
VILLAGE CENTER (V.C.)			252.4		1,562,300		252.4	1,562,300
NEIGHBORHOOD			2.1		39,000		2.1	39,000
SNF (BEDS) (V.C.)	151.4	1,121,450		3.7	258.2	76	3.7	409.6
TOTAL COMMERCIAL					1,594,300			2,715,750
OFFICE (GENERAL)				6.0	591,000		6.0	591,000
MEDICAL CENTER				6.6			6.6	
HOSPITAL				14.4	120,000	350	14.4	120,000
MEDICAL OFFICES (OFFICES)				7.3			7.3	
HOTEL				304			304	
ROOMS								
ATTRACTION/RECREATION	4.5	23,549					4.5	23,549
SCREENS			8					8
SEATS			1,235					1,235
INSTITUTIONAL	8.7			32.6			41.3	
CLUB HOUSES (VILLAGE CENTER)	60.0			706.0	6.5		766.0	7.5
WILDMAN RESERVES/ORIENT. AREA	5.0		1	41.4	7		46.4	8
WETLANDS				5.4			5.4	
LAKES				13.0			13.0	
LANDSCAPE FEATURES	30.0			148.0			178.0	
PERCOLATION PONDS	40.0			183.0			223.0	
WASTEWATER TREATMENT PLANT /				8.0			8.0	
PERCOLATION POND				15.0			15.0	
WETLANDS				3.2			3.2	
BUFFER				1.4			1.4	
OPEN SPACE				3.6			3.6	
TOTAL ACRES	719.1			4,134.0			4,853.1	

PHASING SCHEDULE

LAND USE	EXISTING PRE 1990	1990-2014					TOTALS
		1 1990-1994	2 1995-1999	3 2000-2004	4 2005-2009	5 2010-2014	
THE VILLAGES OF LAKE (OBG SOUTH - LADY LAKE)							
RESIDENTIAL (UNITS)	75	1,448	438	147			2,108
COMMERCIAL (RETAIL SERVICES)							
VILLAGE CENTER (V.C.)	140,886	100,000	168,000	634,167	35,547	42,450	1,121,450
ASSISTED LIVING FACILITY (BEDS)						94	94
HOTEL (ROOMS)		0		80	224		304
ATTRACTION/RECREATION							
THEATRE (SCREENS)			8				8
GOLF COURSE (ACRES)	30	30					60
(HOLES)	9	9					18
INSTITUTIONAL (ACRES)			8.7				8.7
OFFICES (S.F.) (SUMMER COUNTY)							
(OBG WEST - SUMMER COUNTY)							
RESIDENTIAL (UNITS)		837	5,865	4,036	921	249	11,719
ALF (BEDS)							
COMMERCIAL (S.F.)			218,000	159,300	585,000	600,000	1,562,300
NEIGHBORHOOD (S.F.)					76		76
SNF (BEDS) (V.C.)						39,000	39,000
HOTEL (ROOMS)						200	200
OFFICE (GENERAL)						59,000	59,000
MEDICAL CENTER			32,000				32,000
WELTMAN CENTER (V.C.) (S.F.)					200		200
WILDMAN RESERVES/ORIENT. AREA						80	80
MEDICAL OFFICES (S.F.) (OFFICES)				60,000	30,000	30,000	120,000
INSTITUTIONAL (ACRES)						32.6	32.6
GOLF COURSE (ACRES)		106	485	35			706
(HOLES)		27	81	9			117
SERVICES			5.4				5.4
TOTAL RESIDENTIAL (UNITS)	75	2,205	6,303	4,243	921	249	13,827
TOTAL COMMERCIAL (S.F.)	140,886	100,000	418,000	793,867	620,547	642,450	2,715,750
TOTAL OFFICE (S.F.)				60,000	89,000	30,000	179,000
TOTAL INSTITUTIONAL (ACRES)			8.7	32.6			41.3

DETAIL

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT
OF REGIONAL IMPACT
SECTION 380.06(19)(E)2.K.F.S. CHANGE
NINTH AMENDMENT TO THE LAKE COUNTY
AMENDED DEVELOPMENT ORDER

SEPTEMBER, 2014

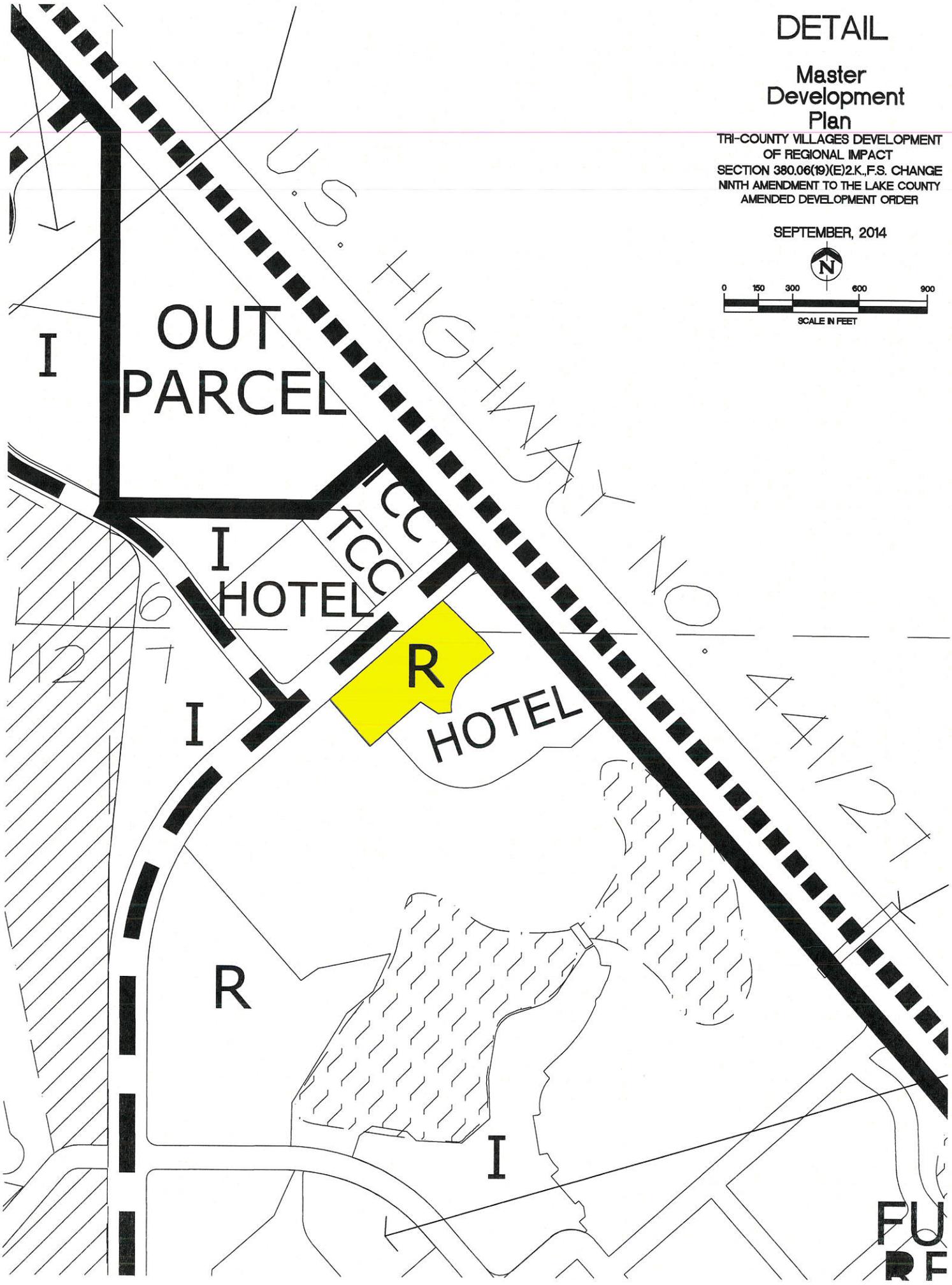


EXHIBIT D

TRAFFIC ANALYSIS BY KIMLEY-HORN & ASSOCIATES



September 11, 2014

Mr. Martin L. Dzuro, P.S.M.
Grant & Dzuro
1045 Lake Sumter Landing
The Villages, Florida 32162

**RE: *Tri-County Villages (Lake) DRI
Section 380.06 (19)(E)2.k., F.S. Change
Ninth Amendment – Hotel to Condominium
The Villages, FL***

Dear Marty:

The Villages is proposing the construction of 48 residential condominiums in the Spanish Springs/Town Center area. This letter summarizes the associated traffic impacts of this land use change to convert a portion of existing hotel use in the Tri-County Villages DRI to condominiums. The proposed reduction of hotel rooms is being made so that there is no increase in traffic impacts from the change.

The proposed condominiums will be located in the southwest quadrant of the intersection of Avenida Central and US 27. The 9th Edition of ITE's *Trip Generation Manual* and the latest DRI and traffic monitoring analyses for the Villages DRIs were used to determine the difference in trip generation associated with the land use change. With the proposed land use change, the trip generation analysis determined that the 48 condominium units will generate 17 trips during the p.m. peak hour, or 0.35 trips per dwelling unit. The trip generation analysis also determined that 29 hotel rooms will generate 17 trips during the p.m. peak hour, or 0.60 trips per room according to the *Trip Generation Manual*. The trip generation analysis is included as Table 1.

In summary, the proposed land use change from hotel to residential condominium will not result in any net new trips for the DRI. In addition, 29 hotel units will need to be reduced to equal the same impact as the proposed 48 condominium units.

If you have any questions or need additional information, please feel free to contact me.

Very truly yours,

KIMLEY-HORN

Richard R. Barr
Senior Vice President

Cc: Darrin Taylor, Carlton Fields

Attachment: Table 1 – Trip Generation Analysis

K:\TAL_TPTO\040380 - Villages\001-021 - Tri-Co. VIII\Hotel to Condominium-Spanish Springs\Hotel_to_Condo_Memo.docx

Table 1 – Trip Generation Analysis

Land Use		Intensity	Units	Equation	PM Peak Hour of Adjacent Street Trips		
					Total	In	Out
Proposed	Residential Condominium/Townhouse	48	du	$T = 0.35(X)^1$	17	11	6
Approved	Hotel	29	rooms	$T = 0.60(X)^2$	17	9	8
Total Net New Trips					0	2	-2

Notes:

¹ Calculated using data from the Villages DRI Studies; Villages O-D Survey

² Calculated using data from ITE's Trip Generation Manual, 9th Edition

EXHIBIT E

**PROPOSED AMENDMENT TO THE
TRI-COUNTY VILLAGES DEVELOPMENT ORDER, LAKE COUNTY**

ORDINANCE NO. 2014-__

AN ORDINANCE OF THE TOWN COMMISSION OF LADY LAKE, FLORIDA, ADOPTING A NINTH AMENDMENT TO THE AMENDED DEVELOPMENT ORDER FOR THE TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT LAKE COUNTY; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA:

WHEREAS, on January 18, 1988, a DRI known as Orange Blossom Gardens-South (OBGS) was approved by the Town of Lady Lake in Ordinance 88-1. A substantial deviation to the OBG-South DRI was approved on May 7, 1990 by Town of Lady Lake Ordinance 90-12. A second substantial deviation was approved as the Orange Blossom Gardens-West (OBGW) DRI on May 29, 1990 by the Sumter County Board of County Commissioners and on May 7, 1990 by the Town of Lady Lake. The OBGW DRI Development Order was amended on August 14, 1990 and again on February 16, 1993. On September 20, 1994 and October 12, 1994, Sumter County and Lady Lake respectively approved a substantial deviation to the OBGS and OBGW DRI development orders, combining them and referring to the development collectively as the Tri-County Villages DRI. A first revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 29, 1996. On August 3, 1998, a first revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 98-13. A second revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on September 15, 1998. On May 15, 2000, a third revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission. A fourth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on September 12, 2001. A fifth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on May 15, 2002. A sixth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on April 22, 2003. On October 18, 1999, a second revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 99-37. On May 8, 2000, a third revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 2000-20. A fourth revision to the Lady Lake Tri-County Villages development order was approved on May 15, 2003 by Town of Lady Lake Ordinance 2003-07. A seventh revision to the Sumter Tri-

County Villages development order was approved by the Sumter County Commission on March 16, 2004. A seventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on March 16, 2004. On August 2, 2004, a fifth revision to the Lady Lake Tri-County Villages development order was approved on August 2, 2004 by Town of Lady Lake Ordinance 2004-6. An eighth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 26, 2004. A sixth revision to the Lady Lake Tri-County Villages development order was approved on March 17, 2005 by Town of Lady Lake Ordinance 2005-7. A ninth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 11, 2005. A tenth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on February 10, 2009; a seventh revision to the Lady Lake Tri-County Villages development order was approved by the Lady Lake Town Commission on February 23, 2009. An eleventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on December 11, 2012; an eleventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on December 11, 2012; and an eighth revision to the Lady Lake Tri-County Villages development order was approved by the Lady Lake Town Commission on March 17, 2014.

WHEREAS, on September 23, 2014, The Villages of Lake-Sumter, Inc and Central Florida Lodging, LLC submitted their e2 application pursuant to 380.06 (19)(e)(2).k., Florida Statutes (F.S.), to the Town of Lady Lake to amend the Tri-County Villages Development of Regional Impact (DRI) Amended Development Order, (the ADO); and

WHEREAS, the Town of Lady Lake (Lady Lake), as governing body of the local government having jurisdiction, is authorized and empowered to consider DRIs; and

WHEREAS, Lady Lake has reviewed the e2 application, as well as all related testimony and evidence submitted by each party and members of the general public; and

WHEREAS, Lady Lake has conducted an advertised public hearing on _____, 2014 for the purpose of receiving public comment.

NOW, THEREFORE BE IT RESOLVED BY THE LADY LAKE TOWN COMMISSION, IN PUBLIC MEETING DULY CONSTITUTED AND ASSEMBLED THIS ____ DAY OF _____, 2014, THAT THE TRI-COUNTY VILLAGES OF LAKE DRI IS HEREBY APPROVED, EFFECTIVE AS SPECIFIED HEREIN, BASED UPON AND SUBJECT TO THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW AND CONDITIONS/RESTRICTIONS:

SECTION 1. Findings of Fact. Based on the documentation and testimony received at the public hearing, the Board hereby finds as fact as follows:

1. The Tri-County Villages DRI is a mixed-use retirement community Development of Regional Impact located in northwestern Lake County/Lady Lake and in northeastern Sumter County.
2. On September 23, 2014, The Villages of Lake-Sumter, Inc. and Central Florida Lodging, LLC submitted an e2 application to a previously approved DRI pursuant to Section 380.06 (19)(e)(2)k., F.S. to amend the DRI in Lady Lake as follows:
 - Amend Map H to change a portion of the Hotel Land Use to Residential.
 - Amend Map H-1 to convert 29 hotel rooms into 48 townhome/condominium units and to show the acreage changes to Hotel and Residential. (see **EXHIBIT 1**);
3. The changes proposed in the e2 application meet the criteria in s.380.06(19)(e)2.k. because the amendment results in no increase in external peak hour trips and does not reduce open space or conserved lands in the Tri-County Villages Development of Regional Impact (DRI).
4. This amendment is not a substantial deviation to the DRI pursuant to s.380.06(19)(e)2.k.
3. A duly noticed public hearing was conducted on the e2 application by the Town of Lady Lake on _____, 2014 and all interested parties and members of the public were similarly afforded the opportunity to participate.

SECTION 2. Conclusions of Law. Based on the findings of fact adopted above, Lady Lake hereby adopts the following conclusions of law:

1. The Town of Lady Lake is the governing body having jurisdiction over the review and approval of the e2 application, pursuant to Chapter 380, F.S., and is authorized and empowered to issue this Ninth Amendment to the Tri-County Villages DRI ADO.
2. The property does not lie within an Area of Critical State Concern as designated pursuant to Chapter 380.05, F.S.
3. The proposed development is consistent with the applicable local comprehensive plan and is consistent with the applicable local land development regulations.
4. The proposed development is consistent with the East Central Florida Strategic Regional Policy Plan.
6. The provisions of this amendment to the ADO shall not be construed as a waiver of or exception to any local, state or federal law or regulation.
7. The impacts of this development, as conditioned by this Ninth Amendment to the ADO, are adequately addressed pursuant to the requirements of Chapter 380, F.S., and the changes as approved by the Town of Lady Lake do not constitute a substantial deviation to the original DRI Development Order or subsequent amendments or create additional local impacts.
8. To the extent that the application for development approval (ADA), NOPC or e2 application, or any other document is inconsistent with the terms and conditions of this amendment to the ADO, this amendment to the ADO shall prevail.

SECTION 3. General Conditions. The Town of Lady Lake, having made the aforementioned Findings of Fact and Conclusions of Law, hereby approves the proposed changes contained in the NOPC and subsequent addendum submittals and incorporated by reference herein, subject to the following modifications and conditions of development set forth in this amendment to the ADO:

1. Revisions to Development Order
 - a. Revised Master Development Plan A revised Master Plan (Map H) and DRI Phase Allocation Table (Map H-1) (revised August, 2014) are hereby adopted for the Tri-County Villages DRI and a copy is attached and incorporated herein as **EXHIBIT 1**.

- b. Amend Map H and H-1 to show the change of Hotel Land Use to Residential and a conversion of 29 hotel rooms into 48 townhome/condominium units. (see **EXHIBIT 1**).
- c. Final Order. That this amendment to the ADO shall constitute the final order of the Town of Lady Lake in response to the DRI e2 application filed by the Developer.
- d. Definitions. That the definitions found in Chapter 380, F.S. (2003) shall apply to this amendment to the ADO.
- e. Assignability: Persons Bound. That this amendment to the ADO shall be binding upon the Developer and its heirs, assignees, or successors in interest.
- f. Severability. That in the event any portion or section of this amendment to the ADO is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this amendment to the ADO, which shall remain in full force and effect.
- g. Recordation of Notice of Adoption. That within sixty (60) days of the issuance of this amendment to the ADO, The Villages of Lake-Sumter, Inc. shall cause a Notice of Adoption of this amendment to be recorded among the Public Records of Lake County in accordance with Section 380.06 (15), F.S., and shall provide a copy of the recorded Notice to the Town of Lady Lake, Sumter County, the ECFRPC, the WRPC and the DEO.
- h. Restriction on Downzoning, Density Reduction or Intensity Reduction. That the Town of Lady Lake agrees that the approved DRI shall not be subject to down zoning, density reduction, or intensity reduction after the effective date of this amendment to the ADO, unless the Town of Lady Lake can demonstrate that substantial changes in the conditions underlying the approval of the amendment to the ADO have occurred, or that the amendment to the ADO was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the Town of Lady Lake to be essential to the public health, safety or welfare.

- i. Impact Fees. That approval of this amendment to the ADO shall not exempt any portion or unit of the Tri-County Villages of Lake development from any future impact fees imposed by the Town of Lady Lake. Developer credit for applicable improvements paid for by it pursuant to the requirements of this amendment to the ADO shall be given as provided for by Section 380.06(16), F.S.
- j. Effective Date. That upon adoption, this Amendment to the ADO shall be transmitted to the ECFRPC, the DEO and the Developer and shall become effective upon rendering of this Development Order by the Town of Lady Lake.
- k. Transmittal of Amendment. That certified copies of this amendment to the ADO shall be transmitted immediately by certified mail to ECFRPC, DEO and the Developer, by the Town of Lady Lake.

PASSED AND ORDAINED in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, this _____ day of _____, 2014.

TOWN OF LADY LAKE, FLORIDA

Ruth Kussard, Mayor

ATTEST:

Kris Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth, Town Attorney

EXHIBIT 1

Master Development Plan, Map H and H-1 (Revised September, 2014)

MAP H

Master Development Plan

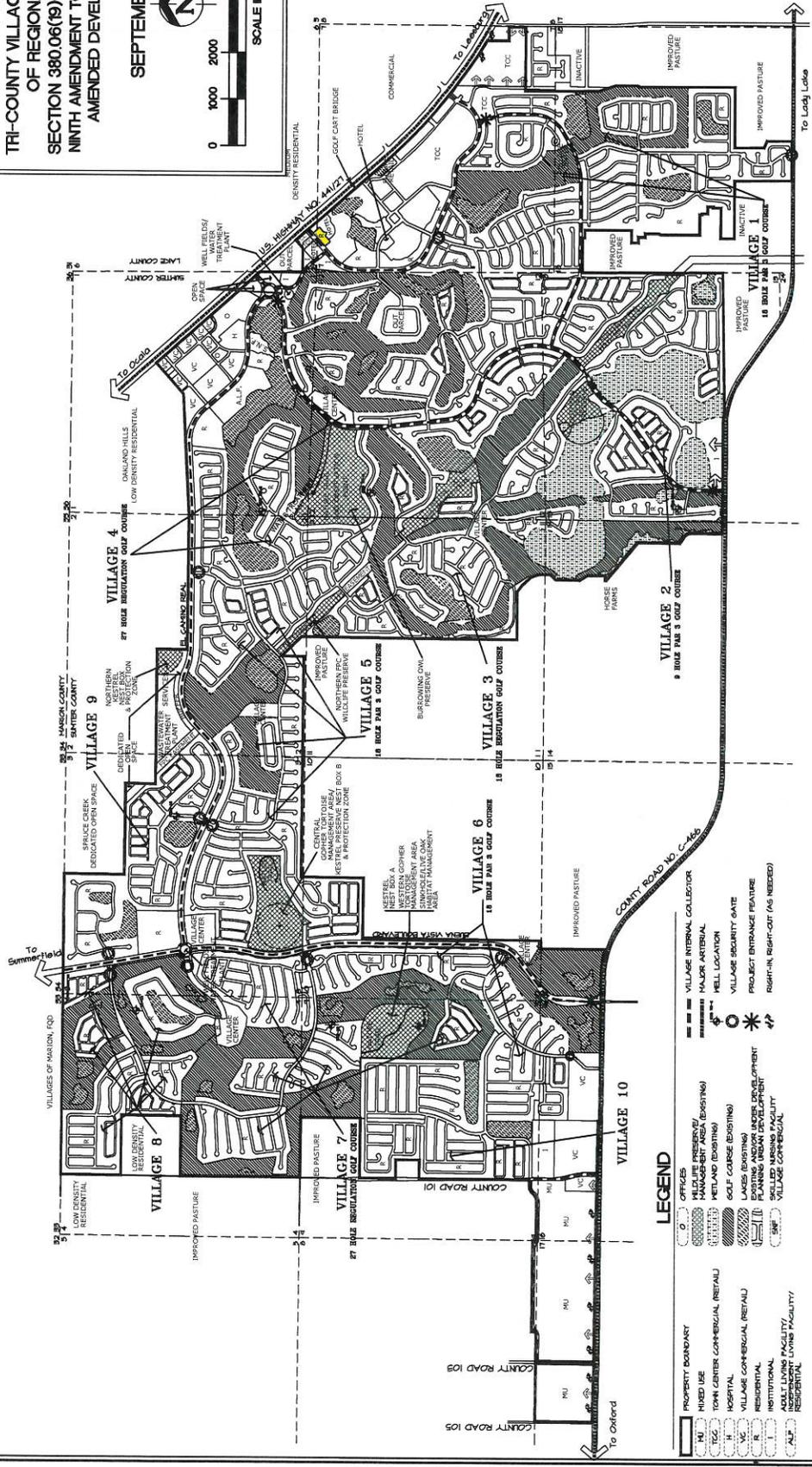
TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT SECTION 380.06(19)(E)2.K.F.S. CHANGE NINTH AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

SEPTEMBER, 2014



NOTE: Lady Lake. Residential densities may vary. A gross residential density of 9 units per acre shall be maintained. This residential density is reflected as the mixed, medium density residential land use classification on the Lady Lake future land use map.

Sumner. Residential densities may vary. A gross residential density of 3,354 units per acre shall be maintained. This residential density is comparable to the medium density residential land use classification on the Sumner County future land use map.



LEGEND

	PROPERTY BOUNDARY		VILLAGE INTERNAL COLLECTOR
	MIXED USE		MAJOR ARTERIAL
	TOWN CENTER COMMERCIAL (RETAIL)		WELL LOCATION
	HOSPITAL		PROJECT ENTRANCE GATE
	VILLAGE COMMERCIAL (RETAIL)		RIGHT-IN RIGHT-OUT (AS NEEDED)
	RESIDENTIAL		
	INSTITUTIONAL		
	ADULT LIVING FACILITY		
	RESIDENTIAL		
	OFFICES		VILLAGE SECURITY GATE
	MEDIUM DENSITY RESIDENTIAL		MAJOR ARTERIAL
	LOW DENSITY RESIDENTIAL		WELL LOCATION
	HIGH DENSITY RESIDENTIAL		PROJECT ENTRANCE GATE
	GOLF COURSE (EXISTING)		RIGHT-IN RIGHT-OUT (AS NEEDED)
	WETLAND (EXISTING)		
	LAND USE (EXISTING)		
	PASTURE (EXISTING)		
	SKILLED NURSING FACILITY		
	VILLAGE COMMERCIAL		

MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT
OF REGIONAL IMPACT SECTION
380.06(19)(E)2.K.F.S. CHANGE
NINTH AMENDMENT TO THE LAKE COUNTY
AMENDED DEVELOPMENT ORDER

SEPTEMBER, 2014

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.)			THE VILLAGES OF SUMMER (OBG WEST/SUMMER CO.)			TOTALS		
	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER
RESIDENTIAL	412.2	2,108		2,343.0	11,719	249	2,755.2	13,827	249
COMMERCIAL				15.5			15.5		
TOWN CENTER	151.4	1,121,450					151.4	1,121,450	
VILLAGES CENTER (V.C.)			94	252.4	1,562,300	252.4	252.4	1,562,300	94
ASSISTED LIVING FACILITY (BEDS)				24.1	24,080		24.1	24,080	
SNF (BEDS) (V.C.)	151.4	1,121,450		3.7	258.2	1,594,300	76	3.7	409.6
TOTAL COMMERCIAL				6.0	59,000		6.0	59,000	
HOTEL				6.6			6.6		
HOSPITAL				14.4	120,000	350	14.4	120,000	350
MEDICAL OFFICES (OFFICES)				11.0			11.0		
HOTEL ROOMS				304			304		
ATTRACTION/RECREATION	4.5	23,549					4.5	23,549	
SCREENS				8			8		
SEATS				1,235			1,235		
INSTITUTIONAL	8.7			32.6			41.3		
GOLF COURSE	60.0			706.0	6.5		766.0	7.5	
CLUB HOUSES/VILLAGES CENTER	5.0			41.4	7		46.4	8	
SERVICES PRESERVES/RIGHT AREA				182.3			182.3		
POWERLINE R.O.W.				13.0			13.0		
WETLANDS	30.0			148.0			178.0		
LAKE	48.0			153.0			201.0		
LANDSCAPE FEATURES				8.0			8.0		
WASTEWATER TREATMENT PLANT /				15.0			15.0		
WASTEWATER PLANT				3.2			3.2		
WELL/BLOBS				1.4			1.4		
BUFFER				3.6			3.6		
OPEN SPACE				2.6			2.6		
TOTAL ACRES	719.1			4,134.0			4,853.1		

PHASING SCHEDULE

LAND USE	EXISTING PRE 1990	1990-2014					TOTALS
		1 1990-1994	2 1995-1999	3 2000-2004	4 2005-2009	5 2010-2014	
THE VILLAGES OF LAKE (OBG SOUTH - LADY LAKE)							
RESIDENTIAL (UNITS)	75	1,448	438	147			2,108
COMMERCIAL (GENERAL SERVICES)							
TOWN CENTER (S.F.)	140,886	100,000	168,000	634,567	35,547	42,450	1,121,450
ASSISTED LIVING FACILITY (BEDS)						94	94
HOTEL (ROOMS)		0		80	224		304
ATTRACTION/RECREATION							
THEATRE (SCREENS)			8				8
GOLF COURSE (ACRES)	30	30					60
(HOLES)	9	9					18
INSTITUTIONAL (ACRES)			8.7				8.7
THE VILLAGES OF SUMMER (OBG WEST - SUMMER COUNTY)							
RESIDENTIAL (UNITS)		837	5,865	4,096	921	249	11,719
ALF (BEDS)							
COMMERCIAL (S.F.)			218,000	159,200	585,000	600,000	1,562,300
NEIGHBORHOOD (S.F.)					76		76
SNF (BEDS) (V.C.)						200	200
HOTEL (ROOMS)						59,000	59,000
OFFICE (GENERAL)							
MEDICAL CENTER							
WELLNESS CENTER (V.C.) (S.F.)			32,000		200	90	32,000
MEDICAL OFFICES (S.F.) (OFFICES)				60,000	30,000	30,000	120,000
INSTITUTIONAL (ACRES)				32.6			32.6
GOLF COURSE (ACRES)		186	485	35			706
(HOLES)		27	81	9			117
SERVICES			5.4				5.4
TOTAL RESIDENTIAL (UNITS)	75	2,285	6,303	4,243	921	249	13,827
TOTAL COMMERCIAL (S.F.)	140,886	100,000	418,000	620,547	620,547	642,450	2,715,750
TOTAL OFFICE (S.F.)			60,000	89,000	89,000	30,000	179,000
TOTAL INSTITUTIONAL (ACRES)			8.7	32.6			41.3

MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT SECTION 380.06(19)(E)2(K), F.S. CHANGE NINTH AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

SEPTEMBER, 2014

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.)		THE VILLAGES OF SUMTER (OBG WEST/SUMTER CO.)		TOTALS	
	ACRES	UNITS/S.F. OTHER	ACRES	UNITS/S.F. OTHER	ACRES	UNITS/S.F. OTHER
RESIDENTIAL (ALD/ILF (BEDS))	432.2	2,343.0	11.719	249	2,755.2	13,827
COMMERCIAL		15.5		15.5		249
TOWN CENTER						
VILLAGE	151.4	1,121,450			151.4	1,121,450
WELLNESS CENTER (V.C.)		352.4		251.4		3,952,300
WELLNESS CENTER (S.F.)		2.1		2.1		25,000
SNF (BEDS) (V.C.)		3.7		76		3,7
TOTAL COMMERCIAL	151.4	1,121,450			151.4	1,121,450
OFFICE (GENERAL)		252.2		1,594,300		409.6
OFFICE (SPECIAL)		6.0		59,000		6.0
MEDICAL CENTER		6.6				6.6
HOSPITAL		14.4		350		14.4
MEDICAL OFFICES (OFFICES)		11.0		300		11.0
HOTEL	7.3					7.3
HOTELS						
ATTRACTION/RECREATION						
THEATRE						
SEATING	4.5	23,540			4.5	23,540
INSTITUTIONAL						
GOLF COURSE	8.7				8.7	
SCREENS	60.0	1			60.0	1
SCREENS (VILLAGE CENTER)	5.0				5.0	
WILDLIFE PRESERVATION AREA						
POWERLINE R.O.W.						
ROADS	30.0				30.0	
ROADS (GENERAL)	40.0				40.0	
WASTEWATER TREATMENT PLANT / PRECIPITATION PONDS						
WATER TREATMENT PLANT						
BUFFER						
OPEN SPACE						
TOTAL ACRES	719.1	4,134.0			4,853.1	

PHASING SCHEDULE

LAND USE	EXISTING PRE 1990	1990-2014					TOTALS
		1 1990-1994	2 1995-1999	3 2000-2004	4 2005-2009	5 2010-2014	
THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.)							
RESIDENTIAL (UNITS)	75	1,248	436	147		2,108	
COMMERCIAL (RETAIL/SERVICES)							
WELLNESS CENTER (V.C.)	149,886	100,000	168,000	624,567	35,547	42,450	
WELLNESS CENTER (S.F.)						94	
ASSISTED LIVING FACILITY (BEDS)							
HOTEL (ROOMS)		0		80	224,300	304,386	
ATTRACTION/RECREATION							
THEATRE (SCREENS)			8			8	
GOLF COURSE (ACRES)	30	30				60	
SCREENS	9					9	
INSTITUTIONAL (ACRES)							
THE VILLAGES OF SUMTER (OBG WEST - SUMTER COUNTY)							
RESIDENTIAL (UNITS)		837	5,865	4,096	921	11,719	
COMMERCIAL							
VILLAGE (S.F.)						249	
NEIGHBORHOOD (S.F.)		218,000		139,300	585,000	962,300	
OFFICE (GENERAL)					76	76	
OFFICE (SPECIAL)					30,000	30,000	
HOTEL (ROOMS)							
MEDICAL CENTER							
WELLNESS CENTER (V.C.) (S.F.)					200	200	
HOSPITAL (BEDS)							
MEDICAL OFFICES (S.F.) (OFFICES)							
INSTITUTIONAL (ACRES)							
GOLF COURSE (ACRES)							
SCREENS (HOLES)		106	485	35		626	
SERVICES							
WELLNESS CENTER (V.C.) (S.F.)							
HOSPITAL (UNITS)							
TOTAL COMMERCIAL (S.F.)	75	2,285	6,303	4,243	921	13,827	
TOTAL OFFICE (S.F.)	140,886	100,000	410,000	793,867	625,547	2,715,750	
TOTAL INSTITUTIONAL (ACRES)							
TOTAL							

MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT
OF REGIONAL IMPACT SECTION
380.06(19)(E)2.K.F.8. CHANGE
NINTH AMENDMENT TO THE LAKE COUNTY
AMENDED DEVELOPMENT ORDER

SEPTEMBER, 2014

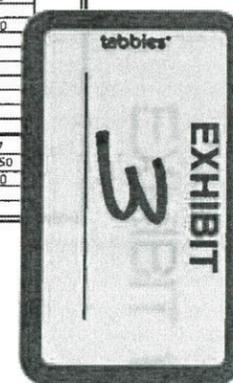
REVISED: 10-7-14

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.)			THE VILLAGES OF SUMTER (OBG WEST/SUMTER CO.)			TOTALS		
	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER
RESIDENTIAL	412.2	2,108		2,343.0	11,719		2,755.2	13,827	
ALF/TLF (BEDS)				15.5		249	15.5		249
COMMERCIAL									
TOWN CENTER	151.4	1,121,450					151.4	1,121,450	
ASSISTED LIVING FACILITY (BEDS)			94						94
VILLAGE				252.4	1,562,300		252.4	1,562,300	
WELLNESS CENTER (V.C.)				2.1	32,000		2.1	32,000	
NEIGHBORHOOD						76			76
SNF (BEDS) (V.C.)				1.7					
TOTAL COMMERCIAL	151.4	1,121,450		258.2	1,594,300		409.6	2,715,750	
OFFICE (GENERAL)				6.0	59,000		6.0	59,000	
MEDICAL CENTER									
HOSPITAL				6.6			6.6		
BEDS						350			350
MEDICAL OFFICES (OFFICES)				14.4	120,000		14.4	120,000	
HOTEL									
ROOMS	7.3		291	11.0		300	18.3		591
ATTRACTION/RECREATION									
THEATRE	4.5	23,549					4.5	23,549	
SCREENS			8						8
SEATS			1,235						1,235
INSTITUTIONAL									
GOLF COURSE				32.6			32.6		41.3
CLUB HOUSES (VILLAGE CENTER)	60.0		1	705.0		6.5	765.0		7.5
SERVICES	5.0		1	41.4		7	46.4		8
WILDLIFE PRESERVES/MGMT. AREA				5.4			5.4		
POWERLINE R.O.W.				192.9			192.9		
WETLANDS				13.0			13.0		
LAKES	30.0			148.0			148.0		
ROADS	40.0			183.0			213.0		
LANDSCAPE FEATURES				123.2			163.2		
WASTEWATER TREATMENT PLANT / PERCOLATION PONDS				8.0			8.0		
WATER TREATMENT PLANT				15.0			15.0		
WELLFIELDS				3.2			3.2		
BUFFER				1.4			1.4		
OPEN SPACE				3.6			3.6		
TOTAL ACRES	719.1			4,134.0			4,853.1		

PHASING SCHEDULE

LAND USE	EXISTING PRE 1990	1 1990-1994	2 1995-1999	3 2000-2004	4 2005-2009	5 2010-2014	TOTALS
THE VILLAGES OF LAKE (OBG SOUTH - LADY LAKE)							
RESIDENTIAL (UNITS)	75	1,448	438	147			2,108
COMMERCIAL (RETAIL/SERVICES)							
TOWN CENTER (S.F.)	140,886	100,000	168,000	634,567	35,547	42,450	1,121,450
ASSISTED LIVING FACILITY (BEDS)						94	94
HOTEL (ROOMS)		0		80	224		304
ATTRACTION/RECREATION							
THEATRE (SCREENS)			8				8
GOLF COURSE (ACRES)	30	30					60
(HOLES)	9	9					18
INSTITUTIONAL (ACRES)			8.7				8.7
THE VILLAGES OF SUMTER (OBG WEST - SUMTER COUNTY)							
RESIDENTIAL (UNITS)		837	5,865	4,096	921		11,719
ALF (BEDS)					249		249
COMMERCIAL							
VILLAGE (S.F.)			218,000	159,300	585,000	600,000	1,562,300
NEIGHBORHOOD (S.F.)							
SNF (BEDS) (V.C.)					76		76
HOTEL (ROOMS)					100	200	300
OFFICE (GENERAL)					59,000		59,000
MEDICAL CENTER							
WELLNESS CENTER (V.C.) (S.F.)			32,000				32,000
HOSPITAL (BEDS)				60	200	90	350
MEDICAL OFFICES (S.F.) (OFFICES)				60,000	30,000	30,000	120,000
INSTITUTIONAL (ACRES)							
GOLF COURSE (ACRES)		186	485	35			706
(HOLES)		27	81	9			117
SERVICES			5.4				5.4
TOTAL RESIDENTIAL (UNITS)	75	2,285	6,303	4,243	921		13,827
TOTAL COMMERCIAL (S.F.)	140,886	100,000	418,000	793,867	620,547	642,450	2,715,750
TOTAL OFFICE (S.F.)				60,000	89,000	30,000	179,000
TOTAL INSTITUTIONAL (ACRES)			8.7	32.6			41.3





PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: October 13, 2014

SUBJECT: Consideration of Changing the Planning and Zoning Board Meeting Time to begin at 5:30 p.m.

DEPARTMENT: Growth Management

STAFF RECOMMENDATIONS:

Staff recommends approval of changing the Planning and Zoning Board Meeting Time to begin at 5:30 p.m.

SUMMARY:

At the September 8, 2014, meeting of the Planning and Zoning Board, the board discussed potentially changing the meeting time to begin at 5:30 p.m. Within the Land Development Regulations there is nothing specifically written regarding the time the meeting must convene. Therefore, it does not need to be changed through the amendment of an ordinance; however, it needs to be formally approved by the Planning and Zoning Board to get the Board's recommendation to carry forth to the Town Commission for their consideration.

FISCAL IMPACT: \$ _____

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

WF
10-7-14

DEPARTMENT HEAD	<i>[Signature]</i>	Submitted	10/7/14	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements		Date
TOWN ATTORNEY		Approved as to Form and Legality		Date
TOWN MANAGER	<i>[Signature]</i>	Approved Agenda Item for:	10/13/14	Date 10/8/14

COMMISSION ACTION: Approved as Recommended Disapproved