

3. Draft Development Order and Master Development Plan

SEMINOLE COUNTY DEVELOPMENT ORDER

On _____, 2018, Seminole County issued this Development Order relating to and touching and concerning the following described property (the "Subject Property"):

See Attached Exhibit "A"

(The above described legal description has been provided to Seminole County by the owner of the above described Subject Property.)

FINDINGS OF FACT

Property Owner: HI-Oaks, LLC

Project Name: River Cross

Requested Development Approval: Large Scale Future Land Use Map Amendment from Rural-5 to Planned Development (PD); and Rezone from Agriculture-5 to Planned Development (PD).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The development conditions and commitments stated below will run with, follow and perpetually burden the above described Subject Property.

Prepared by: Tara L. Tedrow, Esq.
Lowndes, Drosdick, et al
215 N Eola Drive
Orlando, FL 32801

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The subject application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances to the extent they do not conflict with this Development Order.
- (3) The conditions upon this development approval and the commitments made as to this development approval, are as follows:

A. Development must comply with the Master Development Plan attached as Exhibit "B".

B. Permitted Uses:

- a. Single-family residential with customary and accessory uses
- b. Multi-family residential
- c. C-1 (Retail Commercial) and OP (Office) (approximately 65 acres)
- d. Seminole County Public School (approximately 5.5 acres reserved)
- e. Single-family Residential: Single-family residential shall be permitted at 4.0 dwelling units per net buildable acre with a maximum of six hundred (600) units*. In order to appropriately transition between adjacent existing uses and the development of the Subject Property, single family detached residential product shall be permitted at 2 dwelling units per net buildable acre along the north and east sides of the Subject Property, the specific locations of which shall be depicted on the Final Development Plan.
- f. Multi-family: 13.0 dwelling units per net buildable acre and a maximum of five hundred (500) dwelling units*.
- g. Commercial: Maximum intensity must be the lesser of FAR of 0.6 or one million five hundred thousand (1,500,000) square feet on approximately 65 acres.

*Densities are based on an approximate number of net buildable acres. In the event that net buildable acreage is less than estimated, the maximum number of units permitted could be less. In no case will the stated maximum density and intensity be exceeded.

C. The maximum allowable building heights are as follows:

- a. Single-family: Thirty-five (35) feet
- b. Multi-family: Sixty-five (65) feet
- c. Single Use Commercial: Forty-five (45) feet
- d. Mixed Use Commercial/Office/Institutional: Seventy-five (75) feet

- D. The development must provide a minimum of twenty five (25) percent common open and green space. The development shall reserve a minimum of 100 acres for permanent conservation which shall be dedicated to St Johns River Water Management District.
- E. The minimum building setbacks from any external property boundary shall be as follows:

North: 80 feet
South: 45 feet
East: 80 feet
West: 550 feet*

Internal setbacks will be determined at Final Development Plan.

* An eleven hundred foot (1,100') Commercial building setback is required from the western external property boundary. The five hundred and fifty foot (550') building setback only applies to residential buildings.

- F. The buffers are as follows:

North: 50 foot landscape buffer.
South: 25 foot landscape buffer.
East: 50 foot landscape buffer.
West: 550 foot environmental buffer.

The perimeter buffer may be widened at Final Development Plan if required per Chapter 30, Part 67 of the Land Development Code of Seminole County. In no case may the building setbacks be less than the required buffer.

Buffer components will be established at Final Development Plan.

- G. The developer must provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks, if any, outside of the development. Access points and locations for these facilities shall be determined in the Final Development Plan. Such pedestrian circulation system shall not connect to the property located at 141 River Run Point or to any adjacent properties to the north of the subject Property.
- H. All project signage must comply with the Land Development Code of Seminole County.
- I. Homeowner's Association or Property Owner's Association must be created to manage all common areas and facilities.
- J. In the case of a conflict between the written conditions A through J in this Development Order and the Master Development Plan attached as Exhibit "B", the terms of the written conditions A through J shall apply.
- K. A Final Development plan shall be prepared for the project; however, if the project is to be developed in phases, then each phase shall have its own corresponding Final Development Plan submitted to the County for review and approval.

(4) This Development Order touches and concerns the above described Subject Property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this Subject Property and be a servitude upon and binding upon this Subject Property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Development Order.

(5) The terms and provisions of this Development Order are not severable and in the event any portion of this Development Order is found to be invalid or illegal then the entire order will be null and void.

(6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.

(7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

(8) This Development Order becomes effective upon recording with the Seminole County Clerk of the Court. However, in no case will this Development Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with River Cross (as referenced in Exhibit "A"), on _____.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: _____
John Horan, Chairman

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

The Southwest quarter of the Northeast quarter of the Southwest quarter; and the South half of the Northwest quarter of the Southwest quarter; and the West half of the Southeast quarter of the Southeast quarter; and the Southwest quarter of the Southeast quarter; and the South half of the Southwest quarter; and the South half of the Northeast quarter of the Southeast quarter, less road right of way thereof for S.R. No. 419; and the South half of the Northwest quarter of the Southeast quarter; and the Southeast quarter of the Northeast quarter of the Southwest quarter, of Section 32, Township 21 South, Range 32 East, Seminole County, Florida.

PARCEL 2:

That portion of the following described property Easterly of the Econlockhatchee Creek: The South half of the North half of the South half; and the South half of the South half, of Section 31, Township 21 South, Range 32 East, Seminole County, Florida.

PARCEL 3:

The Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 32, Township 21 South, Range 32 East, Seminole County, Florida, less road right of way for S.R. No. 419.

PARCEL 4:

Parcel Thirty-Three

The East 1030.00 feet of the Southerly 1/6 of the Southeast 1/4 of the Northeast 1/4 of Section 32, Township 21 South, Range 32 East, Seminole County, Florida, less road right of way over the Easterly portion thereof for S.R. No. 419.

AND

Parcel Thirty-Four

The East 1030.00 feet of the North 1/2 of the South 1/3 of the Southeast 1/4 of the Northeast 1/4 of Section 32, Township 21 South, Range 32 East, Seminole County, Florida, less road right of way over the Easterly portion thereof for S.R. No. 419.

PARCEL 5:

Parcel Thirty-Five

The South 2/5 of the North 5/8 of Section 32, Township 21 South, Range 32 East, Seminole County, Florida, less the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of said Section 32; and also less the East 1030.00 feet of the South 1/3 of the

Southeast 1/4 of the Northeast 1/4 of said Section 32; and also less road right of way over the Easterly portion thereof for S.R. 419.

PARCEL 6:

That portion of the Southerly 2/5 of the North 5/8 of Section 31, Township 21 South, Range 32 East, Seminole County, Florida, lying Easterly of Econlockhatchee River.

EXHIBIT "B"
MASTER DEVELOPMENT PLAN

[ATTACHED]

LEGAL DESCRIPTION PER DEWBERRY DATED: NOVEMBER, 2014

PARCEL 1:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; AND THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; AND THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; AND THE SOUTH HALF OF THE SOUTHWEST QUARTER; AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, OF SECTION 32, TOWNSHIP 21 SOUTH, RANGE 32 EAST, LYING AND BEING IN SEMINOLE COUNTY, FLORIDA.

PARCEL 2:

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY EASTERLY OF ECONLOCKHATCHEE CREEK: THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF; AND THE SOUTH HALF OF THE SOUTH HALF, OF SECTION 31, TOWNSHIP 21 SOUTH, RANGE 32 EAST, LYING AND BEING IN SEMINOLE COUNTY, FLORIDA.

PARCEL 3:

THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 32, TOWNSHIP 21 SOUTH, RANGE 29 EAST, LYING AND BEING IN SEMINOLE COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY FOR S.R. NO. 419.

PARCEL 4:

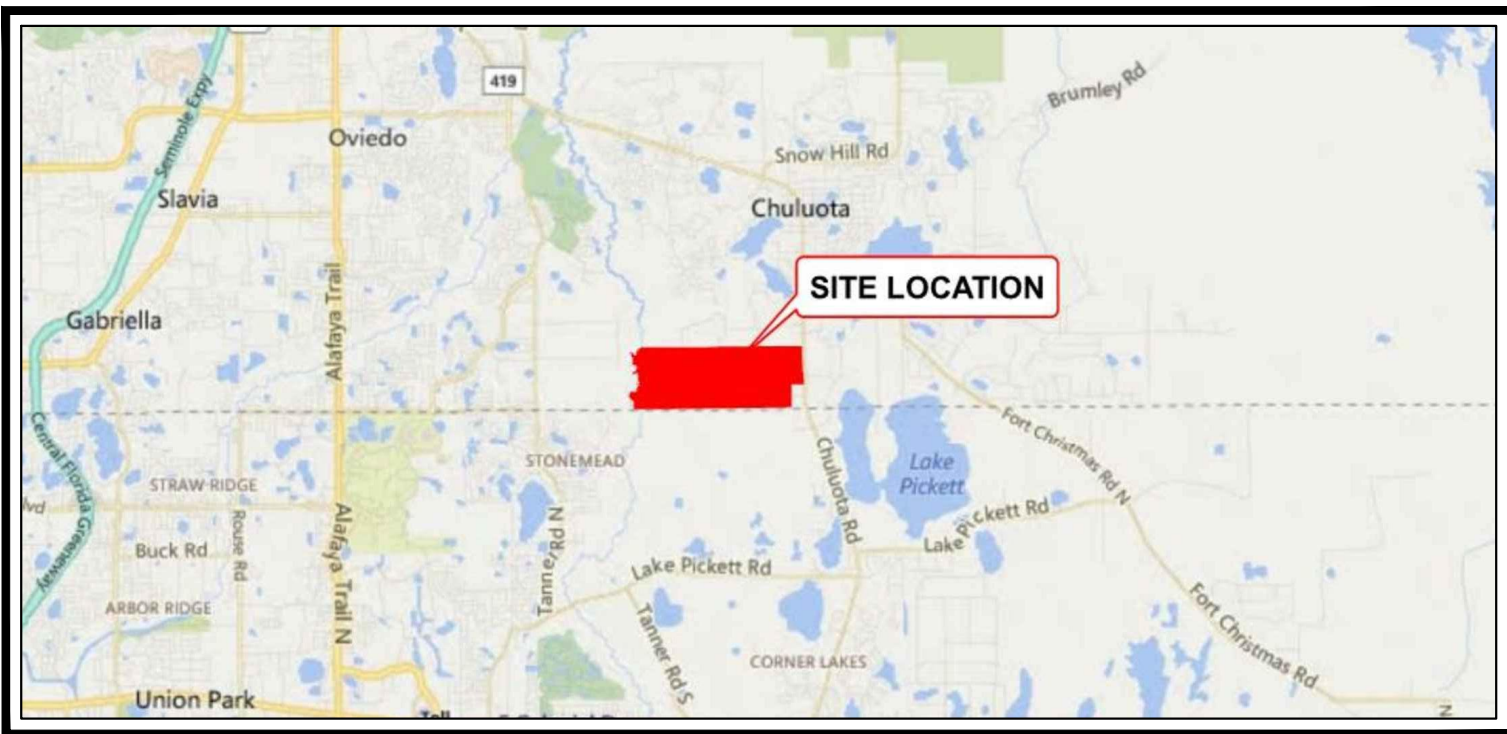
THE EAST 1030.00 FEET OF THE SOUTHERLY 1/6 OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 32, TOWNSHIP 21 SOUTH, RANGE 32 EAST, SEMINOLE COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY OVER THE EASTERLY PORTION THEREOF FOR S.R. NO. 419. AND THE EAST 1030.00 FEET OF THE NORTH ½ OF THE SOUTH 1/3 OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 32, TOWNSHIP 21 SOUTH, RANGE 32 EAST, SEMINOLE COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY OVER THE EASTERLY PORTION THEREOF FOR S.R. NO. 419.

PARCEL 5:

THE SOUTH 2/5 OF THE NORTH 5/8 OF SECTION 32, TOWNSHIP 21 SOUTH, RANGE 32 EAST, SEMINOLE COUNTY, FLORIDA, LESS THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 32; AND ALSO LESS THE EAST 1030.00 FEET OF THE SOUTH 1/3 OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 32; AND ALSO LESS ROAD RIGHT OF WAY OVER THE EASTERLY PORTION THEREOF FOR S.R. 419.

PARCEL 6:

THAT PORTION OF THE SOUTHERLY 2/5 OF THE NORTH 5/8 OF SECTION 31, TOWNSHIP 21 SOUTH, RANGE 32 EAST, SEMINOLE COUNTY, FLORIDA, LYING EASTERLY OF ECONLOCKHATCHEE RIVER. CONTAINING 669.4± ACRES (USING EAST TOP OF BANK AS SHOWN)



VICINITY MAP

SCALE: 1" = 2 MILE

LAND USE:	
1. PD BOUNDARY AREA:	669.4 Ac.
2. FEMA FLOOD PRONE AREA: (BASED ON SEPT. 28, 2007 FIRM MAP)	277.7 Ac.
3. EXISTING WETLAND AREA:	275.5 Ac.
4. COMBINED WETLAND & FEMA FLOOD SURFACE AREA:	377.8 Ac.
5. ESTIMATED NET DEVELOPABLE AREA PD BOUNDARY AREA (669.4 AC.) - WETLAND/FEMA AREA (377.8 AC.) = 291.6 AC.	291.6 Ac.
6. REQUIRED OPEN SPACE 25%:	
7. PROVIDED OPEN SPACE WILL BE ACHIEVED BY: LANDSCAPE / WALL BUFFER, WETLANDS (MAX 50% OF REQUIRED AREA) STORMWATER POND AREA (MAX 50% OF REQUIRED AREA), COMMUNITY CENTER AND PARKS/RECREATION AREAS (ACTIVE & PASSIVE). A DETAILED BREAKDOWN OF PROVIDED OPEN SPACE AREAS SHALL BE SHOWN ON THE FINAL DEVELOPMENT PLAN.	

SITE DATA:	
1. PD BOUNDARY AREA:	669.4 AC.
2. PARCEL ID #:	32-21-32-300-003A-0000 32-21-32-300-003Z-0000 32-21-32-300-001B-0000 32-21-32-300-002B-0000 32-21-32-300-003B-0000 32-21-32-300-005B-0000
3. EXISTING FUTURE LAND USE:	RURAL-5
4. EXISTING ZONING:	AGRICULTURE-5
5. PROPOSED ZONING:	PD
6. PROPOSED USES:	SINGLE-FAMILY RESIDENTIAL MULTI-FAMILY RESIDENTIAL COMMERCIAL/MIXED USE
7. MAXIMUM NUMBER OF LOTS/UNITS:	600 LOTS (SINGLE-FAMILY) 270 LOTS (TOWNHOME) 500 UNITS (MULTI-FAMILY) 1,500,000 SF (COMMERCIAL)
8. MAX BUILDING HEIGHT:	SINGLE-FAMILY - 35' MULTI-FAMILY - 65' SINGLE USE COMMERCIAL - 45' MIXED USE COMMERCIAL OFFICE - 75'

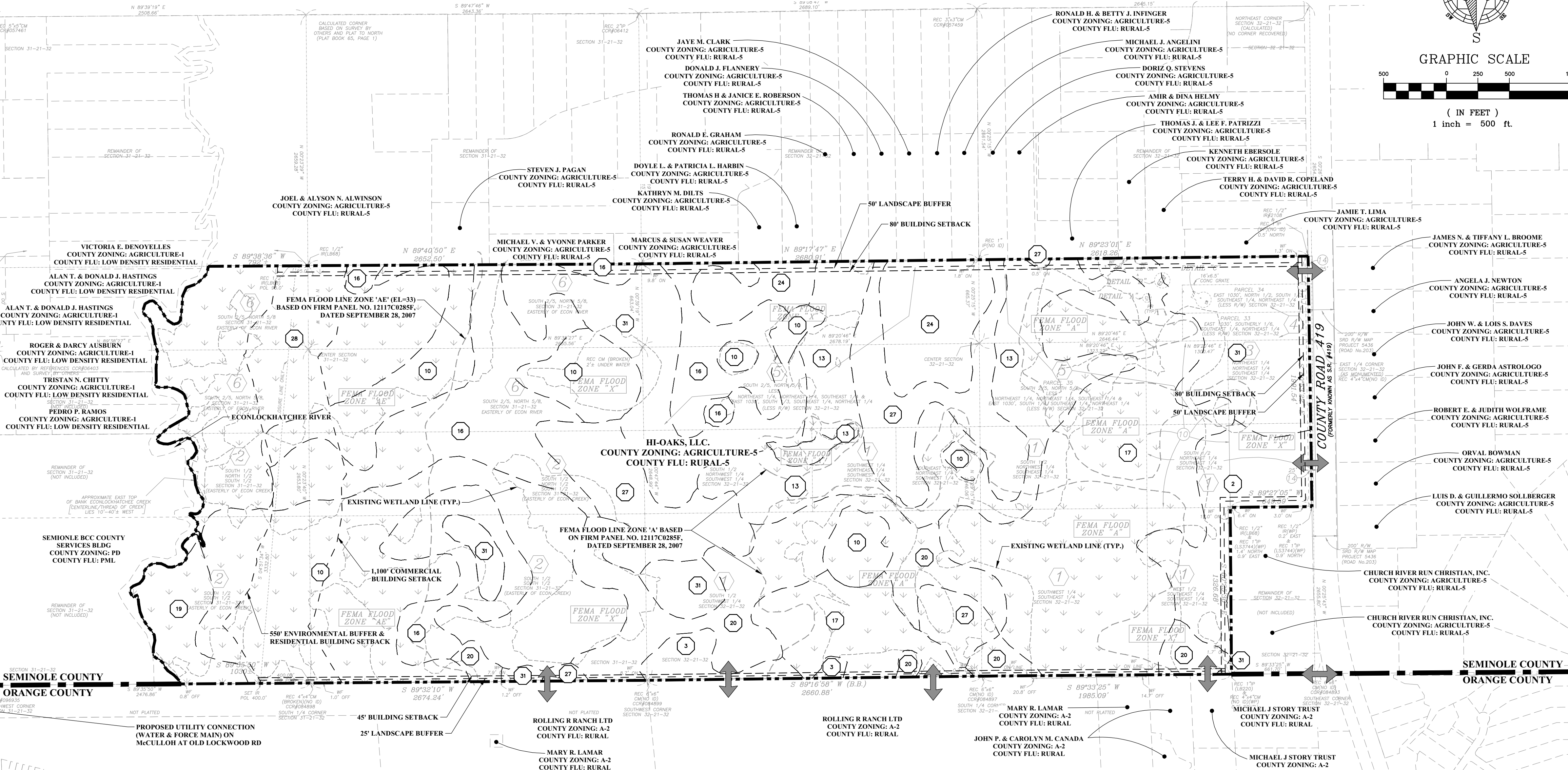
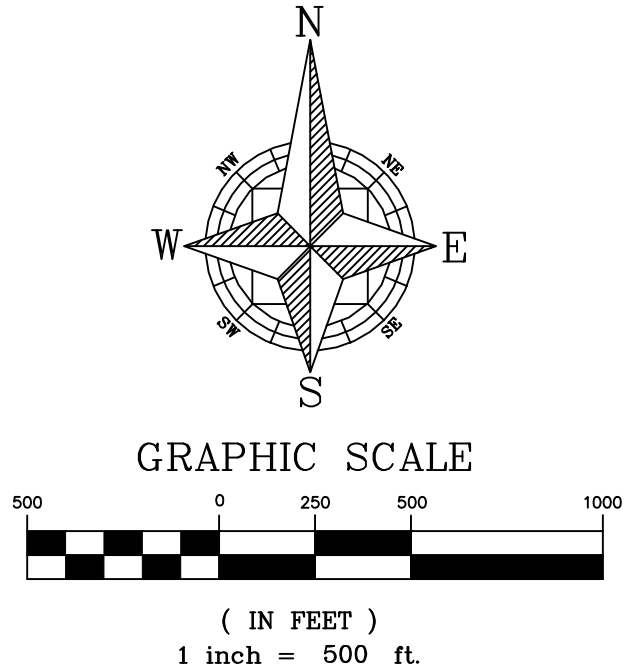
9.	INTERNAL LOT SETBACKS WILL BE DETERMINED AT FINAL DEVELOPMENT PLAN. A MINIMUM THREE (3) FOOT SIDE YARD DRAINAGE EASEMENT SHALL BE REQUIRED ON ALL LOTS; AIR CONDITIONING UNITS, POOL EQUIPMENT, WATER SOFTENERS AND SIMILAR FACILITIES SHALL NOT BE PERMITTED WITHIN THE DRAINAGE EASEMENT.			
10.	SCHOOL AGE CHILDREN: (BASED ON ESTIMATED LOT COUNT)			
	ELEMENTARY*	MIDDLE**	HIGH***	
SINGLE-FAMILY:	102 CHILDREN	57 CHILDREN	86 CHILDREN	
TOWNHOME:	14 CHILDREN	20 CHILDREN	20 CHILDREN	
MULTI-FAMILY:	33 CHILDREN	33 CHILDREN	44 CHILDREN	
TOTAL:	154 CHILDREN	106 CHILDREN	150 CHILDREN	
	*600 DU * 0.170 CHILD/DU = 102 DU = 0.016 CHILD/DU * 500 UNIT * 0.166 CHILD/UNIT = 83 CHILDREN			
	**600 DU * 0.095 CHILD/DU = 57 DU = 0.051 CHILD/DU * 0.069 CHILD/UNIT = 106 CHILDREN			
	***600 DU * 0.445 CHILD/DU = 267 DU = 0.072 CHILD/DU * 500 UNIT * 0.087 CHILD/UNIT = 150 CHILDREN			

11.	THE PROJECT DOES CONTAIN ON SITE WETLANDS
12.	PER THE FIRM PANEL NO. 12117C028F, DATED SEPTEMBER 28, 2007, A PORTION OF THE SITE IS DESIGNATED FLOOD ZONE AE (EL. - 33); ANOTHER PORTION OF THE SITE IS DESIGNATED A, AREAS DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOOD PLAIN.
13.	WATER AND SEWER SERVICE WILL BE PROVIDED BY SEMINOLE COUNTY (APPROXIMATE TIE IN POINTS SHOWN)
14.	UTILITY EASEMENTS DEDICATED TO SEMINOLE COUNTY SHALL BE PROVIDED OVER ALL WATER AND SEWER MAINS LOCATED OUTSIDE THE PUBLIC RIGHT OF WAY.
15.	ALL UTILITY LINES WILL BE DESIGNED TO MEET SEMINOLE COUNTY REQUIREMENTS.
16.	STORM RUNOFF GENERATED ON SITE SHALL BE TREATED USING AN ON SITE STORMWATER SYSTEM UTILIZING WET OR DRY RETENTION.
17.	THE STORMWATER SYSTEM WILL BE DESIGNED TO MEET SEMINOLE COUNTY AND SIRMWD REQUIREMENTS.
18.	FIRE PROTECTION WILL BE PROVIDED AND DESIGNED IN ACCORDANCE WITH ALL APPLICABLE SEMINOLE COUNTY CODE AND NFPA REGULATIONS.
19.	SERVICE DEMANDS: (BASED ON ESTIMATED LOT COUNT)
	PROPOSED USE: TRAFFIC GENERATED (ADT) WATER (GPD) SEWER (GPD)
	SINGLE-FAMILY RESIDENTIAL**:
	5,406 210,000 180,000
	MULTI-FAMILY RESIDENTIAL**:
	5,780 216,025 198,750
	COMMERCIAL/MIXED USE**:
	23,750 29,000 29,000
	TOTAL SERVICE DEMANDS:
	34,937 446,025 398,750
	**THE WATER & WASTEWATER ERC IS 150 GPD/DU & 300 GPD/DU, RESPECTIVELY.
	**THE WATER & WASTEWATER ERC IS 270 GPD/DU & 250 GPD/DU (1-2 BEDROOMS), RESPECTIVELY AND 35 GPD/DU & 300 GPD/DU (3+ BEDROOMS), RESPECTIVELY. ASSUMED 75% ARE 1-2 BEDROOMS AND 25% ARE 3+ BEDROOMS
	**THE WATER & WASTEWATER ERC IS 400/TOILET. ASSUMED A TOTAL 50 TOILETS FOR COMMERCIAL/MIXED USE SPACE
20.	ALL CONSTRUCTION MATERIALS AND OTHER PROPOSED IMPROVEMENTS SHALL MEET THE APPLICABLE CODES OF SEMINOLE COUNTY. SEMINOLE COUNTY DETAILS WILL BE UTILIZED ON THE FINAL ENGINEERING PLAN.
21.	A MANDATORY HOA SHALL BE CREATED TO PROVIDE FOR THE MANAGEMENT OF ALL COMMON AREAS AND FACILITIES.
22.	PROJECT SIGNAGE WILL COMPLY WITH THE SEMINOLE COUNTY LAND DEVELOPMENT CODE.
23.	THE PROPOSED PROJECT WOULD INCLUDE SINGLE FAMILY RESIDENTIAL HOMES, RANGING IN SIZE.
24.	THE PROJECT WILL BE CONSTRUCTED IN PHASES. DETAILS OF THE PHASING WILL BE PROVIDED ON THE FINAL DEVELOPMENT PLAN.

PD LAND USE TABLE		
LAND USE	PD MAXIMUM DENSITY / INTENSITY	PD MAXIMUM ALLOWABLE
SINGLE-FAMILY (DETACHED)	4 DU/Ac	520 LOTS
SINGLE-FAMILY (DETACHED ESTATES)	2 DU/Ac	80 LOTS
SINGLE-FAMILY (ATTACHED)	7 DU/Ac	270 UNITS
MULTI-FAMILY	13 DU/Ac	500 UNITS
COMMERICAL/MIXED USE	0.60 FAR	1.5 MIL SF

LEGEND	
--- COUNTY LINE	↔ FULL ACCESS
--- PROPERTY BOUNDARY	↔ RIGHT IN/RIGHT OUT
--- PARCEL LINE	↗ LEFT IN
--- LANDSCAPE BUFFER	↖ RIGHT IN
--- BUILDING SETBACK	

SOILS LEGEND:	
2 ADAMSVILLE - SPARR FINE SANDS (HYD: A)	19 MANATEE, FLORIDANA, AND HOLOPAW SOILS, FREQUENTLY FLOODED (HYD: B/D)
3 ARENTS, 0-5% SLOPES (HYD: A)	20 MYAKKA AND EAUGALLIE FINE SANDS (HYD: A/D)
10 BASINGER, SAMSULA, AND HONTON SOILS, DEP (HYD: A/D)	24 PAOLA-ST. LUCIE SANDS, 0-5% SLOPES (HYD: A)
13 EAUGALLIE AND IMMOKALEE FINE SANDS (HYD: A/D)	27 POMELLO FINE SAND, 0-5% SLOPES (HYD: A)
16 IMMOKALEE SAND (HYD: B/D)	28 POMPANO FINE SAND, OCCASIONALLY FLOODED (HYD: A/D)
17 BRIGHTON, SAMSULA, AND SANIBEL MUCKS (HYD: A/D)	31 TAVARES-MILLHOPPER FINE SANDS, 0-55% SLOPES (HYD: A)



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APPIAN ENGINEERING LLC.

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2221 Las Ruas, Suite 17, Winter Park, Florida, 32789

STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION NO. 0074

MASTER DEVELOPMENT PLAN

RIVER CROSS

SEMINOLE COUNTY, FLORIDA

DRAWN: O. SANCHEZ

DESIGNED: L. CLASON

CHECKED: L. CLASON

DATE: 4/12/2018

SCALE: 1" = 500'

PROJECT: CED-005

SHEET: C1.0

APPIAN ENGINEERING

LUKE MARTIN CLASON LICENSE

No 77066

FLORIDA PROFESSIONAL ENGINEER

BY

DATE

DESCRIPTION