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JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 197.00

ORDINANCE #2006-17
Tracking No. #127-05-PUD/DRI
Plaza Collina
Lake County Gateway, LLC
PH#86-05-2

FILED
CLERK OF COURT
LAKE COUNTY
FLORIDA
FEB 28 2006

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lake County Zoning Board did on the 7th day of December, 2005, review Petition PH#86-05-2, a request for rezoning from CP (Planned Commercial) and MP (Planned Industrial) to PUD/DRI. The property is generally located on the North side of SR 50 at the Orange County Line. (Sections 24 and 25, Township 22 South, Range 26 East) 142+/- Acres.

LEGAL DESCRIPTION: [EXHIBIT "A" - ATTACHED]

AND, after giving Notice of Hearing on Petition for a change in the use of land, including a notice that said would be presented to the Board of County Commissioners of Lake County, Florida, on the 24th day of January, 2006, and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Zoning Board, and any comments, favorable or unfavorable, from the public and surrounding property owners at a Public Hearing duly advertised, and

WHEREAS, upon review, certain terms pertaining to the development of the above described property have been duly approved, and

WHEREAS, all development of the Property shall be subject to the Lake County Land Development Regulations and assurances of compliance with the provisions of this PUD Ordinance shall be the responsibility of the Lake County Department of Growth Management, which is the office responsible for monitoring and enforcing the terms and conditions of PUD Ordinances; and

SANDY
BOARD SUPPORT

WHEREAS, this PUD Ordinance shall be in conformance with the Development Order approved by the Board of County Commissioners for a mixed use commercial development of regional impact in accordance with section 380.06, Florida Statutes; and

WHEREAS, the Development is consistent with the Lake County Comprehensive Plan and Land Development Code; and

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above tract of land subject to the following terms:

Section 1.

The above recitals are true and correct and are incorporated herein.

Section 2. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Board of County Commissioners of Lake County, Florida (the "Commission"), makes the following findings of fact and reaches the follow conclusions of law regarding the Development:

A. FINDINGS OF FACT.

1. The Plaza Collina application for PUD Ordinance has been reviewed and approved by the Lake County Planning and Zoning Commission at a public hearing held on December 7, 2005, and by County Staff, both of which recommended approval to the Commission.
2. The Commission likewise reviewed the application at a properly noticed meeting on January 24, 2006, and has approved same.
3. The Development includes innovative design and quality of life features, or other development features that address the needs of the people as identified in the state comprehensive plan for those who will live and work in and near the Development.

B. CONCLUSIONS OF LAW.

Planned Unit Development (PUD) zoning for the Property is hereby approved subject to the following conditions which shall apply to Plaza Collina, its successors, grantees and assigns, jointly or severally:

- (a) Plaza Collina shall comply with all conditions, limitations, and requirements of the Development Order as such may be properly amended from time to time in the future.
- (b) The County hereby reserves the right to enforce any provisions of the Development Order, as such may be amended from time to time in the future.
- (c) The terms and conditions of this Ordinance shall mean and include the total of the following land uses. The County Manager or designee shall amend the Zoning Map in accordance with this Ordinance.

C. LIST OF EXHIBITS:

- i. Exhibit "A" - Subject parcel legal description
- ii. Exhibit "B" - Plaza Collina PUD Land Use Plan - Site Plan developed by Canin Associates dated November 23, 2005
- iii. Exhibit "C" - Plaza Collina PUD Land Use Plan - Cut and Fill developed by Canin Associates dated November 23, 2005
- iv. Exhibit "D" - Conceptual Landscape Plan developed by Cuhaci & Peterson, Architects dated November 10, 2005
- v. Exhibit "E" - Project Entry Signage Display developed by Cuhaci & Peterson, Architects dated November 18, 2005

A. Land Uses:

- 1. Mixed Use – Regional Commercial Retail, Office and Residential
- 2. Phasing:
 - Phase 1: 950,000 SF Regional Commercial Retail or Office
 - Phase 2: 250,000 SF Regional Commercial Retail or Office
200 Residential Dwelling Units ¹
- 3. Site Plan – The Property shall be developed in substantial conformance with the PUD Land Use Plan attached as **Exhibit "B"** developed by Canin Associates dated November 23, 2005.

¹ Residential units shall be constructed only when there is adequate capacity within the schools serving the Property. This restriction shall not apply if the residential units are restricted to occupants who are 55 years of age or older, in compliance with state or federal law.

4. The impervious surface ratio (ISR) of the entire site shall be 70 percent. ISR calculation will be based upon entire site acreage.
5. Land Use and Zoning Standards.
 - (a) Zoning Provisions. All new development within the Plaza Collina PUD will have minimum lot sizes and minimum road frontage and setbacks stipulated in the Planned Unit Development. Side and other setbacks allowed within the PUD are shown on Tables 1 and 2 below. The minimums listed below shall apply.

Table 1 Commercial Side Setback Requirements

Zoning District	
C1, PUD	Except as provided for herein, all new development and any additions to existing buildings must comply with setbacks established by the underlying PUD.

Table 2 Other Setback Requirements

Structures	Setbacks
All structures	50 feet from established high-water line or wetland jurisdictional line, whichever results in a greater setback from the wetland or water body
Structures exceeding three (3) stories	Setbacks from any rear or side property line shall be no less 12 feet plus fifteen (15) feet for each story in excess of three (3).
Rear setback	Except as provided for herein, all new development and any additions to existing buildings must comply with setbacks established by the underlying PUD.

- (b) Nothing in these regulations prohibit the County Manager, or his designee from approving a modification of building setbacks identified in Tables 1 and 2 above, during the PUD approval process.
- (c) Required building setbacks are from public streets and right of way only. There are no setback requirements from interior lot lines or private roads.
- (d) Side and rear setbacks shall be 25 feet from Lake Boulevard and CR 50. Front setbacks from SR 50 shall be covered by the provisions of the Lake County Code.

B. Fire Protection.

1. The Fire Protection features for the site shall be provided in accordance with the Florida Fire Prevention Code, 2004 Edition, The Lake County Land Development Regulations and the applicable sections of the Joint Planning Agreement between Lake County and the City of Clermont.
2. The County staff shall meet with the applicants' Fire Protection Engineer to determine an acceptable level of protection, fire flow requirements and fire department access requirements for the site.
3. The applicants' Fire Protection Engineer shall conduct an Engineering Analysis of the site to determine fire protection requirements. The Engineering Analysis shall be submitted for approval to the County for review with the site plan.

C. Architectural Standards.

Effective as of the date of approval of this Ordinance, the following design standards shall apply to all future commercial site development within the Plaza Collina PUD.

D. Required Drawing:

Architectural elevations of all facades, buildings, and structures subject to this article shall be a required exhibit for development plan approval. Such exhibits shall include colors, materials, building dimensions, elevations of all building sides, location of service areas and mechanical equipment, screening devices, site furnishings, lighting fixtures, all signage and any other information as determined necessary to ensure consistency with the intent of this article by the applicable governmental agency. All elevations must be signed and sealed by a licensed architect registered in the State of Florida. All required submittals shall first be submitted and approved by the Architectural Review Board set up by the Developer of the Plaza Collina PUD prior to submission to the applicable governmental agency.

E. Building Design Standards:

1. Building Orientation: All parcels adjacent to State Road 50 shall have as the primary customer entrances, an entrance along the façade that faces or is visible to State Road 50. Additionally secondary entrances facing other public streets or adjacent buildings shall be encouraged.
2. Building Height:
 - (a) A maximum height of 40 feet shall be allowed for all habitable occupancy use areas of building or structure, and a maximum height of 50 feet shall be allowed for the finished height of all buildings. For the purpose of this sections habitable occupancy use area shall mean that portion of a building or structure included between the upper surface of a floor and the ceiling above intended for human occupancy.

- (b) On Parcels 1 and 2 only, a maximum height of 70 feet shall be allowed for all designated habitable occupancy use areas of a building or structure, and a maximum height of 100 feet shall be allowed for the finished height of all buildings or structures. For the purpose of this section, habitable occupancy use area shall mean that portion of a building or structure included between the upper surface of a floor and the ceiling, above intended for human occupancy.
 - (c) The height limitations of this section shall also apply to church spires, chimneys, bell and domes and other structures not intended for human occupancy. Monuments, transmission towers, chimneys, smokestacks, derricks, conveyors, silos for storage bins, and radio or television transmission towers shall be a maximum of 100 feet in height.
 - (d) Flagpoles are limited to 50 feet in height.
3. Architectural Cohesiveness.
- (a) Architectural style should create a visual cohesiveness that integrates individual projects, buildings, and signs within the PUD.
 - (b) This section is not intended to prohibit or discourage unique and distinctive designs.
4. Size and Mass of Buildings.
- (a) The design of buildings shall include elements such as color, shape, materials, varying heights, and forms that break up large expanses of blank walls. All design plans submitted to the applicable governmental agency for approval shall contain these design elements.
 - (b) Building designs shall create visually appealing entrances and provide decorative roof and façade treatments.
 - (c) Windows and door openings shall relate to human scale and integrate the building with the surrounding site.
5. Building Exterior.
- (a) Predominant exterior building materials shall be high quality materials, including, but not limited to, brick, sand stone or other stone, split-face decorative block, glass, stucco and/or masonry. Exterior building materials shall not include smooth faced concrete block, unfinished tilt-up concrete panels or prefabricated steel panels unless the visible finish is brick, stucco, stone, or split-face decorative block. Except as provided in this section the rear and sides facades shall be of materials and design characteristics consistent with that of the front; use of inferior

or lesser quality materials for side and rear facades shall be prohibited. Metal skinned buildings or structures are prohibited.

- (b) The use of day-glow or fluorescent colors shall be prohibited. The use of the black, gray, primary and/or secondary colors are prohibited as the predominant exterior building or roof color. Earth-tone color(s) are encouraged.
- (c) Building trim and accent areas may feature any color(s) not specifically excluded in this section. Neon tubing shall not be an acceptable feature for building trim or accent areas.
- (d) Each single tenant retail buildings shall have clearly defined customer entrances featuring no less than two of the following:
 - i. canopies or porticos
 - ii. overhangs
 - iii. recesses/projections
 - iv. arcades
 - v. peaked roof forms
 - vi. arches
 - vii. architectural details such as tile work and moldings which are integrated into the building structure and design
 - viii. integral planters for wing walls that incorporate landscape areas and/or places for sitting.
- (e) Exterior building design shall integrate appropriate design features such as fenestrations, bays, fascia, cornices, columns, cupolas, entry focal points, gables, belt courses, lintels, pilaster, porticos, or other decorative elements to enhance overall architectural design.
- (f) All building facades and exterior walls, which are visible from adjoining properties and/or public rights-of-way, shall be visually embellished by architectural features such as columns, ribs or pilasters, piers, banding and/or fenestration patterns. In order to add architectural interest and variety and avoid the effect of a single, long or massive wall with no relation to human size, the following additional standards shall apply.
 - i. Ground floor facades that face on public streets shall have arches, display windows, entry areas, awnings, or other such features along not less than 60% of their horizontal length.
 - ii. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least one (1) foot. No uninterrupted length of any façade shall exceed 100 horizontal feet.

6. Outdoor Storage.

- (a) The loading areas shall be properly screened from public view. Proper screening shall include but is not limited to provisions of a minimum eight (8) foot wide landscape buffer along the side of the building where the loading is located.
- (b) All materials stored outside must be within an opaque enclosure.
- (c) Chain link fencing is prohibited.

7. Roofs.

- (a) Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. Parapet walls or other design features shall be constructed at a height of at least one (1) inch above the tallest rooftop unit. A metal or other enclosure for rooftop equipment does not constitute screening from public view.
- (b) No uninterrupted length of any roofline for parapet wall shall exceed 100 horizontal feet.

8. Solid Waste Disposal Collection. Dumpsters, Compactors, etc.: the layout and design of dumpsters and other solid waste facilities (i.e. compactors) shall comply with the following criteria:

- (a) Minimum service requirements. All commercial development shall provide facilities for service as follows:
 - (1) Commercial developments. Commercial developments shall provide a minimum of one dumpster pad with an approved enclosure for every 20,000 square feet.
 - (2) Each dumpster and compactor location shall be located behind the front setback of the primary building and shall be surrounded by a concrete masonry unit enclosure with gates constructed of wood, architectural metal, or other material that is architecturally compatible with the primary building design. The material used shall provide an opaque screen so the dumpster will not be visible from the outside. Chain link fencing is not permitted. The enclosure shall exceed the vertical height of the Dumpster by at least six (6) inches with a maximum height of nine (9) feet. The required setback for enclosures shall be twenty-five (25) feet adjacent to property that is either zoned or used as residential. The enclosure shall be constructed using colors and architectural treatments consistent with the structure or facility it serves.

9. Building Square Footage.

Single retail establishments which are developed pursuant to this Ordinance may occupy more than 100,000 s.f. Shower facilities shall be provided for employees of single retail tenants occupying more than 100,000 square feet of leased space.

10. Cell Towers.

- (a) Height limitations: Support structures and attached antennas shall not exceed 140 feet in height. Measurement shall include base pad, structure, and any other attachments.
- (b) Tower shall not be located within 3,000 feet of an existing tower, as measured in a straight line.

11. Storage.

- (a) Cart returns in the parking lot shall be provided for those stores that provide shopping carts.
- (b) Mobile storage systems are metal shipping containers and trailers that are used to store additional inventory outside of the store. Mobile storage systems shall be permissible provided they are located within a fenced outdoor storage area.
- (c) Chain link fencing shall be prohibited. Fencing around water retentions areas, outdoor storage areas and all other fencing shall be ornamental metal fencing.

12. Signage Standards.

- (a) Signs with visible moving, revolving or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means shall be prohibited.
- (b) Signs with the optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion or changing of copy shall be prohibited.
- (c) All signs shall be within a common blank framework.
- (d) All signs will meet the current code requirements in existence at the date of approval . The Entry Signs will meet the code requirements in existence at the date of approval, but height of same will be extended five feet to provide for the architectural theme and to identify the project's name and the project name identification, as shown on "Exhibit E" prepared by Cuhaci & Peterson, Architects, dated November 18, 2005.

13. Lighting Standards. The purpose and intent of this section is to ensure that exterior (outdoor) lighting positively enhances the visual impact of a building or project on surrounding properties and uses. To that end, exterior lighting at a building or project should be designed and installed in a consistent and coordinated fashion to provide safe, convenient, and efficient lighting for customers, pedestrians and vehicles, and to avoid the creation of hot spots, glare, obtrusive light, light pollution, light trespass, and visual nuisance. Also, exterior lighting should accentuate key architectural elements of the building or project, and highlight or otherwise emphasize landscape features.

(a) General Standards.

- (1) Exterior lighting plan. An exterior lighting plan, including a photometric plan (which covers the parcel that is the site of the building or project in question), appropriate pole, fixture, and lamp cut sheets, and descriptions of lenses and appropriate data tables, shall be submitted for review. The exterior lighting plan shall be prepared by a licensed professional engineer, who shall certify that the exterior lighting plan complies with this article. (The photometric plan shall be prepared in a scale that is easily legible).
- (2) Lighting intensities. Lighting intensities for buildings, projects or other uses not specifically regulated by this article (for example, athletic courts, swimming pools and ATM's) shall be designed as recommended by the Illuminating Engineering Society of North America (IESNA) or by Florida State Code.
- (3) Footcandle intensities. Footcandle intensities specified in this article shall be maintained values calculated using a maintenance factor ("m.f.") not lower than 0.70.
- (4) Light Fixture Types. All light fixtures, including security lighting, shall be cutoff fixtures, and shall be incorporated as an integral design element that compliments the design of the building or project through style, material or color. Luminaires shall not be tiled. Lighting of or on buildings shall be limited to wall washer type fixtures or uplights. A cutoff fixture shall not have more than one percent (1%) of lamp lumens above horizontal. Sag lenses, convex lenses, and drop lenses shall be prohibited. Lighting at a building or project shall not be comprised in whole or part of any floodlights, except floodlights may be permitted with a noncommercial industrial use, provided the floodlights are shielded to meet cut-off standards.
- (5) Illumination Levels. Illumination levels at the property line of the building or project shall not be more than 0.5 f.c. at any point when the building or project is located next to any residential use, and shall not be more than 1.0 f.c. when located next to any other use.
- (6) Time Controls. Non-residential lighting shall be installed with time controls so that light levels are reduced after the close of operations to the minimum levels needed under the IESNA to ensure safety and security (approximately a 50% reduction).

(b) Specific Standards.

- (1) Height. Except as otherwise required under this article, the height of an outdoor lighting fixture (inclusive of the pole and light source/luminaire) shall be a maximum of thirty feet (30') within a parking lot, and a maximum of twenty feet (20') within a non-vehicular pedestrian area. Height shall be measured from the finished grade to the top of the light fixture.

(2) Parking. To avoid conflict in layout, parking area lighting shall be coordinated with the required parking area landscape plans. In a parking area, the following lighting requirements shall apply:

- i. The lamp source shall be metal halide, or compact fluorescent, or a light source that produces a Color Rendering Index (CRI) of 65 or higher. Wattage shall not exceed four hundred (400) watts per bulb.
- ii. Illumination levels shall be a minimum of 1.5 f.c. maintained within all public drive and parking areas, with an average of not less than 5.0 f.c. The maximum to minimum ratio shall be no greater than 10:1.
- iii. Decorative acorn-type fixtures shall not exceed eighteen feet (18') in height and two hundred fifty (250) watts per bulb, and shall have a textured clear lens/globe, frosted/phosphor coated bulbs, and an internal louvered optical system. (Refractor type glass globes that meet the cutoff standard and are equipped with frosted/phosphor-coated bulbs are acceptable.)

(c) Canopied Areas. At a canopied area, such as that found at drive-through facilities at banks, service stations, convenience centers, and car-washes, lighting under the canopy, awning, porte-cochere, etcetera, shall be either recessed or cut-off fixtures. Additionally, the following lighting requirements shall apply:

- (1) The lamp source shall be either metal halide, with wattage not to exceed two hundred fifty (250) watts per bulb, or compact fluorescent, or a light source that produces a CRI of sixty-five (65) or higher.
- (2) The maximum footcandle level shall be twenty (20) f.c. (average maintained maximum), with a maximum to minimum ratio of 2:1.

(d) Fire Lanes and Driveways. Lighting at fire lanes or driveways at building entrances may exceed allowable standards of intensity for safety purposes.

(e) Automatic Teller Machines (ATMs). Lighting intensities at ATM machines shall be governed by applicable Florida Statutes.

14. Landscaping.

The following landscaping standards shall apply in addition to or in lieu of landscaping requirements found in Chapter IX, Lake County Land Development Regulations.

A. SR 50 and Lakes Avenue Frontage

- Minimum 20 feet in width. 10 feet will be located inside the property line and 10 feet will be located within the SR 50 right of way (ROW), as depicted in "Exhibit D" prepared by Cuhaci & Peterson, Architects, dated November 10, 2005. Developer will

- seek ROW Utilization Agreement with FDOT to permit landscaping inside the ROW for the SR 50 frontage.²
- Sidewalks should be a minimum of five (5) feet in width and constructed in a serpentine manner.
 - 24 to 30 inch berms.
 - The planting strip may contain 50% sod and 50% plantings.
 - Street Tree Placement – one (1) street tree every 50 feet average; three (3) accent trees every 50 feet average.
 - All landscaping to be fully irrigated.
- B. Lawn Grass: Grass areas shall be planted in species normally grown as permanent lawns in the vicinity of the County with the exception of St. Augustine grass. Grass areas may be sodded, plugged, sprigged, or seeded and shall provide complete coverage planted to industry standards. In an effort to foster water conservation, new commercial, multifamily, common green areas in subdivisions, and retention ponds shall use bahia grass or other approved drought tolerant ground cover.
- C. Palm trees and pine trees shall count towards the minimum canopy tree requirement at a ratio of 2:1.
- D. Main Street retail sections proposed for Plaza Collina will include hardscape, planters and tree cutouts.
- E. Canopy trees will be required in only 50% of the parking lot islands to allow for better sight distances. Palm trees are permitted in the remaining 50% of the parking lot islands and may be counted at a ratio of 2:1, with respect to canopy trees.
- F. A waterwise landscaping approach shall be used throughout the development that includes at least 75% of the landscaped vegetation in drought-tolerant or native vegetation varieties.
- G. In order to protect the integrity of CR 50 as a Florida Scenic Highway and the South Lake Trail as an attractive and safe facility, the Developer:
- i. Shall preserve and protect the existing oaks along the north property line, unless unavoidable due to site development. Existing oaks internal to the site shall be preserved to the maximum extent feasible.
 - ii. Shall provide native trees and plantings along the property adjacent to the trail where applicable.
 - iii. Shall allow only one access point from CR 50 and no commercial delivery trucks shall be permitted through this entrance. Deliveries shall be restricted through SR 50 and Lake Boulevard for ingress and egress.

² If Developer is unable to secure a ROW Utilization Agreement from FDOT to permit landscaping inside the ROW for SR 50, Developer will be allowed to reduce the landscape area from 20 feet to 10 feet in width located inside the property line, as long as the entire 10 feet is in plantings, as opposed to sod.

- iv. Shall provide a proportionate share (based on share of traffic on Lake Boulevard) of a grade separated crossing at Lake Boulevard for the trail, if Lake County decides to construct such a crossing.

15. Parking Requirements.

- A. The overall parking ratio for the site shall be at a ratio of 1 parking space per 225 square feet of floorspace.
- B. Parking areas and driveways (including paved areas) shall be designed to establish a logical pattern of traffic flow and pedestrian access with visible connections between building entrances, parking lot entrances, roads, parking spaces, sidewalks and adjacent properties, all as are consistent with the sound and generally accepted engineering principles and practices.
 1. The minimum size of each parking space shall be 10 feet wide by 20 feet in length. Each row of parking shall be defined by landscaped islands on the ends and shall have no more than fifteen (15) parking spaces in a row without an additional intermittent landscape island.
 2. Drive width for two-way traffic shall be a minimum 24 feet Drive width for one-way traffic shall be a minimum of 12 feet.
 3. Parking of any vehicle for anyone other than persons engaging in commerce at the business located on the property is prohibited. Overnight parking of commercial motor vehicles, tractor trailers, boats, vessels, recreational vehicles, campers, motor homes or similar means of conveyance for places of abode is prohibited, except in conjunction with a special event where a permit has been issued by the applicable governmental agency.
 4. A loading and unloading of commercial vehicles or of any other vehicles used for commercial purposes is only permitted to between the hours of 7:00 AM and 11:00 PM when property assigned a residential zoning classification or used for residential purposes is within 100 feet of the loading area. Within such areas, such activities are prohibited at all other times.
 5. Vehicular cross access shall be provided between adjacent parcels consistent with sound and generally accepted engineering practices and principles.
 6. Minimum number of parking spaces shall be 1 space for each 225 sf of building area dedicated for commercial use. Commercial use shall include but not be limited to; retail business, wholesale business and personal services, restaurants and office (excluding outdoor storage facilities, garden centers, outdoor seating areas, and residential uses).

7. Compact parking spaces may be utilized, but must be approved at the time of site plan permitting.
8. Residential parking will meet the adopted Code requirement.

16. Grading Standards.

A. Grading for non-residential and residential sites shall conform to the following standards of review:

1. Grading shall be limited to building pads, road right-of-ways, and approved stormwater management systems.
2. Graded slopes shall be stabilized with sod, seed and mulch, landscaping or other approved method.
3. Identify sites for borrow or disposal of fill or cut material.
4. Cross sections of the project which illustrate pre and post lot-grading conditions shall be required as determined by the County Engineer.
6. All internal subdivision roadway design shall follow the natural contours of the existing topography to the greatest extent practicable.

B. Terraces shall include a minimum five (5) foot landscape buffer along the boundary.

For purposes of this section, excavation shall mean to cut, scoop, dig or expose to view by digging away a covering, either by mechanical means or by hand.

C. Grade Change Limitations. Elevation changes in topography may exceed fifteen (15) feet for cut or fill on a small portion of the property due to design constraints. Wall terracing is accepted in areas of substantial cut or fill. All cut and fill will be consistent with the Plaza Collina PUD Land Use Plan submittal, Sheet 5, dated November 23, 2005 and attached hereto as **Exhibit "C"**.

17. Cross Access Easement.

The developer will provide a cross-access easement (along SR 50 frontage) to the west to connect the frontage road to the proposed pavement/driveway as depicted on **Exhibit "B"** attached hereto.

18. SR 50 Access Management Criteria.

- A. The Developer shall coordinate with FDOT and Lake County for the funding and timing of improvements so that the six-laning of SR 50 along the project length occurs prior to the opening of the development. When the improvements to SR 50 are substantially complete, with the exception of minor County and/or FDOT punch-list items, the project will be able to

receive a Certificate of Occupancy. Traffic signals, as required, shall be installed by developer.

- B. All SR 50 road improvements shall be installed as approved by ECFRPC, FDOT and Lake County. The development shall provide dual left turn lanes on SR 50 at all full median openings and provide coordinated timing for SR 50 traffic signals. Turn lanes will be required at all proposed entrances and at SR 50/Lake Blvd. intersection.
- C. Additional right-of-way dedication for Lake Blvd. may be required – Lake Blvd. may have to be 3-laned/4-laned to accommodate turn lanes into project and at SR 50 & Old CR 50 intersections. The proposed connection to Lake Blvd. shall be located at a location to allow the provision of separate left turn lanes of adequate lengths to accommodate the projected peak hour traffic volumes.
- D. An internal east-west frontage/access road shall be required to connect from west property line to Lake Blvd. The proposed frontage road is located as per Exhibit "B", attached hereto.

19. Recordation.

Within thirty (30) days of the effective date of this PUD Ordinance, Plaza Collina shall record a certified copy of same with the Clerk of the Circuit Court of the Fifth Judicial Circuit, in and for Lake County, Florida. The PUD Ordinance runs with the title to the Property and is binding upon its successors, grantees, and assigns, jointly or severally.

20. Compliance with Laws and Regulations.

Plaza Collina, its successors, grantees or assigns shall comply with the terms and conditions set forth in this PUD Ordinance and the Lake County Code of Ordinances, Lake County Development Code and other Lake County regulations, state law and regulations, and federal law and regulations, except as otherwise allowed hereunder. Should the terms and conditions of this PUD Ordinance be different from the provisions within the Lake County Development Code, the terms and conditions set forth herein shall take precedence over any other laws and regulations.

21. Permitting.

All permitting required for development of the Property which is the subject of this PUD Ordinance shall be completed and obtained through Lake County, Florida.

22. Miscellaneous.

Conditions which pertain to this Property shall mean:

- A. After establishment of the facilities as provided herein, the Property shall only be used for the purposes named in this PUD Ordinance. Any other proposed use must be specifically authorized by the Lake County Planning and Zoning Commission and the Board of Commissioners for Lake County.

- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, removed, improve, move, convert, or demolish any building structure, or alter the land in any manner within the boundaries of the Property without first submitting the necessary plans in accordance with applicable sections of the Lake County Land Development Regulations upon obtaining the permits required from the other appropriate governmental agencies.
- C. This PUD Ordinance shall inure to the benefit of, and shall constitute a covenant running with the title to the Property and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
- D. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
- E. The transfer of ownership or long term lease of any or all of the Property shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the PUD Ordinance, and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Lake County Zoning Regulations, as amended.

23. Severability.

If any section, sentence, clause or phrase of this PUD Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

24. Effective Date.

ENACTED this 24th day of January 2006.

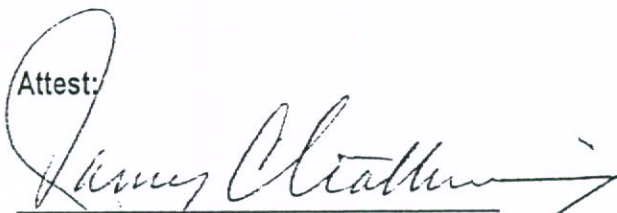
FILED with the Secretary of State February 22, 2006.

EFFECTIVE pursuant to Section 163.3189, Florida Statutes.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA.

By: Catherine C. Hanson
CATHERINE C. HANSON, Chairman

Attest:



JAMES C. WATKINS, CLERK OF
THE BOARD OF LAKE COUNTY
COMMISSIONERS

Approved As To Form And Legality



Sanford A. Minkoff, County Attorney

EXHIBIT "A" – LEGAL DESCRIPTION

ORDINANCE NO. #2006-17

PH#86-05-2

Tracking No. #127-05-PUD/DRI

Plaza Collina / Lake County Gateway , LLC

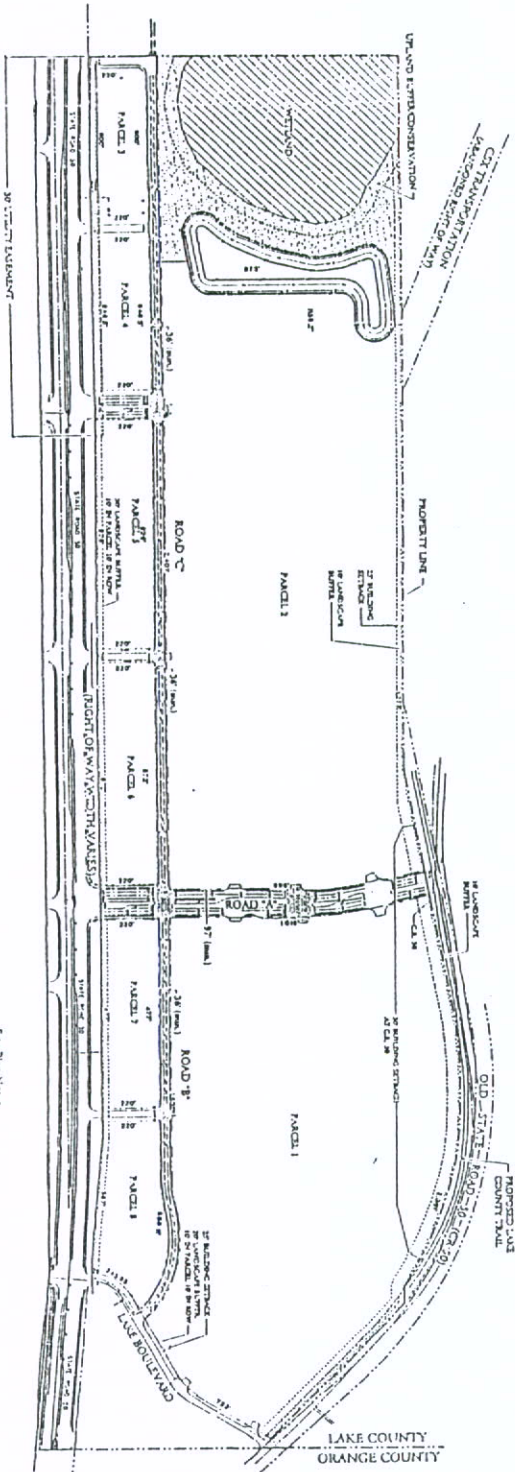
AN ORDINANCE BY THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

LEGAL DESCRIPTION: NE 1/4 of NE 1/4 SW of RR r/w – LESS begin at intersection of E line of Sec 22 & N r/w SR 50, run N 84 deg 26' 40" W 253.99 ft, N 05 deg 33' 20" E 317.96 ft, N 31 deg 37' 11" E 118.49 ft, N 58 deg 22' 49" W 5.0 ft., N 31 deg 37' 11" E 198.25 ft to SW'ly r/w RR, S 41 deg 57' 25" E along said r/w 98.83 ft to E line of Sec, S 00 deg 37' 20" W along said E line 539.94 ft to POB & LESS all road r/w, Sec 25 Twp. 22S Rge. 26E; SE 1/4 lying S of N line of CSX RR r/w, Sec 24 Twp. 22S Rge. 26E; NW 1/4 of NE 1/4 N of r/w of Hwy 50, Sec 25 Twp. 22S Rge. 26E; NE 1/4 of NW 1/4 N of r/w of Hwy 50, Sec 25 Twp. 22S Rge. 26E, and NW 1/4 of NW 1/4 N of r/w of Hwy 50, Sec 25 Twp. 22S Rge. 26E.

PLAZA COLLINA PUD 1 AND USE PLAN

Exhibit "B"

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



PROJECT DATA

Site Name:	Lot 1000, 1st Floor
Site Address:	1234 Main Street
Project Description:	Commercial Office Building
Project Location:	Block 1, Lot 1000
Project Status:	Proposed
Project Date:	12/31/2006
Project Size:	100,000 sq. ft.
Project Cost:	\$10,000,000
Project Owner:	ABC Development, Inc.
Project Architect:	XYZ Architects, Inc.
Project Engineer:	DEF Engineers, Inc.
Project Planner:	GHI Planners, Inc.
Project Consultant:	JKL Consultants, Inc.
Project Attorney:	MNO Attorneys, Inc.
Project Surveyor:	PQR Surveyors, Inc.
Project Inspector:	STU Inspectors, Inc.
Project Photographer:	VWX Photographers, Inc.
Project Signer:	YZZ Signers, Inc.
Project Recorder:	AAA Recorders, Inc.
Project Notary:	BBB Notaries, Inc.
Project Title:	CCC Titles, Inc.
Project Insurance:	DDD Insurances, Inc.
Project Bond:	EEE Bonds, Inc.
Project Escrow:	FFF Escrows, Inc.
Project Closing:	GGG Closings, Inc.
Project Recording:	HHH Recordings, Inc.
Project Filing:	III Filings, Inc.
Project Posting:	LLL Postings, Inc.
Project Signage:	MMM Signages, Inc.
Project Lighting:	NNN Lightings, Inc.
Project Security:	OOO Securitys, Inc.
Project Maintenance:	PPP Maintenance, Inc.
Project Operations:	QQQ Operations, Inc.
Project Management:	RRR Managements, Inc.
Project Administration:	SSS Administrations, Inc.
Project Accounting:	TTT Accountings, Inc.
Project Finance:	UUU Finances, Inc.
Project Marketing:	VVV Marketings, Inc.
Project Sales:	WWW Sales, Inc.
Project Leasing:	XXX Leasings, Inc.
Project Occupancy:	YYY Occupancies, Inc.
Project Completion:	ZZZ Completions, Inc.

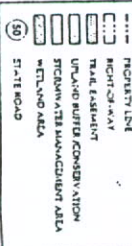
Structure - Long Square

Structure Name:	Commercial Office Building
Structure Address:	1234 Main Street
Structure Description:	Commercial Office Building
Structure Location:	Block 1, Lot 1000
Structure Status:	Proposed
Structure Date:	12/31/2006
Structure Size:	100,000 sq. ft.
Structure Cost:	\$10,000,000
Structure Owner:	ABC Development, Inc.
Structure Architect:	XYZ Architects, Inc.
Structure Engineer:	DEF Engineers, Inc.
Structure Planner:	GHI Planners, Inc.
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Structure Finance:	UUU Finances, Inc.
Structure Marketing:	VVV Marketings, Inc.
Structure Sales:	WWW Sales, Inc.
Structure Leasing:	XXX Leasings, Inc.
Structure Occupancy:	YYY Occupancies, Inc.
Structure Completion:	ZZZ Completions, Inc.

Site Data

1. Project all work of 7. Plans, construction in 2006 and completion in 2007.
2. Project 1 & 2 will include total of 1,200,000 Square Feet of office space, with 200 residential units.
3. Project 1 & 2 will include total of 1,200,000 Square Feet of office space, with 200 residential units.
4. Project 1 & 2 will include total of 1,200,000 Square Feet of office space, with 200 residential units.
5. Project 1 & 2 will include total of 1,200,000 Square Feet of office space, with 200 residential units.
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8. Project 1 & 2 will include total of 1,200,000 Square Feet of office space, with 200 residential units.
9. Project 1 & 2 will include total of 1,200,000 Square Feet of office space, with 200 residential units.
10. Project 1 & 2 will include total of 1,200,000 Square Feet of office space, with 200 residential units.
11. Project 1 & 2 will include total of 1,200,000 Square Feet of office space, with 200 residential units.
12. Project 1 & 2 will include total of 1,200,000 Square Feet of office space, with 200 residential units.

LEGEND



CGIN ASSOCIATES

CGIN ASSOCIATES
1000 N. 1st Street, Suite 100
Ocala, FL 34471
Phone: 352.361.1111
Fax: 352.361.1112
www.cgina.com

EXHIBIT "B"

ORDINANCE NO. #2006-17
PUD LAND USE PLAN, SITE PLAN



Culhaci & Peterson, Architects
PL Corridor Certificate #44 000236

STATE ROAD 50

TURN LANE

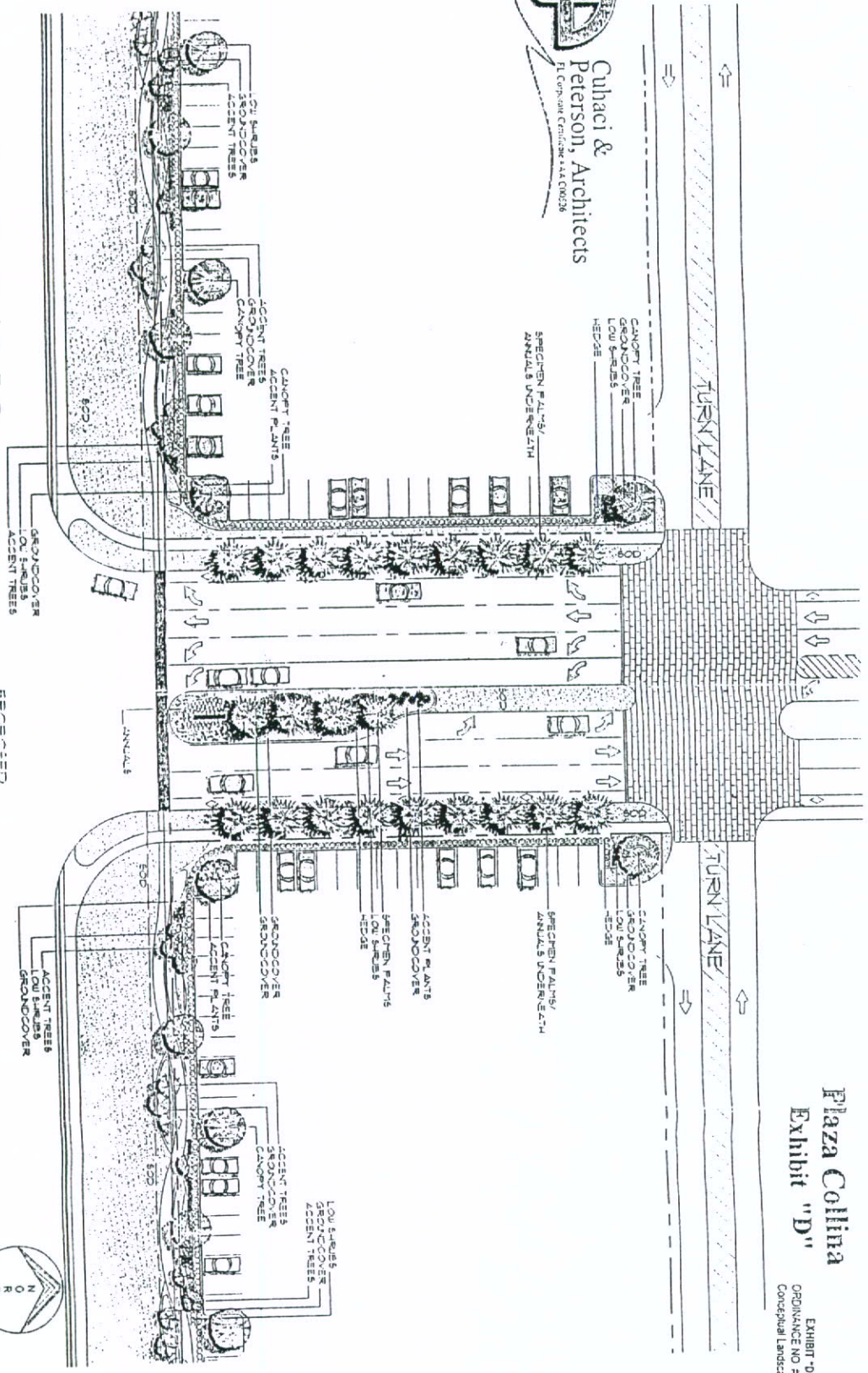
TURN LANE

PROPOSED TRAFFIC LIGHT



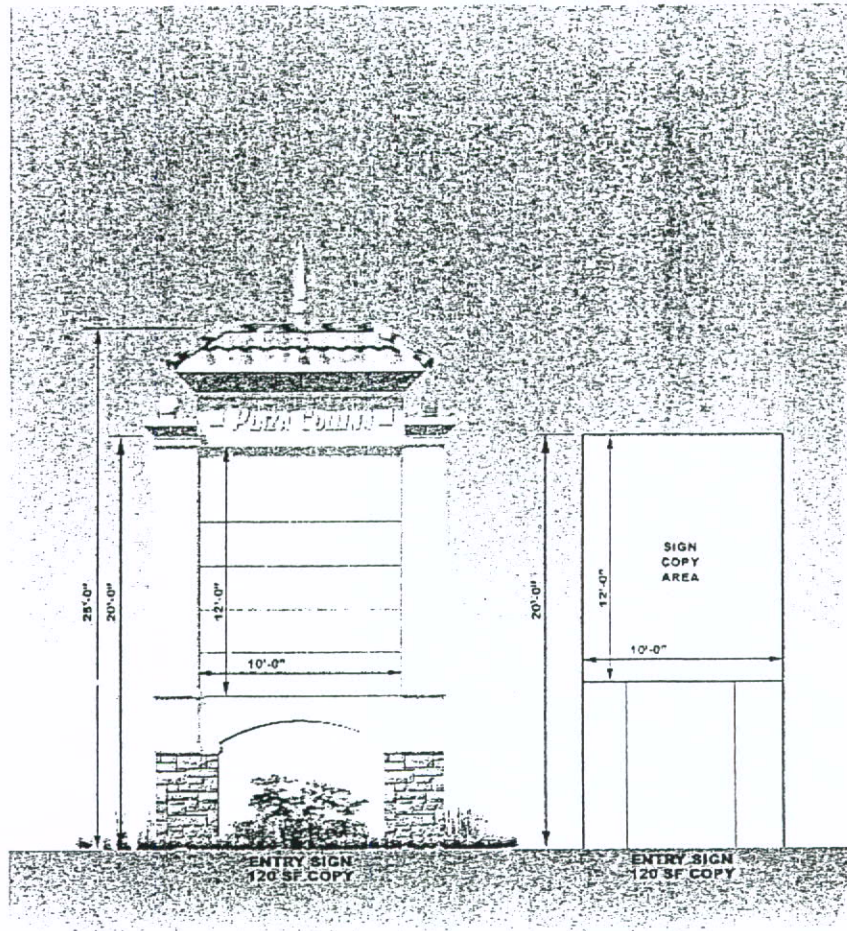
Plaza Colimba Exhibit "D"

EXHIBIT "D"
ORDINANCE NO 2206-17
Conceptual Landscape Plan



Plaza Collina Exhibit "E"

EXHIBIT "E"
ORDINANCE NO. #2006-17
Project Entry Signage Display



(407) - 228 - 4220

Plaza Collina
Lake County, Florida

Project # 204405
Date: 11-18-05

STATE OF FLORIDA, COUNTY OF LAKE
I HEREBY CERTIFY that the above and foregoing
is a true copy of the original filed in this office.
JAMES C. ... Circuit Court

By: Sandra Carter Deputy Clerk

Dated 3/2/2006