

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Lake Forest Development of Regional Impact Notice of Proposed Change

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Tony Matthews **EXT.** 7936

Agenda Date: <u>9/12/06</u>	Regular <input type="checkbox"/>	Consent <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input checked="" type="checkbox"/>		Public Hearing – 7:00 <input type="checkbox"/>	

MOTION/RECOMMENDATION:

1. **APPROVE** and authorize the Chairman to execute the Fourth Amended and Restated Development Order for the Lake Forest Development of Regional Impact (Attachment "A"), and determine that the Notice of Proposed Change does not constitute a substantial deviation to the Lake Forest Development of Regional Impact (Orlando Lake Forest Joint Venture c/o NTS Development Company, applicant); or
2. **DENY** the Fourth Amended and Restated Development Order for the Lake Forest Development of Regional Impact (Orlando Lake Forest Joint Venture c/o NTS Development Company, applicant); or
3. **CONTINUE** the item to a time and date certain.

(District #5 – Commissioner Carey)

(Tony Matthews, Principal Planner)

BACKGROUND:

The Lake Forest Development of Regional Impact (DRI) consists of 540.3 ± acres located on the north side of SR 46, west of I-4, in unincorporated Seminole County. The DRI allows for 1,016 housing units; 200,000 square feet of retail space; clubhouse; recreation/open space; conservation area; and a 52.12 ± acre lake system for storm water management. The applicant is requesting approval of the Fourth Amended and Restated Development Order for the Lake Forest DRI (see Additional Background for details).

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the Fourth Amended and Restated Development Order for the Lake Forest Development of Regional Impact (DRI), and further recommends that the Notice of Proposed Change does not constitute a substantial deviation to the Lake Forest DRI.

Reviewed by: <u>KET</u>
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: <u>Dee</u>
File No. <u>ph130pdp05</u>

Additional Background

As part of the Lake Forest DRI Notice of Proposed Change (NOPC), the applicant has coordinated with the Florida Department of Transportation to provide dual left-turn lanes onto SR 46, which will consist of installing pavement markings (i.e., striping) on Lake Forest Boulevard (see Exhibit "C" of the attached Development Order). The applicant must complete these road improvements within 90 days of BCC approval of the attached Development Order.

Proposed changes to the DRI Development Order include:

1. Extending the project buildout date from 12/30/2005 until 12/30/2012;
2. Require installation of pavement markings (i.e., striping) on Lake Forest Boulevard to allow dual left turn lanes onto SR46;
3. Changing the period of effectiveness date from 12/30/2007 to 12/30/2014;
4. Changing the down-zoning date from 12/30/2005 to 12/30/2012;
5. Changing the termination date from 12/30/2007 to 12/30/2014;
6. Confirming dedication of right-of-way on North Oregon Street; and
7. Confirming restoration of the wetland conservation area.

EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL AND FLORIDA DEPARTMENT OF TRANSPORTATION COMMENTS:

ECFRPC

The East Central Florida Regional Planning Council (ECFRPC) has issued a letter stating that the proposed changes to the Lake Forest DRI do not result in an automatic substantial deviation determination pursuant to the threshold criteria of Section 380.06(19), Florida Statutes, and recommends that the proposal does not require additional regional review (see attached letter from the ECFRPC).

FDOT

FDOT initially had concerns regarding capacity on SR 46. The striping of Lake Forest Boulevard, as depicted in Exhibit "C" of the attached Development Order, and the County's commitment to restriping of North Oregon Street, and installing minor signal modifications, when warranted, satisfies FDOT concerns (see attached letter from FDOT).

INTERGOVERNMENTAL NOTIFICATION:

Intergovernmental notices were not required; the subject site is not within or directly adjacent to any local municipality and will not impact schools.

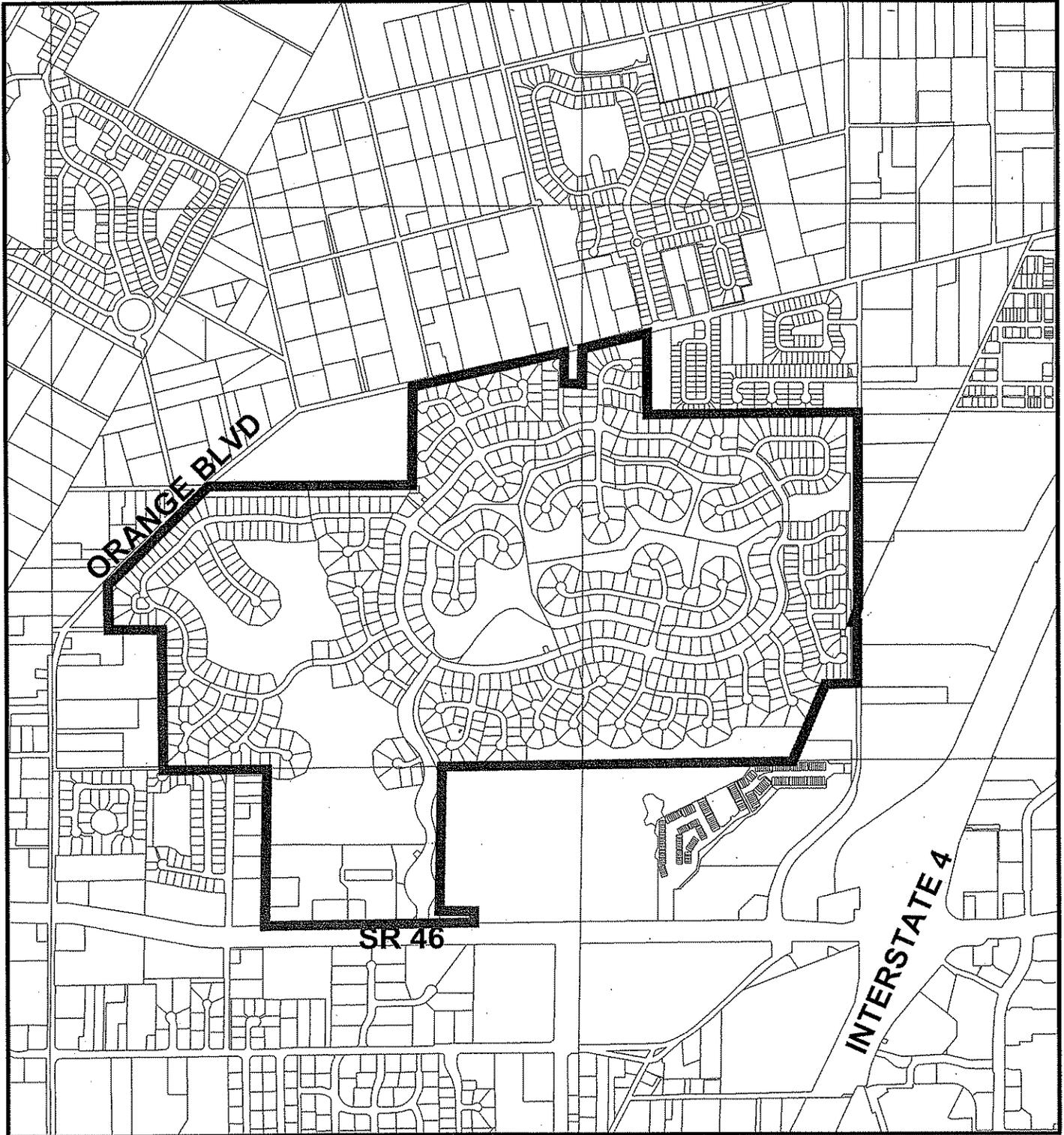
PUBLIC COMMENT:

To date, staff has not received any public input regarding this NOPC.

Attachments:

- Attachment A - Lake Forest Location Map
- Attachment B - Lake Forest Aerial Photo
- Attachment C - Lake Forest Fourth Amended and Restated Development Order
- Attachment D - East Central Florida Regional Planning Council Letter
- Attachment E - Florida Department of Transportation Letter

**Attachment A
Location Map**



Lake Forest DRI

Attachment B

Aerial Map



Lake Forest DRI

Attachment C

EXHIBIT 3

THIRD FOURTH AMENDED AND RESTATED DEVELOPMENT ORDER LAKE FOREST DEVELOPMENT OF REGIONAL IMPACT

This ~~Third~~ Fourth Amended and Restated Development Order for the Lake Forest Development of Regional Impact is made and entered into as of the _____ day of _____, 2006, by and between Seminole County, Florida (hereinafter referred to as the "County"), and the Orlando Lake Forest Joint Venture, formerly known as the Kingwood Joint Venture, a Florida joint venture (hereinafter referred to as the "Developer").

WHEREAS, the County issued that certain Development Order for the Kingwood Development of Regional Impact dated January 7, 1986 (hereinafter referred to as the "Original Development Order"), pursuant to which the Seminole Partnership, a Florida general partnership, was the Developer; and

WHEREAS, the Seminole Partnership subsequently conveyed the property described in the Original Development Order to the Developer herein; and

WHEREAS, the Developer proposed and the County approved certain changes to the Original Development Order which were set forth in that certain First Amendment to Kingwood (now known as "Lake Forest") Development Order, dated January 8, 1988 which deleted the Original Development Order in its entirety; and

WHEREAS, the Developer proposed and the County approved further changes to the First Amendment to Kingwood DRI Development Order (now known as Lake Forest DRI) as follows:

<u>DATE</u>	<u>DEVELOPMENT ORDER</u>	<u>RECORDING INFORMATION</u>
02/05/91	Second Amendment	OR Book 2264, Page 1004
10/17/96	Third Amendment	OR Book 3149, Page 1656
12/18/97	First Amended and Restated	OR Book 3345, Page 1264
10/03/00	Second Amended and Restated	OR Book 4040, Page 1722
<u>06/08/04</u>	<u>Third Amended and Restated</u>	<u>OR Book 5387, Page 0406</u>

WHEREAS, on December 7, 2005 the Developer submitted a Notification of Proposed Change to the Lake Forest DRI which was reviewed by the County, and was determined to constitute a nonsubstantial change to the approved Lake Forest DRI; and

WHEREAS, the proposed changes are set forth in this ~~Third~~ Fourth Amended and Restated Development Order for Lake Forest DRI; and

WHEREAS, this ~~Third~~ Fourth Amended and Restated Development Order has been entered pursuant to the applicable requirements of the County's land development regulations and Section 380.06, Florida Statutes.

NOW THEREFORE, it is hereby ordered and resolved by the Board of County Commissioners of Seminole County, Florida, that the First Amendment, Second Amendment, Third Amendment, First Amended and Restated Development Order, and Second Amended and Restated Development Order, and Third Amended and Restated Development Order are deleted in their entirety and replaced with this ~~Third~~ Fourth Amended and Restated Development Order, which is hereby approved, in accordance with the following terms and conditions:

I. LEGAL DESCRIPTION:

See EXHIBIT "A" (the "Property" or the "Development").

II. FINDINGS OF FACT:

1. The Lake Forest Development of Regional Impact (“the Development” or the “Project”) is not located in an area of Critical State Concern as designated pursuant to the provisions of Section 380.05, Florida Statutes.
2. The Development consists of the following:
 - A. Project Description: The Project will be a mixed use Development containing up to 1,016 housing units; 200,000 square feet of retail space; clubhouse; recreation and open space, conservation area, 52.12 acre lake system for stormwater management, water and wastewater system, internal collector roads, and entrance connection to North Oregon Avenue.¹ The Master Development Plan (Map H) is attached as EXHIBIT “B.”
 - B. Location of Project: The Project is located west of I-4 bordered on the north and west by Orange Boulevard, on the south by West S.R. 46, and on the east by North Oregon Avenue.
 - C. Size of Project: 540.3 acres more or less.
 - D. Project Buildout . ~~12/30/05~~ 12/30/2012
 - E. Potential Traffic Generation: 12,222 ADT
3. An exchange of land uses may be requested of the County by using the following conversion factors which are based on trip generation. The size of the change, both individually and cumulatively shall not exceed the substantial deviation thresholds of subparagraphs 380.06(19)(b)1-14, Florida Statutes.

¹ The entrance connection to North Oregon Avenue will be used only for construction traffic until Project buildout and for permanent access to the wastewater treatment facility.

PM PEAK HOUR CONVERSION TABLE

From Land Use		To Land Use			
		Office (ksf)	Retail (ksf)	Town Home (units)	Single Family (units)
Office (1 ksf)	Is equivalent to	1.00	0.60	2.87	1.48
Retail (1 ksf)	Is equivalent to	1.67	1.00	4.77	2.46
Town Home (1 unit)	Is equivalent to	0.35	0.21	1.00	0.51
Single Family (1 unit)	Is equivalent to	0.68	0.41	1.94	1.00

The Property Owner shall give the Department of Community Affairs (hereinafter referred to as "DCA") and the East Central Florida Regional Planning Council (hereinafter referred to as the "ECFRPC") notice of its intent to convert land uses using the conversion methodologies set forth above at least thirty (30) days prior to the conversion being approved by the County. The Property Owner shall also inform the Florida Department of Transportation and the St. Johns River Water Management District when such a conversion is proposed. The notice shall identify the resulting impacts of the conversion in terms of potable water usage. A letter will be obtained from the County at the time of the proposed conversion verifying potable water capacity is available to accommodate the proposed conversion. In addition, the annual report shall include information indicating the cumulative amount of square footage and dwelling units.

4. The proposed Development has been reviewed by the Seminole County Development Review Committee, Planning and Zoning Commission, the

ECFRPC and Board of County Commissioners and approved with conditions contained herein.

5. The Developer's authorized agent is Miranda F. Fitzgerald, Attorney, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., 215 North Eola Drive, Orlando, Florida 32801 and any and all correspondence and communications may be made to the Developer at such address, with a copy to NTS Corporation, General Counsel, 10172 Linn Station Road, Louisville, Kentucky 40223.

III. CONCLUSIONS OF LAW:

1. The Development does not unreasonably interfere with the achievement of the objectives of the adopted State land development plan applicable to the area.
2. The Development is consistent with the provisions of the Seminole County Comprehensive Plan and the Seminole County Land Development Code.
3. The Development is consistent with the report and recommendations of the ECFRPC submitted pursuant to Chapter 380.06, Florida Statutes.
4. This ~~Third~~ **Fourth** Amended and Restated Development Order constitutes final development order approval of 1,016 housing units; 200,000 square feet of retail space; clubhouse; recreation and open space; conservation area; 52.12 acre lake system; and transportation improvements, as more particularly detailed in Findings of Fact (II. 2 above).

IV. SEMINOLE COUNTY CONDITIONS OF APPROVAL:

1. Comprehensive Plan and Zoning Contingency:

The development of Lake Forest, as amended by this ~~Third~~ **Fourth** Amended and Restated Development Order, is consistent with the Seminole County

Comprehensive Plan and PUD-zoning requirements.

2. Land Development Code Contingency:

Unless a particular item is specifically covered or permitted in this ~~Third~~ **Fourth** Amended and Restated Development Order, the applicable portion of the Seminole County Land Development Code shall prevail.

3. Vehicle Circulation System:

A. Offsite Facilities:

The Developer, in accordance with the State Road 46 Joint Facilities of Infrastructure Agreement dated April 23, 1996 (the "S.R. 46 Agreement"), has completed improvements to the segment of West S.R. 46 from a point 200 feet west of the current entrance of the Lake Forest Development to Orange Boulevard, including related turn and taper lanes, and expansion from a 2-lane facility to a 4-lane facility.

B. Roads:

1) The Developer has installed turn lanes and traffic control devices as warranted at each of the external Project entrances according to standard engineering practices.

2) Additionally, the Developer agrees to install pavement markings at the Project entrance on West S.R. 46 to allow drivers exiting Lake Forest to turn left from both lanes to proceed east on S.R. 46. These markings are depicted in the attached EXHIBIT "C." These pavement markings will be installed at the Developer's expense within 90 days of approval

of the Fourth Amended and Restated Development Order.

The pavement markings will be installed in accordance with all applicable Seminole County and Florida DOT requirements.

C. Signalization:

- 1) The Developer has completed the signalization of the Project entrance on West S.R. 46.
- 2) Signalization of the intersection of West S.R. 46 and Orange Boulevard has been completed in accordance with the terms and conditions of the S.R. 46 Agreement.

D. Dedication:

- 1) The Developer has dedicated sufficient additional right-of-way along the Orange Boulevard frontage to provide a continuous 40' right-of-way distance from centerline of existing right-of-way to edge of right-of-way of any parcel adjacent to Orange Boulevard.
- 2) The Developer shall ~~dedicate~~ has dedicated sufficient additional right-of-way along the Project's North Oregon Avenue frontage to provide a continuous 35' right-of-way distance from centerline of existing right-of-way to edge of right-of-way upon the future platting of any parcel adjacent to North Oregon Avenue. ~~A portion of the additional right of way has been dedicated; the remaining northeast portion of the additional right of way shall be dedicated with the platting of Section 14 of the Project.~~

4. Wetlands:

A. Encroachment or impact in or to onsite wetlands shall be permitted in accordance with the plan set forth in this paragraph. 77.41 acres of conservation area shall be maintained within the subject Property. The remaining onsite wetlands outside said conservation area may be filled or otherwise altered, and shall be included within the Property as shown on the revised Master Development Plan to be utilized for retail or single family residential use, but the filled/altered wetlands shall not result in an increase in the total number of square footage/units permitted hereunder. Said filling and utilization of wetland areas as permitted herein shall be in conjunction with the mitigation exchange plan as follows:

- 1) The Developer has conveyed approximately 750 acres of offsite wetlands located in northern Seminole County near the Wekiva River and the Little Wekiva River to the St. Johns River Water Management District.
- 2) The Developer has created 14.4 acres of herbaceous wetland within the littoral zone adjacent to the 47.35 acre stormwater lake system which is maintained by the Lake Forest Master Community Association, Inc. A conservation easement has been granted to Seminole County which will be incorporated in any future plats that include portions of said littoral zone.
- 3) The Developer has enhanced 900 acres of existing wetlands within the Sabal Point Wildlife and Recreation Preserve by installing 19

culverts under an existing logging roadway embankment to reestablish the historic sheet water flow to the east of the embankment.

- 4) The Developer has transferred to the County by fee simple conveyance approximately 5 acres located on the east side of Oregon Avenue, subject to an approximately 143 foot wide easement along the southern boundary reserved by the Developer for drainage outfall into the M.M. Smith Canal.
- 5) The Developer has conveyed to the St. Johns River Water Management District, by Fee Simple Dedication, 500 acres of the 1,200 acre tract located between the Wekiva River and Little Wekiva River and north of the aforementioned 750 acre parcel. Notwithstanding the above, it is acknowledged that the conditions of Paragraph VI (G) of the Sabal Point PUD Agreement presently apply to the 1,200 acres; and the Board of County Commissioners shall make final determinations as to what uses on said Property are compatible with the designation of the Property as a wildlife and recreational preserve.

- B. The Developer shall comply with the Seminole County wetland policy in effect on January 8, 1988, the date of adoption of the First Amendment to Development Order, as said Development Order is amended from time to time. It is hereby acknowledged by the Developer and the County that the mitigation plan set forth herein and the development plan set forth herein

are in compliance with the Seminole County wetland policy.

5. Other Commitments:

The building permit applicant shall comply with existing and future impact fees in place at the time of application for building permits.

V. **ECFRPC CONDITIONS:**

1. The Project will be developed in accordance with the information, data and plans contained in the Kingwood DRI/ADA (n/k/a Lake Forest) and information sufficiency responses; the Lake Forest Substantial Deviation Request dated May, 1990 and Response to Additional Information Request dated August 7, 1990; and the Notifications of Proposed Change to a Previously Approved DRI unless otherwise directed by the conditions enumerated below.
2. As required in the First Amended and Restated Development Order a modeling/monitoring study was performed to ascertain the level of service on the following facilities where the Lake Forest Project is estimated to contribute an amount of traffic equal to or greater than 10% of the LOS "C" capacity.

Roadways

1. Orange Boulevard from S.R. 46 to C.R. 46A
2. Orange Boulevard from S.R. 46 to I-4
3. Rinehart Road from C.R. 46A to Lake Mary Boulevard
4. C.R. 46A from Orange Boulevard (C.R. 431) to U.S. 17-92
5. Airport Boulevard from U.S. 17-92 to S.R. 46
6. Upsala Road from C.R. 46A to S.R. 46
7. S.R. 46 from Orange Boulevard to Airport Boulevard

Intersections

1. C.R. 46A and Rinehart Road
2. C.R. 46A and Airport Boulevard
3. S.R. 46 and I-4 Ramps
4. S.R. 46 and Orange Boulevard

5. S.R. 46 and Upsala Road -

The Developer demonstrated to the satisfaction of Seminole County, the ECFRPC and the Department of Community Affairs that the final phase of development will not adversely affect service levels below the adopted level of service standard.

3. The Developer funded the 4-laning of West S.R. 46 from Orange Boulevard east to the then-existing 4-laned segment including left and right turn deceleration lanes and contributed fifty percent (50%) of the cost of signalization in accordance with the terms and conditions of the S.R. 46 Agreement.
4. The developers of Tract A and the Clubhouse Tract have constructed bicycle lanes and installed bicycle racks prior to December 31, 2001. Space shall be reserved by the Developer of Tract A for a transit passenger shelter and transit parking bay when a transit route is operational which would serve the Project to facilitate the use of transportation modes other than automobiles. Furthermore, the Developer should make known to tenants that the tri-county area has an existing ridesharing program operated by LYNX and encourage the use of said program.
5. Except as otherwise allowable by this ~~Third~~ **Fourth** Amended and Restated Development Order or any applicable permit consistent with this ~~Third~~ **Fourth** Amended and Restated Development Order, site development related activities shall not result in the harming, pursuit or harassment of wildlife species classified as endangered, threatened or a species of special concern by either the state or federal government in contravention of applicable state or federal laws. Should

such species be determined to be residing on, or be otherwise significantly dependent upon the Project site, the Developer shall cease all activities which might negatively affect that individual or population and immediately notify the Florida Game and Fresh Water Fish Commission, the United States Fish and Wildlife Service and Seminole County. Proper protection and habitat management, to the satisfaction of all agencies having jurisdiction thereover, shall be provided by the Developer.

“Harming” and “harassment” as used in this recommendation shall be defined in the same manner as “harm” and “harass” respectively as defined in 50 CFR Section 17.3.

6. To minimize dependence on grounds irrigation and to promote retention of wildlife habitat, xeriscape principles of landscaping using native vegetation shall be utilized to the maximum extent practicable. Ecologically viable portions of natural upland plant communities should be preserved and maintained in their original state to the greatest extent practicable within the approved development plan.
7. The onsite wetlands systems to be retained shall be regarded as preservation areas and have their developmental uses restricted by a conservation easement that is conveyed to the St. Johns River Water Management District or other appropriate governmental authority for the purpose of protecting their natural attributes.
8. The offsite wetland mitigation areas as shown on EXHIBIT “C” “D” shall be bound by all applicable terms and conditions of this ~~Third~~ Fourth Amended and Restated Development Order and provisions of Chapter 380, Florida Statutes, as

if they were onsite parcels. A valid legal description of these areas is included in EXHIBIT "C" "D" of this ~~Third~~ **Fourth** Amended and Restated Development Order.

9. All conservation easements shall meet all of the following criteria:
 - A. Establishment by real property conveyance, pursuant to Section 704.06, Florida Statutes; and
 - B. Notice of the conservation easement shall be recorded in the public records of Seminole County prior to any fee simple or other lesser interest transfer of real property involving the onsite and offsite preservation lands after January 8, 1988, the date of issuance of the First Amended Development Order, and shall be shown as a separate tract on any plats that include any portion of the conservation easement areas; and
 - C. The conservation easement shall run with the land in perpetuity, and shall be part of any subsequent real property deed involving the preservation lands or shall be referred to in the deed by reference to book and page of record; and
 - D. The conservation easement shall not involve mortgaged or less than fee simple owned lands, unless all mortgagees and third-party owners subordinate their rights in the property to the grantee's right to enforce the conservation easement in perpetuity; and
 - E. The conservation easement shall clearly designate the preservation area as a perpetual easement area to be managed and retained in a natural state for the continued protection and sustainability of the natural community

requiring preservation, and prohibit all development and land impacting activities on the site, except for specific approved activities such as passive recreation or the clearing of exotic species, where such activities are consistent with the purpose for which the land is to be preserved; and

- F. If the grantee does not accept site management responsibility, the grantor shall be responsible for onsite management and shall prepare a management plan, incorporated into the DRI development order within one year of the development order's issuance, that ensures the continued protection of the preservation area from adverse impacts, including the secondary impacts of development; and
- G. The conservation easement shall contain a requirement that the maintenance and continuance of the restrictive covenants shall be annually reported by the grantee to Seminole County, ECFRPC, the Florida Department of Community Affairs, and any other affected state agency in the grantor's required annual status report, pursuant to Subsection 380.06(18), Florida Statutes; and
- H. The conservation easement shall name the State of Florida as a benefiting party, shall allow it or any of its agencies access to the site upon request, and shall provide the State of Florida, and specifically the Department of Community Affairs, with the right of enforcement, including Chapter 380, Florida Statutes, injunctive relief, the right to require restoration, or other proceedings in equity or at law, should the easement be violated.

- 10. The impacted wetland conservation area onsite shall be was restored concurrently

with construction of ~~the newly authorized berms by alteration of~~ new berms authorized to alter the old berms that ~~exist~~ existing within the wetland boundaries. The area ~~shall be~~ has been allowed to revegetate by natural recruitment with appropriate native wetland tree species. ~~An eighty percent (80%) survival rate shall be guaranteed for a period of no less than three (3) years from the date of installation. An informal monitoring program shall be developed by the Developer and approved by the ECFRPC and implemented upon completion of restoration, results of which shall be included in the annual reports. In the event that the St. Johns River Water Management District requires restoration plans for this specific area, the Developer shall implement the required plans.~~

11. Buffer areas of native vegetation averaging 50 feet wide and with a minimum width of 25 feet shall be retained around the perimeters of the wetland conservation area located onsite where individual lot platting has not already occurred. This condition shall not apply to the east-west roadway crossing in the western conservation area. Buffers between onsite wetlands and any type of development or land alteration shall be delineated with the temporary construction fencing prior to construction to allow these areas to be maintained with existing native vegetation or be re-planted with native, transitional zone or upland vegetation. In addition to the berm permitted below, use of these buffers shall be limited to unpaved nature trails and other passive recreation. Components of the stormwater management system, including the berms shall be permitted within these buffers as depicted in EXHIBIT "D." "E." The use of pesticides, herbicides

or fertilizers shall be prohibited in these buffers and the wetlands they protect.

12. The proposed surface water management system shall be designed, constructed and operated so as to ensure that the natural functions and hydroperiods of the onsite and offsite wetlands will not be adversely impacted or diminished.
13. In order to effectively monitor the Project's effects on surface water conditions, the Developer or successors shall provide for the establishment and operation of a surface water monitoring program consistent with St. Johns River Water Management District permits previously issued.
14. The Developer will incorporate additional water quality treatment and/or water management methods into the Project's surface drainage system to correct or mitigate any degradation if the measures implemented by the Developer are found to adversely impact water quality and/or conditions downstream of the Project site.

VI. MONITORING MECHANISM:

The established site review, approval processes and inspection procedures for review of developments pursuant to the Seminole County Land Development Code, will constitute the monitoring mechanism for assuring compliance with this ~~Third~~ **Fourth** Amended and Restated Development Order, and the Developer shall comply with same. The Planning Director, Seminole County Planning and Development Department, shall be the official responsible for monitoring compliance by the Developer with this ~~Third~~ **Fourth** Amended and Restated Development Order.

VII. ANNUAL REPORTING REQUIREMENTS:

The Developer will submit an annual report on or before January 9th of each calendar year during the build out of the development plan. Said annual report will be submitted to the Seminole County Planning Department, the East Central Florida Regional Planning Council, the Department of Community Affairs and all affected permit agencies. The report shall include:

1. Any changes in the plan of development, or in the representations contained in the ADA, or in the phasing for the reporting year and for the next year;
2. A summary comparison of development activity proposed and actually conducted for the year;
3. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developer;
4. Identification and intended use of lands purchased, leased or optioned by the developer adjacent to the original DRI site since the Original Development Order was issued;
5. An assessment of the Developer's and the County's compliance with the conditions of approval contained in the ~~Third~~ Fourth Amended and Restated Development Order and the commitments which are contained in the Application for Development Approval and which have been identified by the County, the ECFRPC, or the Department of Community Affairs as being significant;
6. Any known incremental DRI application for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;

7. An indication of a change, if any, in local government jurisdiction for any portion of the development since the Original Development Order was issued;
8. A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;
9. A statement that all persons have been sent copies of the annual report in conformance with Subsections 380.06(15) and (18), Florida Statutes; and
10. A copy of any recorded notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the Developer pursuant to Section 380.06(15)(f), Florida Statutes.

VIII. PERIOD OF EFFECTIVENESS:

This ~~Third~~ Fourth Amended and Restated Development Order shall take effect upon adoption and shall remain in effect until December 30, 2007 2014. The effectiveness of this Development Order may be extended upon a showing by the Developer that the completed portions and remaining portions of the Development substantially comply with the conditions of this ~~Third~~ Fourth Amended and Restated Development Order and the provisions of Chapter 380.06, Florida Statutes.

IX. DOWN-ZONING:

Pursuant to Subsection 380.06(15)(c)3, Florida Statutes, this Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction until December 30, 2005 2012, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the ~~Third~~ Fourth Amended and Restated Development Order have occurred, or that the ~~Third~~ Fourth Amended and Restated Development Order was based on substantially inaccurate

information provided by the Developer or that the change is clearly established by the County to be essential to the public health, safety, or welfare.

X. TERMINATION DATE:

The effectiveness of this ~~Third~~ **Fourth** Amended and Restated Development Order will terminate on December 30, 2007 **2014**. Further development past this date, upon good cause shown will require approval by the Developer, the County and the ECFRPC.

XI. EFFECT OF ~~THIRD~~ FOURTH AMENDED AND RESTATED DEVELOPMENT ORDER:

This ~~Third~~ **Fourth** Amended and Restated Development Order consolidates and supersedes all previous Development Orders, Corrections, and Amendments thereto, specifically including the following:

<u>Development Order/Amendment</u>	<u>Recording Information</u>
Original Development Order	O.R. Book 1828, Page 0894
First Amendment	O.R. Book 2157, Page 0341
Second Amendment	O.R. Book 2264, Page 1004
Third Amendment	O.R. Book 3149, Page 1656
First Amended and Restated	O.R. Book 3345, Page 1264
Second Amended and Restated	O.R. Book 4040, Page 1722
<u>Third Amended and Restated</u>	O.R. Book 5387, Page 0406

all of the Public Records of Seminole County, Florida. This ~~Third~~ **Fourth** Amended and Restated Development Order and the Lake Forest Planned Unit Development Commitments, Classification, and District Description governs all conditions and requirements for development of the Property.

(SIGNATURES ON FOLLOWING PAGES)

ADOPTED, this ___ day of _____, 2006 by the Board of Commissioners of
Seminole County.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

**ORLANDO LAKE FOREST
JOINT VENTURE**

Witness

Print Name: _____

By: ORLANDO LAKE FOREST, INC.
Its Managing General Partner

By: _____

Witness

Print Name: _____

Print Name: _____

Its: _____

Date: _____

State of _____

County of _____

The foregoing instrument was acknowledged before me this ___ day of _____, 2006, by _____ who is personally known to me or who has produced _____ as identification in his/her capacity as _____ of Orlando Lake Forest Joint Venture and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this ___ day of _____, 2006.

Print Name _____
Notary Public
My Commission Expires _____

(SIGNATURES CONTINUE ON FOLLOWING PAGE)

**SEMINOLE COUNTY BOARD OF
COUNTY COMMISSIONERS**

By: _____
Carlton D. Henley, Chairman

Date: _____

ATTEST:

MARYANNE MORSE
Clerk to the Board of County Commissioners
of Seminole County, Florida

As authorized for execution by the Board
of County Commissioners at their regular
meeting of _____, 2006

For the use and reliance of Seminole County
only. Approved as to form and legal
sufficiency.

County Attorney

156526.4

EXHIBIT "A"

LEGAL DESCRIPTION

A TRACT OF LAND BEING A PORTION OF SECTIONS 19, 20, 29 AND 30, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SECTION 29, THENCE NORTH 89° 57' 55" WEST ALONG THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SECTION 29 FOR A DISTANCE OF 690.23 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SANFORD GRANT, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THENCE CONTINUE NORTH 89° 57' 55" WEST A DISTANCE OF 1938.69 FEET TO THE NORTHWEST CORNER OF SECTION 29; THENCE NORTH 89° 54' 52" WEST ALONG THE NORTH BOUNDARY OF THE NORTHEAST 1/4 OF SECTION 30 FOR A DISTANCE OF 1325.38 FEET; THENCE SOUTH 00° 08' 13" WEST ALONG THE EAST BOUNDARY OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30 FOR A DISTANCE OF 1314.98 FEET; THENCE SOUTH 89° 55' 36" EAST ALONG THE SOUTH BOUNDARY OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30 FOR A DISTANCE OF 320.00 FEET; THENCE SOUTH 00° 08' 13" WEST, 108.10 FEET; THENCE NORTH 89° 50' 15" WEST ALONG THE NORTH RIGHT OF WAY OF STATE ROAD NO. 46 (PER DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 77030 - 2505) FOR A DISTANCE OF 1976.94 FEET; THENCE NORTH 00° 12' 00" EAST ALONG A LINE BEING PARALLEL TO THE EAST BOUNDARY OF THE NORTHWEST 1/4 OF SECTION 30 FOR A DISTANCE OF 169.76 FEET; THENCE SOUTH 89° 56' 25" EAST, 330.00 FEET; THENCE NORTH 00° 12' 00" EAST ALONG THE EAST BOUNDARY OF THE NORTHWEST 1/4 OF SECTION 30 FOR A DISTANCE OF 264.00 FEET; THENCE NORTH 89° 56' 25" WEST ALONG THE NORTH BOUNDARY OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30 FOR A DISTANCE OF 330.00 FEET; THENCE NORTH 00° 12' 00" EAST ALONG A LINE BEING THE WEST BOUNDARY OF THE EAST 330.00 FEET OF THE NORTHWEST 1/4 OF SECTION 30 FOR A DISTANCE OF 986.46 FEET; THENCE NORTH 89° 56' 28" WEST ALONG THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SECTION 30 FOR A DISTANCE OF 990.79 FEET; THENCE NORTH 00° 02' 42" WEST ALONG THE OCCUPIED WEST BOUNDARY OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19 FOR A DISTANCE OF 1311.07 FEET; THENCE NORTH 89° 59' 40" WEST ALONG THE SOUTH BOUNDARY OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 511.09 FEET; THENCE NORTH 00° 05' 58" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19 A DISTANCE OF 443.05 FEET; THENCE NORTH 45° 26' 05" EAST ALONG A LINE BEING THE SOUTHEASTERLY RIGHT OF WAY OF ORANGE BOULEVARD AS IT PHYSICALLY EXISTS FOR A DISTANCE OF 1255.25 FEET; THENCE SOUTH 89° 59' 43" EAST ALONG THE NORTH BOUNDARY OF THE SOUTHWEST 1/4 OF SECTION 19 AND ALONG THE CENTERLINE OF NEVADA AVENUE ACCORDING TO THE MAP OF SANFORD FARMS AS RECORDED IN PLAT BOOK 1, PAGES 127 AND 128 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA FOR A DISTANCE OF

938.51 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SOUTH DELAWARE STREET; THENCE SOUTH 89° 59' 43" EAST ALONG SAID CENTERLINE AND ALONG THE NORTH BOUNDARY OF THE SOUTHEAST 1/4 OF SECTION 19 FOR A DISTANCE OF 1104.00 FEET; THENCE NORTH 00° 02' 16" EAST ALONG THE CENTERLINE OF AN UNNAMED STREET PER SAID MAP OF SANFORD FARMS FOR A DISTANCE OF 956.27 FEET; THENCE NORTH 76° 55' 23" EAST ALONG THE SOUTHERLY RIGHT OF WAY OF ORANGE BOULEVARD FOR A DISTANCE OF 1230.79 FEET; THENCE SOUTH 00° 04' 44" WEST ALONG THE WEST LINE OF LOT 8, BLOCK 8, OF SAID MAP OF SANFORD FARMS FOR A DISTANCE OF 594.84 FEET; THENCE SOUTH 89° 28' 55" EAST ALONG THE SOUTH LINE OF SAID LOT 8 AND AN EASTERLY EXTENSION THEREOF A DISTANCE OF 343.92 FEET TO THE CENTERLINE OF SOUTH GEORGIA STREET ACCORDING TO THE AFOREDESCRIBED MAP OF SANFORD FARMS; THENCE NORTH 00° 01' 54" EAST ALONG SAID CENTERLINE A DISTANCE OF 677.35 FEET; THENCE NORTH 76° 59' 10" EAST ALONG THE SOUTHERLY RIGHT OF WAY OF ORANGE BOULEVARD FOR A DISTANCE OF 325.43 FEET; THENCE SOUTH 00° 05' 56" WEST ALONG THE EAST BOUNDARY OF LOT 5, BLOCK 6, OF SAID MAP OF SANFORD FARMS FOR A DISTANCE OF 723.89 FEET; THENCE SOUTH 89° 52' 38" EAST ALONG THE SOUTH BOUNDARY OF LOTS 6, 7, 8 AND 9 FOR A DISTANCE OF 1002.72 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SOUTH INDIANA STREET; THENCE SOUTH 89° 53' 39" EAST ALONG THE NORTH BOUNDARY OF LOTS 4, 3, 2 AND 1, BLOCK 4, OF SAID MAP OF SANFORD FARMS FOR A DISTANCE OF 1295.41 FEET; THENCE SOUTH 00° 04' 16" WEST ALONG THE EAST BOUNDARY OF LOT 1, BLOCK 4 OF SAID MAP OF SANFORD FARMS AND ALONG THE WEST RIGHT OF WAY OF SOUTH OREGON STREET (A 50 FOOT WIDE ROAD AS IT CURRENTLY EXISTS) FOR A DISTANCE OF 660.50 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF NEVADA AVENUE PER SAID MAP OF SANFORD FARMS, THENCE SOUTH 00° 05' 57" WEST, 1205.51 FEET; THENCE SOUTH 24° 57' 46" WEST ALONG THE WEST LINE OF THE SANFORD GRANT A DISTANCE OF 126.39 FEET; THENCE SOUTH 89° 58' 00" EAST ALONG THE NORTH BOUNDARY OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 30 EAST FOR A DISTANCE OF 53.14 FEET; THENCE SOUTH 00° 05' 57" WEST, 523.00 FEET; THENCE NORTH 89° 58' 00" WEST ALONG A LINE 523 FEET SOUTH OF AND PARALLEL TO THE NORTH BOUNDARY OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 30 EAST FOR A DISTANCE OF 295.64 FEET; THENCE SOUTH 24° 57' 46" WEST ALONG THE WEST LINE OF SAID SANFORD GRANT FOR A DISTANCE OF 879.01 FEET TO THE POINT OF BEGINNING.
CONTAINING 529.276 ACRES, MORE OR LESS.

AND

LOT 6, BLOCK 6, SANFORD FARMS, AS RECORDED IN PLAT BOOK 1, PAGES 127 AND 128, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.
CONTAINING 5.000 ACRES, MORE OR LESS.

AND

THAT PART OF LOT 8, BLOCK 8, AND ADJACENT 15.00 FOOT RIGHT-OF-WAY THEREOF,

SANFORD FARMS, AS RECORDED IN PLAT BOOK 1, PAGES 127 AND 128, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

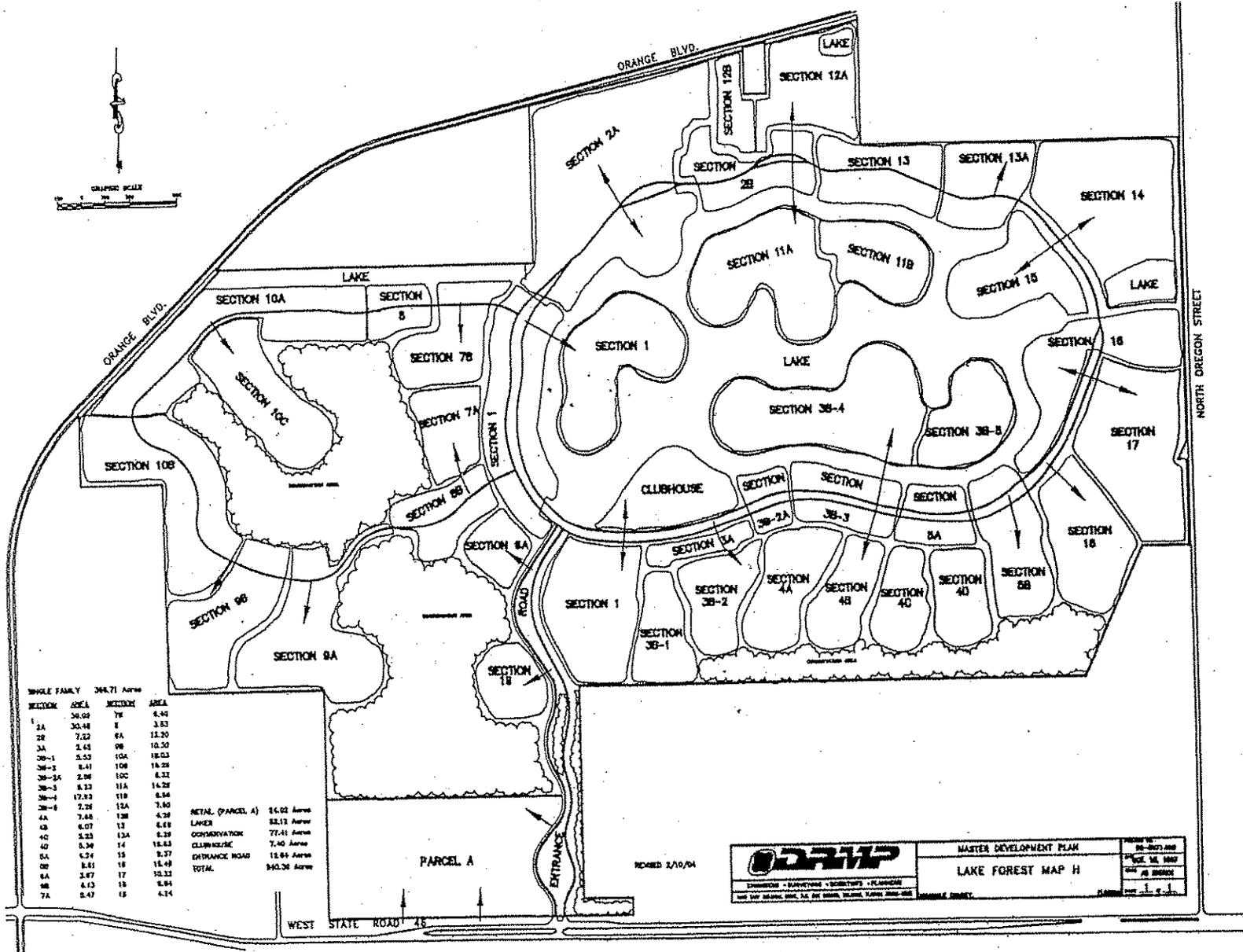
BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 8; THENCE RUN S.89°28'55"E. ALONG THE SOUTH LINE OF SAID LOT 8, AND AN EXTENSION THEREOF 343.92 FEET TO THE CENTER LINE OF SOUTH GEORGIA STREET, OF SAID SANFORD FARMS; THENCE N.00°01'54"E. ALONG SAID CENTER LINE 357.36 FEET; THENCE DEPARTING SAID CENTER LINE RUN N.89°58'06"W. 143.62 FEET; THENCE N.00°04'44"E. 286.98 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ORANGE BOULEVARD (A 50.00 FOOT WIDE RIGHT-OF-WAY AS IT IS NOW ESTABLISHED); THENCE S.76°55'23"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 205.39 FEET TO THE NORTHWEST CORNER OF SAID LOT 8; THENCE S.00°04'44"W. ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 594.84 FEET TO THE POINT OF BEGINNING.
CONTAINING 4.019 ACRES, MORE OR LESS.

SUBJECT TO THE EAST 15.00 FEET THEREOF FOR SOUTH GEORGIA STREET RIGHT-OF-WAY.

AND

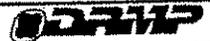
A PORTION OF LAND LYING WITHIN SECTION 30, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 3, LAKE FOREST VILLAGE SHOPPES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 52, PAGES 89, 90, AND 91 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN SOUTH 00°12'00" WEST ALONG THE WESTERLY BOUNDARY OF SAID LOT 3 A DISTANCE OF 316.25 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG THE WESTERLY BOUNDARY OF SAID LOT 3: SOUTH 89°56'25" EAST 330.00 FEET; THENCE SOUTH 00°12'00" WEST 264.00 FEET; THENCE NORTH 89°56'25" WEST 330.00 FEET; THENCE RUN NORTH 00°12'00" EAST A DISTANCE OF 264.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 2.000 ACRES, MORE OR LESS.



SECTION	AREA	SECTION	AREA
2A	30.00	7A	6.43
2B	30.48	8	3.83
3A	7.22	9A	13.20
3B	2.43	9B	10.50
3C-1	5.53	10A	18.03
3C-2	2.41	10B	13.26
3C-3	2.26	10C	6.32
3C-4	6.23	11A	14.28
3C-5	17.83	11B	6.54
3C-6	2.24	12A	7.60
4A	7.44	12B	4.28
4B	6.07	13	6.49
4C	5.23	13A	6.39
4D	6.24	14	18.43
5A	6.52	15	9.57
5B	8.51	16	18.49
5C	1.77	17	10.33
6A	6.13	18	6.94
6B	6.47	18	6.14

NETAL (PARCEL A) 14.02 Acres
 LAKE 52.12 Acres
 OBSERVATION 77.41 Acres
 CLUBHOUSE 7.40 Acres
 ENTRANCE ROAD 13.94 Acres
TOTAL 340.36 Acres



ODMIP
DESIGNERS • PLANNERS • ENGINEERS • ARCHITECTS • LANDSCAPE ARCHITECTS
1000 WEST BEARING ROAD, SUITE 200, DENVER, COLORADO 80202-2000

MASTER DEVELOPMENT PLAN
LAKE FOREST MAP H

SCALE: AS SHOWN
DATE: 04/01/04
 DRAWN BY: JH
 CHECKED BY: JH

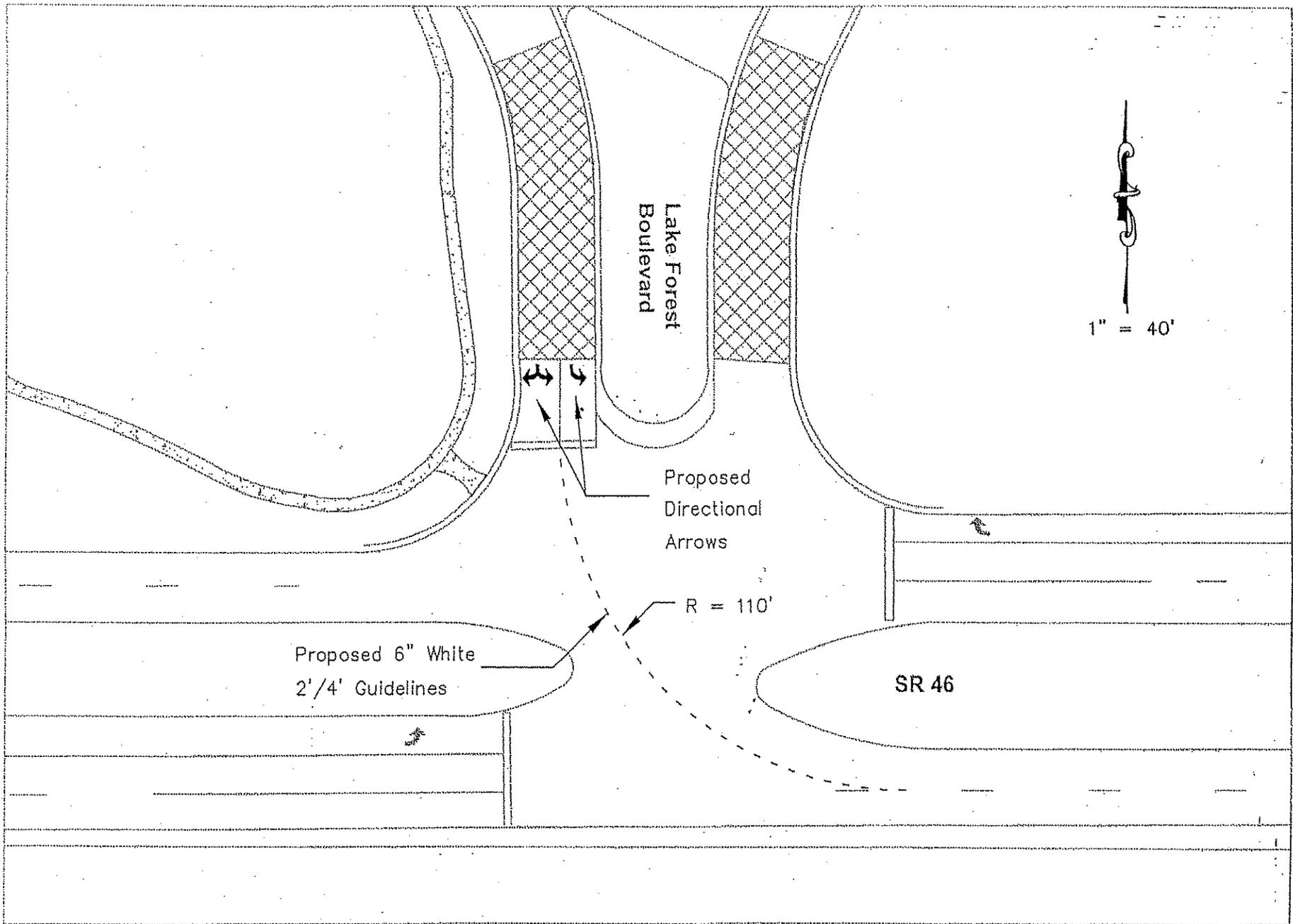


EXHIBIT "C"

Entrance Striping
Lake Forest DRI NOPC



**Kimley-Horn
and Associates, Inc.**

EXHIBIT "D" (CONTINUED)

LEGAL DESCRIPTION OF 500 ± ACRE PARCEL

The approximately 500-acre parcel lying East of the centerline of the existing logging road located within those portions of the following described parcels of land lying both East of the Wekiva River and West of the Little Wekiva River, all as shown on the diagram labeled as Exhibit "D" attached hereto:

Sections 21 and 22; the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 15; the Northerly 800 feet of Section 28; and the Northerly 800 feet of the West $\frac{1}{2}$ of Section 27; all said parcels located in Township 20 South, Range 29 East, Seminole County, Florida.

LEGAL DESCRIPTION OF 700 ± ACRE PARCEL

The approximately 700-acre parcel depicted on the diagram labeled as Exhibit "D" attached hereto, more particularly described as follows:

Those portions of the following described parcels of land lying both East of the Wekiva River and West of the Little Wekiva River and West of the centerline of the existing logging road located within said parcels:

Sections 20 and 21; and the Northerly 800 feet of Sections 28 and 29; all said parcels located in Township 20 South, Range 29 East, Seminole County, Florida.

TOGETHER WITH those portions of the following described parcels of land lying both East of the Wekiva River and West of the Little Wekiva River on both sides of said existing logging road, as well as including said logging road:

The West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 16; and the West $\frac{3}{4}$ of Section 16, both said parcels also located in Township 20 South, Range 29 East, Seminole County, Florida.

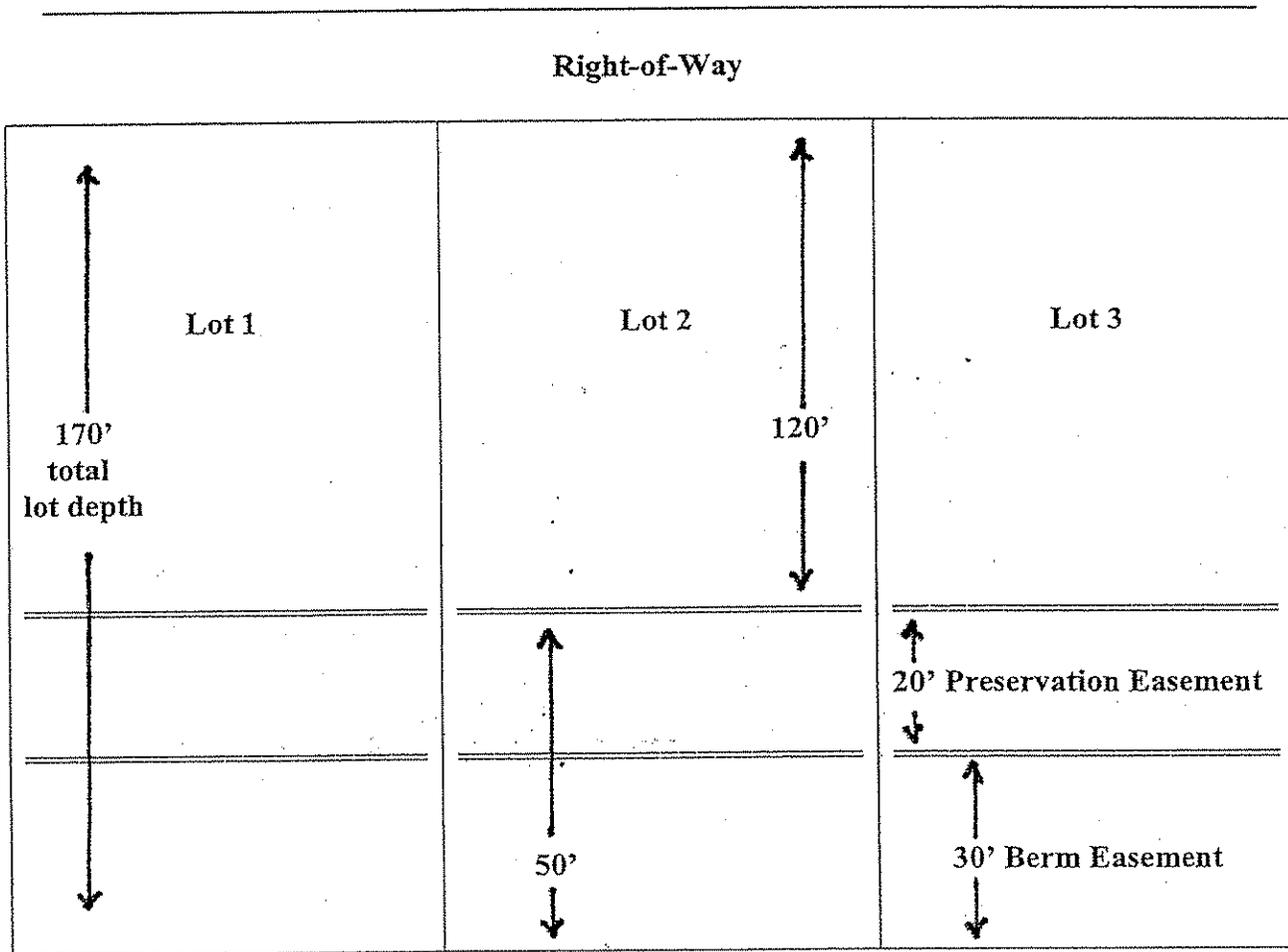
LEGAL DESCRIPTION OF 1,200 ± ACRE PARCEL

Those portions of the following described parcels of land lying both East of the Wekiva River and West of the Little Wekiva River:

Sections 20, 21, and 22; the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 16; the West $\frac{3}{4}$ of Section 16; the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 15; the Northerly 800 feet of Sections 28 and 29; and the Northerly 800 feet of the West $\frac{1}{2}$ of Section 27; all said parcels located in Township 20 South, Range 29 East, Seminole County, Florida.

EXHIBIT "E"

BUFFER/BERM LOCATION (TYPICAL SECTION)



Conservation Area

East Central Florida
**REGIONAL
 PLANNING
 COUNCIL**

Attachment D

Chairman
Jon B. Rawison
 Governor's Appointee
 Orange County

April 24, 2006

Vice Chairman
Michael S. Blake
 Commissioner
 Winter Springs
 Tri-County League of Cities

Mr. Tony Matthews
 Seminole County Planning
 1101 E. First Street
 Sanford, FL 32771

**RE: Lake Forest Notification of a Proposed Change (NOPC)
 ECFRPC #5420**

Treasurer
Teresa S. Jacobs
 Commissioner
 Orange County

Dear Mr. Matthews:

Secretary
Malcolm E. McLouth
 Governor's Appointee
 Brevard County

We received the Lake Forest NOPC on December 12, 2005 along with additional information received February 20, 2006 and April 4, 2006. It is our understanding that the only changes are to extend the buildout date from December 30, 2005 to December 30, 2012 and to acknowledge that certain requirements contained in the Development Order have been accomplished.

**Acting
 Executive Director**
Jeffrey A. Jones, AICP

Section 380.06(19) (c), F.S. addresses the timeframe extension as follows:

*Serving Brevard, Lake,
 Orange, Osceola,
 Seminole and Volusia
 counties.*

An extension of the date of buildout of a development, or any phase thereof, by 7 or more years shall be presumed to create a substantial deviation subject to further development-of-regional-impact review. An extension of the date of buildout, or any phase thereof, of 5 years or more but less than 7 years shall be presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of less than 5 years is not a substantial deviation. For the purpose of calculating when a buildout, phase or termination date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof by a like period of time.

631 N. Wymore Road
 Suite 100
 Maitland, Florida 32751

In order to rebut the presumption that this time extension will create additional regional impacts, a traffic study was submitted. The Florida Department of Transportation (FDOT) has identified several intersections along SR 46 that may require some level of further analysis (see attached letter). The Lake Forest developer will need to confer with the FDOT and the Seminole County Traffic Engineering Department to optimize traffic

Phone 407.623.1075
 Fax 407.623.1084

Suncom 334.1075
 Suncom Fax 334.1084

Website: www.ecfrpc.org

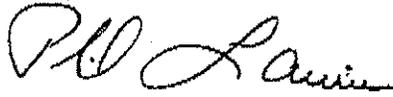
flow at the intersections cited in the FDOT letter. These actions can include, but should not be limited to, signal timing and optimization, additional turn lanes and other transportation systems management (TSM) tools to optimize capacity.

It is our recommendation that the applicant enter into an agreement with the FDOT to address the concerns of the FDOT prior to the county's approval of the changes to the Development Order (DO). If mitigation is required after further consultation with the FDOT and Seminole County, said mitigation agreement should be incorporated into the development order.

In conclusion, it is our opinion that, with the proposed actions listed above, these proposed changes do not result in an automatic substantial deviation determination pursuant to the threshold criteria of section 380.06(19), Florida Statutes, nor is it expected that it will cause new or increased impacts to regional resources or facilities when considered independently or cumulatively with prior project changes. We therefore do not recommend that this proposal be submitted for additional regional review by this agency.

If you have any questions, please give me or Fred Milch a call at (407) 623-1075.

Sincerely,



Phil Laurien, AICP
Executive Director, ECFRPC

C: Miranda Fitzgerald, LDDK&R
Brett Blackadar, Seminole County Public Works
Jon Weiss, FDOT
James Stansbury, FDCA

Attachment E*Florida Department of Transportation***JEB BUSH
GOVERNOR****DENVER J. STUTLER, JR.
SECRETARY**

Intermodal Systems Development
133 South Semoran Boulevard
Orlando, Florida 32807

April 21, 2006

Richard W. Mercer, P.E.
Kimley-Horn and Associates, Inc.
3660 Maguire Boulevard, Suite 200
Orlando, Florida 32803

SUBJECT DRI: Lake Forest DRI
REPORT NAME: Response to Questions
REPORT DATE: April 4, 2006
JURISDICTION: Seminole County

Dear Mr. Mercer:

The Florida Department of Transportation (FDOT) has completed its review of the additional information for the Lake Forest DRI. While the issue regarding traffic projections has been resolved, a review of the revised intersection analysis revealed capacity concerns on the westbound approach of SR 46 at two intersections. Enclosed are the comments for this study.

We appreciate the opportunity to participate in this review process and if you have any questions, please contact me at your earliest convenience at (407) 482-7881 or email at Jon.Weiss@dot.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon V. Weiss".

Jon V. Weiss, P.E.
Growth Management Supervisor
Attachment

C: Fred Milch, ECFRPC
James Stansbury, DCA
Brett Blackadar, Seminole County Engineering

Attachment D

Florida Department of Transportation
Intermodal Systems Development
Technical Applications Section

Page 1 of 1

DEVELOPMENT OF REGIONAL IMPACT REVIEW FORM

DRI NAME: LAKE FOREST DRI
NOTIFICATION OF A PROPOSED CHANGE (NOPC)
LOCAL GOV'T./JURISDICTION: SEMINOLE COUNTY
RPC IDENTIFICATION #: N/A
REVIEW COMMENTS DEADLINE: N/A
TODAY'S DATE: APRIL 17, 2006

Comment Number	Page(s)	General Areas of Concern	Specific Review Comment(s)
1	NA	Intersection Analysis	<p>Original Comment: The FDOT is concerned with the westbound approach of SR 46 at the Lake Forest intersection (v/c of 0.99) and at the Oregon/Wayside intersection (v/c of 0.98).</p> <p>Please verify that these intersections are on a coordinated signal system (they show an arrival type of 4 indicating that they are).</p> <p>Please provide count data that supports the 0.95 PHF and the 2% heavy vehicle (it is noted that FDOT count data shows a T_{24} of approximately 10% in the area).</p> <p>Please provide data that supports the extension of effective green time of 3.5 seconds (it is noted that the values have changed since review of the original analysis).</p> <p>Based on the fact that these westbound movements of SR 46 are nearly at capacity and any needed changes to the analysis would push the approaches over capacity, the FDOT would like to discuss mitigation options for these intersections with the applicant.</p>

FDOT Contact: Stephanie Vena
Telephone: 407-482-7887
Fax: 407-275-4188
E-mail: stephanie.vena@dot.state.fl.us
File: J:\Growth Management\DR1 Reviews\Seminoole County\Lake Forest\NOPC response comments 042106.doc

Reviewed By: Karl Pasetti, P.E.
Company: Kittelson & Associates, Inc.
Telephone: 407-540-0555
Email: kpasetti@kittelson.com