

Item # 61

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Oakmonte PUD and Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD)
Major Amendments-Lake Mary Senior Living

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Tina Williamson **EXT.** 7353

Agenda Date <u>11/7/06</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:

- APPROVE** the PUD Major Amendments, First Amendment to the Oakmonte Developer's Commitment Agreement and the Amended and Restated Developer's Commitment Agreement and Revised Final Master Plan for Oakmonte Senior Villages (a.k.a. Shiralago PUD), for 25 ± acres located on the southwest corner of the intersection of Lake Mary Boulevard and I-4, approximately 0.5 mile south of Lake Mary Boulevard, based on staff findings (Torben Abbot/Excel Engineering, applicant); or
- DENY** the PUD Major Amendments, First Amendment to the Oakmonte Developer's Commitment Agreement and the Amended and Restated Developer's Commitment Agreement and Revised Final Master Plan for Oakmonte Senior Villages (a.k.a. Shiralago PUD), for 25 ± acres located on the southwest corner of the intersection of Lake Mary Boulevard and I-4, approximately 0.5 mile south of Lake Mary Boulevard (Torben Abbot/Excel Engineering, applicant); or
- CONTINUE** the public hearing until a time and date certain.

District 5 – Commissioner Carey

Tina Williamson, Principal Coordinator

BACKGROUND:

The applicant is requesting Major Amendments to the Oakmonte PUD and the Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD). The background on the two PUDs is as follows:

Reviewed by: _____ Co Atty: <u>LCET</u> DFS: _____ OTHER: <u>AB</u> DCM: <u>AD</u> CM: <u>CE</u>
File No. <u>ph130pdp05</u>

Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD)

The Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD) Final Master Plan was approved on October 28, 2003. The total land area covered by the Developers Commitment Agreement was 20 ± acres and the permitted uses within the PUD were an assisted living facility/independent living facility with a maximum of 340 units and 30 independent living villas. The total allowed square footage was 350,847 square feet. This parcel is referred to as “Parcel 1” in the Amended and Restated Developer’s Commitment Agreement and Revised Final Master Plan for Oakmonte Senior Villages (a.k.a. Shiralago PUD).

Oakmonte PUD

The Revised and Restated Developer’s Commitment Agreement and Revised Final Master Plan for the Oakmonte PUD were approved on March 14, 2000. The Revised Final Master Plan contains Tract C-2, consisting of 4.72 ± acres and which allows a 65,000 square foot, maximum 100 units assisted living facility. This parcel is referred to as “Parcel 2” in the Amended and Restated Developer’s Commitment Agreement and Revised Final Master Plan for Oakmonte Senior Villages (a.k.a. Shiralago PUD)

Requested Major Amendments

At this time, the applicant is requesting Major Amendments to the Oakmonte PUD and the Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD), consisting of the following changes:

1. Removing Tract C-2 (4.72 ± acres) from the Oakmonte PUD and incorporating it into the Oakmonte Senior Villages (a.k.a. Shiralago PUD); and
2. Allowing the Oakmonte Senior Villages (a.k.a. Shiralago PUD) to be developed as a senior living complex with the following entitlements:

Unit Type	Maximum No. of Units	Maximum Square Footage
Independent Living Facility (ILF)	165	317,324 divided between the ILF and ALF
Assisted Living Facility (ALF)	100	317,324 divided between the ILF and ALF
Independent Living Villa Units	50	100,000
Total	315	417,324

The difference between the prior zoning approvals and what is proposed now, is as follows:

Parcel	Units (Prior Zoning Approval)	Building Area (Prior Zoning Approval)	Units (Proposed)	Building Area (Proposed)
Oakmonte Senior Villages PUD (Parcel 1)	30 Villas	66,218 square feet (Villas)	34 Villas	64,000 square feet (Villas)
Oakmonte PUD Tract C-2 (Parcel 2)	340 ILF and ALF Units	284,629 square feet (ILF and ALF)	265 ILF and ALF Units	317,324 square feet (ILF and ALF)
	100 ALF Units	65,000 square feet (ALF)	16 Villas	36,000 square feet (Villas)
Total	470	415,847 square feet	315	417,324 square feet

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the PUD Major Amendments, First Amendment to the Oakmonte Developer’s Commitment Agreement and the Amended and Restated Developer’s Commitment Agreement and Revised Final Master Plan for Oakmonte Senior Villages (a.k.a. Shiralago PUD), for 25 ± acres located on the southwest corner of the intersection of Lake Mary Boulevard and I-4, approximately 0.5 mile south of Lake Mary Boulevard.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on October 4, 2006 and voted 5-0 to recommend APPROVAL of the PUD Major Amendments, First Amendment to the Oakmonte Developer’s Commitment Agreement and the Amended and Restated Developer’s Commitment Agreement and Revised Final Master Plan for Oakmonte Senior Villages (a.k.a. Shiralago PUD), for 25 ± acres located on the southwest corner of the intersection of Lake Mary Boulevard and I-4, approximately 0.5 mile south of Lake Mary Boulevard, based on staff findings.

Attachments:

Location Map

FLU/Zoning Map

Aerial Photo

Revised Final Master Plan

First Amendment to the Oakmonte Developer's Commitment Agreement removing Tract C-2

Amended and Restated Developer's Commitment Agreement for the Oakmonte Senior Villages (a.k.a. Shiralago PUD)

Rezone Ordinance

Denial Development Order (applicable if the request is denied)

10/4/06 P&Z Minutes

**Oakmonte PUD and Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD) Major Amendments-
Rezone from PUD to PUD**

APPLICANT	Torben Abbot/Excel Engineering	
PROPERTY OWNER	Lake Mary Senior Living, LLC	
REQUEST	PUD Major Amendment (Rezone from PUD to PUD)	
PROPERTY SIZE	72.90 ± acres	
HEARING DATE (S)	P&Z: October 4, 2006	BCC: November 7, 2006
PARCEL ID	13-20-29-511-0000-0C20,13-20-29-300-0050-0000	
LOCATION	Located on the southwest corner of the intersection of Lake Mary Boulevard and I-4, approximately 0.5 mile south of Lake Mary Boulevard	
FUTURE LAND USE	PD	
ZONING	PUD	
FILE NUMBER	Z2006-044	
COMMISSION DISTRICT	#5 – Carey	

PROPOSED DEVELOPMENT:

The applicant is requesting Major Amendments to the Oakmonte PUD and the Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD), consisting of the following changes:

1. Removing Tract C-2 (4.72 ± acres) from the Oakmonte PUD and incorporating it into the Oakmonte Senior Villages (a.k.a. Shiralago PUD); and
2. Allowing the Oakmonte Senior Villages (a.k.a. Shiralago PUD) to be developed as a senior living facility with the following entitlements:

Unit Type	Maximum No. of Units	Maximum Square Footage
Independent Living Facility (ILF)	165	317,324 divided between the ILF and ALF
Assisted Living Facility (ALF)	100	317,324 divided between the ILF and ALF
Independent Living Villa Units	50	100,000
Total	315	417,324

ANALYSIS OVERVIEW:

COMPATIBILITY WITH SURROUNDING PROPERTIES

The Tract C-2 in the Oakmonte PUD and the entire Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD) are currently approved for senior living uses, including assisted

living facilities, independent living facilities and villas. This proposed amendment will increase the approved square footage by 1,477 square feet. Staff has reviewed the proposed senior living uses and finds that they are compatible with the surrounding uses because the project is proposed in a mixed use area adjacent to office, retail, multi-family and technical school uses.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map 12117C0040E, with an effective date of April 17, 1995, ±0.5 acres of the subject property appears to be in the 100 year floodplain.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3)(c); Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has applied for concurrency review and the results are pending at this time.

The following table depicts the estimated impacts the proposed development will have on public facilities:

Public Facility	Existing Zoning (PUD)	Proposed Development* (PUD)	Net Impact
Water (GPD)	54,150	48,175	-5,975
Sewer (GPD)	41,925	38,319	-3,606
Traffic (ADT)	1,341	1,200	-141

* Existing Development is based on the approved 340 unit ALF/ILF and 30 villas. Proposed Development is based on the proposed 255 unit ALF/ILF and 50 villas.

Utilities:

The site is located in the Northwest Seminole County utility service area, and will be required to connect to public utilities. There is a 12-inch water main on the east side of International Parkway and an 8-inch force main on the west side of International Parkway. There is a 16-inch reclaim water main just west of the southeast corner of the parcel, which the project will be required to connect to.

Transportation / Traffic:

The property proposes access onto Lake Mary Boulevard, which is classified as arterial roadway. Lake Mary Boulevard is currently operating at a level-of-service "B" in this area and has no improvements programmed in the County 5-year Capital Improvement Program.

School Impacts:

The proposed project will not generate any school impacts.

Drainage:

The proposed project is located within the Soldiers Creek Drainage Basin, and may have limited downstream capacity. Based on preliminary analysis, at a minimum the site will have to be designed to hold 3" over directly connected impervious area and the pre-post volume difference for the 25-year/24-hour storm event. A detailed drainage analysis will be required at final engineering.

Parks, Recreation and Open Space:

The Oakmonte Senior Villages (a.k.a. Shiralago PUD), is required to have 25% useable open space under Section 30.451(e) of the Seminole County Land Development Code. This equates to 6.18 ± acres required. The Revised Final Master Plan indicates that 14.52 ± acres (58.8%) are being provided.

Sidewalks and Buffers:

The following buffering standards contained in the Amended and Restated Developer's Commitment Agreement and Revised Final Master Plan for Oakmonte Senior Villages (a.k.a. Shiralago PUD) will apply (the standards were originally approved as part of the Shiralago PUD):

A. Parcel 1.

1. Parcel 1 shall maintain a twenty-five foot (25') landscape buffer along the west and south property lines.

2. The Owner shall provide a landscaped earthen berm along the west and south property lines. The earthen berm shall be a minimum of four foot (4') high along the west and south property lines. The landscaping provided upon the earthen berm shall, when combined with the height of the berm, reach a height of six (6) feet (four foot high berm plus two feet of landscaping) in height with approximately one hundred percent (100%) opacity within one (1) year after planting. As an alternative to the landscaped earthen berm, the owner may provide a wall with a height of six (6) feet

along the west and south property lines. Within the landscape buffer adjacent to either the wall or the earthen berm, the owner shall provide two (2) canopy trees and four (4) understory trees which shall be staggered to provide maximum visual screening, per one hundred (100) linear feet of property boundary. Pines shall not be used to meet the canopy tree requirement. The trees shall have a minimum caliper of three inches (3").

3. Proposed retention areas within the twenty-five foot (25') buffers may encroach a maximum of twelve and one-half feet (12.5') into said buffers, provided that all required plantings have adequate space in which to grow to maturity and maintain a healthy condition. This shall be evaluated at Final Engineering.

4. The Owner shall provide a minimum ten foot (10') buffer along the east property line, meeting the requirements of Section 30.268 of the Land Development Code. Plantings shall be arranged so as not to interfere with existing utility lines; the arrangement shall be evaluated at Final Engineering.

5. Landscape material style and size shall conform to Seminole County Land Development Code specifications.

B. Parcel 2.

1. The Parcel 2 Development Order (specifically Section 9E of Development Order #2000-0015) required a fifty foot (50') landscape buffer along the south property line of Parcel 2, with a six foot high masonry wall. This prior requirement is hereby deleted and no longer required because both parcels are now under the same ownership.

The developer will be required to install sidewalks internal to their site and will also provide a pedestrian walkway to the Seminole-Wekiva Trail.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant running the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS

The site is located within the Wekiva Parkway and Protection Act (WPPA) Study Area. The site is in an area of most effective recharge per WPPA and Seminole County GIS overlays and must meet the drainage requirements related to these special areas. There is a small amount of sensitive habit just to the east of the northernmost section of the proposed road per WPPA GIS overlays (to be verified at final engineering). There is also karst topography in the vicinity of the northernmost section of the proposed road per WPPA GIS overlays. Existence and/or limits of karst topography need to be verified by a geotechnical engineer prior to Final Engineering.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy FLU 2.11: Determination of Compatibility in PUD and PCD Zoning
Classifications

Policy CIE 3.2: Application to New Development

Policy POT 4.5: Potable Water-Extension of Service to New Development

Policy SAN 4.4: Sanitary Sewer Connection

Policy PUB 2.1: Public Safety Level-of-Service

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.

LETTERS OF SUPPORT OR OPPOSITION:

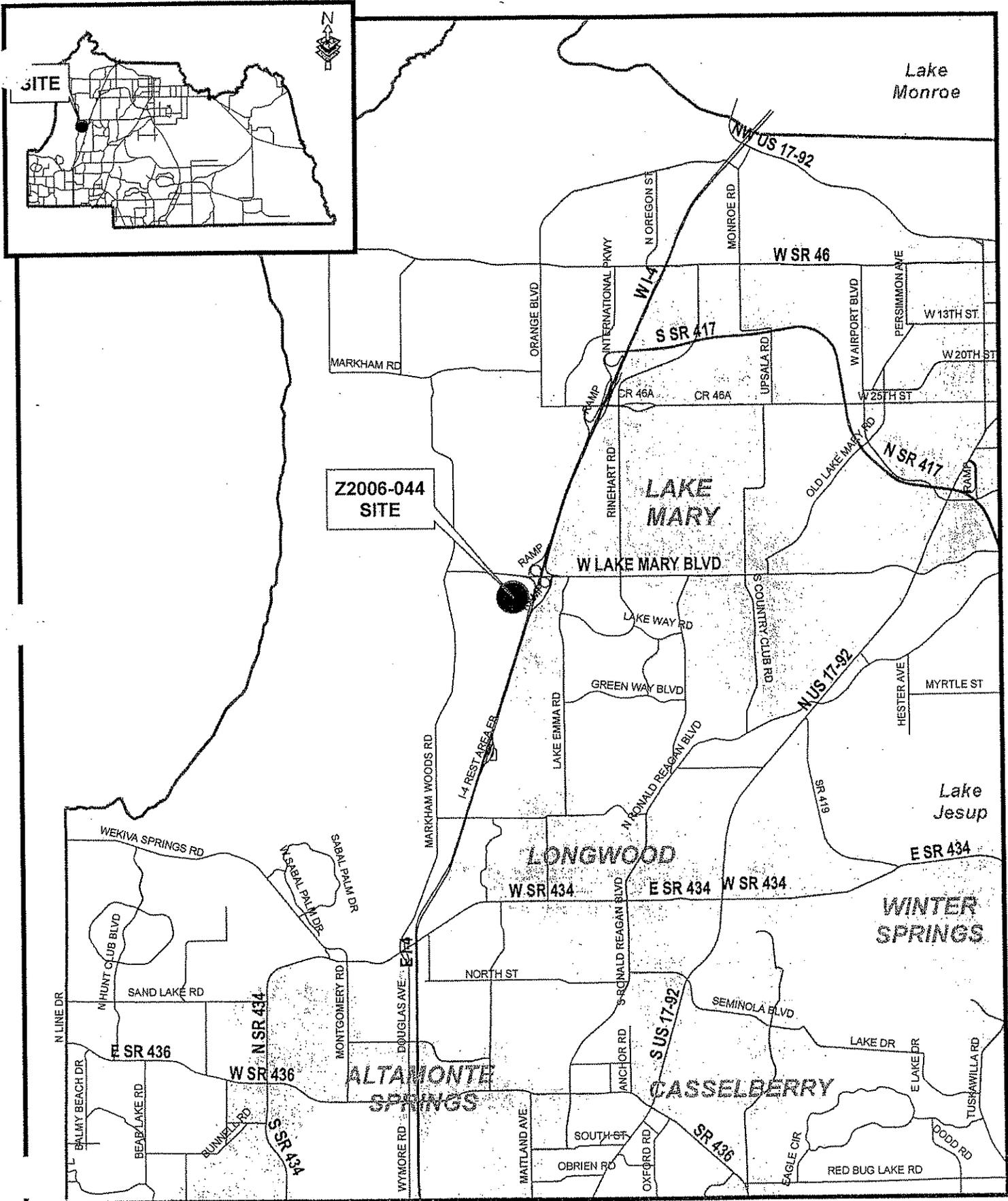
At this time, Staff has received no letters of support or opposition.

STAFF RECOMMENDATION:

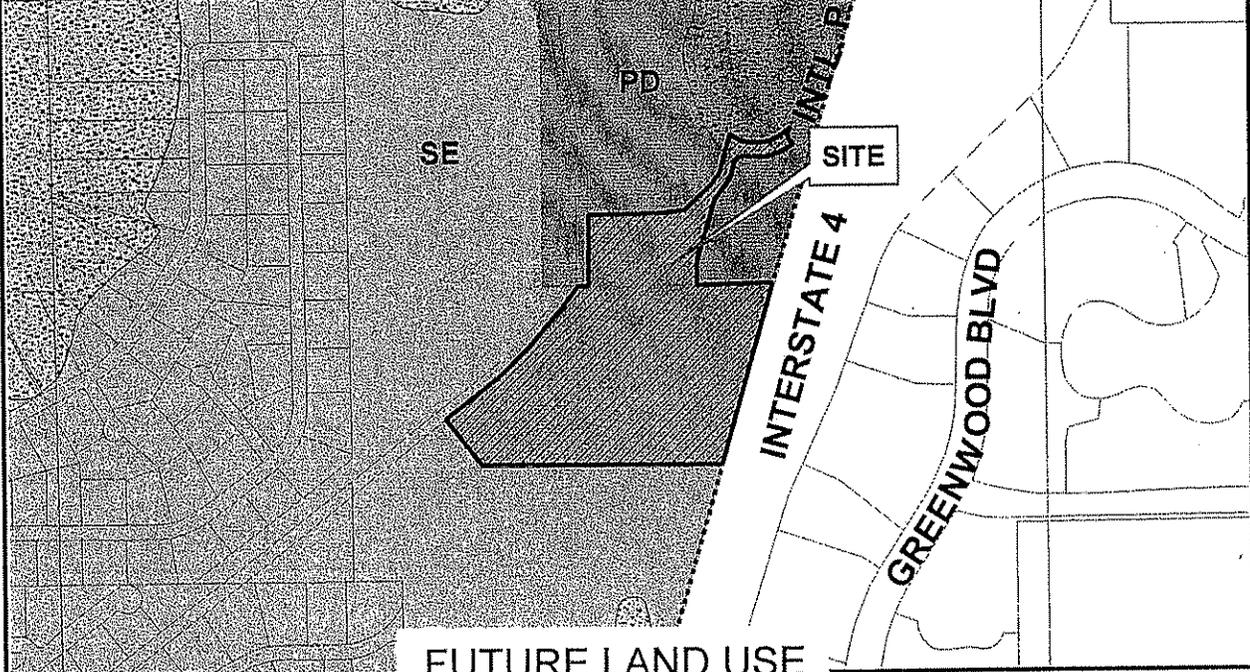
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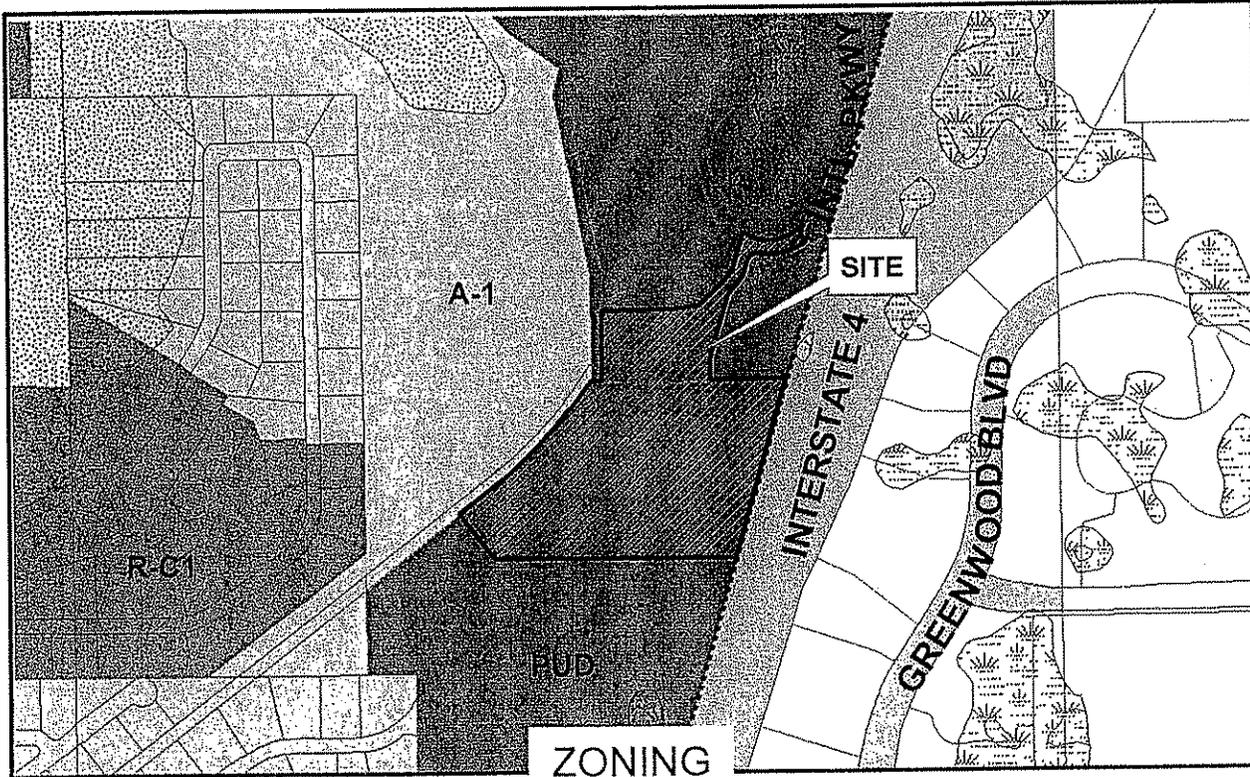
The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps, and 100 yr floodprone area information, based on Flood Insurance Rate Maps provided by FEMA.



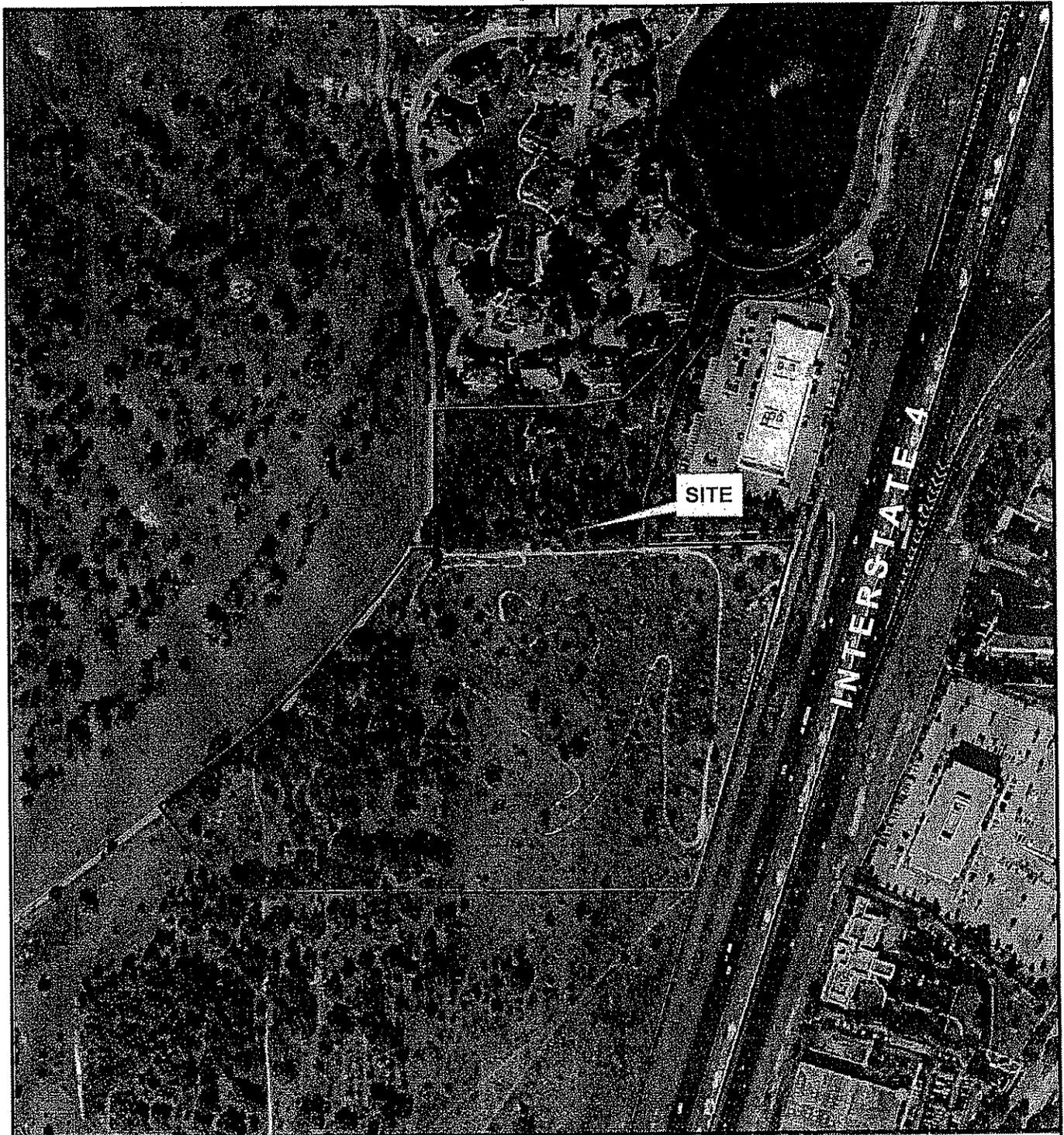
Site
 Municipality
 SE
 PD
 CONS

Applicant: Lake Mary Senior Living, LLC. C/O Avi Bittan
 Physical STR: 13-20-29-511-0000-0C20, 13-20-29-300-0050-0000
 Gross Acres: 24.72 BCC District: 5
 Existing Use: Vacant Land
 Special Notes: None

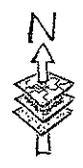
	Amend/ Rezone#	From	To
FLU	----	----	----
Zoning	Z2006-044	PD	PD



Site
 Municipality
 A-1
 RC-1
 PUD
 FP-1
 W-1



Rezone No: Z2006-044
 From: PD To: PD
 [] Parcel
 [] Subject Property



Winter 2006 Color Aerials

LEGAL DESCRIPTION
(PER TITLE COMMITMENT)

PARCEL 1:

A PORTION OF LAND IN THE SOUTH 1/2 OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SE CORNER OF BLOCK "C", OAKMONTE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 93, PAGE 75 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AS THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE STATE ROAD NO. 400; THENCE RUN S 16°11'40" W, ALONG SAID WEST RIGHT OF WAY LINE, 850.93 FEET; THENCE RUN N 89°45'37" W, 1087.66 FEET; THENCE RUN N 37°49'39" W, 240.65 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SEMINOLE WEKIVA TRAIL (A 50' RIGHT OF WAY); THENCE RUN N 52°10'24" E, ALONG SAID EASTERLY RIGHT OF WAY LINE, 182.38 FEET TO A CURVE CONCAVE TO THE NW; THENCE RUN NE ALONG SAID EASTERLY RIGHT OF WAY LINE AND CURVE HAVING A CENTRAL ANGLE OF 20°06'21", A RADIUS OF 1935.08 FEET, AN ARC LENGTH OF 679.05 FEET, A CHORD BEARING OF N 42°07'13" E AND A CHORD DISTANCE OF 875.57 FEET TO THE SOUTH LINE OF AFORESAID BLOCK "C"; THENCE RUN S 89°45'37" E, ALONG SAID SOUTH LINE, 288.55 FEET; THENCE RUN N 89°55'45" E, CONTINUING ALONG SAID SOUTH LINE, 586.55 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 2: LOT C-2 OF OAKMONTE PARK--REPLAT OF BLOCK "C", AS PER PLAT THEREOF AS RECORDED IN PLAT BOOK 82, PAGES 7 AND 8, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

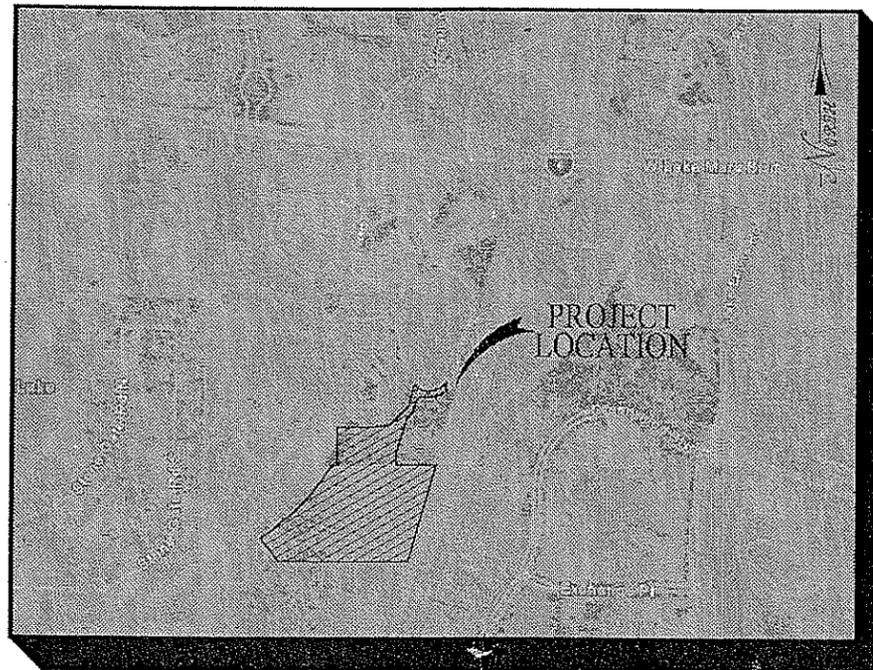
FINAL MASTER PLAN FOR OAKMONTE SENIOR VILLAGES PUD

SECTION 13, TOWNSHIP 20 SOUTH, RANGE 29 EAST
SEMINOLE COUNTY, FLORIDA



DEVELOPMENT NOTES

- THE OWNER SHALL PROVIDE A PEDESTRIAN GATE TO ALLOW ACCESS BY RESIDENTS FROM THE PROPERTY TO THE SEMINOLE-WEKIVA TRAIL. A PEDESTRIAN WALKWAY SHALL BE PROVIDED, OUTSIDE ANY REQUIRED BUFFER AREA, CONNECTING THIS GATE WITH RESIDENTIAL STRUCTURES, ROADS AND OTHER WALKWAYS WITHIN THE SITE.
- BUILDINGS WITHIN THE WESTERN TRACT OF PARCEL 1 SHALL NOT HAVE FLAT ROOFS.
- OUTDOOR RECREATION AMENITIES PROVIDED IN THE EASTERN TRACT OF PARCEL 1 SHALL BE FOR THE EXCLUSIVE BENEFIT OF ALL RESIDENTS IN THE PUD AND SHALL BE COUNTED TOWARDS THE 25% OPEN SPACE REQUIRED FOR THE OVERALL PUD.
- OFF-SITE SIGNAGE SHALL BE PERMITTED; PROVIDED THAT SUCH SIGNAGE IS IN ACCORDANCE WITH THE STANDARDS ESTABLISHED BY THE OAKMONTE PARK PROPERTY OWNERS ASSOCIATION, Inc.
- LIGHTING FOR THE OUTDOOR PARKING LOTS SHALL HAVE A MAXIMUM HEIGHT OF 25 FEET, INCLUDING FIXTURES, WHICH SHALL BE CUT TYPE FIXTURES OR EQUIVALENT. ILLUMINATION ONTO RESIDENTIAL PARCELS ADJACENT TO THE PROJECT SHALL NOT EXCEED .5 FOOT CANDLES.
- THE PROJECT SHALL MEET ALL PORTIONS OF THE LAND DEVELOPMENT CODE WHICH APPLY TO MULTI-FAMILY DEVELOPMENT.
- ON THE WESTERN TRACT OF PARCEL 1, PARKING AND CIRCULATION AREAS SHALL BE SEPARATED FROM THE PROPERTY LINE BY THE RESIDENTIAL BUILDINGS.
- PARCEL 1 SHALL MAINTAIN A 25-FOOT LANDSCAPE BUFFER AND A 50-FOOT BUILDING SETBACK ALONG THE SOUTH AND WESTERLY PROPERTY LINES. THERE SHALL BE A 10-FOOT LANDSCAPE BUFFER ALONG THE EASTERLY PROPERTY LINE, MEETING THE REQUIREMENTS OF SECTION 30.268 OF THE LAND DEVELOPMENT CODE.
- THE OWNER SHALL PROVIDE A LANDSCAPED EARTHEN BERM ALONG THE WEST AND SOUTH PROPERTY LINES. THE EARTHEN BERM SHALL BE A MINIMUM OF FOUR FEET (4') HIGH ALONG THE WEST AND SOUTH PROPERTY LINES. THE LANDSCAPING PROVIDED UPON THE EARTHEN BERM SHALL REACH A HEIGHT OF SIX (6) FEET (FOUR FOOT HIGH BERM PLUS TWO FEET OF LANDSCAPING) IN HEIGHT WITH APPROXIMATELY ONE HUNDRED PERCENT (100%) OPACITY WITHIN ONE (1) YEAR AFTER PLANTING. AS AN ALTERNATIVE TO THE LANDSCAPED EARTHEN BERM, OWNER MAY PROVIDE A WALL WITH A HEIGHT OF SIX (6) FEET ALONG THE WEST AND SOUTH PROPERTY LINES. WITHIN THE LANDSCAPE BUFFER ADJACENT TO EITHER THE WALL OR THE EARTHEN BERM, THE OWNER SHALL PROVIDE A ROW OF CANOPY TREES AND A ROW OF UNDERSTORY TREES WHICH SHALL BE STAGGERED TO PROVIDE MAXIMUM VISUAL SCREENING. TREES SHALL HAVE A MINIMUM CALIPER OF THREE INCHES (3") AND THE OWNER SHALL PROVIDE TWO (2) CANOPY TREES AND FOUR (4) UNDERSTORY TREES PER ONE HUNDRED (100) LINEAR FEET OF PROPERTY BOUNDARY. PINES SHALL NOT BE USED TO MEET THE CANOPY TREE REQUIREMENT.
- ACCESS SHALL BE PROVIDED VIA AN EXTENSION OF THE OAKMONTE PUD INTERNAL ROAD SYSTEM. NO FURTHER ACCESS SHALL BE PROVIDED THROUGH THIS SITE TO THE PROPERTIES TO THE SOUTH.
- FIRE PROTECTION SERVICE SHALL BE PROVIDED IN COMPLIANCE WITH ALL ADOPTED FIRE PROTECTION STANDARDS IN SEMINOLE COUNTY. FIRE HYDRANTS SHALL BE LOCATED ACCORDING TO SEMINOLE COUNTY REGULATIONS.
- MAXIMUM HEIGHT OF THE MULTI-STORY BUILDINGS, MEASURED FROM FINISHED GRADE TO TOP OF BUILDING PARAPET SHALL BE 35 FEET, PLUS AN ADDITIONAL ALLOWANCE OF 10% FOR ARCHITECTURAL ENHANCEMENTS. MAXIMUM BUILDING HEIGHT OF THE VILLAS SHALL BE 20 FEET.
- PROPOSED RETENTION AREAS WITHIN THE 25-FOOT BUFFERS MAY ENCROACH A MAXIMUM OF 12.5 FEET INTO SAID BUFFERS, PROVIDED THAT ALL REQUIRED PLANTINGS HAVE ADEQUATE SPACE IN WHICH TO GROW TO MATURITY AND MAINTAIN A HEALTHY CONDITION.
- MINIMUM PARKING REQUIREMENTS FOR THE VILLAS SHALL BE 1 SPACE PER DWELLING UNIT, PLUS 1 GUEST SPACE FOR EVERY 4 UNITS OR FRACTION THEREOF. PARKING FOR THE ALF AND ILF SHALL BE 1 SPACE PER EMPLOYEE ON THE LARGEST SHIFT PLUS 1 SPACE PER 4 BEDS.
- WATER SERVICE SHALL BE PROVIDED BY SEMINOLE COUNTY. DESIGN OF LINES AND FIRE HYDRANTS SHALL CONFORM TO ALL SEMINOLE COUNTY AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STANDARDS. THE DEVELOPMENT WILL CONNECT TO THE COUNTY'S IRRIGATION REUSE SYSTEM, IF AVAILABLE.
- SANITARY SEWER SERVICE SHALL BE PROVIDED BY SEMINOLE COUNTY. DESIGN OF LINES AND PUMP STATIONS SHALL CONFORM TO ALL SEMINOLE COUNTY AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STANDARDS.
- STORM WATER DRAINAGE TREATMENT AND STORAGE FOR PRE-POST CONDITIONS ARE TO BE PROVIDED ON-SITE OR TO THE MASTER RETENTION POND ACCORDING TO SEMINOLE COUNTY AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT'S ERP REGULATIONS.



LOCATION MAP
N.T.S.

OWNER

LAKE MARY SENIOR LIVING, LLC
Ms. MIRIAM PINO, PROJECT DIRECTOR
1660 NORTHEAST MIAMI GARDEN DRIVE, SUITE #1
NORTH MIAMI, FLORIDA 33179



ENVIRONMENTAL & CIVIL ENGINEERS
CERTIFICATE OF AUTHORIZATION NO. 6305
122 WILSHIRE BOULEVARD
CASSELBERRY, FL 32707
TEL: (407) 260-2292
FAX: (407) 260-1193
WWW.EXCELENGINEERS.COM

DRAWING INDEX	
DRAWING NUMBER	DRAWING DESCRIPTION
C-1	COVER SHEET & DRAWING INDEX
C-2	BOUNDARY AND TOPOGRAPHIC SURVEY
C-3	FINAL MASTER PLAN
C-4	SOILS AND HYDROLOGY PLAN

SERVICE	TELEPHONE #	UTILITY PROVIDERS
POTABLE WATER	407-665-2143	SEMINOLE COUNTY
SANITARY SEWER	407-665-2143	SEMINOLE COUNTY
RECLAIMED WATER	407-665-2143	SEMINOLE COUNTY
CABLE	407-215-5868	BRIGHT HOUSE NETWORKS
TELEPHONE	407-237-3063	BELL SOUTH
ELECTRIC	407-646-8532	PROGRESS ENERGY
GAS	407-322-5733	FLORIDA PUBLIC UTILITIES
UTILITY LOCATES	1-800-432-4770	SUNSHINE

	SITE DATA	
	EXISTING ZONING APPROVAL	PROPOSED CHANGES
PARCEL 2 (472 ACRES)		
1. UNIT COUNT	100 ACLEF	18 VILLAS
2. BUILDING AREA	65,000 S.F.	36,000 S.F.
PARCEL 1 (28.0 ACRES)		
1. UNIT COUNT	250 ALF	185 ILF AND 100 ALF
2. BUILDING AREA	30 VILLAS	34 VILLAS
a) VILLAS	66,278 S.F.	64,000 S.F.
b) ILF and ALF	284,629 S.F.	317,324 S.F.
3. PARKING	246 CARS	252 CARS
TOTAL BUILDING AREA BOTH SITES	415,847 S.F.	417,324 S.F.
TOTAL UNIT COUNT BOTH SITES	380	385
a) RESIDENTIAL BLDG. ANCILLARY STRUCTURE AND OPEN SPACE	1416 ACRES *	19.28 ACRES **
b) ROADWAYS/PARKING AND DRIVE	4.88 ACRES *	4.40 ACRES **
c) SIDEWALK PATIOS AND POOL	0.09 ACRES *	1.04 **
OPEN SPACE BOTH SITES	25% REQUIRED	1452 ACRES-58.8% PROPOSED
* 20 ACRE SITE ONLY		
** TOTAL SITE (2472 ACRES)		

NOTE:
FOR PARKING, WATER, SEWER AND FIRE FLOW CALCULATIONS, SEE SHEET C-3.

SURVEY PROVIDED BY:
TINKLEPAUGH SURVEYING SERVICES, Inc.
379 W. MICHIGAN STREET, SUITE 208
ORLANDO, FLORIDA 32806
PHONE: 407-422-0957
L.B. No. 3778

DATE: 9/14/06
FILE: R5C01-0208

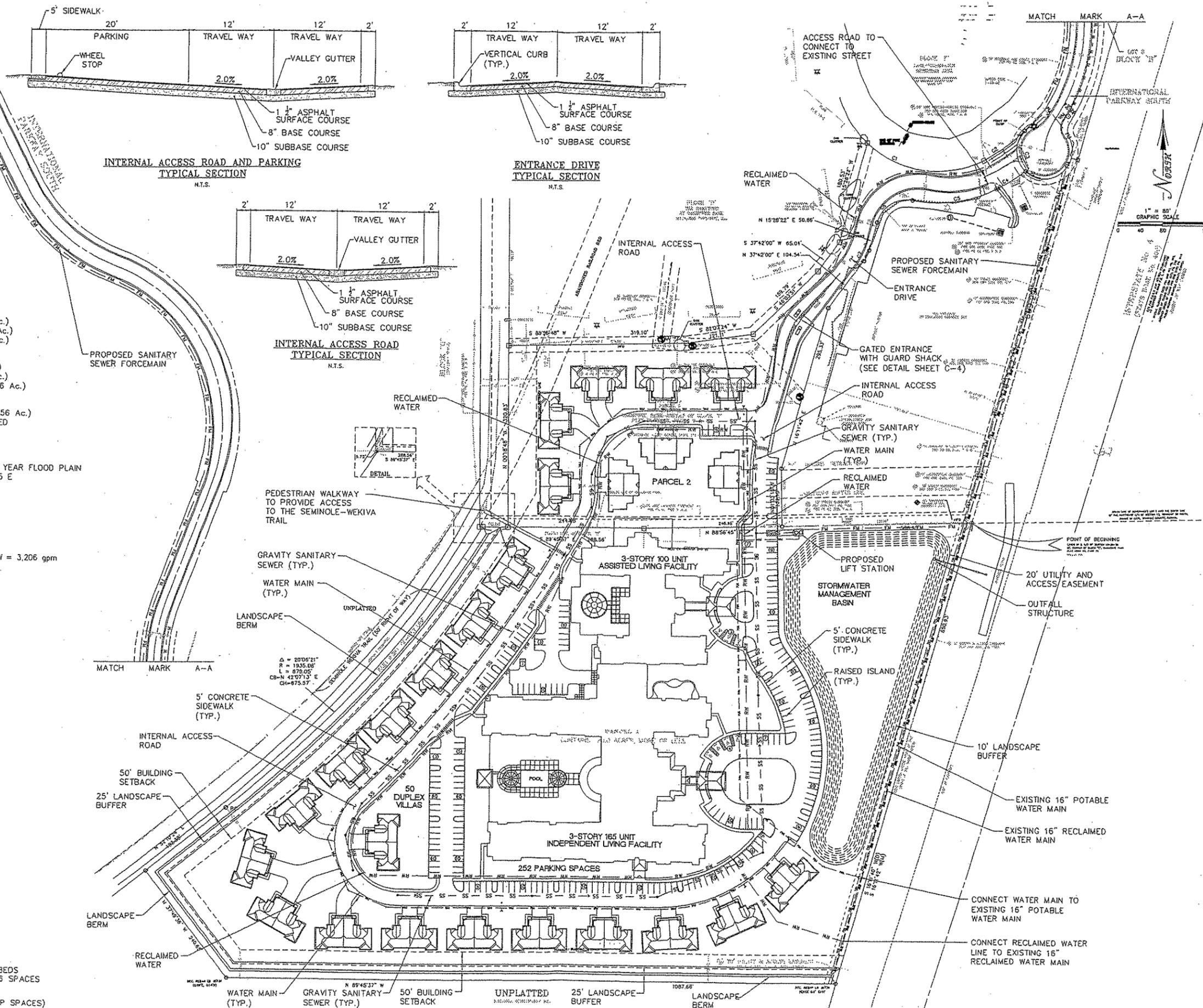
PLOT: DRAWING: CHECKED: APPROVED:

FINAL MASTER PLAN

OAKMONTE SENIOR VILLAGES PUD

FLORIDA
 SEMINOLE COUNTY

SITE DATA:
 CURRENT ZONING: PUD
 BUILDING SETBACKS: (Per PUD)
 WEST PROPERTY LINE - 50'
 SOUTH PROPERTY LINE - 50'
 LANDSCAPE BUFFERS: (Per PUD)
 WEST PROPERTY LINE - 25'
 SOUTH PROPERTY LINE - 25'
 EAST PROPERTY LINE - 10'
 AREA:
 NORTH PARCEL - 205,603 Sq. Ft. (4.72 Ac.)
 SOUTH PARCEL - 871,200 Sq. Ft. (20.00 Ac.)
 TOTAL AREA - 1,076,803 Sq. Ft. (24.72 Ac.)
 IMPERVIOUS AREA:
 NORTH PARCEL - 78,061 Sq. Ft. (1.79 Ac.)
 SOUTH PARCEL - 364,534 Sq. Ft. (8.37 Ac.)
 TOTAL IMPERVIOUS - 442,595 Sq. Ft. (10.16 Ac.)
 OPEN SPACE:
 TOTAL OPEN SPACE - 634,208 Sq. Ft. (14.56 Ac.)
 PER THE PUD, 25% OPEN SPACE IS REQUIRED
 OPEN SPACE = 56.8%
 FLOOD ZONE:
 THIS SITE LIES IN FLOOD ZONE X -
 AREA DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN
 FEMA FLOOD INSURANCE MAP #12095C 0245 E
 SEMINOLE COUNTY, FLORIDA AND
 DATED DECEMBER 6, 2000
 POTABLE WATER:
 ADF = 73,800 gpd = 51.3 gpm
 MAX. DAY DEMAND = 103 gpm
 PEAK HOUR DEMAND = 206 gpm
 MAX. FIRE FLOW = 3,000 gpm
 TOTAL FLOW REQUIRED = MAX. DAY + FIRE FLOW = 3,206 gpm
 FIRE FLOW:
 TOTAL FIRE FLOW REQUIRED = 3,000 gpm.
 TOTAL FLOW AVAILABLE = 3,500 gpm.
 SANITARY SEWER:
 ADF = 67,500 gpd = 46.9 gpm
 PEAK HOUR DEMAND = 188 gpm
BUILDING DATA:
 ASSISTED LIVING FACILITY:
 3 STORY MAXIMUM
 MAXIMUM BUILDING HEIGHT (Per PUD) - 35'
 (WITH AN ADDITIONAL 10% IN HEIGHT FOR ARCHITECTURAL ENHANCEMENTS)
 PROPOSED UNITS = 100
 INDEPENDENT LIVING FACILITY:
 3 STORY MAXIMUM
 MAXIMUM BUILDING HEIGHT (Per PUD) - 35'
 (WITH AN ADDITIONAL 10% IN HEIGHT FOR ARCHITECTURAL ENHANCEMENTS)
 PROPOSED UNITS = 165
 INDEPENDENT LIVING VILLAS:
 1 STORY MAXIMUM
 MAXIMUM BUILDING HEIGHT (Per PUD) - 20'
 PROPOSED UNITS = 50
PARKING DATA:
 REQUIRED PARKING: (Per PUD)
 ONE SPACE PER DWELLING UNIT AND ONE GUEST SPACE FOR EVERY FOUR UNITS.
 50 + (50/4) = 63 SPACES
 PARKING PROVIDED:
 TWO SPACES PER VILLA = 100 SPACES
 REQUIRED PARKING: (ALF and ILF)
 ONE SPACE PER EACH EMPLOYEE ON THE LARGEST SHIFT PLUS ONE SPACE PER FOUR BEDS
 50 EMPLOYEES (ALF & ILF) + (265/4) = 116 SPACES
 PARKING PROVIDED:
 252 PARKING SPACES (INCLUDING 7 HANDICAP SPACES)



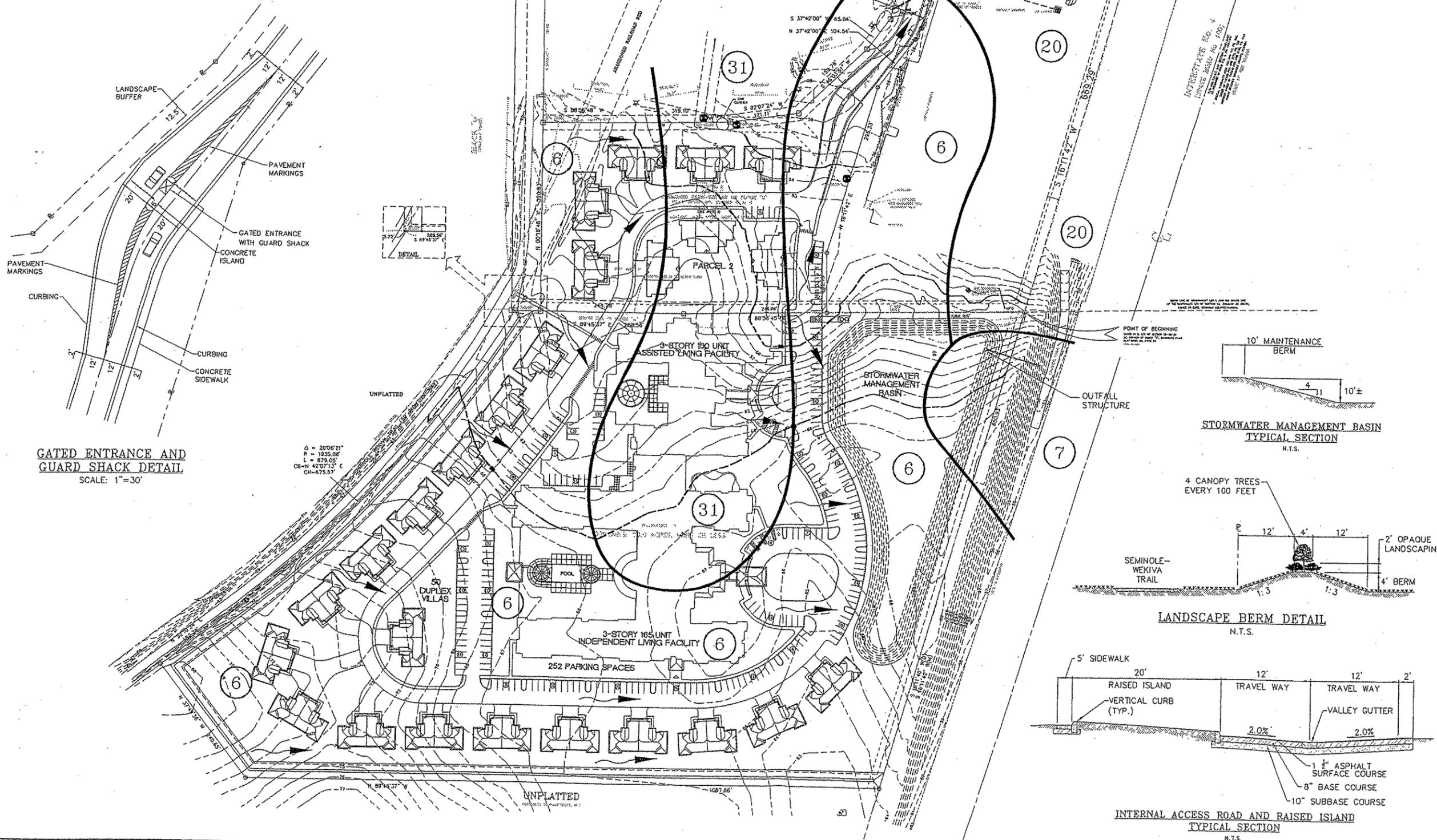
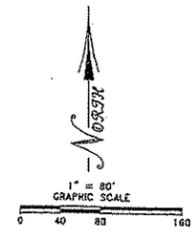
DESIGNED HENRY URSOPROOF ROSSIGNOL HAS CONDUCTED VISUAL INSPECTION AND OTHER PROPERTY INSPECTIONS IN THESE AREAS. THESE DRAWINGS SHALL NOT BE APPROVED OR ASSIGNED TO ANY OTHER PARTY WITHOUT THE WRITTEN PERMISSION AND CONSENT OF THE ENGINEER.

REVISIONS:	DESCRIPTION:	DATE:	DATE:

PROJECT NO. RSC01-0206
 SCALE: AS SHOWN
 DRAWN: TNS
 CHECKED: TA
 APPROVED: JC
 DATE: 9/14/06
 SHT. NO. C-3
 OF 4

SOIL NO.	SOIL TYPE	SLOPE	WATER TABLE	HYD. GROUP
6	ASTATULA-APOPKA FINE SANDS	THE SOILS IN THIS UNIT ARE NEARLY LEVEL TO GENTLY SLOPING AND EXCESSIVELY DRAINED. THE SLOPES ARE DOMINANTLY 0 TO 5 PERCENT.	A SEASONAL HIGH WATER TABLE IS >6.0 FT	A
7	ASTATULA-APOPKA FINE SANDS	THE SOILS IN THIS UNIT ARE GENTLY SLOPING AND EXCESSIVELY DRAINED. THE SLOPES ARE DOMINANTLY 5 TO 8 PERCENT.	A SEASONAL HIGH WATER TABLE IS >6.0 FT	A
20	MYAKKA-EAUGALLIE FINE SANDS	THE SOILS IN THIS UNIT ARE NEARLY LEVEL AND POORLY DRAINED. THE SLOPES ARE DOMINANTLY LESS THAN 2 PERCENT.	A SEASONAL HIGH WATER TABLE IS 0-1.0 FT	B/D
31	TAVARES-MILLHOPPER FINE SANDS	THIS MAP UNIT IS LEVEL TO NEARLY LEVEL TO GENTLY SLOPING AND MODERATELY WELL DRAINED. THE SLOPES ARE DOMINANTLY 0 TO 5 PERCENT.	A SEASONAL HIGH WATER TABLE IS WITHIN 3.5' TO 6.0' INCHES OF THE SURFACE OF TAVARES-MILLHOPPER SOILS FOR UP TO 6 MONTHS.	A

DIRECTION OF STORMWATER FLOW
POST-DEVELOPMENT



GATED ENTRANCE AND GUARD SHACK DETAIL
SCALE: 1"=30'

STORMWATER MANAGEMENT BASIN TYPICAL SECTION
N.T.S.

LANDSCAPE BERM DETAIL
N.T.S.

INTERNAL ACCESS ROAD AND RAISED ISLAND TYPICAL SECTION
N.T.S.

Excel Engineering
ENVIRONMENTAL & CIVIL ENGINEERS
123 W. BAYVIEW BLVD.
GASPARILLA, FL 33707
TEL: (407) 240-1232
WWW.EXCEL-ENGINEERS.COM

SOILS & HYDROLOGY PLAN

OAKMONTE SENIOR VILLAGES PUD

SEMIWOLE COUNTY
FLORIDA

ENGINEERED HEREIN PURSUANT TO THE PROFESSIONAL ENGINEERING ACT AND THE PROFESSIONAL ENGINEERING BOARD OF FLORIDA. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL AND TECHNICAL SERVICES PROVIDED AND DOES NOT INCLUDE THE DESIGN OF STRUCTURES OR OTHER WORKS OF ART.

REVISIONS:	DATE	DESCRIPTION

PROJECT NO. RSC01-0206
SCALE: AS SHOWN
DRAWN: TNS
CHECKED: IA
APPROVED: JC
DATE: 9/14/06
SHT. NO. C-4
OF 4

This instrument prepared by
and return to:
Robert Gebaide, Esq.
BAKER & HOSTETLER LLP
200 South Orange Avenue
SunTrust Center, Suite 2300
Orlando, Florida 32801
(407) 649-4000

**FIRST AMENDMENT TO OAKMONTE PUD
(FORMERLY KNOWN AS L&L ACRES PUD) REVISED FINAL MASTER
PLAN DEVELOPER'S COMMITMENT AGREEMENT, COMMITMENTS,
CLASSIFICATIONS, AND DISTRICT DESCRIPTIONS**

On November 7, 2006, the Board of County Commissioners of Seminole County issued this First Amendment to Oakmonte PUD (formerly known as L&L Acres PUD) Revised Final Master Plan Developer's Commitment Agreement, Commitments, Classifications, and District Descriptions (this "Developer's Commitment Agreement") relating to, concerning and binding the following described real property ("Property") situated in Seminole County, Florida:

See Exhibit "A" attached hereto and incorporated herein by this reference.

I. RECITALS

A. On March 14, 2000, Seminole County approved the Oakmonte PUD (formerly known as L&L Acres PUD) Revised Final Master Plan Developer's Commitment Agreement, Commitments, Classifications, and District Descriptions, which was recorded April 3, 2000 in Book 3826, Page 0005, Official Records of Seminole County, Florida (the "Oakmonte PUD DCA").

B. The Property was included within the Oakmonte PUD.

C. Owner is also the owner of approximately 20.0 acres of property adjacent to, and south of, the Property (the "Shiralago Property"). The Shiralago Property is included within the Oakmonte Senior Villages (aka Shiralago) PUD and subject to that certain Oakmonte Senior Villages (aka Shiralago) Developer's Commitment Agreement, which was recorded December 1, 2003 in Book 5116, Page 589, Official Records of Seminole County, Florida (the "Shiralago PUD DCA"). The Shiralago Property is all of the property that is presently governed by the Shiralago PUD DCA.

D. Owner intends to develop the Property and the Shiralago Property as one unified development.

E. The County has determined that it is in the best interest of the County and the Owner to withdraw the Property described in Exhibit A from the Oakmonte PUD and to add the Property to the Oakmonte Senior Villages (aka Shiralago) PUD, such that one development order governs the development of the entirety of the property owned by Owner. To facilitate the transfer of the Property to the Shiralago PUD, the County has requested that Owner process an amendment to the Shiralago PUD DCA and the Oakmonte PUD DCA. Provided, however, notwithstanding the removal of the Property from the Oakmonte PUD DCA, the Property shall continue to receive the benefit of the Oakmonte PUD master stormwater system and all other rights granted to the Property as a result of its inclusion within the Oakmonte Park Replat and the Master Declaration of Covenants, Conditions, and Restrictions for Oakmonte Park.

F. The foregoing recitals are true and correct and are incorporated herein by this reference.

II. PROPERTY OWNER

Lake Mary Senior Living, LLC,
A Florida limited liability company

(Hereinafter referred to as the "Owner")

III. REQUESTED DEVELOPMENT APPROVAL

Approval of this First Amendment to Developer's Commitment Agreement to withdraw the Property from the terms, covenants, and conditions of the Oakmonte PUD DCA, and to provide that the development of the Property shall hereafter be governed by the Shiralago PUD DCA.

IV. GRANT OF DEVELOPMENT APPROVAL; STANDARD COMMITMENTS

The Requested Development Approval is granted subject to the following:

- A. The Development approval sought is consistent with the Seminole County Comprehensive Plan.
- B. The Owner of the Property has expressly agreed to be bound by and subjected to the development conditions and commitments herein set forth and hereby covenants and agrees to have such conditions and commitments restrict, run with and perpetually burden the Property.
- C. Unless specifically addressed otherwise herein, all development shall fully comply with all of the codes and ordinances, including the impact fee ordinances, in effect in Seminole County at the time of permit issuance.

- D. This Developer's Commitment Agreement touches and concerns the Property, and the conditions, commitments, and provisions of this Developer's Commitment Agreement shall perpetually burden, run with and follow said Property and be a servitude upon and binding upon said Property unless released in whole or part by action of Seminole County as evidenced in writing. The Owner of said Property has expressly covenanted and agreed to this provision and all other terms and provisions of the Developer's Commitment Agreement.
- E. The terms and provisions of this Developer's Commitment Agreement are not severable and, in the event any portion of this Developer's Commitment Agreement shall be found to be invalid or illegal, then the entire Developer's Commitment Agreement shall be null and void.

DONE AND ORDERED ON THE DATE FIRST WRITTEN ABOVE

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

BY: _____
CARLTON D. HENLEY, CHAIRMAN

OWNER'S CONSENT AND COVENANT

COMES NOW, Lake Mary Senior Living, LLC, the owner of the aforescribed property in this Development Order, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Developer's Commitment Agreement.

Lake Mary Senior Living, LLC

By: RSC Lake Mary, LLC,
Its Managing Member

By: _____
Avi Bittan, Manager

Witness

Print Name

Witness

Print Name

STATE OF FLORIDA)
)
COUNTY OF _____)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Avi Bittan, as Manager of RSC Lake Mary, LLC, a Florida limited liability company, the Managing Member of Lake Mary Senior Living, LLC, who is personally known to me or who has produced _____ as identification and who did execute the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Legal Description

Lot C-2 of Oakmonte Park-Replat of Block "C", as per plat thereof as recorded in Plat Book 62, Pages 7 and 8, Public Records of Seminole County, Florida.

This instrument prepared by
and return to:

Robert Gebaide, Esq.
BAKER & HOSTETLER LLP
200 South Orange Avenue
SunTrust Center, Suite 2300
Orlando, Florida 32801
(407) 649-4000

**AMENDED AND RESTATED OAKMONTE SENIOR VILLAGES
(AKA SHIRALAGO) PUD DEVELOPER'S COMMITMENT
AGREEMENT**

DEVELOPMENT ORDER #06-21700003

On November 7, 2006, the Board of County Commissioners of Seminole County issued this Amended and Restated Oakmonte Senior Villages (AKA Shiralago) PUD Developer's Commitment Agreement (this "Developer's Commitment Agreement") relating to, concerning and binding the following described real property situated in Seminole County, Florida:

I. LEGAL DESCRIPTION; RECITALS

A. The legal description of the real property that is the subject of this Developer's Commitment Agreement (the "**Property**") is set forth on Exhibit "A" attached hereto and incorporated herein by this reference.

B. On March 14, 2000, Seminole County approved the Oakmonte PUD (formerly known as L&L Acres PUD) Revised Final Master Plan Developer's Commitment Agreement, Commitments, Classifications, and District Descriptions, which was recorded April 3, 2000 in Book 3826, Page 0005, Official Records of Seminole County, Florida (the "**Oakmonte PUD DCA**").

C. On October 28, 2003, Seminole County approved the Oakmonte Senior Villages (aka Shiralago) Developer's Commitment Agreement, which was recorded December 1, 2003 in Book 5116, Page 589, Official Records of Seminole County, Florida (the "**Shiralago PUD DCA**").

D. The Property consists of: (i) all of the approximately 20.0 acres of land that is subject to the Shiralago PUD DCA (hereinafter referred to as the "Parcel 1 Land"), and (ii) approximately 4.72 acres of land that was included within, and previously subject to, the Oakmonte PUD DCA, which land is referred to as Tract C-2 in the Oakmonte PUD DCA (hereinafter referred to as the "Parcel 2 Land").

E. Owner intends to develop the Parcel 1 Land and Parcel 2 Land as one unified development.

F. The County has determined that it is in the best interest of the County and the Owner to withdraw the Property from the Oakmonte PUD and to add the Property to the Oakmonte Senior Villages (aka Shiralago) PUD pursuant to this Developer's Commitment Agreement, such that developer's commitment agreement governs the development of the subject property. To facilitate the transfer of the Parcel 2 Land to the Shiralago PUD, the County has requested that Owner process amendments to both the Shiralago PUD DCA and the Oakmonte PUD DCA.

G. On the same date hereof, Seminole County approved the withdrawal of the Parcel 2 Land from the Oakmonte PUD DCA, with the intention that the Parcel 2 Land would be made subject to the Shiralago PUD DCA.

H. The foregoing recitals are true and correct and are incorporated herein by this reference.

II. PROPERTY OWNER

LAKE MARY SENIOR LIVING, LLC, a Florida limited liability company ("Owner")

III. REQUESTED DEVELOPMENT APPROVALS

- (1) Approval of this Developer's Commitment Agreement; and
- (2) Approval of Revised Final PUD Master Plan, a copy of which is attached hereto as Exhibit "B" and incorporated herein by reference.

IV. STATEMENT OF BASIC FACTS

- A. Total Gross Acreage of Property 24.72 Acres
 - Parcel 1 Acreage 20.0 Acres
 - Parcel 2 Acreage 4.72 Acres
(formerly included within the Oakmonte PUD)

- B. Zoning PUD

- C. Building Area: ^{1,2}

Parcel	Building Area (Prior Zoning Approval)	Building Area (Proposed)
1	66,218 s.f. (Villas) 284,629 s.f. (ILF and ALF)	64,000 s.f. (Villas) 317,324 s.f. (ILF and ALF)
2	65,000 s.f. (ACLF)	36,000 s.f. (Villas)
Total	415,847 s.f.	417,324 s.f.

¹ Prior Zoning Approval for Parcel 1 is set forth in Seminole County Development Order recorded September 4, 2003 in Book 4507, Page 1779 and Oakmonte Senior Villages (aka Shiralago) Developer's Commitment Agreement dated October 28, 2003 and recorded December 1, 2003 in Book 5116, Page 589, all in the Official Records of Seminole County, Florida (collectively, the "Parcel 1 Development Order").

² Prior Zoning Approval for Parcel 2 is set forth in Oakmonte PUD (formerly known as L&L Acres PUD) Revised Final Master Plan Developer's Commitment Agreement, Commitments, Classifications, and District Descriptions dated March 14, 2000 and recorded April 3, 2000 in Book 3826, Page 0005, Official Records of Seminole County, Florida (collectively, the "Parcel 2 Development Order"). See also the First Amendment to the Oakmonte PUD DCA on the same date hereof which withdrew the Parcel 2 lands from the operation of the Oakmonte PUD DCA.

V. LAND USE BREAKDOWN

Parcel	Parcel Use	Acreage	Prior Zoning Approval	Proposed Changes
1	Villas, Independent Living Facility, Assisted Living Facility	20.0	250 Independent Living Facility (ILF); 90 Assisted Living Facility (ALF); and 30 Villas	165 ILF; 100 ALF; and 34 Villas
2	Villas	4.72	100 ACLF	16 Villas
Total		24.72	380 Units (250 ILF; 90 ALF; 100 ACLF; and 30 Villas)	315 Units (165 ILF; 100 ALF; and 50 Villas)

Use	Gross Acres (Prior Zoning Approval) ³	Gross Acres (Proposed)	% of Site (Proposed)
Residential Building, Ancillary Structure, and Open Space	14.16 acres*	19.28 acres	78.0%
Roadways; Parking; and Drives	4.88 acres*	4.40 acres	17.80%
Sidewalks, Patios, and Pools	0.09 acres*	1.04 acres	4.20%
Total	20.0 acres*	24.72 acres	100%

³ The Parcel 2 Development Order did not break down uses by acreage so a prior acreage breakdown is not available for the 4.72 acre Parcel 2. Accordingly, the calculations provided in the first column are taken from the Parcel 1 Development Order only.

VI. OPEN SPACE CALCULATIONS

Site Area:	24.72 acres
Open Space Required (25%):	24.72 acres x 0.25 = 6.18 acres
Open Space Provided:	14.52 acres

Open space shall be provided at an overall rate of 25% or at a minimum of 6.18 acres throughout the site. Regarding Parcel 2, in accordance with the Parcel 2 Development Order, that portion of Parcel 2 that may be permitted to utilize the lake for retention purposes may be permitted to utilize a pro-rata share of the Lake/Retention area to calculate open space requirements as defined by the supplemental District Regulations and Aquifer Recharge District. In such event, the pro-rata share for all sites in the Oakmonte PUD shall be submitted in writing to and approved by the Zoning Manager prior to site plan approval. Final open space calculations shall be established at Final Engineering, and shall comply with minimum requirements of the Code.

VII. BUILDING HEIGHTS AND SETBACKS

A. Parcel 1

1. Building Setbacks. There shall be a fifty foot (50') building setback along the west and south property lines.
2. Building Height. Maximum height of multi-story buildings, measured from finished grade to the top of the building parapet, shall be thirty-five feet (35'), plus an additional allowance of ten percent (10%) for architectural enhancements. Maximum height of villas shall be twenty feet (20').

B. Parcel 2

1. Building Setbacks. Shall comply with the OP Zoning District building setbacks and Lake Mary Boulevard Standards unless otherwise noted.
2. Building Height. Limited to two (2) stories with a maximum building height of 35'. When the term "Building Height" is used herein, it shall be taken or construed to mean "Building Height" as defined in Section 2.3 and Section 30.1347 of the Seminole County Land Development Code.

3. Supplemental Measurement. For purposes of measuring the building line setback, building height and the active/passive buffer along the west property line of the PUD adjacent to Parcel 2, the original (western) property line shall be used as the point of measurement. The dedication of any property to Seminole County for the Seminole-Wekiva Trail pursuant to the Oakmonte PUD DCA shall not affect the point of measurement described herein.

VIII. PERMITTED USES

A. Parcel 1: Independent living facility, 165 unit maximum; Assisted living facility, 100 unit maximum; Villa units, maximum 34.

B. Parcel 2: Villa units, maximum 16. Also permitted are those permitted, special exception uses, and accessory uses described in the OP Office Zoning District including Adult Congregate Living Facilities and excluding Elementary, Middle, and High Schools. Also excluded are funeral homes and communication towers, which shall remain special exception uses.

IX. LANDSCAPING AND BUFFERING

A. Parcel 1.

1. Parcel 1 shall maintain a twenty-five foot (25') landscape buffer along the west and south property lines.

2. The Owner shall provide a landscaped earthen berm along the west and south property lines. The earthen berm shall be a minimum of four foot (4') high along the west and south property lines. The landscaping provided upon the earthen berm shall, when combined with the height of the berm, reach a height of six (6) feet (four foot high berm plus two feet of landscaping) in height with approximately one hundred percent (100%) opacity within one (1) year after planting. As an alternative to the landscaped earthen berm, the owner may provide a wall with a height of six (6) feet along the west and south property lines. Within the landscape buffer adjacent to either the wall or the earthen berm, the owner shall provide two (2) canopy trees and four (4) understory trees which shall be staggered to provide maximum visual

screening, per one hundred (100) linear feet of property boundary. Pines shall not be used to meet the canopy tree requirement. The trees shall have a minimum caliper of three inches (3").

3. Proposed retention areas within the twenty-five foot (25') buffers may encroach a maximum of twelve and one-half feet (12.5') into said buffers, provided that all required plantings have adequate space in which to grow to maturity and maintain a healthy condition. This shall be evaluated at Final Engineering.

4. The Owner shall provide a minimum ten foot (10') buffer along the east property line, meeting the requirements of Section 30.268 of the Land Development Code. Plantings shall be arranged so as not to interfere with existing utility lines; the arrangement shall be evaluated at Final Engineering.

5. Landscape material style and size shall conform to Seminole County Land Development Code specifications.

B. Parcel 2.

1. The Parcel 2 Development Order (specifically Section 9E of Development Order #2000-0015) required a fifty foot (50') landscape buffer along the south property line of Parcel 2, with a six foot high masonry wall. This prior requirement is hereby deleted and no longer required because both parcels are now under the same ownership

X. DEVELOPMENT COMMITMENTS

1. The Owner shall provide a pedestrian gate to allow access by residents from the property to the Seminole-Wekiva trail. A pedestrian walkway shall be provided, outside any required buffer area, connecting this gate with residential structures, roads and other walkways within the site.

2. Final engineering plans shall show an internal pedestrian circulation system connecting buildings and providing access to open space areas which is consistent with the pedestrian circulation system shown on the Revised Final PUD Master Plan attached hereto.

3. Buildings within the western tract of Parcel 1 shall not have flat roofs.

4. Minimum parking requirements shall be as follows: (a) Villas: 1 space per dwelling unit, plus 1 guest space for every 4 units or fraction thereof; (b) ALF and ILF: 1 space per employee on the largest shift plus 1 space per 4 beds.

5. Outdoor recreation amenities provided in the eastern tract of Parcel 1 shall be for the exclusive benefit of all residents in the PUD and shall be counted towards the 25% open space required for the overall PUD.

6. Access shall be provided via an extension of the Oakmonte PUD internal road system. No further access shall be provided through this site to the properties to the south.

7. Off-site signage shall be permitted; provided that such signage is in accordance with the standards established by the Oakmonte Park Property Owners' Association, Inc.

8. Lighting for the outdoor parking lots shall have a maximum height of 25 feet, including fixtures, which shall be cut type fixtures or equivalent. Illumination onto residential parcels adjacent to the project shall not exceed 0.5 candles.

9. The project shall meet all portions of the Land Development Code which apply to multi-family development.

10. On the western tract of Parcel 1, parking and circulation areas shall be separated from the property line by the residential buildings.

11. The Owner acknowledges that approval by the County of the Project is based upon the understanding that the property will be used as an Independent Living Facility, Assisted Living Facility and/or Skilled Nursing Facility for senior citizens and upon an analysis of the demand for governmental services that such a facility would create. Accordingly, the Owner agrees as follows:

a) At no time shall any of the dwelling units in the Project be occupied by any person or family unit unless at least one of the intended permanent occupants shall be over the age of 62 years.

b) Occupancy of dwelling units in the Project by adults under the age of 62 shall be permitted, but under no circumstances shall occupancy by minor children be permitted on other than a temporary visitor's basis.

c) Occupancy by minor children shall not be permitted in the project, except on a temporary visitor's basis. Under no circumstances shall any visiting minor child be considered a resident for purposes of applying for admission to grades pre-K to 12 of any public school located in Seminole County.

12. The Parcel 2 Development Order (specifically Section 10 of Development Order #2000-0015) provided that no loading areas, air conditioning units or trash dumpsters/receptacles shall be permitted along the south or west property line of Tract C-2 (Parcel 2). To maintain such commitment to property not owned by Owner, no loading areas, air conditioning units or trash dumpsters/receptacles shall be permitted along the west property line of Parcel 2. Such areas, units, or receptacles may be installed along the property line separating Parcel 1 and Parcel 2 if approved during Final Engineering.

XII. FACILITY COMMITMENTS

A. Drainage, Recharge, and Water Quality Commitment. Development shall be in accordance with Chapter 30, Part 54, Aquifer Recharge Overlay. Minimum impervious area for individual parcels may be transferred between parcels at time of final site plan review provided that the project maintains an overall maximum of 65% impervious area. However, in no case shall impervious area exceed 80% within each individual site. The proportional share of the

Lake/Residential amenity acreage shall be allocated to Parcel 2 for purposes of the calculations noted above. Storm water drainage treatment and storage for pre-post conditions are to be provided on-site or to the master retention pond according to Seminole County and the St. Johns River Water Management District's ERP Regulations.

B. Water. Water services shall be provided by Seminole County. Design of lines and fire hydrants shall conform to all Seminole County and Florida Department of Environmental Protection standards. The development will connect to the County's irrigation reuse system, if available.

C. Wastewater. Sanitary sewer shall be provided by Seminole County. Design of lines and pump stations shall conform to all Seminole County and Florida Department of Environmental Protection standards.

D. Fire Protection. Fire protection shall be provided by Seminole County. Fire flow will be a minimum of 1,250 gpm with 20 p.s.i. Fire hydrants shall be located according to Seminole County regulations.

XIII. INTERPRETATION

In the event of an inconsistency between this Developer's Commitment Agreement and the Final Master Plan attached hereto, the terms and conditions of this Developer's Commitment Agreement shall control. Furthermore, in the event of an inconsistency between this Developer's Commitment Agreement and the Parcel 1 Development Order or the Parcel 2 Development Order, the terms of this Developer's Commitment Agreement shall control.

XIV. STANDARD COMMITMENTS

- A. The Development approval sought is consistent with the Seminole County Comprehensive Plan.
- B. The Owner of the Property has expressly agreed to be bound by and subjected to the development conditions and commitments herein set forth and hereby covenants and agrees to have such conditions and commitments restrict, run with and perpetually burden the Property.
- C. Unless specifically addressed otherwise herein, all development shall fully comply with all of the codes and ordinances, including the impact fee ordinances, in effect in Seminole County at the time of permit issuance. The development may be exempt from paying a school impact fee provided that the residence of children enrolled in the public school system is prohibited.
- D. This Developer's Commitment Agreement touches and concerns the Property, and the conditions, commitments, and provisions of this Developer's Commitment Agreement shall perpetually burden, run with and follow said Property and be a servitude upon and binding upon said Property unless released in whole or part by action of Seminole County as evidenced in writing. The Owner of said Property has expressly covenanted and agreed to this provision and all other terms and provisions of the Developer's Commitment Agreement.

FILE #: Z2006-44

Development Order #06-21700003

- E. The terms and provisions of this Developer's Commitment Agreement are not severable and, in the event any portion of this Developer's Commitment Agreement shall be found to be invalid or illegal, then the entire Developer's Commitment Agreement shall be null and void.

DONE AND ORDERED ON THE DATE FIRST WRITTEN ABOVE

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

BY: _____
CARLTON D. HENLEY, CHAIRMAN

OWNER'S CONSENT AND COVENANT

COMES NOW, Lake Mary Senior Living, LLC, the owner of the aforescribed property in this Development Order, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Developer's Commitment Agreement.

Lake Mary Senior Living, LLC

By: RSC Lake Mary, LLC,
Its Managing Member

By: _____
Avi Bittan, Manager

Witness

Print Name

Witness

Print Name

STATE OF FLORIDA)

COUNTY OF _____)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Avi Bittan, as Manager of RSC Lake Mary, LLC, a Florida limited liability company, the Managing Member of Lake Mary Senior Living, LLC, who is personally known to me or who has produced _____ as identification and who did execute the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Legal Description

Parcel 1:

A portion of land in the South 1/2 of Section 13, Township 20 South, Range 29 East, Seminole County, Florida, being described as follows:

Commence at the SE Corner of Block "C", Oakmonte Park; according to the plat thereof as recorded in Plat Book 53, Page 75 of the Public Records of Seminole County, Florida, as the point of beginning, said point being on the West right of way line of State Road No. 400; thence runs $16^{\circ}11'40''$ W, along said west right of way line, 850.93 feet; thence run $N 89^{\circ}45'37''$ W, 1087.66 feet; thence run $N 37^{\circ}49'36''$ W, 240.65 feet to the easterly right of way line of Seminole-Wekiva Trail (a 50' right of way); thence run $N 52^{\circ}10'24''$ E, along said easterly right of way line, 182.38 feet to a curve concave to the NW; thence run NE along said easterly right of way line and curve having a central angle of $20^{\circ}06'21''$, a radius of 1935.08 feet, an arc length of 679.05 feet, a chord bearing of $N 42^{\circ}07'13''$ E and a chord distance of 675.57 feet to the south line of aforesaid Block "C"; thence run $S 89^{\circ}45'37''$ E, along said south line, 288.56 feet; thence run $N 88^{\circ}56'45''$ E, continuing along said south line, 586.95 feet to the point of beginning.

And

Parcel 2:

Lot C-2 of Oakmonte Park-Replat of Block "C", as per plat thereof as recorded in Plat Book 62, Pages 7 and 8, Public Records of Seminole County, Florida.

FILE #: Z2006-44

Development Order #06-21700003

EXHIBIT B

Revised Final Master Plan

LEGAL DESCRIPTION
(PER TITLE COMMITMENT)

PARCEL 1:

A PORTION OF LAND IN THE SOUTH 1/2 OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE SE CORNER OF BLOCK "C", OAKMONT PARK, ACCORDING TO THE PLAT INDEX OF AS RECORDED IN PLAT BOOK 33, PAGE 15 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AT THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE, 830.83 FEET, THENCE RUN S 16°11'40" W, ALONG SAID WEST RIGHT OF WAY LINE, 830.83 FEET, THENCE RUN N 89°43'37" W, 1087.65 FEET, THENCE RUN N 37°18'23" W, 240.85 FEET TO THE EASTERN RIGHT OF WAY LINE OF SEMINOLE MEMORIAL TRAIL, (A 50' RIGHT OF WAY), THENCE RUN N 52°10'24" E, ALONG SAID EASTERN RIGHT OF WAY LINE, 102.39 FEET TO A CURVE COMMENCING TO THE LINE THENCE RUN NE ALONG EASTERN RIGHT OF WAY LINE AND CURVE HAVING A CENTRAL ANGLE OF 205°21'1" A RADIUS OF 183.00 FEET, AT THE LOCATION OF 67.00 FEET, A CHORD BEARING OF N 45°07'12" E AND A CHORD DISTANCE OF 873.57 FEET TO THE SOUTH LINE OF APARTMENT BLOCK "C", THENCE RUN S 89°43'37" E, ALONG SAID SOUTH LINE, 185.55 FEET, THENCE RUN N 89°43'37" E, CONTINUING ALONG SAID SOUTH LINE, 151.85 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 2: LOT 6-2 OF OAKMONT PARK-REPLAT OF BLOCK "C", AS PER PLAT THEREOF AS RECORDED IN PLAT BOOK 82, PAGES 7 AND 8, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

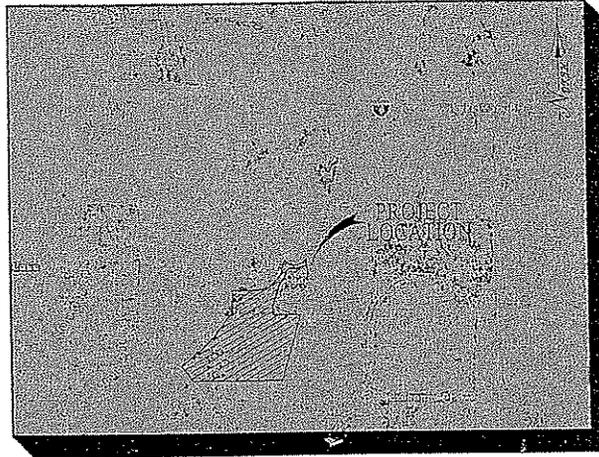
FINAL MASTER PLAN FOR OAKMONTE SENIOR VILLAGES PUD

SECTION 13, TOWNSHIP 20 SOUTH, RANGE 29 EAST
SEMINOLE COUNTY, FLORIDA



DEVELOPMENT NOTES

- THE OWNER SHALL PROVIDE A PEDESTRIAN GATE TO ALLOW ACCESS BY RESIDENTS FROM THE PROPERTY TO THE SEMINOLE-MEMORIAL TRAIL. A PEDESTRIAN WALKWAY SHALL BE PROVIDED OUTSIDE ANY REQUIRED BUFFER AREA, CONNECTING THIS GATE WITH RESIDENTIAL STRUCTURES, ROADS AND OTHER WALKWAYS WITHIN THE SITE.
- BUILDINGS WITHIN THE WESTERN TRACT OF PARCEL 1 SHALL NOT HAVE FLAT ROOFS.
- OUTDOOR RECREATION AMENITIES PROVIDED IN THE EASTERN TRACT OF PARCEL 1 SHALL BE FOR THE EXCLUSIVE BENEFIT OF ALL RESIDENTS IN THE PUD AND SHALL BE COUNTED TOWARDS THE 25% OPEN SPACE REQUIRED FOR THE OVERALL PUD.
- OFF-SITE SIGNAGE SHALL BE PERMITTED, PROVIDED THAT SUCH SIGNAGE IS IN ACCORDANCE WITH THE STANDARDS ESTABLISHED BY THE OAKMONT PARK PROPERTY OWNERS ASSOCIATION, INC.
- LIGHTING FOR THE OUTDOOR PARKING LOTS SHALL HAVE A MAXIMUM HEIGHT OF 25 FEET, INCLUDING FIXTURES, WHICH SHALL BE CUT TYPE FIXTURES OR EQUIVALENT. ILLUMINATION ONTO RESIDENTIAL PARCELS ADJACENT TO THE PROJECT SHALL NOT EXCEED .5 FOOT CANDLES.
- THE PROJECT SHALL MEET ALL PORTIONS OF THE LAND DEVELOPMENT CODE WHICH APPLY TO MULTI-FAMILY DEVELOPMENT.
- ON THE WESTERN TRACT OF PARCEL 1, PARKING AND CIRCULATION AREAS SHALL BE SEPARATED FROM THE PROPERTY LINE BY THE RESIDENTIAL BUILDINGS.
- PARCEL 1 SHALL MAINTAIN A 25-FOOT LANDSCAPE BUFFER AND A 30-FOOT BUILDING SETBACK ALONG THE SOUTH AND WESTERLY PROPERTY LINES. THERE SHALL BE A 10-FOOT LANDSCAPE BUFFER ALONG THE EASTERLY PROPERTY LINE, MEETING THE REQUIREMENTS OF SECTION 30.268 OF THE LAND DEVELOPMENT CODE.
- THE OWNER SHALL PROVIDE A LANDSCAPED-EARTHEN BERM ALONG THE WEST AND SOUTH PROPERTY LINES. THE EARTHEN BERM SHALL BE A MINIMUM OF FOUR FEET (4') HIGH ALONG THE WEST AND SOUTH PROPERTY LINES. THE LANDSCAPING PROVIDED UPON THE EARTHEN BERM SHALL REACH A HEIGHT OF SIX (6) FEET (FOUR FOOT HIGH BERM PLUS TWO FEET OF LANDSCAPING) IN HEIGHT WITH APPROXIMATELY ONE HUNDRED PERCENT (100%) DENSITY WITHIN ONE (1) YEAR AFTER PLANTING. AS AN ALTERNATIVE TO THE LANDSCAPED EARTHEN BERM, OWNER MAY PROVIDE A WALL WITH A HEIGHT OF SIX (6) FEET ALONG THE WEST AND SOUTH PROPERTY LINES. WITHIN THE LANDSCAPE BUFFER ADJACENT TO EITHER THE WALL OR THE EARTHEN BERM, THE OWNER SHALL PROVIDE A ROW OF CANOPY TREES AND A ROW OF UNDERSTORY TREES WHICH SHALL BE STAGGERED TO PROVIDE MAXIMUM VISUAL SCREENING. TREES SHALL HAVE A MINIMUM CALIPER OF THREE INCHES (3") AND THE OWNER SHALL PROVIDE TWO (2) CANOPY TREES AND FOUR (4) UNDERSTORY TREES PER ONE HUNDRED (100) LINEAR FEET OF PROPERTY BOUNDARY. PINES SHALL NOT BE USED TO MEET THE CANOPY TREE REQUIREMENT.
- ACCESS SHALL BE PROVIDED VIA AN EXTENSION OF THE OAKMONT PUD INTERNAL ROAD SYSTEM. NO FURTHER ACCESS SHALL BE PROVIDED THROUGH THIS SITE TO THE PROPERTIES TO THE SOUTH.
- FIRE PROTECTION SERVICE SHALL BE PROVIDED IN COMPLIANCE WITH ALL ADOPTED FIRE PROTECTION STANDARDS IN SEMINOLE COUNTY. FIRE HYDRANTS SHALL BE LOCATED ACCORDING TO SEMINOLE COUNTY REGULATIONS.
- MAXIMUM HEIGHT OF THE MULTI-STORY BUILDINGS, MEASURED FROM FINISHED GRADE TO TOP OF BUILDING PARAPET SHALL BE 35 FEET, PLUS AN ADDITIONAL ALLOWANCE OF 10% FOR ARCHITECTURAL ENHANCEMENTS. MAXIMUM BUILDING HEIGHT OF THE VILLAS SHALL BE 20 FEET.
- PROPOSED RETENTION AREAS WITHIN THE 25-FOOT BUFFERS MAY ENCRoACH A MAXIMUM OF 12.5 FEET INTO SAID BUFFERS, PROVIDED THAT ALL REQUIRED PLANTINGS HAVE ADEQUATE SPACE IN WHICH TO GROW TO MATURITY AND MAINTAIN A HEALTHY CONDITION.
- MINIMUM PARKING REQUIREMENTS FOR THE VILLAS SHALL BE 1 SPACE PER DWELLING UNIT, PLUS 1 GUEST SPACE FOR EVERY 4 UNITS OR FRACTION THEREOF. PARKING FOR THE ALP AND ALP SHALL BE 1 SPACE PER EMPLOYEE ON THE LARGEST SHIFT PLUS 1 SPACE PER 4 BEDS.
- WATER SERVICE SHALL BE PROVIDED BY SEMINOLE COUNTY. DESIGN OF LINES AND FIRE HYDRANTS SHALL CONFORM TO ALL SEMINOLE COUNTY AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STANDARDS. THE DEVELOPMENT WILL CONNECT TO THE COUNTY'S IRRIGATION REUSE SYSTEM, IF AVAILABLE.
- SANITARY SEWER SERVICE SHALL BE PROVIDED BY SEMINOLE COUNTY. DESIGN OF LINES AND PUMP STATIONS SHALL CONFORM TO ALL SEMINOLE COUNTY AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STANDARDS.
- STORM WATER DRAINAGE TREATMENT AND STORAGE FOR PRE-POST CONDITIONS ARE TO BE PROVIDED ON-SITE OR TO THE MASTER RETENTION POND ACCORDING TO SEMINOLE COUNTY AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT'S ERP REGULATIONS.



LOCATION MAP
N.T.S.

OWNER

LAKE MARY SENIOR LIVING, LLC
Ms. MIRIAM PINO, PROJECT DIRECTOR
1660 NORTHEAST MIAMI GARDEN DRIVE, SUITE #1
NORTH MIAMI, FLORIDA 33179



Excel Engineering

ENVIRONMENTAL & CIVIL ENGINEERS
123 WILSHIRE BOULEVARD
CASSELBERRY, FL 32707
TEL: (407) 250-2399
FAX: (407) 250-1192
WWW.EXCEL-ENGINEERS.COM

DRAWING INDEX	
DRAWING NUMBER	DRAWING DESCRIPTION
C-1	COVER SHEET & DRAWING INDEX
C-2	BOUNDARY AND TOPOGRAPIK SURVEY
C-3	FINAL MASTER PLAN
C-4	SOILS AND HYDROLOGY PLAN

SERVICE	TELEPHONE #	UTILITY PROVIDER
POTABLE WATER	907-443-2143	SEMINOLE COUNTY
SEWER SEWER	907-443-2143	SEMINOLE COUNTY
RECLAIMED WATER	907-443-2143	SEMINOLE COUNTY
COLE	407-331-5955	BRIGHT HEDGE NETWORKS
TELEPHONE	407-331-3081	FLA. SOUTH
ELECTRIC	907-443-6533	FLORIDA PUBLIC UTILITIES
CAS	907-331-5311	SEMINOLE
UTILITY LOCATES	1-800-332-1110	

SITE DATA		
PARCEL 1 (272 ACRES)	EXISTING ZONING	PROPOSED ZONING
1. LIFT COLLECT	100 ALP	100 ALP
2. 24.000 ACRES	24.000 AC.	24.000 AC.
PARCEL 2 (200 ACRES)		
1. LIFT COLLECT	100 ALP	100 ALP AND 100 ALP
2. 24.000 ACRES	24.000 AC.	24.000 AC.
3. 10.000 ACRES	10.000 AC.	10.000 AC.
4. 10.000 ACRES	10.000 AC.	10.000 AC.
5. 10.000 ACRES	10.000 AC.	10.000 AC.
6. 10.000 ACRES	10.000 AC.	10.000 AC.
7. 10.000 ACRES	10.000 AC.	10.000 AC.
TOTAL BUILDING AREA	415,847 S.F.	417,324 S.F.
TOTAL LOT AREA	240	240
TOTAL LIFT COLLECT	240	240
(1) RESIDENTIAL IN-COOL	14.8 ACRES +	14.8 ACRES +
(2) RESIDENTIAL IN-COOL	14.8 ACRES +	14.8 ACRES +
(3) RESIDENTIAL IN-COOL	14.8 ACRES +	14.8 ACRES +
(4) RESIDENTIAL IN-COOL	14.8 ACRES +	14.8 ACRES +
(5) RESIDENTIAL IN-COOL	14.8 ACRES +	14.8 ACRES +
(6) RESIDENTIAL IN-COOL	14.8 ACRES +	14.8 ACRES +
(7) RESIDENTIAL IN-COOL	14.8 ACRES +	14.8 ACRES +
OPEN SPACE	132 ACRES	132 ACRES
TOTAL SITE	240 ACRES	240 ACRES

NOTE:
FOR PARKING, WATER, SEWER AND FIRE FLOW
CALCULATIONS, SEE SHEET C-3.

SURVEY PROVIDED BY:
THELEPAK SURVEYING SERVICES, INC.
175 N. MICHIGAN STREET, SUITE 200
ORLANDO, FLORIDA 32808
PHONE: 407-422-0957
L.B. No. 3378

DATE: 8/1/04
BY: [Signature]
DATE: 8/1/04
BY: [Signature]

CHECKED BY: [Signature]
DATE: 8/1/04
BY: [Signature]

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED AS EXHIBIT A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled, "Oakmonte PUD and Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD) Major Amendments-Lake Mary Senior Living".

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from PUD to PUD:

SEE ATTACHED EXHIBIT A.

Section 3. TERMS. This rezoning incorporates, and is contingent upon, execution of the First Amendment to Oakmonte PUD (formerly known as L&L Acres PUD) Revised Final Master Plan Developer's Commitment Agreement, Commitments, Classifications and

District Descriptions and the Amended and Restated Oakmonte Senior Villages (a.k.a. Shiralago PUD) Developer's Commitment Agreement.

Section 4. EXCLUSION FROM CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 5. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 6. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon the date of filing with the Department and recording of the First Amendment to Oakmonte PUD (formerly known as L&L Acres PUD) Revised Final Master Plan Developer's Commitment Agreement, Commitments, Classifications and District Descriptions and the Amended and Restated Oakmonte Senior Villages (a.k.a. Shiralago PUD) Developer's Commitment Agreement in the Official Land Records of Seminole County.

ENACTED this 7th day of November, 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

EXHIBIT A

Legal Description

Parcel 1:

A portion of land in the South 1/2 of Section 13, Township 20 South, Range 29 East, Seminole County, Florida, being described as follows:

Commence at the SE Corner of Block "C", Oakmonte Park, according to the plat thereof as recorded in Plat Book 53, Page 75 of the Public Records of Seminole County, Florida, as the point of beginning, said point being on the West right of way line of State Road No. 400; thence runs $16^{\circ}11'40''$ W, along said west right of way line, 850.93 feet; thence run N $89^{\circ}45'37''$ W, 1087.66 feet; thence run N $37^{\circ}49'36''$ W, 240.65 feet to the easterly right of way line of Seminole-Wekiva Trail (a 50' right of way); thence run N $52^{\circ}10'24''$ E, along said easterly right of way line, 182.38 feet to a curve concave to the NW; thence run NE along said easterly right of way line and curve having a central angle of $20^{\circ}06'21''$, a radius of 1935.08 feet, an arc length of 679.05 feet, a chord bearing of N $42^{\circ}07'13''$ E and a chord distance of 675.57 feet to the south line of aforesaid Block "C"; thence run S $89^{\circ}45'37''$ E, along said south line, 288.56 feet; thence run N $88^{\circ}56'45''$ E, continuing along said south line, 586.95 feet to the point of beginning.

And

Parcel 2:

Lot C-2 of Oakmonte Park-Replat of Block "C", as per plat thereof as recorded in Plat Book 62, Pages 7 and 8, Public Records of Seminole County, Florida.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On November 7, 2006, Seminole County issued this Denial Development Order relating to and touching and concerning the following property described in the attached legal description as Exhibit "A".

Property Owner(s): Lake Mary Senior Living, LLC

Project Name: Oakmonte PUD and Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD) Major Amendments-Lake Mary Senior Living

Requested Development Approval: The applicant is requesting PUD Major Amendments to the Oakmonte PUD and Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD), First Amendment to the Oakmonte Developer's Commitment Agreement and the Amended and Restated Developer's Commitment Agreement and Revised Final Master Plan for Oakmonte Senior Villages (a.k.a. Shiralago PUD), for 25 ± acres located on the southwest corner of the intersection of Lake Mary Boulevard and I-4, approximately 0.5 mile south of Lake Mary Boulevard.

The Board of County Commissioners has determined that the requested PUD Major Amendments to the Oakmonte PUD and Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD) are not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Oakmonte PUD and Oakmonte Senior Villages PUD (a.k.a. Shiralago PUD) Major Amendments-Lake Mary Senior Living" and all evidence submitted at the public hearing on November 7, 2006, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested PUD Major Amendments should be denied.

ORDER**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

The aforementioned application for development approval is **DENIED**.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD OF
COUNTY COMMISSIONERS**

By: _____
Carlton D. Henley, Chairman

EXHIBIT A**Legal Description****Parcel 1:**

A portion of land in the South 1/2 of Section 13, Township 20 South, Range 29 East, Seminole County, Florida, being described as follows:

Commence at the SE Corner of Block "C", Oakmonte Park, according to the plat thereof as recorded in Plat Book 53, Page 75 of the Public Records of Seminole County, Florida, as the point of beginning, said point being on the West right of way line of State Road No. 400; thence runs $16^{\circ}11'40''$ W, along said west right of way line, 850.93 feet; thence run N $89^{\circ}45'37''$ W, 1087.66 feet; thence run N $37^{\circ}49'36''$ W, 240.65 feet to the easterly right of way line of Seminole-Wekiva Trail (a 50' right of way); thence run N $52^{\circ}10'24''$ E, along said easterly right of way line, 182.38 feet to a curve concave to the NW; thence run NE along said easterly right of way line and curve having a central angle of $20^{\circ}06'21''$, a radius of 1935.08 feet, an arc length of 679.05 feet, a chord bearing of N $42^{\circ}07'13''$ E and a chord distance of 675.57 feet to the south line of aforesaid Block "C"; thence run S $89^{\circ}45'37''$ E, along said south line, 288.56 feet; thence run N $88^{\circ}56'45''$ E, continuing along said south line, 586.95 feet to the point of beginning.

And

Parcel 2:

Lot C-2 of Oakmonte Park-Replat of Block "C", as per plat thereof as recorded in Plat Book 62, Pages 7 and 8, Public Records of Seminole County, Florida.

**MINUTES OF THE SEMINOLE COUNTY
LAND PLANNING AGENCY
PLANNING AND ZONING COMMISSION**

**WEDNESDAY, OCTOBER 4, 2006
7:00 P.M.**

Members present: Ben Tucker, Beth Hattaway, Dudley Bates, Rob Wolf, and Jason Brodeur

Members absent: Walt Eismann, Matt Brown

Also present: April Boswell, Planning Manager; Tina Williamson, Principal Coordinator; Kathleen Furey-Tran, Assistant County Attorney; Bryan Potts, Development Review Manager; and Candace Lindlaw-Hudson, Clerk to the Commission.

Major Amendments to the Shiralago PUD and Oakmonte PUD; Torben Abbott/Excel Engineering, applicant. 25 ± acres; Major Amendments to the Oakmonte PUD (Planned Unit Development) and the Shiralago PUD (Planned Unit Development); Removing 4.72 ± acres from the Oakmonte PUD and incorporating it into the Shiralago PUD; Located on the southwest corner of the intersection of Lake Mary Blvd. and I-4, approximately 0.5 mile south of Lake Mary Blvd.
(Z2006-44)

Commissioner Carey - District 5
Tina Williamson, Principal Coordinator

Tina Williamson introduced the application and reviewed the staff report and findings on this item. The major amendments to the PUDs include the following changes: a) to remove Tract C2, approximately 4.72 acres from the Oakmonte PUD and to incorporate it into the Oakmonte Senior Villages, also known as Shiralago. The Oakmonte Senior Villages would be allowed to be developed as a senior living complex with the following entitlements: an independent living facility with approximately 165 units, an assisted living facility with a maximum of 100 units, and a total of 50 independent living villas. Staff recommendation is for approval of the request for of the PUD Major Amendments, First Amendment to the Oakmonte Developer's Commitment Agreement and the Amended and Restated Developer's Commitment Agreement and Revised Final Master Plan for Oakmonte Senior Villages (a.k.a. Shiralago PUD), for 25 ± acres located on the southwest corner of the intersection of Lake Mary Boulevard

and I-4, approximately 0.5 mile south of Lake Mary Boulevard, based on staff findings.

Rob Gebaide spoke on behalf of the applicant. He stated that they agree with the staff findings. He is trying to unite the 25 acres under one developer's commitment agreement. This clarifies things. There had been a requirement for a wall to run down the middle of the complex. That will be removed by unifying the project. He introduced Miriam Pino to discuss the facilities.

Ms. Pino stated that the project is an all rental community with three levels of care. It is designed to be a community with duplex villas for active seniors. It also has independent living in a hotel like building. There is a third area for assisted living. The buildings will be a 35-foot maximum height with a Mediterranean design.

There were no questions from the audience.

Commissioner Wolf asked about the record of maintenance for the company's other facilities of this type.

Ms. Pino said that the company has a 4-star rating, which is the highest rating.

Commissioner Wolf made a motion to recommend approval.

Commissioner Bates seconded the motion.

The motion passed unanimously (5 – 0).