

1 RESOLUTION NO. 2017 - 153

2
3 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
4 LAKE COUNTY, FLORIDA, APPROVING THE SEVENTH
5 AMENDMENT TO THE DEVELOPMENT ORDER FOR THE CAGAN
6 CROSSINGS F/K/A SOUTHLAKE, A FLORIDA QUALITY
7 DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.
8

9 WHEREAS, the Florida Quality Development program was established and implemented
10 through Chapter 380, Florida Statutes, and Chapter 73C-42, Florida Administrative Code, to
11 encourage development which has been thoughtfully planned to take into consideration protection
12 of Florida's natural amenities, the cost to local government of providing services to a growing
13 community, and the quality of life Florida's residents desire; and
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15 WHEREAS, the Development Order for Designation of Cagan Crossings, f/k/a Southlake,
16 as a Florida Quality Development was issued by the Department of Community Affairs, now the
17 Florida Department of Economic Opportunity (DEO), on June 27, 1991; and
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19 WHEREAS, the DEO, following receipt of concurring approval from Lake County, has
20 rendered a series of six (6) Development Order Amendments based on corresponding Notice of
21 Proposed Change Applications consistent with the provisions of Chapter 380, Florida Statutes, and
22 Chapter 73C-42, Florida Administrative Code; and
23

24 WHEREAS, the Development Order was amended on November 1, 1992; July 23, 1997;
25 April 20, 1998; December 9, 2003; February 14, 2008; and April 27, 2017;
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27 WHEREAS, on August 7, 2017, Jeffrey Cagan, as the authorized agent for Cagan
28 Crossings LTD., a Florida Limited Partnership (the "Developer" which term includes its
29 successors and assigns including community development districts created pursuant to Ch. 190,
30 Florida Statutes), filed a Notice of Proposed Change to a previously approved Florida Quality
31 Development requesting approval of a Seventh Amendment to the Development Order with Lake
32 County, the East Central Florida Regional Planning Council (ECFRPC), and the DEO in
33 accordance with Chapter 380, Florida Statutes, and Chapter 73C-42, Florida Administrative Code;
34 and
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36 WHEREAS, the Seventh Notice of Proposed Change proposes to allow the Developer to
37 exchange a maximum of 88 market rate multi-family dwelling units in Phase IIA for a maximum
38 of 270 elderly age-restricted units without further amendment; and
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40 WHEREAS, the Developer will maintain the previously approved projected trip
41 generation; and
42

43 WHEREAS, the Lake County Board of County Commissioners is the local governing
44 body having jurisdiction over the review of the Cagan Crossings Florida Quality Development, in
45 accordance with Chapter 380, Florida Statutes, and Chapter 73C-42, Florida Administrative Code;
46 and

1 WHEREAS, in a regularly scheduled meeting held on November 21, 2017, the Lake
2 County Board of County Commissioners considered the testimony and documents received at the
3 meeting; and
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5 WHEREAS, the County has reviewed the above-referenced documents as well as all
6 related testimony and evidence submitted by the parties and members of the general public; and
7

8 WHEREAS, there was competent substantial evidence presented that the changes set forth
9 in the proposal do not meet or exceed any of the substantial deviation criteria in Section
10 380.06(19), Florida Statutes.
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12 NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of
13 Lake County, Florida, that:
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15 Section 1. Deviation. The changes proposed by the Developer to the Cagan Crossings
16 Florida Quality Development in its Seventh Notice of Proposed Change, filed August 7, 2017, do
17 not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes.
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19 Section 2. Development Order. The Board has no objection to the proposed changes
20 to Section IV(N)(1)(c)(5), as shown in the Seventh Notice of Proposed Change, as provided below
21 (additions are underlined):
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23 (5) Care for the elderly: Cagan Crossings will provide 90 housing units for the
24 very low income elderly.
25

26 (i) As part of Phase IIA, the Developer may exchange up to a maximum
27 of 88 market rate multi-family dwelling units remaining in this phase for up
28 to a maximum of 270 elderly age restricted units without further
29 amendment. The previously approved projected trip generation shall be
30 maintained. The market rate units shall be converted to elderly units at the
31 rate of three (3) elderly units for one (1) market rate unit. Provided however,
32 that if all 88 market rate units are converted to elderly units, the Developer
33 shall be entitled to develop six (6) additional elderly units for a total of 270
34 elderly units. The Developer will report exchanges and track the total
35 number of market rate units exchanged in the annual reports.
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37 Section 3. Furnishing of Resolution. A copy of this Resolution will be furnished by
38 the Lake County Office of Planning and Zoning to the Developer, the DEO, and the ECFRPC no
39 later than ten (10) working days of its adoption.
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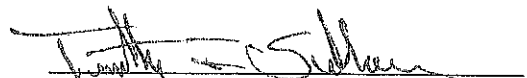
41 Section 4. Furnishing of Development Order Amendment. The Developer shall
42 cause the Seventh Development Order Amendment to be recorded in full among the Public
43 Records of Lake County no later than fifteen (15) working days following the rendering of the
44 corresponding Seventh Development Order Amendment by the DEO. The Developer shall
45 transmit certified copies of the recorded Seventh Development Order Amendment to the DEO, the

1 Lake County Office of Planning and Zoning, and the ECFRPC no later than fifteen (15) working
2 days following recording of the Seventh Development Order Amendment.


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4 Section 5. Effective Date. This Resolution will take effect upon its adoption.

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6 PASSED AND ADOPTED this 21st day of November, 2017.


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8 Board of County Commissioners of
9 Lake County, Florida

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11 
12 Timothy J. Sullivan, Chairman

13 ATTEST:

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15 
16 Neil Kelly, Clerk of the
17 Board of County Commissioners
18 Of Lake County, Florida

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20 Approved as to form and legality:

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22 
23 Melanie Marsh, County Attorney

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