

Planning Commission Agenda

September 7, 2023 - 5:30 p.m.

Daniel Grannan – Chair
Tonia Herring – Vice Chair
Richard Laxton
Deborah MacArthur Anderson
Karen Cunningham



Terry Thompson
Larry Schenavar
Alternate 1 – Gregory Acker
Alternate 2 – Kimberly Salter
Chuck Dixon – School Board*

- 1) Call to Order
- 2) Roll Call
- 3) Moment of Silence
- 4) Pledge of Allegiance
- 5) Adoption of Agenda
- 6) Approval of Minutes: **June 1st, 2023**
- 7) Citizen Input: 3 minutes
- 8) Public Hearings:

A.) Conduct a public hearing for APPLICATION NO. PUD23-0002 – CLARK A. STILLWELL, ESQ. ON BEHALF OF CR19 HOLDINGS LLC – Consideration of an amendment of the Official Zoning Map by changing the zoning on 67.43 acres from High Intensity Commercial (CH) to Planned Unit Development (PUD) establishing a Master Plan of Development to allow for multi-family use and commercial use; and by modifying the Crystal River Mall Development of Regional Impact (DRI), which address is generally known as 1801 NW US Highway 19, Crystal River, Florida. A complete legal description is on file in the Planning and Community Development Department.

- 9) Unfinished Business
- 10) New Business
- 11) Citizen Input: 5 minutes
- 12) Staff Comments
- 13) Commissioner's Comments
- 14) Chairman's Comments
- 15) Adjournment

NOTICE TO PUBLIC

Any person who decides to appeal any decision of the Planning Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to provide that a verbatim record of the proceeding is made, which record includes testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

Any person requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the City of Crystal River, City Manager's Office, 123 N. W. Highway 19, Crystal River, FL 34428 (352) 795-4216, at least two (2) days prior to the meeting.

*Appointed by School Board pursuant to §163.3174, Florida Statutes.

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Planning Commission Minutes
June 1st, 2023 - 5:30 p.m.

Daniel Grannan – Chair
Tonia Herring – Vice Chair
Richard Laxton
Deborah MacArthur Anderson
Karen Cunningham



Terry Thompson
Larry Schenavar
Alternate 1 – Gregory Acker
Alternate 2 – Kimberly Salter
Chuck Dixon – School Board*

- 1) Call to Order
- 2) Roll Call

Commissioners Present: Deborah MacArthur Anderson, Dan Grannan, Terry Thompson, Karen Cunningham, Tonia Herring, Greg Acker, Rick Laxton.

Commissioners Absent: Larry Schenavar, Kim Salter

Staff Present: Brian Herrmann, Jenette Collins, Zach Ciciera

- 3) Moment of Silence was led by Chairman Grannan.
- 4) Pledge of Allegiance was led by Chairman Grannan.
- 5) Motion to adopt the agenda was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 7-0.**
- 6) Motion to approve minutes of the Planning Commission meeting held May 4th, 2023, was made by Chairman Grannan, seconded by Commissioner Thompson. **Motion carried 7-0.**
- 7) Citizen Input: None.
- 8) Public Hearings:

A.) i. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PV23-0001 brought by

ROGER VANDERGRIFF – A Variance request of the City of Crystal River Land Development Code (LDC) to allow for a residential access (driveway apron) and driveway exceeding the maximum width requirements allowed pursuant to Section 6.04.02 Access and driveway design requirements, of the LDC, which address is 416 SW 1st Place, Crystal River, Florida.

Chair opened the quasi-judicial meeting.

Conflict of Interest: None.

Ex Parte Communication: None.

Staff Presentation: Jenette Collins, Urban Planner, presented the application to the commission. The applicant is requesting a 34-foot-wide parking area which exceeds the maximum permitted driveway width allowed within the Crystal River Land Development Code. Staff recommends a parking area width of 27 feet.

Applicant Presentation: Roger Vandergriff, Crystal River, presented to the commission stating the location of the existing wetlands on the property create a hardship to allow adequate parking.

Staff Rebuttal: Brian Herrmann, Planning Director, stated a 27-foot-wide parking area would accommodate three parking spaces.

Public Comment: None.

Commissioner Discussion: A motion to approve APPLICATION NO. PV23-0001 brought by ROGER VANDERGRIFF, as requested, was made by Commissioner Thompson, seconded by Commissioner Acker. *Motion carried 7-0.*

B.) i. Conduct a Public Hearing for APPLICATION NO. PCA23-0003 brought by SCOTT &

CHRISTINE JOHNSON – Amendment to the Comprehensive Plan’s Future Land Use Map (FLUM) from Coastal Low Density Residential (CLDR) and Medium Density Residential (MDR) to Industrial (IND) which address is 4264 N Tallahassee Road, Crystal River, Florida.

ii. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZMA23-0002 brought by SCOTT & CHRISTINE JOHNSON – Amendment to the Official Zoning Map from Residential Conservation (R-C) and Medium Density Residential (R-2) to Industrial (IND) which address is 4264 N Tallahassee Road, Crystal River, Florida.

Chair opened the quasi-judicial meeting.

Conflict of Interest: None.

Ex Parte Communication: None.

Staff Presentation: Jenette Collins, Urban Planner, presented the application to the commission. Ms. Collins stated the applicant is requesting the property to be rezoned to Industrial to allow for their proposed RV and Boat storage use.

Applicant Presentation: Scott and Christine Johnson, Lecanto, presented to the commission.

Commissioner Discussion: Discussion was held regarding zoning inconsistencies noted in the presentation.

Applicant requested for continuance of the application to a future meeting.

A motion to continue applications PCA23-0003 and PZMA23-0002 brought by Scott and Christine Johnson, was made by Commissioner Thompson, seconded by Commissioner Herring. *Motion carried 7-0.*

C.) i. Conduct a Public Hearing for APPLICATION NO. PZT23-0004 brought by BOE BRACCIO –

Three text amendments to the LDC to allow a Class I Mobile Kitchen in (CW) Waterfront Commercial if the use is located outside of the Community Redevelopment Area (CRA) district.

Staff Presentation: Brian Herrmann, Planning Director, presented the application to the commission. The proposed use will only be permitted in applicable zoning districts outside of the community redevelopment area.

Applicant Presentation: None.

Public Comment: None

Commissioner Discussion: A motion to recommend City Council approval of APPLICATION NO. PZT23-0004 brought by BOE BRACCIO, was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 7-0.**

- 9) Unfinished Business: Brian Herrmann, Planning Director, announced the selection of the steering committee members, which will meet with Stringfellow Planning & Design in construction of the City's new Land Development Code.
- 10) New Business: None.
- 11) Citizen Input: None.
- 12) Staff Comments: None.
- 13) Commissioner's Comments: None.
- 14) Chairman's Comments: None.
- 15) Motion to adjourn was made by Commissioner Thompson, seconded by Commissioner Herring. **Motion carried 7-0.** Meeting adjourned at 6:42pm.

*Appointed by School Board pursuant to §163.3174, Florida Statutes.



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Growth Management Department

MEETING DATE:	September 07, 2023
APPLICATION NO. PUD23-0002 – CLARK A. STILLWELL, ESQ. ON BEHALF OF CR19 HOLDINGS LLC	
PROPOSED AMENDMENT:	An amendment of the Official Zoning Map by changing the zoning on 67.43 acres from High Intensity Commercial (CH) to Planned Unit Development (PUD) establishing a Master Plan of Development to allow for multi-family use and commercial use; and by modifying the Crystal River Mall Development of Regional Impact (DRI).
SUBJECT PROPERTY:	Section 17, Township 18 S, Range 17 E; specifically parcels 17E18S170300 0010 (ALTKEY: 2651911), 17E18S170300 0020 (ALTKEY: 2651920), 17E18S170300 0030 (ALTKEY: 2651938), 17E18S170300 0100 (ALTKEY: 2652012), 17E18S170300 0040 (ALTKEY: 2916265), 17E18S170300 0060 (ALTKEY: 2651954), and 17E18S170320 0010 (ALTKEY: 3516403) as identified in the records of the Citrus County Proper Appraiser, and which address is generally known as 1801 NW US Highway 19, Crystal River, Florida. A complete legal description of the property is on file with the Planning & Development Services Department.
PROPERTY OWNER:	CR19 Holdings LLC
LAST OCCUPANT:	Crystal River Mall (Note: Does not include the Rural King or Office Max sites)
EXISTING FUTURE LAND USE:	HC, Highway Commercial (67.43 acres) – No Change proposed.
EXISTING ZONING:	CH, High Intensity Commercial (7.21 acres)
FLOOD ZONE:	According to the Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 11 feet and Flood Zone AE with a BFE of 12 feet, as found on FIRM Panel Numbered 12017C0186E. (Effective date: January 15, 2021)
SURROUNDING AREA: The area comprises a mix of residential and commercial uses.	North: Zoned CH and PUD, that is developed as retail on US 19, and the RV Resort.
	South: Zoned CH, that is developed as motel and a house of worship.
	East: County zoned LDR, Low Density Residential, that is developed as single family residential, and City zoned PUD (expired) that is vacant, and PI, Public Institutional, housing the city public works facility.
	West: Zoned CH and CON, Conservation, comprising the Crystal River Preserve State Park.
PREPARED BY:	Jenette Collins, AICP, Growth Management Director

BACKGROUND INFORMATION: This is a request to amend the Official Zoning Map of the City of Crystal River by rezoning 67.43 acres from CH, High Intensity Commercial to PUD, Planned Unit Development, and by establishing a new Master Plan of Development for the subject property that is part of the Crystal River Mall DRI (effectively amending the former master plan of development) The DRI, which was originally approved in

1989, has since gone through several amendments as shown in the attached exhibit “Crystal river Mall DRI – Entitlements Summary.”

The proposed PUD master plan of development delineates the project site, having a total of 67.43 acres, to be developed as a mixed-use project having a maximum 440 multi-family dwelling units, a maximum 40,600 square feet of restaurant/retail commercial retail center, and maximum 12,550 square feet of outparcel commercial use.

The subject property area includes that portion of the original mall built in 1990 (which has been demolished), along with several other vacant parcels that were never developed. The proposal does not include the parcels located north of N Turkey Oak Drive and the parcels that contain the Rural King and Office Max retail buildings, which remain vested under their current entitlements.

ANALYSIS: Florida Statute, Section 380.06 *Developments of regional impact* outlines the requirements for an amendment to an existing DRI. The statute now allows that amendments to a DRI can be processed by the local government through the adopted land use change amendment process (e.g., a PUD amendment). In order to consider the PUD amendment, the proposal must be found consistent with the intent of the Comprehensive Plan and should meet the general intent of the Land Development Code.

As an amendment to the DRI, the proposal must also demonstrate that the changes do not exceed concurrency allowances beyond those previously vested within the development entitlements of the DRI; specifically, that such exchange of uses will not increase impact to public facilities.

The following items have been analyzed by staff to make its findings for recommendation to the Planning Commission.

Comprehensive Plan Considerations – The Comprehensive Plan’s Future Land Use Map (FLUM) designations is HC, Highway Commercial, which land use category allows “PUD” as an implementing zoning district on the Zoning Map. Consideration must also be given that the DRI retains vested concurrency entitlements as provided by Florida Statutes for DRIs, and that the development is consistent with the comprehensive plan at the time the development was originally approved.

Zoning Considerations – The application proposes a rezoning for 67.43 acres from HC District to PUD District as described in the *Background Information* of this report. The following table provides a summarized comparison of the existing HC district and the proposed PUD district as specified in Chapter 2 of the Land Development Code (LDC) .

Zoning District:	From: HC, High Intensity Commercial	To: PUD, Planned Unit Development
Allowed Use:	Large-scale business, commercial, light assembly and institutional uses, associated accessory structures, and essential public services	Established for creative and responsible development projects that may include compatible residential use and related public facilities that shall be unified by a master development plan, as further described in Section 4.04.00. <i>Standards for Planned Unit Developments</i>
Max ISR*:	65% (waterfront); 75% (non-waterfront)	Per approved master plan
Max FAR**:	0.7	Per approved master plan

*ISR – Impervious Surface Area, **FAR – Floor to Area Ratio

Source: Crystal River Land Development Code (Ord. No. 05-O-08)

Relevant to this review is the exchange of entitlements between what is currently vested and proposed changes. The following table shows the exchange of uses between the original plan, its current amended status, and the proposed plan as it relates to the DRI in total.

	Commercial	Residential units	Other
Original 1989 DRI	815,850 gross square footage	500 d/u multi-family	-
Amended DRI (current)	815,850 gross square footage	150 apt units*	652 RV Sites**
Proposed PUD	Amends commercial component to allow maximum 40,600 gsf commercial and 12,550 gsf outparcels (and continues to recognize existing 116,348 gsf for Rural King and Office Max not a part of this amendment)	Adds maximum 360 apartment units and 80 townhomes	No Change
CHANGE	-646,352 gross square footage	+440 res. m.f. units	No Change
NEW DRI TOTALS	169,498 gsf general commercial uses	590 residential m.f. units	652 RV Sites

*Reserved for Fountains at Hidden Lakes – Parcel ID: 17E18S170300 0090

**Reserved for Sweet Citrus RV Resort (f/k/a – Hidden Lakes RV Resort) – Parcel ID: 17E18S170300 0070

It is also noted that the DRI contains 78.31 acres (Parcel ID: 17E18S170300 0080) that is reserved as a conservation easement (ORB 865/PG 961-964).

The proposed project is a redevelopment of an existing regional shopping center (the Crystal River Mall) and is found compatible with the surrounding area. The proposed apartments and townhome components serve as an appropriate transitional use between commercial and the residential properties.

Internal Circulation – The applicant has proposed a multi-modal pathway on the perimeter of the project to be reviewed at the time of the development permit. Separately, the proposed master plan shows that the internal traffic circulation has been modified from the original DRI by removing the vehicular cross-access that connected the development from N Turkey Oak Drive to NW Crystal Street, and to the US Highway 19 connection points. The LDC (section 6.04.12) requires vehicular cross-access between adjoining developments. **Staff recommends that an internal cross-access connection be maintained from N Turkey Oak Drive across the project to minimize local traffic trips on to US Highway 19 that is part of the State of Florida Strategic Intermodal System (SIS).**

The developed has expressed a desire to gate the apartment component of the project, thereby prohibiting vehicular access to the commercial component from N Turkey Oak Drive. Alternatively, the applicant has advised that the project will include a limited cross-access connection for resident vehicle exit, service vehicle entrance, and emergency vehicle secondary access at the rear perimeter of the development.

Landscaping and Tree Protection – Where standards are not prescribed in the PUD, the project will need to adhere to current LDC standards for landscaping and tree protection at time of development. This will be reviewed based on the intensity of the proposed development as it abuts adjacent properties, and also requires internal landscaping for parking lots and building foundations. As part of its demolition permit, the property owner is mitigating the removal of existing heritage trees by replanting trees along perimeter areas of the project that will not be disturbed at time of construction.

Phasing Plan – The applicant does not propose a phasing schedule. The expiration date of development rights for the PUD Master Plan shall be as provided by the DRI, as extended therein.

Environmental factors - According to the Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (E-FIRM), elevation contours vary from seven to eight feet above mean sea level (MSL). The new building construction must be designed to meet the FEMA FIRM BFE as summarized in the introduction table on page one of this report.

According to the United States Department of Agriculture (USDA) Soil Survey, the soil types found on the subject property are as follows:

- Approximately 34.8 percent of the site is classified as (28) Redlevel fine sand, 0 to 2 percent slopes (parent material: Sandy marine deposits over limestone), having a drainage class defined as somewhat poorly drained, and having a depth to water table of about 18 to 42 inches.
- Approximately 2.1 percent of the site (DRA) is classified as (35) Sparr fine sand, 0 to 5 percent slopes (parent material: Sandy and loamy marine deposits), having a drainage class of somewhat poorly drained, and having a depth to water table of 18 to 42 inches.
- Approximately 3.7 percent of the site is classified as (58) Miakka, limestone substratum-EauGallie, limestone substratum complex (parent material: Sandy marine deposits) having a drainage class defined as poorly drained, and having a depth to water table of about 6 to 18 inches.
- Approximately 3.4 percent of the site is classified as (59) Cypress Lake fine sand, frequently ponded, 0 to 1 percent slopes (parent material: Sandy and loamy marine deposits over limestone) having a drainage class defined as very poorly drained, and having a depth to water table of about 0 inches.
- Approximately 46.5 percent of the site is classified as (64) Citronelle fine sand, having 0 to 2 percent slopes (parent material: Sandy marine deposits over limestone) having a drainage class defined as somewhat poorly drained, and having a depth to water table of about 6 to 18 inches.
- Approximately 9.5 percent of the site (DRA) is classified as (99) Water (hydric soil rating: Unranked)

No other environmental concerns are noted. The proposal is a redevelopment of the former Crystal River Mall.

INFRASTRUCTURE:

Transportation (Ingress/Egress) – The proposed development will gain access from the three existing entry/exit points on US Highway 19 (a principal arterial), one access point on N Turkey Oak Drive (a major collector), and access points from each side of NW Crystal St (a local collector) . The access points were constructed in accordance with the original DRI master plan. No changes to the entry/exit points are made in this PUD amendment.

The mall transportation mitigation conditions as prescribed in the DRI development order were constructed for the project at the time the mall was developed.

As an amendment to the DRI, the proposal must also demonstrate that the changes will not exceed the original DRI entitlements for the vested transportation concurrency. The traffic study provided by the applicant dated April 22, 2023, prepared by Michael D. Rayson, P.E. (Raysor Transportation Consulting, LLC), concludes that the proposed development plan's new external daily trips and new external peak hour trips reflect less than 50 percent of the trip generation values for which transportation concurrency is vested. Therefore, no mitigation is required.

It is noted that US Highway 19 is identified in the *Comprehensive Plan, Multi-Modal Transportation Element*, as being part of the Crystal River Evacuation Route system. The city is required to maintain a LOS for out-of-PUD23-0002 – CLARK A. STILLWELL, ESQ., ON BEHALF OF CR19 HOLDINGS LLC

county hurricane evacuation to be no greater than 16 hours for a category 5 storm event (reference **Consistency with the Comprehensive Plan** section below). The subject property is in the Coastal High Hazard Area (CHHA) as defined in the city's Coastal Management Element of the Comprehensive Plan, and the development may contribute to degrading hurricane evacuation times, particularly due to the proposed residential component. The CHHA also defines the Evacuation Level A. According to the *Statewide Regional Evacuation Study Program*, the out-of-county clearance time for 2020 projections ranged from 18.5 to 54.0 hours based on the Evacuation Level A. In the report provided by the applicant dated April 22, 2023, Michael D. Rayson, P.E. (Rayson Transportation Consulting, LLC), the "...analysis indicate that the proposed development plan would result in the addition of +/- 12 minutes to evacuation times, which is approximately 1% greater than the values identified in the 2020 Statewide Regional Evacuation Study; where these increases are marginal and thus insignificant to the ability to safely evacuate during a Level A evacuation event."

Water – The project is required to connect to a public potable water supply system. The City of Crystal River has adequate water supply to serve the project.

Sewer – The project is required to connect to the City of Crystal River sanitary sewer system. The city has adequate capacity to service the project. .

Stormwater Management – Stormwater management requirements must be approved as established by the Southwest Florida Water Management District (SWFWMD) for a commercial project. All stormwater treatment systems shall meet the latest SWFWMD and State standards for water quality and peak discharge. This requires that the rate of post-development runoff conditions shall not exceed pre-development runoff conditions.

CONSISTENCY WITH THE COMPREHENSIVE PLAN: The City's Comprehensive Plan establishes the Future Land Use designations and map. The request to rezone the 67.43-acre property from CH to PUD and the amendment to the Master Plan of Development for the PUD is found consistent with the city's Future Land Use Element of the Comprehensive Plan for the HC, Highway Commercial category as shown on the Future Land Use Map for the subject property. Furthermore, as an amendment to the DRI, the proposal does not exceed those created by previously vested concurrency allowance beyond and within the development entitlements of the DRI. A review of the proposed uses is found to be consistent with the density and intensity of the Future Land Use Element for the HC category, provided all other goals, objectives and policies of the Comprehensive Plan are satisfied. The following objective and policies of the Future Land Use Element are relevant:

The following objectives and policies of the **Future Land Use Element** are cited:

OBJECTIVE 3.1: *The City shall preserve, protect and improve the character of the City through the implementation of compatibility standards and the consideration of innovative development standards that may include transfer of development rights, planned unit developments, form-based regulations, conservation subdivisions, or other regulations that encourage mixed use and clustered development patterns.*

POLICIES:

A) *The planned unit development or PUD concept may be utilized in Crystal River.*

A-1: *All planned unit development shall go through a site plan review which examines impact on the environment, compatibility with adjacent land uses, provision of on-site parking, stormwater retention, landscaping, and provision of urban services.*

A-2: *All planned unit development on waterfronts lots must go through a site plan review which examines impact on land uses, provisions of onsite parking, stormwater retention, landscaping, and provision of urban services.*

Staff Response: The proposed apartments and townhome components serve as an appropriate transitional use between commercial and the adjacent residential properties. The PUD provides the benefit of a Master Plan of Development that serves to mitigate against potential conflicts with adjacent land uses where compatibility may be a concern. All other development standards of the LDC (e.g., provisions of onsite parking, stormwater retention, landscaping, and provision of urban services) shall be adhered to.

The following Objective and Policies of the **Coastal Management Element** are cited:

OBJECTIVE 4.1: *The City shall maintain or reduce hurricane evacuation times by requiring that new developments not degrade the existing evacuation Level of Service (LOS).*

POLICIES:

A) *The Level of Service (LOS) for out-of-county hurricane evacuation shall be no greater than 16 hours for a category 5 storm event.*

C) *The Coastal High-Hazard Area (CHHA) is defined as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. All proposed Comprehensive Plan Amendments and new developments within the CHHA must meet the following criteria:*

1. *The adopted LOS for “out of county” hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale.*
2. *A 12 hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of a development contemplated by the proposed comprehensive plan amendment is available; or*
3. *Appropriate mitigation is provided that will satisfy Policy C1. Or 2). Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities not to exceed the amount required for a developer to accommodate impacts reasonably attributable to development.*
 - a. *City shall enter into a binding contract with the developer detailing with any required mitigation.*
 - b. *If the LOS for the host evacuees has not been established the LOS shall not exceed 16 hours for a category 5 event.*

Staff Response: A review of the report provided by the applicant dated April 22, 2023, by Michael D. Rayson, P.E. (Raysor Transportation Consulting, LLC), the finds that the increases are marginal and thus insignificant in the ability to safely evacuate during a Level A evacuation event. [Reference **Transportation (Ingress/Egress)** section above.]

OBJECTIVE 6.1: *The City of Crystal River shall ensure that the provision of roads, potable water, sanitary sewer, drainage and solid waste facilities and services required to maintain the adopted Level of Service standards shall be consistent and phased with the level of development proposed in the Future Land Use Element*

Staff Response: Based on the analysis provided, the proposed exchange of uses will not exceed the impacts to public facilities that would have been created by the vested development entitlements of the original DRI. Mitigation conditions of the DRI development order were constructed for the project at the

time the mall was developed. The exchange of uses removes 646,352 gross square footage of entitled commercial in replacement of 440 new residential units.

SUMMARY OF PUBLIC COMMENTS: Public comments have not been received as of this writing of the Staff Report.

FINDINGS: As conveyed in Subsection (B.) of 8.02.03 of the Crystal River Zoning Ordinance, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the official zoning map (rezoning), and amend the official zoning map to PUD together with a PUD master plan.

Based on the analysis provided above, the following findings are presented:

1. The request is to rezone 67.43 acres from CH, High Intensity Commercial to PUD, Planned Unit Development on the Zoning Map; and establish a Master Plan of Development having a maximum 440 multi-family dwelling units, a maximum 40,600 square feet of restaurant/retail commercial retail center, and maximum 12,550 square feet of outparcel commercial use, effectively modifying the Crystal River Mall DRI.
2. The request to rezone and establish a Master Development Plan per the PUD is consistent with the HC, High Intensity Commercial District category as shown on the Future Land Use Map of the Comprehensive Plan.
3. The request to amend the Crystal River Mall DRI does not exceed concurrency allowances vested within the development entitlements of the original DRI; specifically, that such exchange of uses does not increase impact to public facilities.
4. The PUD provides the benefit of a Master Plan of Development and conditions of approval that serves to mitigate against potential conflicts with existing adjacent land uses.
5. The Traffic Study provided by the applicant finds that the proposed development plan does not exceed the trip generation values for which the DRI transportation concurrency is vested.
6. The Traffic Study provided by the applicant finds that the proposed development plan would result in approximately a 1% increase in the values identified in the 2020 Statewide Regional Evacuation Study, where the increases are marginal and thus insignificant to the ability to safely evacuate during a Level A evacuation event.
7. The project shall be served by central water and central sewer having adequate capacity.

STAFF RECOMMENDATION: Based on the analysis above, staff supports the proposed amendment and master plan of development with the conditions of approval listed below (referenced from the draft Ordinance included in the backup). ***However, to minimize traffic trips on to US Highway 19, it is recommended that proposed condition “C.” be amended to add that “An internal vehicular cross-access shall be provided (as was in the original DRI) to allow connection from N Turkey Oak Drive to the interior commercial component of the project.”***

Proposed Conditions of Approval:

The PUD Master Plan approval shall be conditioned upon the Developer’s performance of the following obligations and ongoing compliance with the following requirements concerning use, operation and maintenance of the subject property. Failure to abide by the following terms shall constitute a violation of the City River Code of Ordinances and may result in termination of the *PUD Master Plan* and/or code enforcement action against Developer or its successor(s) or assign(s).

1. Development Concept. The project shall be developed as a Planned Unit Development (“PUD” or “Project”) substantially in accordance with this Ordinance. The Project site, being a total of 67.43 acres, will be developed as a PUD23-0002 – CLARK A. STILLWELL, ESQ., ON BEHALF OF CR19 HOLDINGS LLC

mixed-use project having a maximum 440 multi-family dwelling units, a maximum 40,600 square feet of restaurant/retail commercial retail center, and maximum 12,550 square feet of outparcel commercial use.

- A. Planned Unit Development Legal Description. The properties included in the PUD Master Plan of Development are described on Exhibit A.
- B. Planned Unit Development Plan. The Project shall be developed in a manner that is consistent with the *PUD Master Plan* of Development attached hereto and incorporated as composite Exhibit C, pursuant to Crystal River Land Development Code, Section 10.01.03.
- C. The Developer proposed multi-modal pathway and the internal vehicular cross-access required between adjoining developments shall be addressed at time of site plan review to achieve compliance with the Crystal River Land Development Code in effect at time of permitting.
- D. Landscaping, signage and lighting shall be addressed during site plan permit review to achieve compliance with Crystal River Land Development Code standards in effect at time of permitting. Lighting shall be located and designed to avoid glare on adjacent properties.
- E. The Project must connect to potable water and sanitary sewer as required by the City of Crystal River Code of Ordinances.
- F. The Developer is responsible for obtaining any and all permits and approvals required by the City and all other federal, state, water management district and local government permits prior to final permitting and to operate the property as provided herein.
- G. Minor modifications to this Planned Unit Development may be approved by the City Manager (or his designee) as outlined within Section 10.05.02, *Procedures for Minor Amendments*, as specified in the Crystal River Land Development Code.
- H. The expiration date of development rights for the *PUD Master Plan* shall be as provided by the DRI, as extended therein.
- I. Where development standards are not specified herein or addressed in the DRI, the Crystal River Land Development Code standards (or current code standards) will apply.
- J. All other existing conditions of approval for the Crystal River Mall DRI are affirmed and remain in effect.
- K. The failure of the Developer or its successors or assigns to materially satisfy any condition or perform or comply with any obligation set forth herein shall constitute a violation of the City Code of Ordinances that may be enforced through the City’s code enforcement, which could lead to the imposition of restrictions or limitations until compliance is achieved.

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES: Please see Staff’s PowerPoint presentation.

PLANNING COMMISSION ACTION: As conveyed in Subsection (C.) (#4) of 10.03.04. (Procedures for action by the Planning Commission), the Planning Commission shall recommend to the City Council that the application PUD23-0002 be approved, approved with conditions (changes), or denied.

ATTACHMENTS:


- 1. Staff PowerPoint Presentation
- 2. Notice/Locator Map of subject property
- 3. Applicant’s Submittal with supporting documents

Crystal River Mall DRI – Entitlements Summary

Resolution/Date	Phase I	Phase II	Phase III*	Notes
89-R-8/8-9-1989	481,000 gsf commercial	334,850 gsf Commercial	500 du MF	2 year commencement term; 5 year completion date 8-1-2005
	Required Transportation improvements; fund fire station expansion;	Required Transportation improvements. Water capacity terms; on-site access road	Required Transportation improvements; water/wastewater capacity terms; requires prop share for garbage collection	
91-R-30 NOPC/9-9-1991	-	-	-	Buildout changed: PH I – 12-15-1993; PH II – 12-15-1995; PH III – 12-15-1997
	Amends S III Cond. Subsection I Solid Waste			
92-R-38 NOPC/11-9-1992	-	-	-	Extended buildout by 2 years – PH I – 12-15-1995; PH II – 12-15-1997; PH III – 12-15-1999
	Amends S III, Cond. Sub section C Water & Drainage paragraph 4)			
93-R-04 NOPC/1-25-1993	No record available (Changed water & drainage condition no. 4 & development schedule per memo 2-19-1999, Avis M. Craig)			
93-R-22 NOPC/7-16-1993	No record available (Changed water/sewer connection agreement extending dates per memo 2-19-1999, Avis M. Craig)			
96-R-13 NOPC/7-22-1996	-	-	-	Extended buildout for each phase by 6 yrs., 11 mo. & 30 days; Revised Map H
	Converted 26,317 s.f. of retail to theatre space, with start deadline for DO.			
Restated DO 99-R-02	481,000 gsf mall & theater	334,850 gsf out-parcels	500 du MF	Consolidated phases buildout all to 12-30-2005.
	Did not increase cumulative impact.			
06-R-38 NOPC/7-24-2006	-	-	549 mf du (+49)	Section V.B. is modified to read: Crystal River Mall Development is planned to extend for a 21 year period. Section VIII.Z is modified to indicate the Crystal River Mall shall not be subject to down zoning, unit density reduction, or intensity reduction until December 31, 2025.
	Increased du by 49 units			
*07-O-10 PUD/4-23-07	-	-	549 du (mixed housing plan)	Established Master Plan of Dev on Phase III for housing layout plan
	Ph. III (Lots 7,8,9) Zoning Map Amendment III from R-2 to PUD with Master Plan			
*20-O-07 PUD/9-28-2020	-	-	652 RV/150 du apt	Amends Master Plan of Dev for 652 RV spaces/ recognizes exist 150 apt units Fountains at HL
	Ph. III Lots 7-8 Amends 07-O-10 PUD to allow max 652 max RV spaces with amenities/Lot 9 continues to recognize 150 apt units			

Resolution/Date	Phase I	Phase II	Phase III*	Notes
PROPOSED PUD23-0002 PENDING	Amends commercial component to allow maximum 40,600 gsf commercial and 12,550 gsf outparcels (and continues to recognize existing 116,348 gsf for Rural King and Office Max)		Adds maximum 360 apartment units and 80 townhomes	Establishes Master Plan (does not include area north of Turkey Oak, the Rural King parcel, and the Office Max parcel). Phasing removed.
	There is no Phasing.			
Change Totals	-646,352 gsf commercial		+440 du	
ENTITLEMENTS	169,498 gsf commercial		652 RV/150 du apt/360 apt/80 townhomes	

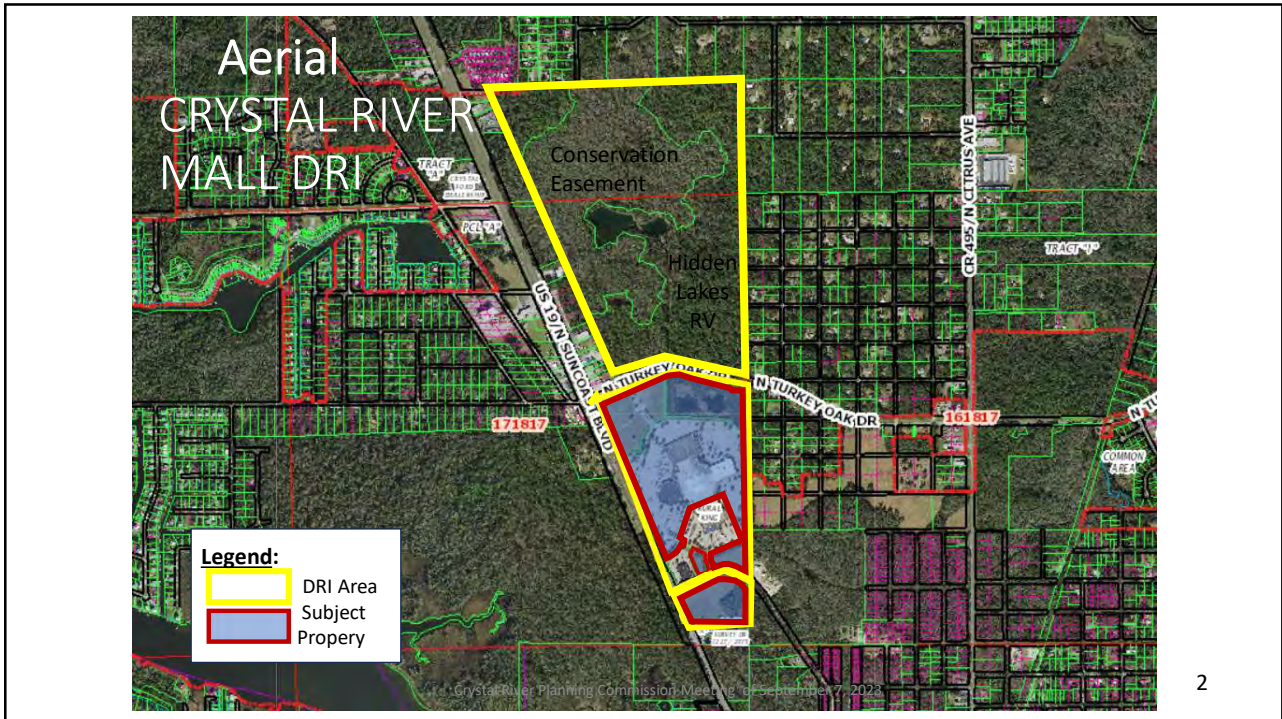
*NOTE: Phase III (MF Phase) amended by Ord. 07-O-10, and 2020-O-07; Hidden Lake Preserve RV Resort allows max 625 rv spaces and recognizes 150 apartment units. Development standards apply.



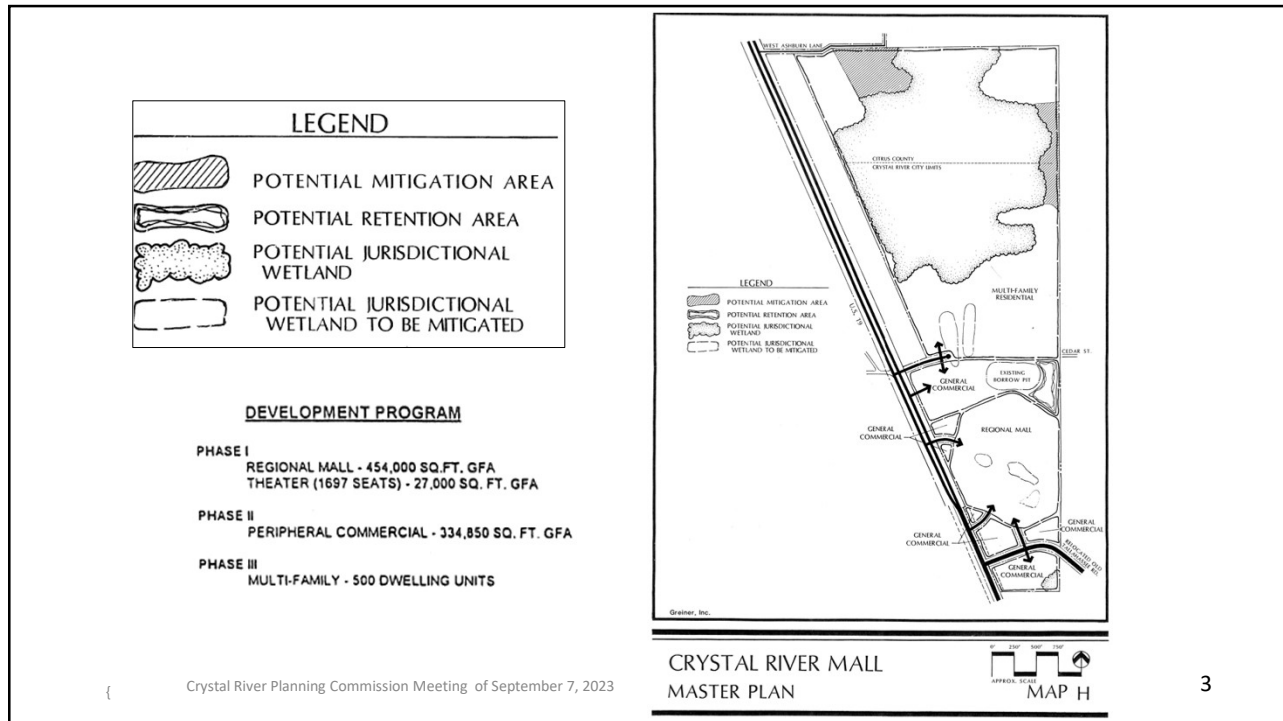
PUD23-0002
PLANNED UNIT DEVELOPMENT
Clark A Stillwell, Esquire on
behalf of CR19 Holdings, LLC

Crystal River Planning Commission Meeting of September 7, 2023

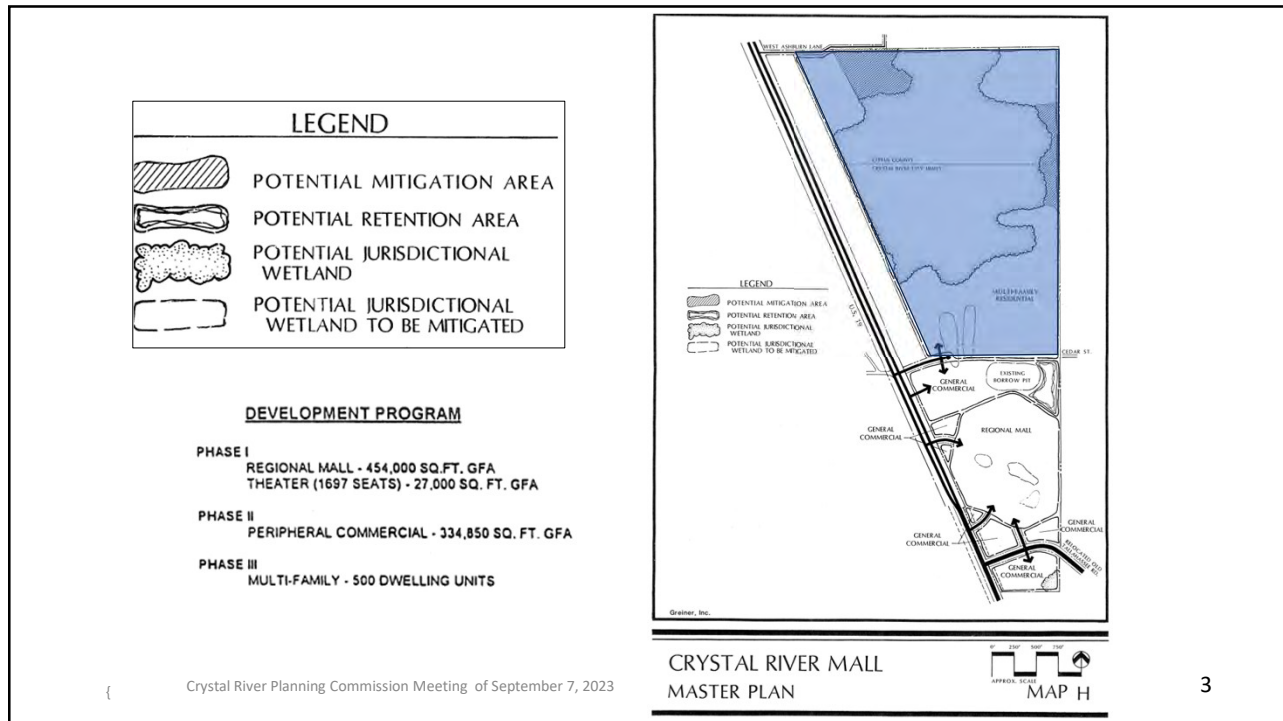
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3



4

Hidden Lake Preserve RV Resort

Preliminary Master Plan August 7, 2020

SITE DATA

Land Use: Highway Commercial Total SR Proposed: 0.25
 Zoning: Planned Unit Development Total FAR Proposed: 0.15

Total Acreage: 175.8 AC Total Parking Required: 349
 Area for Apartments: 10.7 AC Total Parking Provided: 173
 Conservation Easement: 80 AC (+ 107 Golf Cart Spaces)
 RV Resort: 85.1 AC

Total Non-residential Square Footage:
 Clubhouse - 9800 SF
 Pool - 8000 SF
 Laundry / Comfort Stations 4200 SF
 Office - 2000 SF
 Pavilion - 2400 SF
 Bocce & Pickleball Courts - 6950 SF

Trees:
 All trees in 80 AC Conservation Easement to remain.
 Remaining Parcels: 13 Trees per acre required
 (Trees in Buffer can count toward total)

Apartments: 150 Units
 Three-story flat over flat apartments over parking garage level
 Units 26' x 48' envelope with maximum height of 50'

RV Resort: 652 Units
 All lots have min 20' x 55' pad to max 20' x 80' pad
 Utilities and min 100 AMP service

Crystal River Planning Commission Meeting of September 7, 2023

5

LEGEND

POTENTIAL MITIGATION AREA

POTENTIAL RETENTION AREA

POTENTIAL JURISDICTIONAL WETLAND

POTENTIAL JURISDICTIONAL WETLAND TO BE MITIGATED

DEVELOPMENT PROGRAM

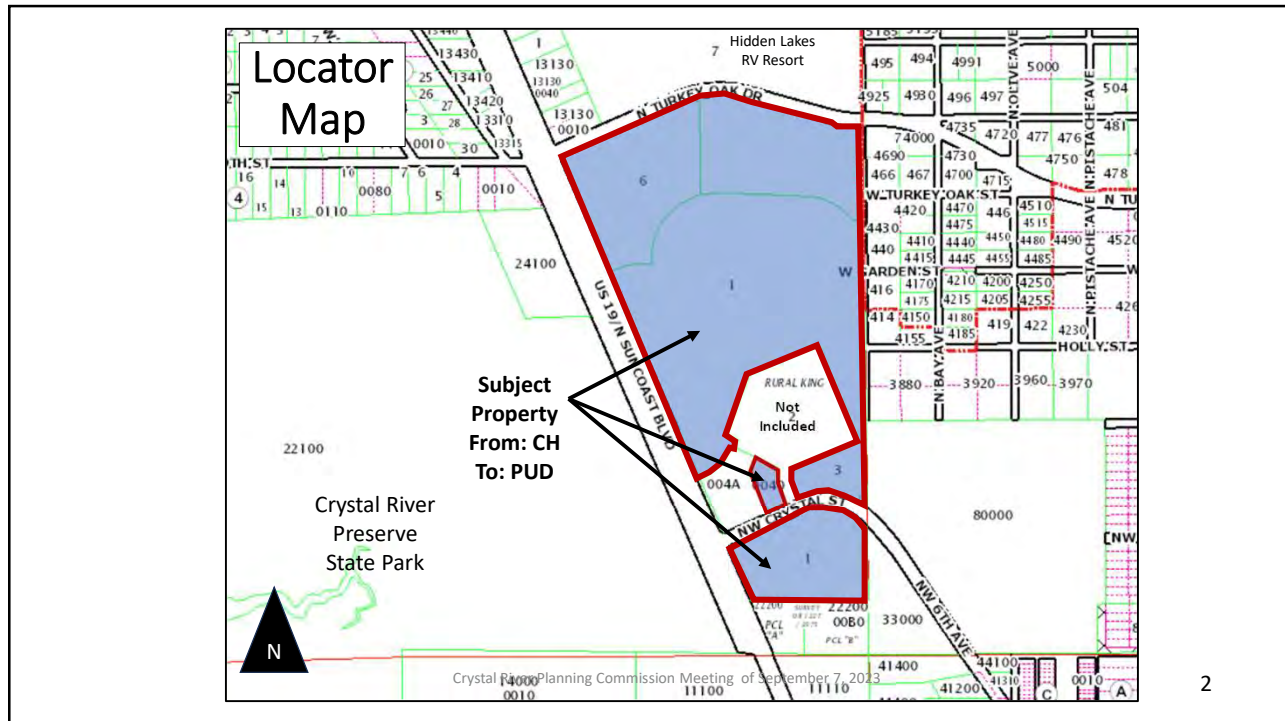
PHASE I
 REGIONAL MALL - 454,000 SQ.FT. GFA
 THEATER (1697 SEATS) - 27,000 SQ. FT. GFA

PHASE II
 PERIPHERAL COMMERCIAL - 334,850 SQ. FT. GFA

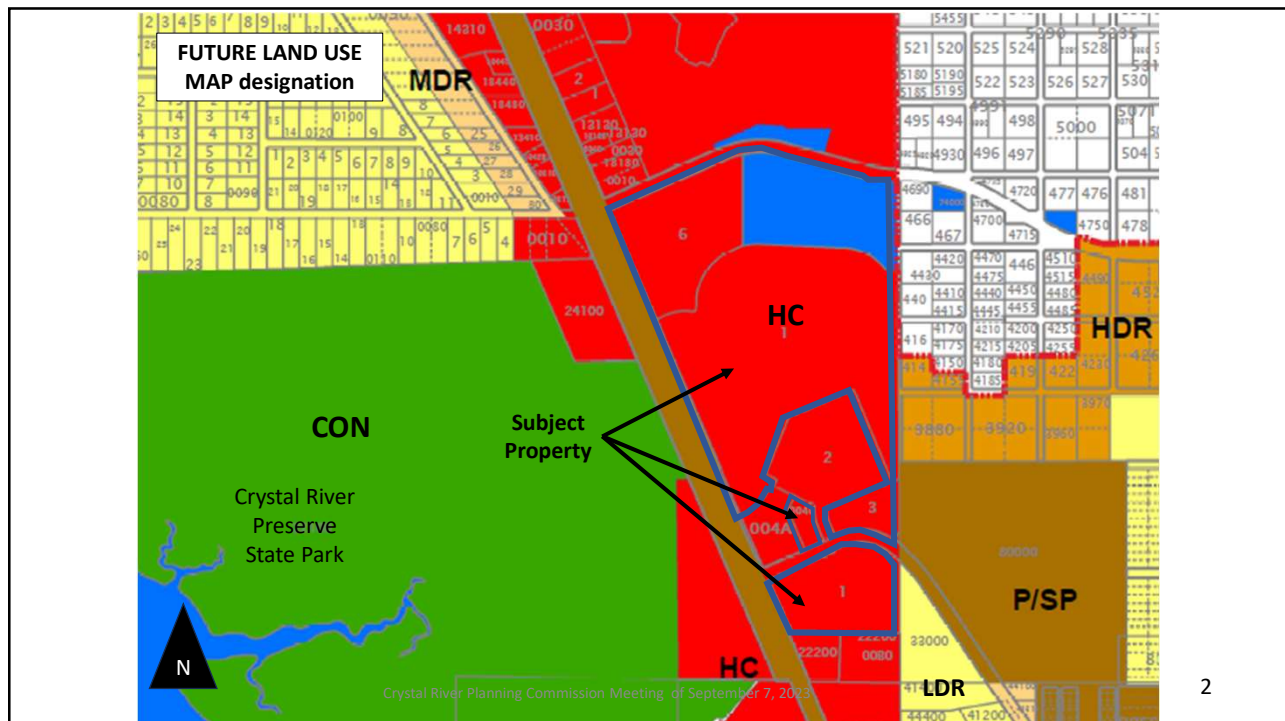
PHASE III
 MULTI-FAMILY - 500 DWELLING UNITS

Crystal River Planning Commission Meeting of September 7, 2023

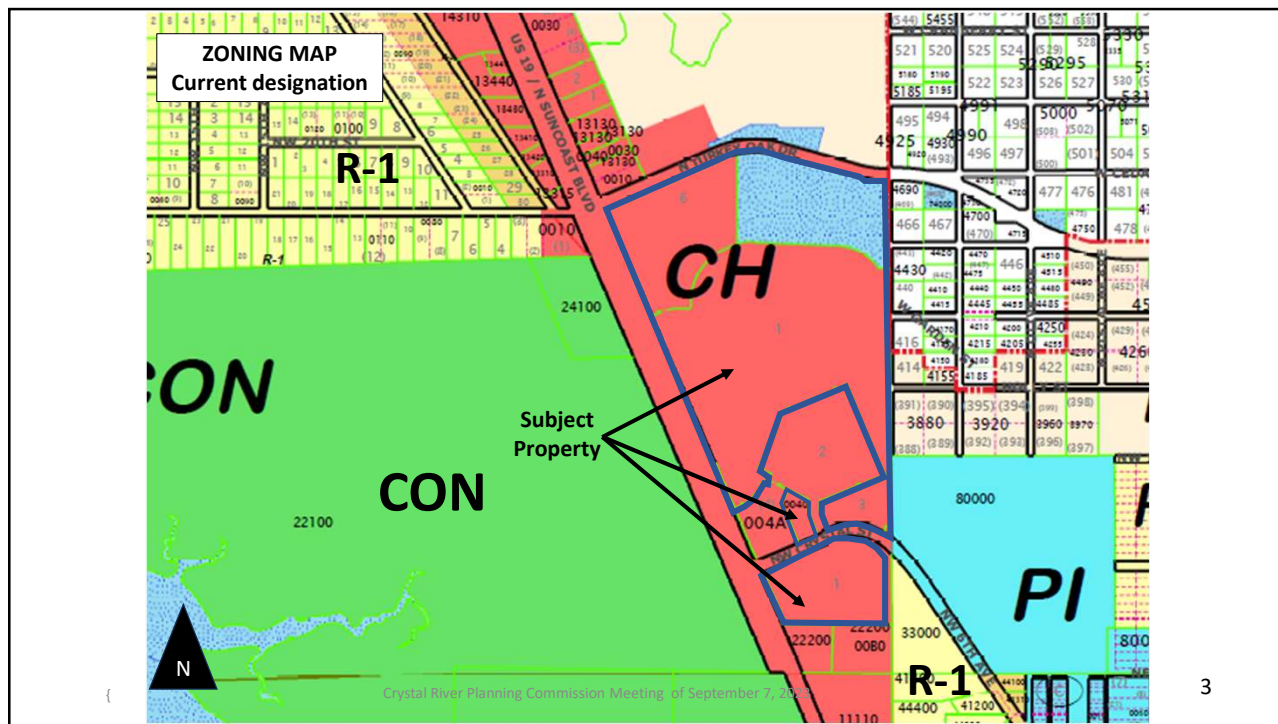
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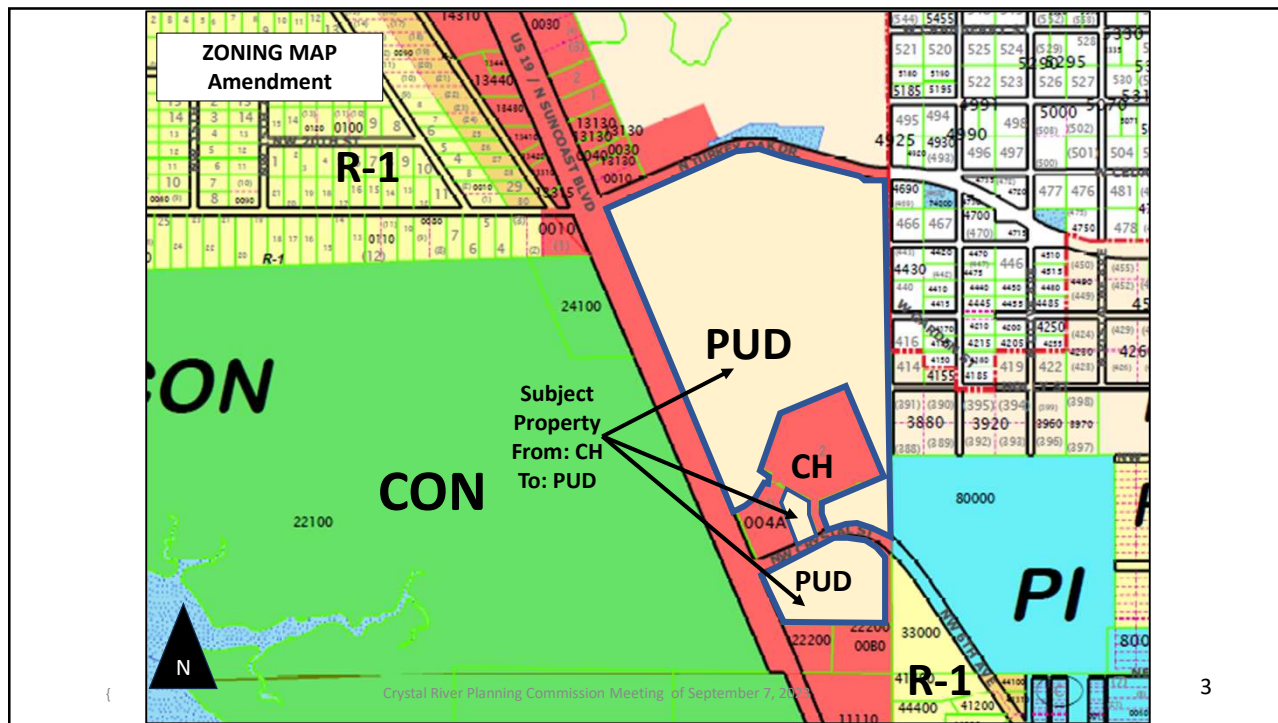
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8



9



10

Summary of DRI Cumulative Changes

	Commercial	Residential units	Other
Original 1989 DRI	815,850 gross square footage	500 d/u multi-family	-
Amended DRI (current)	815,850 gross square footage	150 apt units*	652 RV Sites**
Proposed PUD	Amends commercial component to allow maximum 40,600 gsf commercial and 12,550 gsf outparcels (and continues to recognize existing 116,348 gsf for Rural King and Office Max not a part of this amendment)	Adds maximum 360 apartment units and 80 townhomes	No Change
CHANGE	-646,352 gross square footage	+440 res. m.f. units	No Change
NEW DRI TOTALS	169,498 gsf general commercial uses	590 residential m.f. units	652 RV Sites

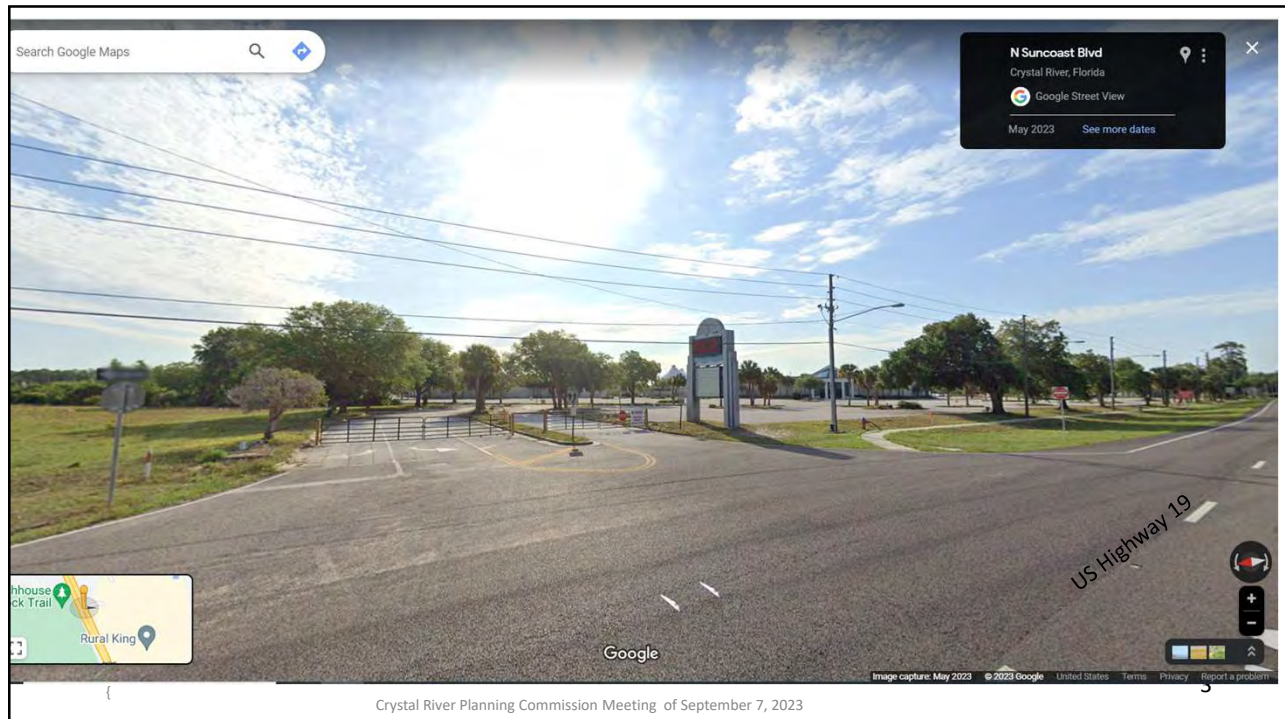
*Reserved for Fountains at Hidden Lakes – Parcel ID: 17E18S170300 0090

**Reserved for Sweet Citrus RV Resort (f/k/a – Hidden Lakes RV Resort) – Parcel ID: 17E18S170300 0070

It is also noted that the DRI contains 78.31 acres (Parcel ID: 17E18S170300 0080) that is reserved as a conservation easement (ORB 865/PG 961-964).

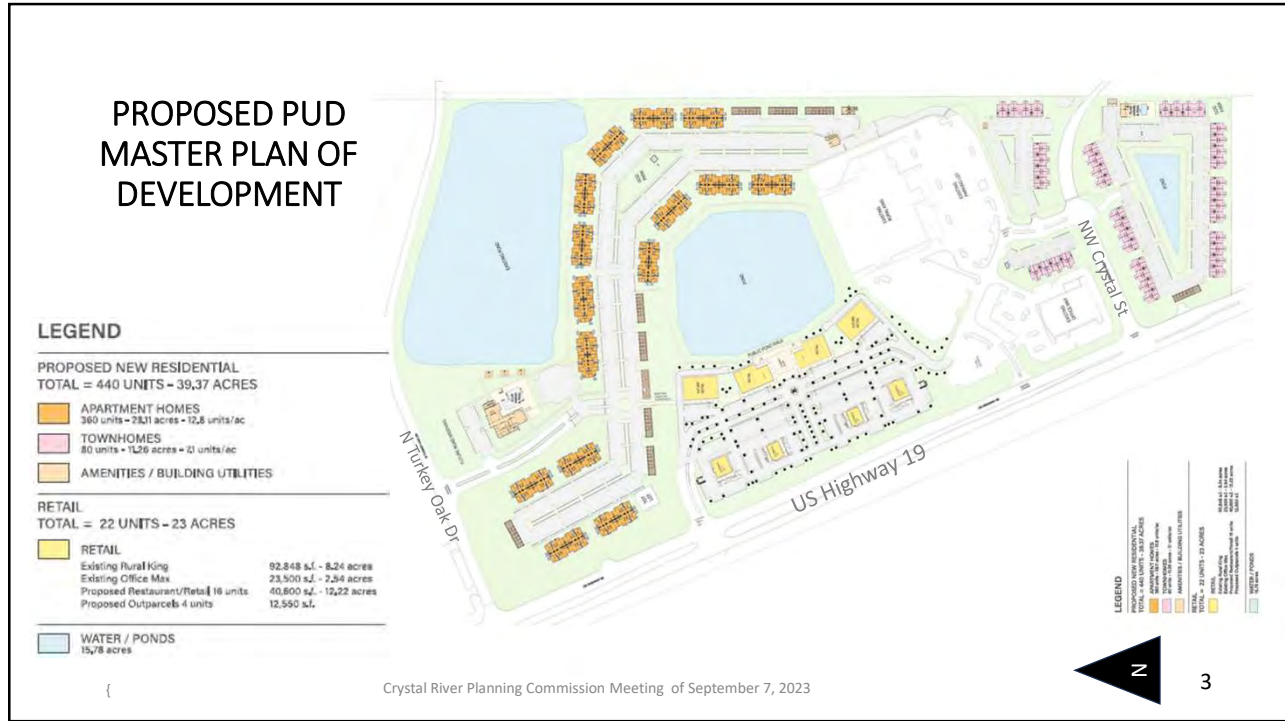
Crystal River Planning Commission Meeting of September 7, 2023

11

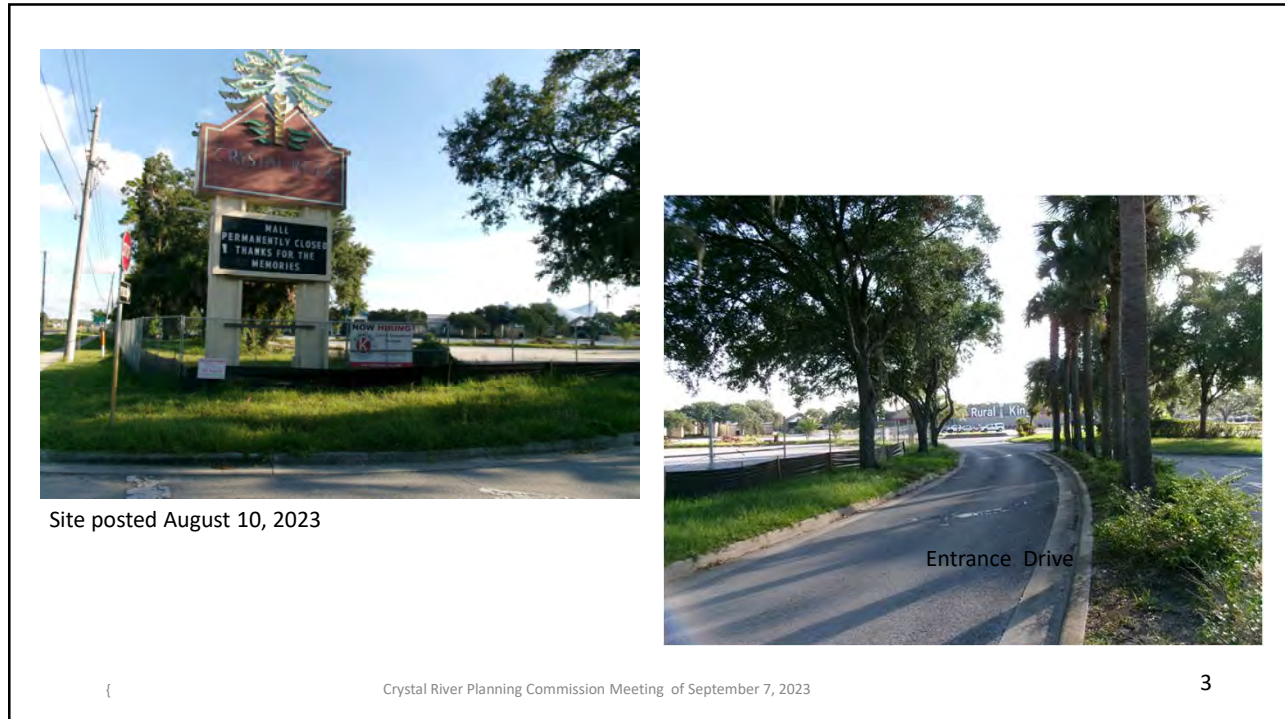


Crystal River Planning Commission Meeting of September 7, 2023

12



13



14

OFFICE MAX site to remain

Entrance from US 19

US 19

Looking north on US 19

CR Preserve State Park

US HWY 19

MALL redevelopment Site

{ Crystal River Planning Commission Meeting of September 7, 2023 3

15

Approx 7.92 Acre site

NW Crystal Street

Townhomes proposed with clubhouse and pool
80 units – approx. 11.26 acres – 7.1 units per acre

Approx 0.92 acre site


Approx 2.42 acre site

Entrance from NW Crystal Street


{ Crystal River Planning Commission Meeting of September 7, 2023 3

16

Looking east on N Turkey Oak Dr.



Apartment Site Area




Apartments proposed with clubhouse & pool
360 units – approx. 28.11 acres – 12.8 units per acre
(site facing N Turkey Oak Drive)


{ Crystal River Planning Commission Meeting of September 7, 2023 3

17

Retail Proposed
Restaurant/Retail 16 Units – 40,600 s.f. – 12.22 acres
Proposed outparcels 4 units – 12,550 s.f.




Demolition in progress (picture taken August 10, 2023)



rear service drive

{ Crystal River Planning Commission Meeting of September 7, 2023 3

18



QUESTIONS?

PUD23-0002
PLANNED UNIT DEVELOPMENT
Clark A Stillwell, Esquire on
behalf of CR19 Holdings, LLC

Crystal River Planning Commission Meeting of September 7, 2023

4

ORDINANCE 23-O-28

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF THE CITY OF CRYSTAL RIVER, FLORIDA, BY REZONING PROPERTY(67.43 ACRES MOL) LYING IN SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY PARCEL IDS: 17E18S170300 0010 (ALTKEY: 2651911), 17E18S170300 0020 (ALTKEY: 2651920), 17E18S170300 0030 (ALTKEY: 2651938), 17E18S170300 0100 (ALTKEY: 2652012), 17E18S170300 0040 (ALTKEY: 2916265), 17E18S170300 0060 (ALTKEY: 2651954), AND 17E18S170320 0010 (ALTKEY: 3516403) AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY OWNED BY CR19 HOLDINGS, LLC, FROM HIGH INTENSITY COMMERCIAL (CH) to PLANNED UNIT DEVELOPMENT (PUD) ESTABLISHING A MASTER PLAN OF DEVELOPMENT TO ALLOW FOR MULTI-FAMILY USE AND COMMERCIAL USE; BY MODIFYING THE CRYSTAL RIVER MALL DEVELOPMENT OF REGIONAL IMPACT (DRI); PROVIDING FOR CODIFICATION; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Florida Statutes (F.S.), the City of Crystal River City Council adopted the City of Crystal River Comprehensive Plan; and

WHEREAS, on May 17, 2005, the City of Crystal River City Council adopted the City of Crystal River Land Development Code (LDC) as Ordinance 05-O-08; and

WHEREAS, the Crystal River Mall Development of Regional Impact (DRI) was originally approved on by the City of Crystal River City Council on August 22, 1989, by Resolution 89-R-8, as subsequently amended; and by restated Resolution 99-R-02 as subsequently amended; and

WHEREAS, Section 380.06, Florida Statutes, provides the mechanisms for amendment of a Development of Regional Impact, and it has been determined that the proposal is regulated by F.S. 380.06 (7) providing for changes, and therefore does not require a determination of whether the amendment is a substantial deviation and does not require a Notice of Proposed Change (NOPC); and

WHEREAS, the City of Crystal River Planning Commission held a public hearing on <DATE>, and voted <0-0> to recommend to the City Council that the request to amend the official zoning map by adopting a PUD to establish a Master Plan of Development concerning that certain real property specifically described the attached Exhibit A and in Section 3, below, be <APPROVED/DENIED>; and

WHEREAS, the City Council of the City of Crystal River, Florida, after publication of a notice of its consideration of this ordinance, held a public hearing as required by law; and

WHEREAS, this Ordinance, upon adoption by the City Council of the City of Crystal River, effectively approves the PUD; and

WHEREAS, approval of this Ordinance is conditioned upon the applicant's agreement to accept the conditions and obligations set forth in the Conditions of Approval incorporated herein, failure of which will result in termination of the PUD Master Plan; and

WHEREAS, the City Council of the City of Crystal River, Florida, has determined that the requested change of zoning is consistent with the City of Crystal River Comprehensive Plan and Future Land Use Map, and

WHEREAS, the City Council of the City of Crystal River, Florida has further determined that approval of the requested PUD is in the best interests of the health, safety, and welfare of the citizens of Crystal River, Florida.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the official zoning map from CH, High Intensity Commercial to PUD, Planned Unit Development, and by adopting a Master Plan of Development for the PUD (thereby modifying the Master Plan of Development for the Crystal River Mall Development of Regional Impact) for certain real property specifically described in the attached **Exhibit A** and in Section 3, below, for the reasons set forth in the above "**WHEREAS**" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

The City of Crystal River City Council is authorized to amend the Crystal River Code of Ordinances pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Part 1, General Provisions of the Code of Ordinances of the City of Crystal River, as otherwise authorized by applicable Florida Statutes.

SECTION 3. PUD AMENDMENT TO THE ZONING MAP

PUD23-0002 CLARK A STILLWELL LLC REPRESENTING CR19 HOLDINGS LLC

An amendment to the official zoning map of the City of Crystal River by rezoning the subject property from CH, High Intensity Commercial to PUD, Planned Unit Development, and by adopting a Master Plan of Development as presented in application PUD23-0002 for the subject property as described in **Exhibit A**, subject to the Conditions of Approval specified in **Exhibit B**, and in accordance with that certain PUD Master Plan as shown in **Exhibit C**, which exhibits are attached hereto and incorporated herein by reference.

SECTION 4. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River, Florida, Official Zoning Map. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City of Crystal River, Florida, is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Official Zoning Map in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

SECTION 5. MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING

It is the intent of the City Council that the provisions of this ordinance may be modified as a result of considerations that may arise during the public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the City Council and filed by the City Clerk.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 7. SEVERABILITY

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption by the Crystal River City Council.

THIS ORDINANCE was introduced and placed on first reading on the day of , 2023.

THIS ORDINANCE was placed on a second reading and a public hearing held on the _____ day of _____, 2023, and upon motion duly made and seconded was passed on second reading.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

**APPROVED AS TO FORM
AND LEGALITY:**

VOTE OF COUNCIL:

**ROBERT W. BATSEL, JR., ESQUIRE
CITY ATTORNEY**

Joe Meek _____
Ken Brown _____
Cindi Frink _____
Robert Holmes _____
Ken Frink _____

DRAFT

EXHIBIT "A"
Property Legal Description

Property lying in Section 17, Township 18 South, Range 17 East, specifically Parcels 17E18S170300 0010 (Altkey: 2651911), 17E18S170300 0020 (Altkey: 2651920), 17E18S170300 0030 (Altkey: 2651938), 17E18S170300 0100 (Altkey: 2652012), 17E18S170300 0040 (Altkey: 2916265), 17E18S170300 0060 (Altkey: 2651954), and 17E18S170320 0010 (Altkey: 3516403) as identified in the records of the Citrus County Property Appraiser, and more specifically described as follows:

LOTS 1, 2, 3 AND 6, AND DRAINAGE RETENTION AREA, CRYSTAL RIVER MALL SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 99, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA,

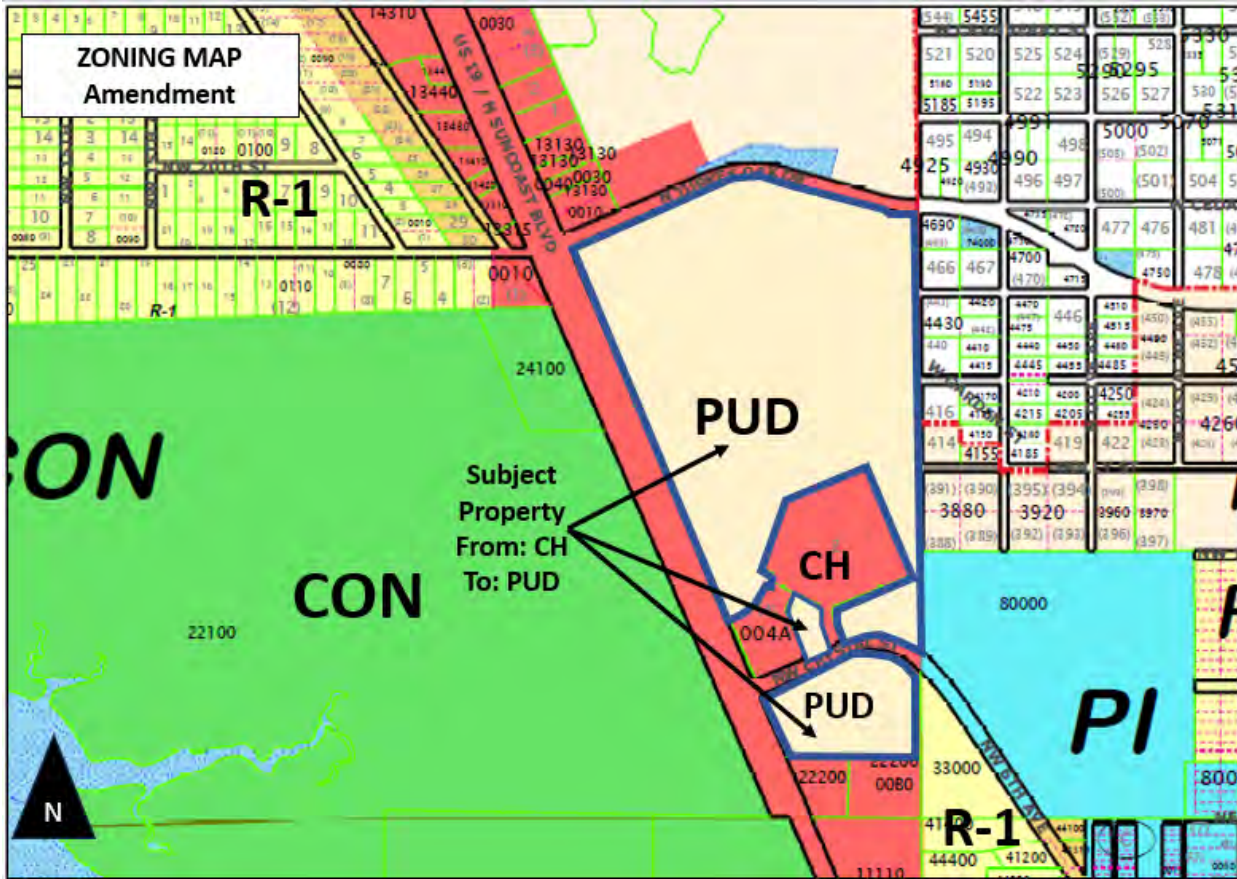
AND

LOT 4, CRYSTAL RIVER MALL SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 99, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING DESCRIBED LAND: COMMENCE AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, THENCE NORTH ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 302.75 FEET TO A POINT; THENCE NORTH 89°19'41" WEST, A DISTANCE OF 683.90 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 19; THENCE ALONG SAID EASTERLY LINE NORTH 23°04'56" WEST, A DISTANCE OF 439.00 FEET TO A POINT OF INTERSECT WITH THE NORTHERLY RIGHT-OF-WAY LINE OF RELOCATED OLD TALLAHASSEE ROAD, SAID POINT ALSO BEING THE PRINCIPAL POINT AND PLACE OF BEGINNING OF THE FOLLOWING DESCRIPTION: THENCE CONTINUING ALONG SAID EASTERLY LINE NORTH 23°04'56" WEST, A DISTANCE OF 304.48 FEET TO A POINT; DEPARTING FROM SAID EASTERLY RIGHT-OF-WAY, THENCE 39.27 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE NORTH 66°55'04" EAST, 20.00 FEET TO A POINT; THENCE 220.53 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 284.00 FEET AND A CENTRAL ANGLE OF 44°29'25"; THENCE NORTH 71°01'55" EAST A DISTANCE OF 30.25 FEET TO A POINT; THENCE SOUTH 63°58'05" EAST, A DISTANCE OF 140.47 FEET TO A POINT; THENCE SOUTH 26°01'55" WEST, A DISTANCE OF 95.42 FEET TO A POINT; THENCE SOUTH 23°04'53" EAST, A DISTANCE OF 265.06 FEET, BUT TO A POINT ON THE AFOREMENTIONED NORTHERLY RIGHT-OF-WAY LINE OF RELOCATED OLD TALLAHASSEE ROAD; THENCE ALONG SAID NORTHERLY LINE SOUTH 66°55'04" WEST, A DISTANCE OF 269.00 FEET TO A POINT; THENCE CONTINUING ALONG SAID NORTHERLY LINE 39.27 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 19, SAID POINT ALSO BEING THE POINT OF BEGINNING.

AND

ALL OF LOT 5, CRYSTAL RIVER MALL SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 14, PAGES 99 AND 100, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, A PORTION OF WHICH HAS BEEN REPLATTED IN PLAT BOOK 19, PAGES 79 AND 80, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA. LESS AND EXCEPT THAT PORTION AS CONVEYED BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2636, PAGE 1139, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.

LOCATOR MAP



END OF EXHIBIT "A"

DRY

EXHIBIT "B"

PUD23-0002 CR19 Holdings LLC
Conditions of Approval

The PUD Master Plan approval shall be conditioned upon the Developer's performance of the following obligations and ongoing compliance with the following requirements concerning use, operation and maintenance of the subject property. Failure to abide by the following terms shall constitute a violation of the City River Code of Ordinances and may result in termination of the *PUD Master Plan* and/or code enforcement action against Developer or its successor(s) or assign(s).

1. Development Concept. The project shall be developed as a Planned Unit Development ("PUD" or "Project") substantially in accordance with this Ordinance. The Project site, being a total of 67.43 acres, will be developed as a mixed-use project having a maximum 440 multi-family dwelling units, a maximum 40,600 square feet of restaurant/retail commercial retail center, and maximum 12,550 square feet of outparcel commercial use.
1. Planned Unit Development Legal Description. The properties included in the PUD Master Plan of Development are described on Exhibit A.
2. Planned Unit Development Plan. The Project shall be developed in a manner that is consistent with the *PUD Master Plan* of Development attached hereto and incorporated as composite Exhibit C, pursuant to Crystal River Land Development Code, Section 10.01.03.
3. The Developer proposed multi-modal pathway and the internal vehicular cross-access required between adjoining developments shall be addressed at time of site plan review to achieve compliance with the Crystal River Land Development Code in effect at time of permitting.
4. Landscaping, signage and lighting shall be addressed during site plan permit review to achieve compliance with Crystal River Land Development Code standards in effect at time of permitting. Lighting shall be located and designed to avoid glare on adjacent properties.
5. The Project must connect to potable water and sanitary sewer as required by the City of Crystal River Code of Ordinances.
6. The Developer is responsible for obtaining any and all permits and approvals required by the City and all other federal, state, water management district and local government permits prior to final permitting and to operate the property as provided herein.
7. Minor modifications to this Planned Unit Development may be approved by the City Manager (or his designee) as outlined within Section 10.05.02, *Procedures for Minor Amendments*, as specified in the Crystal River Land Development Code.
8. The expiration date of development rights for the *PUD Master Plan* shall be as provided by the DRI, as extended therein.
9. Where development standards are not specified herein or addressed in the DRI, the Crystal River Land Development Code standards (or current code standards) will apply.
10. All other existing conditions of approval for the Crystal River Mall DRI are affirmed and remain in effect.
11. The failure of the Developer or its successors or assigns to materially satisfy any condition or perform or comply with any obligation set forth herein shall constitute a violation of the City Code of Ordinances that may be enforced through the City's code enforcement, which could lead to the imposition of restrictions or limitations until compliance is achieved.

End of **Exhibit B**

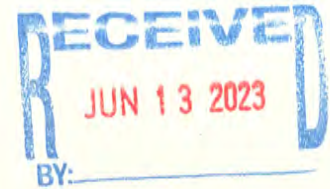
EXHIBIT "C"
CR19 Holdings LLC - PUD Master Plan of Development



LAW OFFICE OF
CLARK A. STILLWELL, LLC
ATTORNEY AT LAW

BRANNEN BANK BUILDING
320 U.S. HIGHWAY 41 SOUTH
INVERNESS, FLORIDA 34450

TELEPHONE: (352) 726-6767
FAX: (352) 726-8283
caslaw@tampabay.rr.com



MAILING ADDRESS:
POST OFFICE BOX 250
INVERNESS, FL 34451-0250

June 12, 2023

Hand-delivery

Ms. Jeanette Collins, AICP
Planner
City of Crystal River
123 Highway 19hibit
Crystal River, FL

RE: Crystal River Mall DRI-Resolution No. 89-R-8 (2/22/89), et seq; amendment to DRI
Master Plan/PUD; 45 acres (mol); alt key # 3516403/2651954

Dear Ms. Collins:

On behalf of our client 19 Holding, LLC, the owner of 45 acres (mol) of the Crystal River Mall commercial site (alt key # 3516403/2651954), we submit the client's proposed amendment to the noted DRI resolution(s).

The Proposed DRI amendment is as follows:

1. Deletion of existing DRI approved commercial sq. ft. of 648,704, with the retention of 52,000 square feet of new commercial uses plus, Rural King - 92,546 sq. ft. and Office Max - 23,500 square ft. See Site Plan – Exhibit # H
2. The addition of 376 multi family (MF) units on 38.37 acres of parcels currently designated for commercial use. These MF units breakdown as 64 townhouses and 312 apartments. These MF units are in addition to existing authorized MF units within DRI.
3. Master Site Plan amendments which depict new commercial areas and MF area. Note existing constructed commercial facilities (Rural King/Office Max) are retained and integrated into revised site plan.

As the City land use application forms do not per se fit with a DRI amendment, I have utilized the City's PUD application form. The filing fee of \$ 2,850.00 is included calculated from PUD rate schedule.

As you can see, the proposed DRI represents a major change in commercial uses – less square footage and reconfigured to meet current market conditions – a mini town center type. Further the additional MF addresses the county wide need for this type of residential units. As presented to the City Council, a large percentage of MF units are intended to meet "workforce housing" needs.

Ms. Jeanette Collins, AICP

June 12, 2023

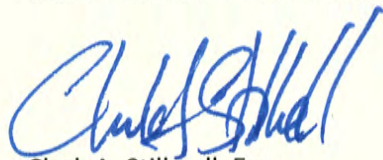
Page Two

Finally, the application proposes to keep in fact the existing GFLUM and LDC land use districts as the proposed uses are consistent with such. The PUD ordinance will overlap existing DRI development orders amending the DRI and controlling as to future development.

Please review for completeness and advise.

Thank you.

LAW OFFICE OF CLARK A. STILLWELL, LLC



Clark A. Stillwell, Esq.

CAS/tf



PLANNED UNIT DEVELOPMENT (PUD) REZONING APPLICATION

Department of Planning & Community Development
123 Northwest Highway 19
Crystal River, FL 34432
Telephone: (352) 795-4216
Facsimile: (352) 795-6351
development@crystalriverfl.org



Applicant Information:

Name: Law office of Clark A. Stillwell, LLC
Address: PO Box 250, Inverness, FL 34451
Phone #: 352-726-6767 Fax #: 352-726-8283 Cell #: _____
Email Address: caslaw@tampabay.rr.com

Property Description:

Parcel Account #: 17E18S170320 0010/0060 Alt. Key # 3516403
2651954
Street Address (or street & avenue location): 1801 NW US Highway 19, Crystal River

Legal Description: See Exhibit A
Lots 5-6, Plat Book 14, Pages 99-100

(or attachment)
Property Acreage: 45 acres (mol) Sq. ft.: N/A
Present F.L.U.M. Designation: HC
Present Zoning Designation: CH

PROPOSED NEW PUD OR PUD AMENDMENT (circle)

Reason for the Request: Amend Crystal River Mall DRI-commercial site(s)
to add multifamily use and revise commercial square footage-see Exhibit "H"

Explain Consistency with the Future Land Use Plan: _____
See Exhibit "H"

Additional Contact Information (other than Owner or Agent)

Name: _____
Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
Email Address: _____

**Fee: PUD < 20 Acres @\$1,200 plus \$5/acre or > 20 Acres @\$2,500 plus \$5/Acre;
PUD AMENDMENT \$750 - To be paid at time of application submittal**

Attachments:

- 1. Survey & Legal Description Exhibit A
- 2. Deed, or other proof of ownership Exhibit B
- 3. Map (see Checklist) Exhibit C

The City of Crystal River may, within reason, request additional information, if the information provided by the applicant is insufficient to analyze the proposed change in zoning. Information submitted by the applicant at either the Planning Commission or City Council public hearing(s), which is beyond the scope of that submitted to the City in the original application, shall be grounds for a continuation of the public hearing until such time that the Planning Commission and Staff can review and analyze such information.

Check	See Requirements (Sec. 10.01.03 LDC)
	A. The application shall include a map of the area that can be found on the Citrus County Property Appraiser website (www.citruspa.org)
	1. The current zoning district designations for the subject property and all adjacent properties. The zoning map can be found at www.crystalriverfl.org
	2. The land use categories from the Future Land Use Map that can be found at www.crystalriverfl.org
	B. A statement shall be provided including the following information:
	1. A justification for the proposed zoning.
	2. Submit Master Plan of Development

- A Exhibit "C"
- A (1) Exhibit "D"
- A (2) Exhibit "D"
- B See supporting text - Exhibit _____

Rezoning Checklist

(Attach this sheet if located with the boundaries of the CRA)

Determination of Compliance

Applications for rezoning other than PUD and amendments to this LDC shall follow the process set forth below. Such applications shall be considered by the Planning Commission for recommendation to the City Council which has final authority.

	Rezoning (Sec. 10.03.02) - N/A
CRA	An application for a site plan for property within the CRA Overlay District shall be sent to the Community Redevelopment Agency for review and recommendation. The CRA shall hold a properly noticed quasi-judicial hearing as set forth in the published meeting schedule. The CRA shall make findings regarding compliance of the proposed site plan with Section 4.02.03, and shall provide a written CRA report regarding such compliance to the City for inclusion in the compliance report
Complete	Within thirty (30) days, (forty-five (45) days for projects within the CRA Overlay District) following the determination that the application is complete, the City Manager shall determine whether the application complies with the requirements, standards and criteria of the LDC, including the written report from the CRA.
Compliance Report	The compliance report, including the written report from the CRA, and the application materials shall be forwarded to the Planning Commission with a recommendation for approval, approval with conditions, or denial. Such applications shall be considered by the Planning Commission for recommendation to the City Council which has final authority.

STANDARD APPLICATION

STAFF USE ONLY

		Status	Date	Signature
Applications determined to be complete	1	Pre-application conference held		
	2	Date application received (initial submittal)		
	3	Application determined complete		
	4	Case number assigned		
	5	Notice of completeness sent to applicant		
Applications determined to be incomplete	6	Application is not complete		
	7	Notice of missing materials sent to applicant		
	8	Date of submittal of missing materials or resubmittal of entire application		
	9	Application determined complete		
	10	Case number assigned		
Withdrawn	11	Notice of completeness sent to applicant		
	12	Application withdrawn for failure to submit missing materials		
	13	Notice of withdrawal sent to applicant		

Type of Application	Check Type
Site plan for development without supplemental standards	
Minor subdivisions	
Minor development permits	
Minor amendments to development permits	
Administrative waivers	
Site plan for development subject to supplemental standards	
Variance	
Appeal of administrative decisions	
Preliminary and final subdivision plats	
PUD master plan and rezoning	X
Rezoning	
Amendment to the LDC	
Major amendments to development permit	
Other (specify): <u>DRI Resolution Amendment</u>	X

Required Attachments for All Applications (Sec. 10.01.02):

1. A property survey containing the legal description, land area, and existing improvements on the site. The survey shall be signed by a surveyor licensed in the State, and shall have been performed not more than two (2) years prior to the date of application. See Legal Exhibit "_____"
2. Proof of payment of applicable fees.
3. An application regarding development within or affecting wetlands (see Chapter 3) shall include proof of receipt of applicable permits or exemptions from regional, State, or federal agencies with permitting authority for wetlands. Attached
4. All site plans and drawings for an application shall be prepared at the same scale. The sheet size shall not be less than eleven inches by seventeen inches (11 x 17) and shall not be more than by thirty-six inches by forty-eight inches (36 x 48). Attached Exhibit "_____"
5. The number of copies of the application materials as specified by the City.
6. Any development application for development proposed within the airport height notification zone established for the Crystal River Airport shall provide notification to the FAA as required by Title 14, Code of Federal Regulations, Part 77 Subpart C. Comments by the FAA shall be included as part of the submittal. N/A

OWNERSHIP INFORMATION

Property Owner: CR 19 Holding

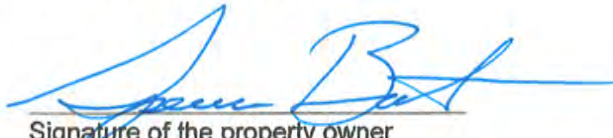
Address: 25 SE Second Ave., Suite 900, Miami, FL

Phone #: _____ Cell phone #: _____ Fax #: _____

Email address: _____

Property Address: Highway 19, Crystal River, FL

OWNER'S SIGNATURE:



Signature of the property owner

Signature of the property owner



NOTARIZATION FOR OWNER'S SIGNATURE

STATE OF Florida COUNTY OF Citrus

The foregoing instrument was acknowledged before me this 8 day of June who is personally known to me or who has produced _____ as identification and who did/did not take _____



Melinda A. Bresnahan
NOTARY PUBLIC

Commission No. HH 256453

Commission Expires: 8-22-26

City of Crystal River Development Services
123 NW Hwy 19, Crystal River, FL 34428(352-795-6511)

www.crystalriverfl.org

If the applicant or agent is a representative of the property owner, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedure, shall be completed with this application.

Agent's Name: Law office of Clark A. Stillwell

Agent's Street Address: PO Box 250

City: Inverness ST: FL Zip: 34451

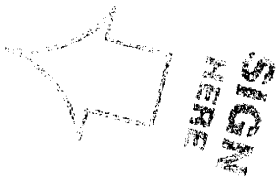
Phone #: 352-726-6767 Cell phone #: Fax #

Email address: caslaw@tam.aba.rr.com

AGENT AUTHORIZATION

Clark a. Stillwell agent, is hereby authorized as my legal representative and designated agent to speak in my behalf for the subject matter.

[Handwritten Signature]
Signature of the Property Owner
CR 19 Holding LLC



NOTARIZATION FOR OWNER'S SIGNATURE

STATE OF Florida COUNTY OF Colo

The foregoing instrument was acknowledged before me this 20 day of Feb 2027 who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

[Handwritten Signature]

NOTARY PUBLIC

Commission Expires



Exhibit List
Crystal River Mall DRI Amendment/PUD

Exhibit “A” – Deed/Property Appraiser Data Sheet

 “A-1” – Legal

 “A-1” – Legal PUD

 “A-2” -Legal MF acres

Exhibit “B” – Annual Report February, 1999 (last on file)

Exhibit “C” – Resolutions

1. Resolution 89-R-8 (8/22/89)
2. Resolution 91-R-30 (9/9/91)
3. Resolution 92-R-38 (7/9/95)
4. Resolution 93-R-04 (1/25/93) – Not Available
5. Resolution 93-R-22 (7/16/93) – Not available
6. Resolution 96-R-13 (7/22/96)
7. Resolution 99-R-02 (7/9/99)
8. Resolution 06-R-38 (6/27/06)
9. Hidden Lakes Ordinance 07-O-10 (4/23/07)
10. Hidden Lakes ordinance 20-O-07 (9/28/20)

Exhibit “D” – Crystal River Mall Plats PB 10, Pages 99-100 and PB 19, Pages 79-80

Exhibit “E” – Existing DRI Map

 (1) Total site

 (2) Commercial Site (subject parcel)

Exhibit “F” – Existing GFLUM Map

Exhibit “G” - Existing Zoning Map

Exhibit “H” – Proposed PUD Master Site Plan – Pages 1 and 2

Exhibit “I” – Application Text

Exhibit “J” – Concurrency Letters

 “J-1” – Landfill

 “J-2” – Crystal River Utilities

Exhibit “K” – Traffic Study

Exhibit “L” – FEMA Map

Exhibit “M”- Selected pages from CR Civic Master Plan, 10/11/2021

Altkey: 3516403
CR19 HOLDINGS LLC

Exhibit "A" Parcel ID: 17E18S170320 0010
1801 NW US HIGHWAY 19 , CRYSTAL RIVER

Citrus County Property Appraiser, Cregg E. Dalton

PC Code	1500 - SH CTR REGIONAL
Bldg Counts	Res 0 / MH 0 / Comm 4
Nbhd	0119 - HWY 19 CRYSTAL RIVER AREA
Tax District	000R - CITY OF CRYSTAL RIVER
Subdivision	000576 - CRYSTAL RIVER COMMERCIAL CTR
Short Legal	CRYSTAL RIVER MALL LOT 5 PB 19 PG 79& 80 LOT 1 TITLE IN ORBK 2471 PG 447-----

Est. Parcel Sqft	1,495,495
Est. Parcel Acres	34.33
Map SC-TW-RG	17-18S-17E

Mailing Address

Name	CR19 HOLDINGS LLC
Mailing Address	25 SE SECOND AVE STE 900 MIAMI FL 33131

All Owners

Name	Owner Type
CR19 HOLDINGS LLC	BU - Business

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Cap Savings	Tax Estimate	Tax Link
2022	\$1,500,000	\$300,000	\$1,800,000	\$1,800,000	\$0	\$1,800,000	\$0	\$36,787.50	Link
2021	\$1,500,000	\$300,000	\$1,800,000	\$1,800,000	\$0	\$1,800,000	\$0	\$36,477.72	Link

Buyer Beware!

Property taxes may be affected with change in ownership. When buying real estate property, you should not assume that property taxes will remain the same. Whenever there is a change in ownership, the assessed value of the property may reset to full market value, which could result in higher property taxes. Please use our tax estimator to approximate your new property taxes. Homestead exemptions and agricultural classifications are not transferable to the new owner. You must apply for your own exemptions and agricultural classifications.

Sales

Sale Date	Sale Price	Book/Page	Instr Type	V/I
08/24/2022	\$8,200,000	3314/1935	00-WARRANTY DEED	
08/19/2016	\$1,500,000	2777/1531	00-WARRANTY DEED	

DISCLAIMER

Sales do not generally appear in database until approximately 8 to 10 weeks after the recording date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Permit Summary

Permit Date	Permit Number	Description	Amount	Occupancy Date
12/14/2022	PB22-0197	INFILL OF STRUCTURAL OPENING BETWEEN RURAL KING & MALL!	\$33,560	
12/22/2021	PB21-0215	FIREWORK TENT	\$0	
09/10/2021	PB21-0166	EXPAND OCCUPANCY	\$1,600	
08/27/2020	PB20-0001	DETACH METAL ACCESSORY PARTIALLY ENCLOSED	\$9,000	
08/14/2020	PB20-0158	EXTERIOR DOOR REPLACEMENT	\$6,570	
07/31/2020	PP20-0003	INSTALL HOT WATER HEATER	\$1,000	
03/25/2020	PB20-0049	SITE BUILD FRAME & STEEL, WIRE & ETC	\$65,000	
10/08/2019	PFS19-0003	INSTALL FIRE SUPPRESSION SYSTEM	\$3,200	
10/08/2019	PFA190002	INSTALL FIRE ALARM SYSTEM	\$8,312	
09/12/2019	PB19-0169	REMODEL REST & COMBINE	\$2,450	
04/25/2019	PB19-0076	BUILD OUT VANILLA SHELL/ OLD JC PENNEY BUILDING	\$100,000	
04/25/2019	PFA190001	RENOVATE EXISTING SPRINKLER SYSTEM & REPLACE EXISTING PENDANTS	\$4,000	
03/11/2019	PFS19-0001	INSTALLATION OF REMOTE FIRE ALARM SYSTEM FOR MONITORING FIRE RISER	\$40,000	
10/25/2018	PE18-0038	ELECTRICAL	\$7,551	
08/01/2017	PM170084	COMMERCIAL HOOD	\$16,000	
08/01/2015	PB150089	RETRO-FIT TO EXISTING SUITE 471 TO ACCOMODATE FROZEN YOGURT SHOP - SELF SERVICE	\$10,000	
06/01/2015	PB150083	ACCESS CONTROL ON (2) DOORS	\$4,150	
03/01/2015	PB150005	INTERIOR RENOVATION SUITE 331	\$54,899	
05/12/2014	PM140031	INSTALL (2) 3.5 TON 5KW STRAIGHT COOL UNITS "LASER TATICS" SUITE 407(B)	\$4,200	
04/29/2014	PD140001	DEMOLITION INTERIOR	\$42,000	
03/26/2012	BP120037	UPGRADE RESTAURANT EQUIPMENT	\$24,500	
01/25/2012	PB120010	OFFICE BUILDOUT	\$0	
12/26/2007	BP200801	WALL REPAIR IN LAWN&GARDEN OF KMART	\$60,000	
05/31/2007	20070174	GABBY'S INTERIOR EXPANSION	\$26,000	
04/01/2007	BP070174	REMODEL GABBY'S RESTAURANT	\$0	07/20/2007
01/11/2007	PL200703	ADD FIRE SPRINKLER	\$800	
10/25/2006	PL200625	ADD & RELOCATE SPRINKLERS FAMOUS FOOTWARE	\$17,043	
08/31/2006	BP2006208	FAMOUS FOOTWARE	\$200,000	
07/12/2006	BP2006157	SEARS OPTICAL INTERIOR REMODEL	\$15,000	12/22/2006
04/10/2006	BP200680	MALL BUILD OUT	\$25,000	
01/01/2003	BP03-128	MALL BUILD OUT	\$100	
08/01/2001	200100308	WALL INSTALLATION	\$100	
06/01/2001	200100200	INST GAS TO REST	\$1,200	
03/01/2001	200100102	INSTALL RANGE HOOD	\$2,460	
02/01/2001	200100052	FIXTURE CHANGEOUT	\$24,000	

12/01/2000	00441	INSTALL MANATEES							\$1,000
09/01/2000	00288	SUBWAY-INT.REMODEL							\$25,000
09/01/2000	00296	ELECT.BOUTIQUE-FIRE SPRIN							\$2,600
10/01/1999	99342	FIRE SPRINKLERS							\$3,500
09/01/1999	99321	INTERIOR BUILD OUT							\$70,000
08/01/1999	99257	FIRE SPRINKLER							\$7,000
07/01/1999	99251	FIRE ALARM SYSTEM							\$11,000
07/01/1999	99233	FIRE SPRINKLER FOR ZALES							\$3,983
07/01/1999	99248	SIGN CAB & WALL LETTERING							\$2,800
06/01/1999	99183	AMERICAN PROPANE							\$100
06/01/1999	99161	REMODEL TO EX CAMELOT							\$43,800
01/01/1999	99173	RETAIL STORE-BODY SHOP						\$100	07/01/1999
01/01/1999	99172	ZALES JEWELRY #1854							\$42,000
10/26/1998	98300	SPRINKLERS LOWERED							\$1,920
10/12/1998	98293	FIRE SPRINKLER & NEW INT							\$16,000
11/01/1997	97346	REGAL CINEMA 9 PLEX							\$9,000
06/01/1997	97191	INTERIOR REMODEL							\$5,327
05/01/1997	97146	MINOR INTERIOR REMODELING							\$13,000
04/01/1997	97119	INTERIOR REMODEL							\$310,000
02/01/1997	9752	TENANT MODIFICATIONS							\$6,500
02/01/1997	9742	EXTEND RANGE HOOD							\$1,645
01/01/1997	9777	WHITE ROSE GDN SHOP TENT							\$1,500
08/01/1994	2369	TEMP MH							\$10
12/01/1992	07366	BEAUTY SALON LT 423						\$34,000	01/01/1993
06/01/1992	07189	INSTALL FIX							\$30,000
05/01/1992	07155	RETAIL STORE-WALDEN BOOK						\$50,000	06/01/1992
05/01/1992	07154	RETAIL STORE-LANE BRYANT						\$115,000	07/01/1992
08/01/1991	6874	RETAIL STORE-MADISON JEW							\$20,000
08/01/1991	06888	JC PENNEY						\$3,000,000	07/01/1992
07/01/1991	6866	RETAIL STORE-SHOE DOCTOR							\$20,000
07/01/1991	6865	RETAIL STORE-OPTICAL EXP							\$30,000

Land & Agricultural

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	1019-COMM HWY 19 A-ACREAGE		34.70		.0				CH

Miscellaneous Improvements

Building #	Line	Description	Year Built	L	W	Units	Area	Value
1	1	PAVING ASPHALT-[1-SF]	1990				1 522,000	
1	2	LOFT FAIR-[1-SF]	1990			1	5,814	
1	3	GARDEN AREA-[1-SF]	1990	170	50	1	8,500	
1	4	RETAINING WALL CONC 6'-[2-LINEAL]	1990			1	142	
1	5	RETAINING WALL CONC 6'-[2-LINEAL]	1990			1	111	
1	6	RETAINING WALL CONC 6'-[2-LINEAL]	1990			1	76	
1	7	RETAINING WALL CONC 6'-[2-LINEAL]	1990			1	143	
1	8	RETAINING WALL CONC 6'-[2-LINEAL]	1990			1	75	

1	9	RETAINING WALL CONC 6'-[2-LINEAL]	1990		1	68
1	10	RETAINING WALL CONC 6'-[2-LINEAL]	1990		1	96
1	11	RETAINING WALL CONC 6'-[2-LINEAL]	1990		1	96
1	12	RETAINING WALL CONC 6'-[2-LINEAL]	1990		1	102
1	13	RETAINING WALL CONC 6'-[2-LINEAL]	1990		1	146
1	14	OPEN ORNAMENTAL FENCE-[2-LINEAL]	1990		1	97
1	15	CHAIN LINK FENCE-[1-SF]	1990	6 100	1	600
1	16	RETAINING WALL CONC 6'-[2-LINEAL]	1990		1	210
1	17	RETAINING WALL CONC 6'-[2-LINEAL]	1990		1	50
1	18	RETAINING WALL CONC 6'-[2-LINEAL]	1990		1	33
2	1	PAVING ASPHALT-[1-SF]	1990		1	212,470
2	2	CURBING-[2-LINEAL]	1990		1	21,739
2	3	PARK LOT LIGHT INCANDESCENT-[3-UNIT]	1990		27	1
2	4	RETAINING WALL WOOD 4'-[2-LINEAL]	1990		1	210
2	5	CHAIN LINK FENCE-[1-SF]	1990	6 210	1	1,260
3	1	LOADING DOCK AVERAGE-[1-SF]	1990	46 75	1	3,450
4	1	PAVING CONCRETE-[1-SF]	1992		1	19,048
4	2	LOADING DOCK AVERAGE-[1-SF]	1990	40 60	1	2,400

Total Misc Value

When Recorded Return To:
c/o First American Title Ins. Co.
National Commercial Services
703 Waterford Way, Suite 500
Miami, FL 33126
NCS File No. 1122989

This instrument was prepared by and after recording returned to:

Meyer Njus Tanick, PA
David M. Robbins, Esq.
330 Second Avenue South, Suite 350
Minneapolis, Minnesota 55401

Consideration: _____
Documentary Stamp Tax: _____
Folio No.: 17E18S170320 0010

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made effective as of the 25 day of August, 2022, between UNITED REALTY M.T.A. LLC, an Arizona limited liability company (hereinafter referred to as the "Grantor"), whose address is 644 East Lehi Road, Mesa, Arizona 85203 and CR19 Holdings, LLC, a Florida limited liability company (hereinafter referred to as the "Grantee"), whose mailing address is 25 Southeast Second Avenue, Suite 900, Miami, Florida 33131.

WITNESSETH:

The Grantor, for and in consideration of the sum of Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, sells, conveys, remises, releases and transfers unto the Grantee, its successors and assigns, all that certain land situate in Citrus County, Florida, more particularly described in **Exhibit A** attached hereto and made a part hereof (the "**Property**").

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the same unto Grantee in fee simple forever.

SUBJECT TO, the following matters (the "**Permitted Exceptions**") but reference to the same shall not operate to reimpose the same: (i) non-delinquent real estate taxes for the current year (on a prorated basis) and subsequent years, and (ii) the conditions, restrictions, limitations, reservations, declarations, easements, dedications and agreements of record.

AND Grantor does hereby covenant with and warrant to Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; that the Property is free of all encumbrances except for the Permitted Exceptions; and that Grantor warrants the title to the Property and will defend the same, subject to the Permitted Exceptions, against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.


[SIGNATURE PAGE TO SPECIAL WARRANTY DEED]

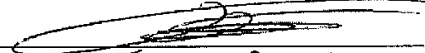
IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed the day and year first above written.

Signed, sealed and delivered
the presence of:

UNITED REALTY M.T.A. LLC,
an Arizona limited liability company


Print Name: Derek Olson

By: 
Name: Thomas Ahdoot
Title: Member

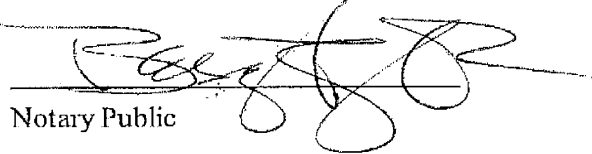

Print Name: Francis Dueltarmz

STATE OF Az
COUNTY OF Maricopa

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 24 day of Aug, 2022 by Thomas Ahdoot, as Member of UNITED REALTY M.T.A. LLC, an Arizona limited liability company, on behalf of the said company, who is personally known to me or has produced a valid ^{Arizona} driver's license as identification.

[Notary Seal]




Notary Public

My Commission Expires: 9-4-22

EXHIBIT A TO SPECIAL WARRANTY DEED

Property

ALL OF LOT 5, CRYSTAL RIVER MALL SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 14, PAGES 99 AND 100, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, A PORTION OF WHICH HAS BEEN REPLATTED IN PLAT BOOK 19, PAGES 79 AND 80, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION AS CONVEYED BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2636, PAGE 1139, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.

Altkey: 2651954
 CR19 HOLDINGS LLC

Parcel ID: 17E18S170300 0060
 1801 NW HWY 19 , CRYSTAL RIVER

Citrus County Property Appraiser, Cregg E. Dalton

PC Code 1000 - VACANT COMM
 Bldg Counts Res 0 / MH 0 / Comm 0
 Nbhd 0119 - HWY 19 CRYSTAL RIVER AREA
 Tax District 000R - CITY OF CRYSTAL RIVER
 Subdivision 000576 - CRYSTAL RIVER COMMERCIAL CTR
 Short Legal CRYSTAL RIVER MALL PB 14 PG 99 & 100, LOT 6.
 Est. Parcel Sqft 476,499
 Est. Parcel Acres 10.94
 Map SC-TW-RG 17-18S-17E

Mailing Address

Name CR19 HOLDINGS LLC
 Mailing Address 25 SE 2ND AVE STE 900
 MIAMI FL 33131

All Owners

Name	Owner Type
CR19 HOLDINGS LLC	BU - Business

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Cap Savings	Tax Estimate	Tax Link
2022	\$827,340	\$27,570	\$854,910	\$854,910	\$0	\$854,910	\$0	\$17,472.23	Link
2021	\$801,040	\$27,570	\$828,610	\$828,610	\$0	\$828,610	\$0	\$16,792.12	Link

Buyer Beware!

Property taxes may be affected with change in ownership. When buying real estate property, you should not assume that property taxes will remain the same. Whenever there is a change in ownership, the assessed value of the property may reset to full market value, which could result in higher property taxes. Please use our tax estimator to approximate your new property taxes. Homestead exemptions and agricultural classifications are not transferable to the new owner. You must apply for your own exemptions and agricultural classifications.

Sales

Sale Date	Sale Price	Book/Page	Instr Type	V/I
06/16/2022	\$1,500,000	3296/0463	14-SALE / MORE THAN 1 PARCEL	V
04/01/1994	\$26,557,000	1031/0890	03-SAME FAMILY/DEED FOL	I

DISCLAIMER

Sales do not generally appear in database until approximately 8 to 10 weeks after the recording date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Permit Summary

Permit Date	Permit Number	Description	Amount	Occupancy Date
09/17/2008	EL2008024	INSTALL POWER POLE	\$300	

Land & Agricultural

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	1019-COMM HWY 19 S-SQUARE FOOT		432,551.00	.0					CH
2	9400-RIGHT OF WAY	A-ACREAGE	1.01	.0					

Miscellaneous Improvements

Building #	Line	Description	Year Built	L	W	Units	Area	Value
1	1	CURBING-[2-LINEAL]	1995			1	2,065	
1	2	PAVING ASPHALT-[1-SF]	2018			1	25,368	

Total Misc Value

When Recorded Return To:
c/o First American Title Ins. Co.
National Commercial Services
703 Waterford Way, Suite 500
Miami, FL 33126
NCS File No. 1122989A

THIS DOCUMENT WAS PREPARED BY:

Curtis R. Coolidge, Esq.
Simon Property Group
225 W. Washington Street
Indianapolis, Indiana 46204

AFTER RECORDING RETURN TO:

CR19 HOLDINGS, LLC
25 SE 2nd Avenue, Suite 900,
Miami, Florida 33131

PARCEL IDs:

17E18S170300 0010;
17E18S170300 0040;
17E18S170300 0060;
17E18S170300 0030;
17E18S170300 0100.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made and to be effective as of the 21st day of June 2022, by **SIMON PROPERTY GROUP, L.P.**, a Delaware limited partnership, with offices at 225 West Washington Street, Indianapolis, Indiana 46204, (hereinafter referred to as the "Grantor"), to **CR19 HOLDINGS, LLC**, a Florida limited liability company, with offices at 25 SE 2nd Avenue, Suite 900, Miami, Florida 33131 (hereinafter referred to as the "Grantee"):

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee, all that certain land situate in Citrus County, Florida more particularly described as follows:

See **Exhibit "A"**, attached hereto and incorporated herein by this reference (the "Property").

TOGETHER with all of the Grantor's interest in and to all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining to the Property.

BUT SUBJECT TO: all matters of record affecting the Property.

TO HAVE AND TO HOLD, the same in fee simple forever.

THE GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that the Property is free and clear of all encumbrances except for restrictions, encumbrances, reservations, limitations, conditions, easements, agreements and/or other matters affecting the Property of public record and all real estate taxes and assessments not due and payable as of the date hereof; and that Grantor has good right and lawful authority to sell and convey the Property. Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed by its duly authorized representative on the day and year first above written.

WITNESSES: <u>Nicholaus Griesemer</u> Name: <u>Nicholaus Griesemer</u> <u>April Carrington</u> Name: <u>April Carrington</u>	GRANTOR: SIMON PROPERTY GROUP, L.P., a Delaware limited partnership By: SIMON PROPERTY GROUP, INC., its general partner By: <u>[Signature]</u> Name: <u>John Rulli</u> Title: <u>Chief Administrative Officer</u>
---	---

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, appeared John Rulli, to me personally known as the Chief Administrative Officer of SIMON PROPERTY GROUP, INC, a Delaware corporation, the general partner of SIMON PROPERTY GROUP, L.P., a Delaware limited partnership, who acknowledged his execution of the foregoing instrument.

IN WITNESS my hand and Notarial seal this 16 day of June, 2022.

[Signature]
Jan Locke, Notary Public

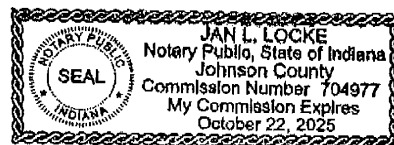


EXHIBIT "A"

Legal Description

PARCEL 1:

LOTS 1, 2, 3 AND 6, AND DRAINAGE RETENTION AREA, CRYSTAL RIVER MALL SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 99, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.

PARCEL 2:

LOT 4, CRYSTAL RIVER MALL SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 99, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING DESCRIBED LAND:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, THENCE NORTH ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 302.75 FEET TO A POINT; THENCE NORTH 89°19'41" WEST, A DISTANCE OF 683.90 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 19; THENCE ALONG SAID EASTERLY LINE NORTH 23°04'56" WEST, A DISTANCE OF 439.00 FEET TO A POINT OF INTERSECT WITH THE NORTHERLY RIGHT-OF-WAY LINE OF RELOCATED OLD TALLAHASSEE ROAD, SAID POINT ALSO BEING THE PRINCIPAL POINT AND PLACE OF BEGINNING OF THE FOLLOWING DESCRIPTION:

THENCE CONTINUING ALONG SAID EASTERLY LINE NORTH 23°04'56" WEST, A DISTANCE OF 304.48 FEET TO A POINT; DEPARTING FROM SAID EASTERLY RIGHT-OF-WAY, THENCE 39.27 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE NORTH 66°55'04" EAST, 20.00 FEET TO A POINT; THENCE 220.53 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 284.00 FEET AND A CENTRAL ANGLE OF 44°29'25"; THENCE NORTH 71°01'55" EAST A DISTANCE OF 30.25 FEET TO A POINT; THENCE SOUTH 63°58'05" EAST, A DISTANCE OF 140.47 FEET TO A POINT; THENCE SOUTH 26°01'55" WEST, A DISTANCE OF 95.42 FEET TO A POINT; THENCE SOUTH 23°04'53" EAST, A DISTANCE OF 265.06 FEET, BUT TO A POINT ON THE AFOREMENTIONED NORTHERLY RIGHT-OF-WAY LINE OF RELOCATED OLD TALLAHASSEE ROAD; THENCE ALONG SAID NORTHERLY LINE SOUTH 66°55'04" WEST, A DISTANCE OF 269.00 FEET TO A POINT; THENCE CONTINUING ALONG SAID NORTHERLY LINE 39.27 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°00'00" TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF U.S.

HIGHWAY NO. 19, SAID POINT ALSO BEING THE POINT OF
BEGINNING.

DESCRIPTION:

A parcel of land being a portion of Lot 1, CRYSTAL RIVER MALL LOT 5, Plat Book 19, Page 79 of the Public Records of Citrus County, Florida all lying in Section 17, Township 18 South, Range 17 East, Citrus County, Florida, being more particularly described as follows:

For a POINT OF BEGINNING commence at the Southwest corner of Lot 6, CRYSTAL RIVER MALL SUBDIVISION Plat Book 14, Pages 99 of the Public Records of Citrus County, Florida; thence along the Southerly boundary of said Lot 6 the following 3 courses: (1) N.66°55'50"E., a distance of 55.81 feet to a non-tangent point of curvature; (2) Easterly 170.88 feet along the arc of a curve to the right, said curve having a radius of 320.21 feet, a central angle of 30°34'32", and a chord bearing and distance of N.82°13'46"E., 168.86 feet; (3) along a line non-tangent to said curve, N.69°49'50"E., a distance of 30.56 feet; thence N.88°14'27"E., a distance of 305.21 feet to a point on the boundary of Lot 1, CRYSTAL RIVER MALL LOT 5 Plat Book 19, Page 79 of the Public Records of Citrus County, Florida; thence S.01°01'30"E., a distance of 262.81 feet; thence S.23°31'52"E., a distance of 218.89 feet; thence S.38°10'43"E., a distance of 256.69 feet to a point on the aforementioned boundary of Lot 1 of CRYSTAL RIVER MALL LOT 5; thence along said boundary the following 6 courses: (1) S.21°38'24"W., a distance of 371.23 feet; (2) S.64°20'08"E., a distance of 77.52 feet; (3) S.26°14'33"W., a distance of 44.81 feet; (4) S.70°54'29"W., a distance of 30.17 feet to a non-tangent point of curvature; (5) Southwesterly 240.80 feet along the arc of a curve to the right, said curve having a radius of 286.20 feet, a central angle of 48°12'27", and a chord bearing and distance of S.46°09'03"W., 233.76 feet; (6) along a line non-tangent to said curve, S.61°00'54"W., a distance of 5.03 feet to the East right-of-way line of U.S. Highway 19; thence along East right-of-way line the following 3 courses: (1) N.23°21'43"W., a distance of 311.03 feet; (2) N.23°19'51"W., a distance of 808.99 feet; (3) N.23°16'08"W., a distance of 179.97 feet to the POINT OF BEGINNING.

Containing 11.77 acres, more or less.

**DESCRIPTION AND SKETCH
NOT A BOUNDARY SURVEY**

Corner Monuments were not set in conjunction with the preparation of this sketch. Improvements, if any, have not been located in conjunction with the preparation of this sketch. This sketch is for graphic illustration only, and does not represent a field survey. Descriptions created per this sketch.

**Crystal River Apartment
Highway Commercial**

PREPARED FOR

Dorvidor Management Co.

JOB NO: 2022-104A01.00002 | DRAWN BY: SH

We hereby certify that the sketch and description hereon are true and correct to the best of our knowledge and belief, and were prepared in accordance with the "Standard of Practice" set forth by the Florida Board of Land Surveyors in Chapter 112-47, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Daniel Johnson
Daniel C. Johnson

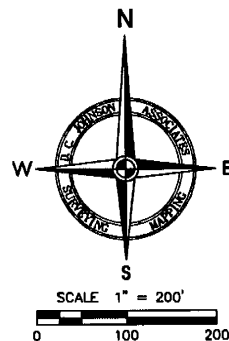
Daniel C. Johnson PLS/PSM License Number 3653
For D.C. Johnson & Associates, Inc.
Not valid without the signature and raised seal of a Florida Licensed Surveyor



JOHNSON ASSOCIATES
SURVEYING AND MAPPING
Florida Licensed Business No. LB 4514
11911 S. Curley St. San Antonio, FL 33576
(352) 588-2768 survey@dcjohnson.com
www.dcjohnson.com

LOT 6
CRYSTAL RIVER MALL
SUBDIVISION
(P.B. 14, PG. 99)

SOUTHERLY BOUNDARY
OF LOT 6



DUNSMuir
SUNSHINE
COASTAL
HIGHWAY
BOULEVARD

11.77 Acres

PORTION OF LOT 1
CRYSTAL RIVER MALL LOT 5
(P.B. 19, PG. 79)
NOT INCLUDED

LOT 2
CRYSTAL RIVER MALL LOT 5
(P.B. 19, PG. 79)
NOT INCLUDED

BOUNDARY LINE OF LOT 1
CRYSTAL RIVER MALL LOT 5

EAST R/W LINE
OF U.S. HIGHWAY 19

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 66°55'50" E	55.81'
L2	N 69°49'50" E	30.56'
L3	S 64°20'08" E	77.52'
L4	S 26°14'33" W	44.81'
L5	S 70°54'29" W	30.17'
L6	S 61°00'54" W	5.03'
L7	N 23°16'08" W	179.97'

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	CHORD BEARING	DISTANCE
C1	240.80'	286.20'	48°12'27"	S 46°09'03" W	233.76'
C2	170.88'	320.21'	30°34'32"	N 82°13'46" E	168.86'

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Crystal River Apartment
Highway Commercial

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Dorvidor Management Co.

JOB NO: 2022-104A01.00002 DRAWN BY: SH

SKETCH ONLY
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SHEET 2 OF 2
SEE SHEET 1 FOR DESCRIPTION



SURVEYING AND MAPPING

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www.djohnson.com

DESCRIPTION:

A parcel of land lying in Section 17, Township 18 South, Range 17 East, Citrus County, Florida, being more particularly described as:

For a POINT OF BEGINNING commence at the Southwest corner of Lot 6, CRYSTAL RIVER MALL SUBDIVISION, as per the map or plat thereof, Plat Book 14, Page 99, of the Public Records of Citrus County, Florida; thence along the boundary of Lot 6 the following four (4) courses: (1) N.23°19'51"W., a distance of 719.84 feet; (2) N.66°41'34"E., a distance of 761.43 feet to a non-tangent point of curvature; (3) Easterly 119.42 feet along the arc of a curve to the right, said curve having a radius of 564.00 feet, a central angle of 12°07'52", and a chord bearing and distance of N.72°48'40"E., 119.19 feet; (4) along a line non-tangent to said curve, S.00°20'22"E., a distance of 549.40 feet to a point on the North boundary of Lot 1, CRYSTAL RIVER MALL LOT 5. Plat Book 19, Page 79 of the Public Records of Citrus County, Florida, also being a non-tangent point of curvature; the following twelve (12) courses: (1) Easterly 119.04 feet along the arc of a curve to the right, said curve having a radius of 422.71 feet, a central angle of 16°08'07", and a chord bearing and distance of N.87°30'55"E., 118.65 feet; (2) along a line non-tangent to said curve, S.87°18'28"E., a distance of 505.29 feet to a non-tangent point of curvature; (3) Southeasterly 302.08 feet along the arc of a curve to the right, said curve having a radius of 335.00 feet, a central angle of 51°39'55", and a chord bearing and distance of S.61°23'58"E., 291.95 feet; (4) along a line non-tangent to said curve, N.88°30'04"E., a distance of 61.55 feet; (5) S.00°20'32"E., a distance of 1,264.19 feet; (6) S.67°55'19"W., a distance of 45.32 feet; (7) N.23°14'39"W., a distance of 608.48 feet; (8) S.66°42'53"W., a distance of 429.71 feet; (9) N.38°10'43"W., a distance of 256.69 feet; (10) N.23°31'52"W., a distance of 218.89 feet; (11) N.01°01'30"W., a distance of 262.81 feet; (12) S.88°14'27"W., a distance of 305.21 feet to the South boundary of aforementioned Lot 6, CRYSTAL MALL SUBDIVISION; thence along said South boundary following three (3) courses: (1) S.69°49'50"W., a distance of 30.56 feet to a non-tangent point of curvature; (2) Westerly 170.88 feet along the arc of a curve to the left, said curve having a radius of 320.21 feet, a central angle of 30°34'32", and a chord bearing and distance of S.82°13'46"W., 168.86 feet; (3) along a line non-tangent to said curve, S.66°55'50"W., a distance of 55.81 feet to the POINT OF BEGINNING.

Containing 33.79 acres, more or less.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 88°30'04" E	61.55'
L2	S 67°55'19" W	45.32'
L3	N 38°10'43" W	256.69'
L4	N 23°31'52" W	218.89'
L5	N 01°01'30" W	262.81'
L6	S 88°14'27" W	305.21'
L7	S 69°49'50" W	30.56'
L8	S 66°55'50" W	55.81'

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	CHORD BEARING	DISTANCE
C1	119.42'	564.00'	12°07'52"	S 72°48'40" W	119.19'
C2	119.04'	422.71'	16°08'07"	S 87°30'55" W	118.65'
C3	302.08'	335.00'	51°39'55"	S 61°23'58" E	291.95'
C4	170.88'	320.21'	30°34'32"	N 82°13'46" E	168.86'

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Crystal River Apartment

PREPARED FOR

Dorvidor Management Co.

JOB NO: 2022-104A01.00002

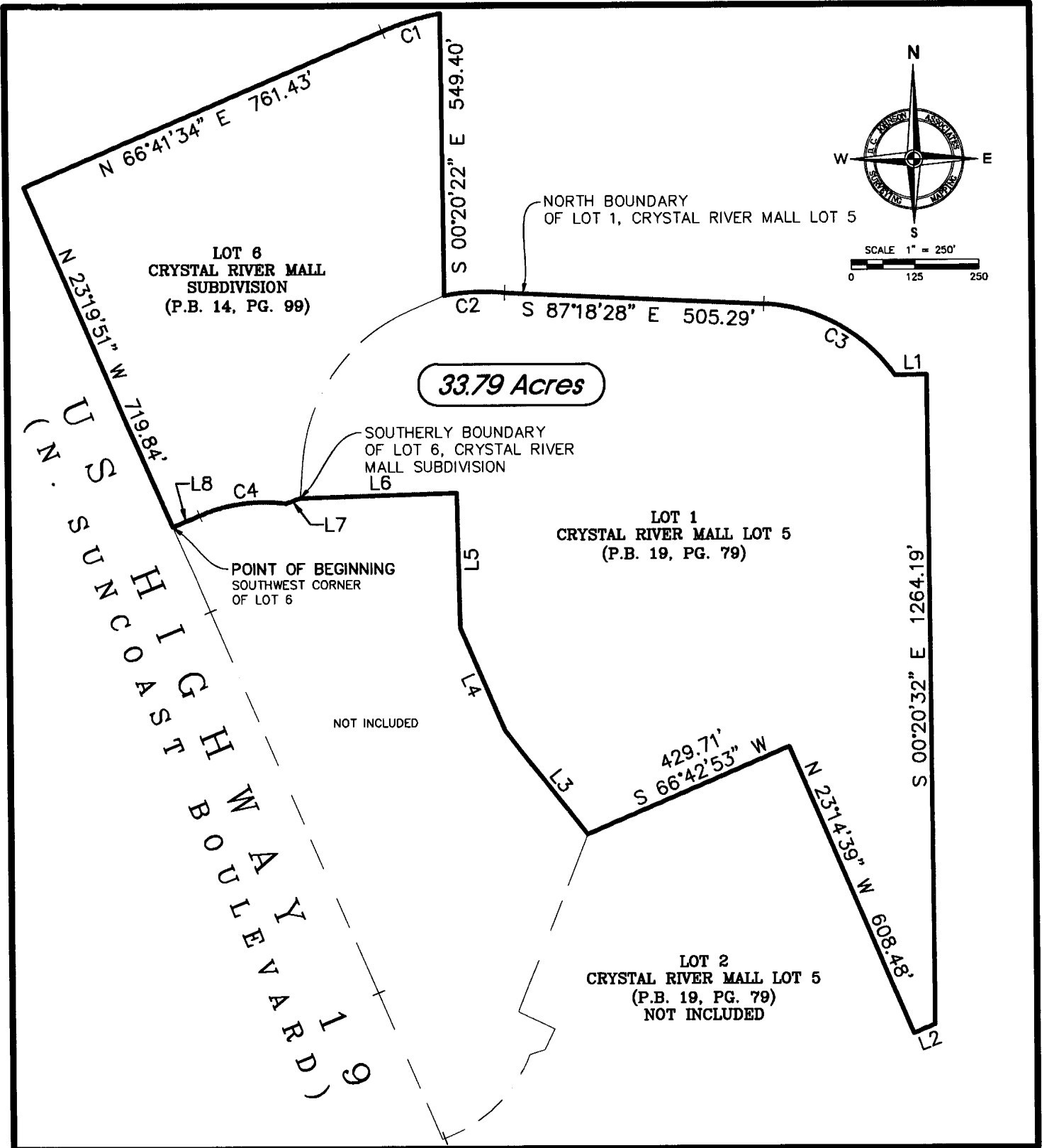
DRAWN BY: SH

We hereby certify that the sketch and description shown hereon are true and correct to the best of our knowledge and belief, and were prepared in accordance with the "Standards of Practice" set forth by the Florida Board of Land Surveyors in Chapter 172, Florida Administrative Code, pursuant to Section 172.027, Florida Statutes.

Digitally signed by Daniel Johnson
 Daniel Johnson, State of Florida
 Date: 2023.03.17 16:12:52 -0400
 Daniel C. Johnson, PLS/PSM License # 172000093
 For D.C. Johnson & Associates, Inc.
 Not valid without the signature and raised seal of a Florida Licensed Surveyor



Florida Licensed Business No. LB 4514
 11911 S. Curley St. San Antonio, FL 33576
 (352) 588-2768 survey@dcjohnson.com
 www.dccjohnson.com



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Crystal River Apartment

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Dorvidor Management Co.

JOB NO: 2022-104A01.00002 | DRAWN BY: SH

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**SHEET 2 OF 2
SEE SHEET 1 FOR DESCRIPTION**



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Crystal River Apartment

PREPARED FOR

Dorvidor Management Co.

JOB NO: 2022-104A01.00002

DRAWN BY: SH

We hereby certify that the sketch and description shown hereon are true and correct to the best of our knowledge and belief, and were prepared in accordance with the Standards of Practice set forth by the Florida Board of Land Surveyors in Chapter 122, Florida Administrative Code, pursuant to Section 472.007, Florida Statutes.

Daniel Johnson, State of Florida
Daniel C. Johnson
 Digitally signed by Daniel Johnson on 2023.03.17 16:12:52 -0500

Daniel C. Johnson, PLS/PSM License # 12019, No. 1832
 For D.C. Johnson & Associates, Inc.
 Not valid without the signature and raised seal of a Florida Licensed Surveyor



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Avis M. Craig, AICP
Planning Consultant

MEMO

TO: City of Crystal River att: Acting City Manager for City Council
FROM: Avis M. Craig *Amy*
DATE: February 19, 1999
SUBJ: **CR Mall DRI** – Summary Analysis of Development Order impacts from pending NOPC application – 12/21/98, received 1/28/99
1ST Draft of Comments

① Skut Skut

The CR Mall DRI was originally approved on August 22, 1989. As currently approved the project consists of the following land use components of development:

PHASE 1	Core Mall Building	481,000 sq.ft. (Inclusive of 27,000 sq.ft. of theater)
PHASE II	Peripheral Commercial	334,850 sq.ft. (of which Office Max is the first proposed project)
PHASE III	Multi-Family Residential	500 Dwelling Units

To date, a series of development orders have been approved and are in force governing this development and they are:

1. Res. 89-R-8 (8/22/89)	Original Development Order (most comprehensive – contains 98 conditions of approval)
-----------------------------	--

Subsequent modifications

2. Res. 91-R-30 (9/9/91)	Changed Solid Waste Condition #2 & development schedule.
-----------------------------	--

3. Res. 93-R-04 (1/25/93)	Changed Water & Drainage Condition #4 & development schedule.
------------------------------	---

4. Res. 93-R-22
(7/16/93)

Changed Water & Sewer Connection Agreements extending dates.

5. Res 96-R-13
(7/22/96)

Changed development schedule, added new Condition O.13 to address the movie theater, and changed the general condition section of development order, which provided revised expiration and downzoning dates.

stop → The sole purpose of the developer's request is to collapse the three phases into one. This may seem like a simple action, however, all standing development order resolutions and the current water and sewer connection agreements are tied to phases. Therefore, before this request is acted upon by the city, modifications to all referenced documents in effect will be required to ensure that any remaining obligations happen in a timely manner, when the impact associated with a given land use component of the development occurs.

From the initial evaluation, approximately 20% of the conditions of the development order will require adjustment (estimated 19 of 99 conditions), plus the balance of the development introductory language. Also, the current water and sewer connection agreements, of which there are three (3) will require adjustment. Furthermore in that regard since there is no agreement in effect beyond Phases I and II, the developer's intentions for Phase III should be clarified.

Since certain conditions of the current approval contemplated studies, payments and/or improvements being undertaken at the time of a specified phase which will no longer exist, if this application is approved, these conditions must therefore be changed accordingly to protect the city. A preliminary meeting between city staff/consultants with the developer's representatives to begin discussion of these needed changes, and is set during the day of February 22, ahead of the City Council meeting.

The city attorney, your staff and myself have begun researching the current status of their contributions to better understand the outstanding issues and I have been instructed to prepare a revised development order for negotiation meetings and council consideration. That effort has just begun and will be completed by March 5, 1999.

CR MALL Memo
Page Three
February 19, 1999

The applicant has requested a 30-day extension from the advertised February 22, 1999 Public Hearing. Therefore, this application will tentatively be back before City Council on March 22, 1999. The already advertised February 22nd meeting will allow City Council to workshop the request and to explore any other related issues with the developer.

Please also be aware that comments have also been received from the Regional Planning Council (WRPC) dated January 21, 1999 and from the Department of Community Affairs (DCA) dated February 4, 1999. Of those, the second is of greater concern since DCA objects to the request as proposed. This can likely be addressed as a result of the redrafting of a new development order as described above.

cc: Clark Stillwell, City Attorney

CRYSTAL RIVER MALL

DRI ANNUAL REPORT

Prepared for
SIMON PROPERTY GROUP, INC.

Prepared by
URS GREINER, INC.

FEBRUARY 1999

FORM RPM-BSP-ANNUAL REPORT-1

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 488-4925

**DEVELOPMENT OF REGIONAL IMPACT
ANNUAL REPORT
for
CRYSTAL RIVER MALL**

Subsection 380.06(16), Florida Statutes, places the responsibility on the developer of an approved development of regional impact (DRI) for submitting an annual report to the local government, the Regional Planning Council, the Department of Community Affairs, and to all affected permit agencies, on the date specified in the Development Order. The failure of a developer to submit the report on the date specified in the development order may result in the temporary suspension of the development order by the local government until the annual report is submitted to the review agencies. This requirement applies to all developments of regional impact which have been approved since August 6, 1980. If you have any questions about this required report, call the DRI Planner at (850) 488-4925.

Please send the original completed annual report to the designated local government official stated in the development order with (1) copy to each of the following:

- (a) The regional planning agency of jurisdiction;
- (b) All affected permitting agencies;
- (c) Division of Resource Planning and Management
Bureau of State Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399

ANNUAL STATUS REPORT

Reporting Period: August 1998 to February 1999
Development: Crystal River Mall
Location: Crystal River, Florida
Developer: Name: Simon Property Group, Inc.
Address: National City Center
115 W. Washington Street
Indianapolis, IN 46204

1. Describe any changes made in the proposed plan of development, phasing, or in the representations contained in the Application for Development Approval since the Development of Regional Impact received approval. Note any actions (substantial determinations) taken by local government to address these changes.

a) Describe changes in the plan of development or phasing for the reporting year and for the subsequent years;

There have been no changes in the plan of development or phasing for the reporting year.

Table 1 outlines the approved phasing as stated in the Development Order (DO) adopted August 1989 and subsequent amendment to the DO adopted September 9, 1991, appended to this report. A copy of the Development Order has been previously submitted. The regional mall was opened in October 1990.

A Land Use Plan Amendment was submitted in October 1990, and was reviewed by the State of Florida Department of Community Affairs (DCA). The LUPA/Rezoning request entailed changing the existing land use from high density residential to large scale commercial and rezoning the property from R2, Multiple Family District, to C1, Commercial District (Retail). The purpose of this request was to allow an increase in allowable acreage (not allowable square feet) resulting in a reduction in commercial density. The Department of Community Affairs did not object to the proposed amendment, and the amendment (CRP #90-4) was approved by the Crystal River City Council on May 13, 1991. A copy of this resolution was previously submitted.

A Notice of Proposed Change (NOPC) was submitted in May 1991. The first request involved a change consisting of the redesignation of a 2.75-acre parcel from the approved multi-family residential to general commercial. The land use transfer resulted in a reduction of commercial intensity and a slight increase in residential density. The total commercial square footage and the number of residential units did not increase under the proposed change. A second change regarding the provision of solid waste service as specified in Condition I2 of the approved Development Order was also requested. The third change requested an extension of the remaining phases by a period of two (2) years, eleven (11) months and fifteen (15) days.

On September 9, 1991, the City Council of Crystal River determined that the proposed changes to the DO did not constitute a substantial deviation and approved the above referenced changes to the Development Order as Resolution 91-R-30. A copy of this Resolution was previously submitted.

A Notice of Proposed Change Application was submitted on July 9, 1992, to request changing the water quality monitoring frequency and to request an extension of the buildout dates for all three phases to 1995, 1997, and 1999. On November 9, 1992, the City Council approved this change as Resolution 92-R-38.

A Notice of Proposed Change was submitted on April 1, 1996, to extend the buildout dates for all phases and to incorporate a multi-screen theater.

On July 22, 1996, The City of Crystal River Council approved Resolution 96-R-13 establishing December 30, 1996, December 30, 1998, and December 30, 2000, as buildout dates for Phases I, II, and III, respectively.

On December 16, 1998, a Notice of Proposed Change Application was submitted to request consolidation of the three phases of Crystal River Mall into a single phase project with a buildout date of December 30, 2000. The application was pending as of the date of this Annual Report.

- (b) State any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year.**

As indicated in the response to 1.a), above, an NOPC was filed in April, 1996, and approved in July, 1996. The approved changes were determined not to be a Substantial Deviation.

- (c) Attach a copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Subsection 380.06(15)(f), F.S.**

A copy of Resolution 96-R-13, and the Notice of Adoption were previously submitted.

A copy of the approved Development Order and the first amendment to the DO (Resolution 91-R-30) was previously submitted.

- 2. Has there been a change in local government jurisdiction for any portion of the development since the development order was issued? If so, has the annexing local government adopted a new Development of Regional Impact development order for the project? Please provide a copy of the order adopted by the annexing local government.**

The site was annexed into the City of Crystal River on April 10, 1989. The Development Order was issued by the City of Crystal River August 9, 1989. There has been no change in local government jurisdiction for any portion of the development since the Development Order was issued.

- 3. Provide copies of any revised master plans, incremental site plans, etc., not previously submitted.**

A revised Master Plan, Map H, was approved as part of the Development Order Amendment, Resolution 96-R-13. A copy is included in Appendix A.

- 4. Provide a summary comparison of development activity proposed and actually conducted for the reporting year, as well as a cumulative total of development proposed and actually conducted to date.**

There has been no development activity proposed or conducted during the reporting year.

As of August, 1998, approximately 496,072 square feet gross floor area (GFA) and 434,023 square feet gross leasable area (GLA) has been completed. These totals include a 26,317 square foot theater within the mall building.

5. **Have any undeveloped tracts of land in the development (other than individual single-family lots) been sold to a separate entity or developer? If so, identify tract, its size, and the buyer. Please provide maps which show the tracts involved.**

No peripheral tracts have been sold to a separate entity or developer in the reporting period

6. **Describe any land purchased or optioned adjacent to the original Development of Regional Impact site subsequent to issuance of the development order. Identify such land, its size, and intended use on a site plan and map.**

No adjacent lands have been purchased or optioned subsequent to the issuance of the Development Order.

7. **List any substantial local, state, and federal permits which have been obtained, applied for, or denied, during this reporting period. Specify the agency, type of permit, and duty for each.**

No local, state, or federal permits have been obtained, applied for, or denied during the reporting period.

8. **Assess the development's and local government's continuing compliance with any conditions of approval contained in the DRI development order.**

The development of Crystal River Mall is proceeding in accordance with the terms and conditions of the project's Development Order.

The following is a summary of the specific conditions of approval contained in the Development Order which require specific compliance action by the Developer or local government. These specific comments are numbered in accordance with the conditions of approval beginning on Page 5 of the Development Order:

1. Condition A.1., page 5: As stated. The parking lot traffic flow study was reviewed and approved by the Florida Department of Environmental Protection (FDEP).
2. Condition B.7., page 7: As stated. A General Management of Surface Water Permit Number 405750.0 for Phase I was issued by the Southwest Florida Water Management District on October 6, 1989. Gopher tortoise relocation was permitted under the Florida Game and Fresh Water Fish Commission Permit WR 89180. A U.S. Army Corps of Engineers' Nationwide Permit, Number 89NWQ-20126, for filling activities was issued in June 1989.

3. Condition C.3., page 7: As stated. The Southwest Florida Water Management District SWFWMD Permit 405750 satisfies this condition.
4. condition C.4., page 8: As stated. The Water Quality Monitoring Program was submitted to both the City of Crystal River and Florida Department of Environmental Regulation in August 1989.
5. Condition D.1., page 9: as stated. The multi-agency wetland mitigation plans were completed and provided to appropriate agencies. The Corps of Engineers' nationwide permit dated June 15, 1989 for filling 1.9 acres of isolated wetlands has been secured.
6. Condition D.2., page 9: As stated. The wetland mitigation plans were provided to the City of Crystal River in October 1989.
7. Condition D.3., page 9: as stated. The Master Development Plan, submitted in February 1990, delineates the approved wetland conservation and mitigation areas previously discussed.
8. Condition F.1., page 10: As stated. The Sherman's Fox Squirrel and Gopher Tortoise studies were conducted in accordance with January 1988 FGFWFC Guidelines. Eight (8) gopher tortoises and their associated commensals were relocated from the Crystal River Mall site to a 300-acre Hillsborough County Public School Board operated site, under Florida Game and Fresh Water Fish Commission Permit WR 89180.
9. Condition F.2., page 11: As stated. See response to F.1 above.
10. Condition G.2., page 12: As stated. A Wastewater Connection Agreement with the City was entered into in August 1989.
11. Condition H.1., page 13: As stated. A Water Connection Agreement with the City was entered into in August 1989.
12. Condition M.15., page 21: As stated. The developer paid to the City of Crystal River a total of \$1,305,000 into an Interest Bearing Account to complete the City Project as described on page 18 of the Development Order.
13. Condition M.19., page 21: As stated. The permits have been secured for the U.S. 19/Old Tallahassee Road improvements and the turn lanes and deceleration lanes have been completed.
14. Condition M.20., page 21: As stated. The proportionate share payment of \$22,000 was paid to the City of Crystal River in January 1990.
15. Condition M.26., page 23: As stated. A 3.1 percent shift from the peripheral development to the mall has been employed to accommodate an increase in proposed mall development.
16. Condition N.1., page 23: Required submittal of an affordable housing study, this condition was satisfied in July, 1990, through submission of the required study to all interested agencies.

17. Condition 0.2., page 25: As stated. A 3.1 percent shift from the peripheral development to the mall has been employed to accommodate an increase in proposed mall development.

9. **Provide any information that is specifically required by the Development Order to be included in the annual report.**

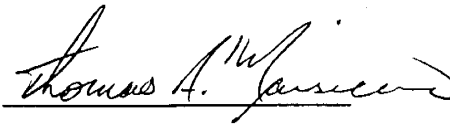
The information provided in the responses to Questions 1 through 8 above meet the specific requirements for the Annual Report as outlined in the Development Order for this project.

10. **Provide a statement certifying that all persons have been sent copies of the annual report in conformance with Subsections 380.06(14) and (16), F.S.**

This is to certify that copies of this Annual Report have been forwarded to the following agencies or individuals:

- Citrus County Planning Department
- Southwest Florida Water Management District
- City of Crystal River Planning Department
- Florida Department of Community Affairs
- Florida Department of Environmental Protection
- Florida Department of Transportation
- Withlacoochee Regional Planning Council
- Simon Property Group, Inc.

Person completing the questionnaire:



Thomas A. Marsicano, A.I.C.P.
Vice President

Representing: URS GREINER, INC.

APPENDIX A

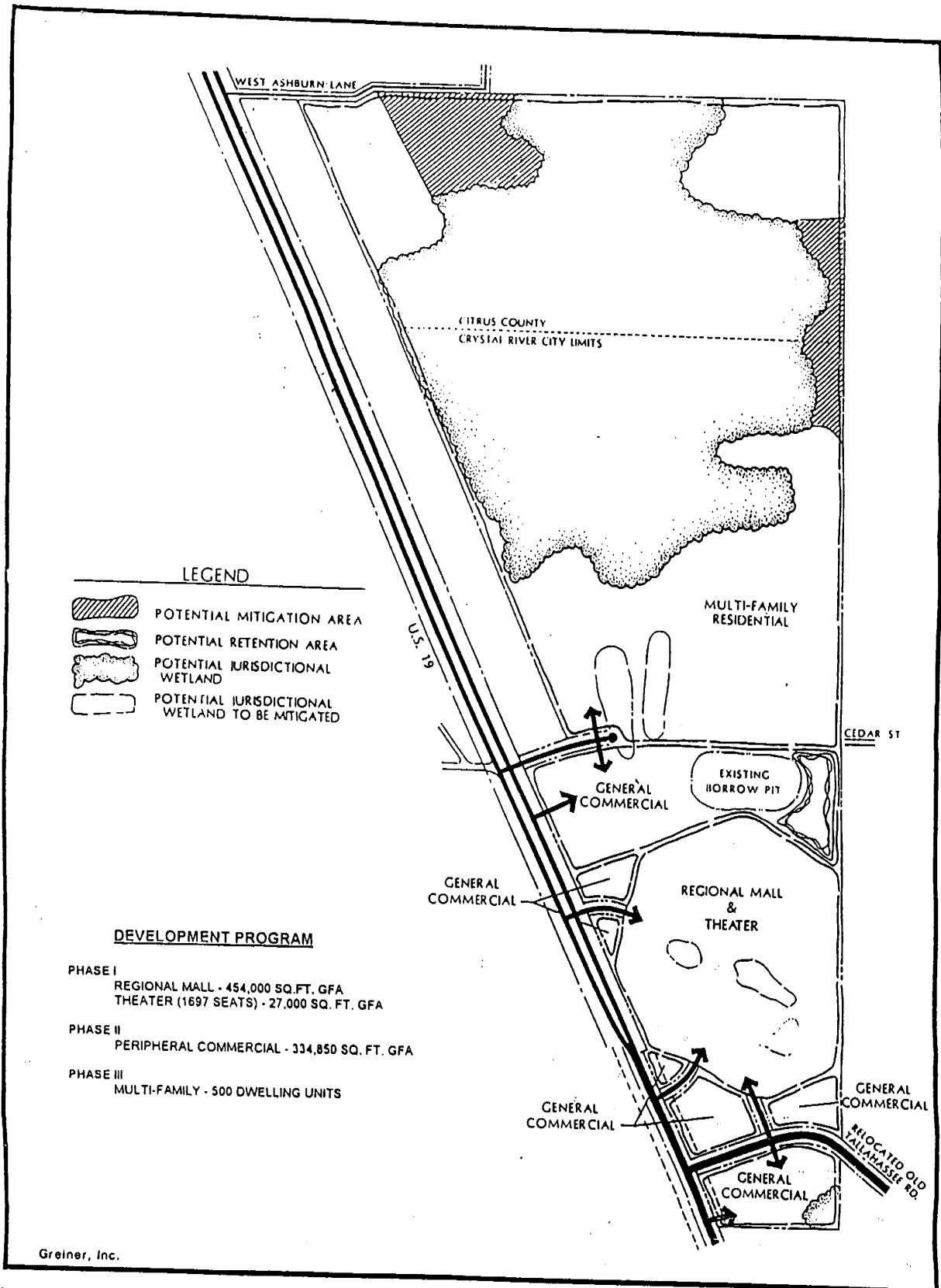
TABLE 1

**APPROVED DEVELOPMENT PROGRAM
Crystal River Mall**

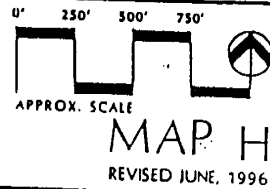
Land Use	Phase I	Phase II	Phase III	Buildout
	1996 Sq. Ft.	1998 Sq. Ft.	2000	Sq. Ft./Units
Regional Mall GSF	481,000*			481,000
Peripheral Commercial GSF		334,850		334,850
Multi-Family - Units			500	500
TOTALS				GSF 815,850 Sq. Ft. 500 Units

GSF = Gross Square Footage.

* Includes approved 26,317 square foot Theater.



CRYSTAL RIVER MALL MASTER PLAN



134.50 P.F.C.
35.02 C.C.

BK 0826 PG 0534

RESOLUTION 89 - R - 8

A RESOLUTION OF THE CITY COUNCIL OF CRYSTAL RIVER, FLORIDA APPROVING AN APPLICATION FOR DEVELOPMENT APPROVAL FOR A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS CRYSTAL RIVER MALL AND FILED BY THE EDWARD J. DEBARTOLO CORPORATION.

N. Bannen - Box

WHEREAS, on May 21, 1987, The Edward J. DeBartolo Corporation hereinafter referred to as the Developer, and Greiner, Inc., hereinafter referred to as the Authorized Agent, filed a Development of Regional Impact Application for Development Approval with the City of Crystal River City Council, hereinafter sometimes referred to as the City of Crystal River, in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the Developer proposes to develop 815,850 gross square feet (GSF) of commercial space, (481,000 sq. ft. mall Phase 1, and 334,850 sq. ft. of peripheral commercial uses Phase 2), and 500 dwelling units (Phase 3) on a 260 acre site hereinafter referred to as Crystal River Mall, or a development constituting a Multi-Use (Shopping Center, Commercial and Residential) Development of Regional Impact under Chapter 380.0651, F.S. and Chapter 28-24, formerly 27F-2.028, Florida Administrative Code, on real property located in the City of Crystal River and described in the attached "Exhibit A"; and

WHEREAS, the City of Crystal River, as governing body of the local government having jurisdiction, is authorized and empowered to consider Applications for Development Approval for Developments of Regional Impact in accordance with Chapter 380.06, F.S.; and

WHEREAS, in accordance with Section 380.06 (16) (a), Florida Statutes, the Developer shall receive credit for exactions as part of this Development Order which contribute land or a public facility or construct, expand, or pay for land acquisition or construction or expansion of a public facility, or portion thereof, against existing impact fees and/or any future ordinances adopted by the local government, if such fees meet the same needs and the local government has established and implemented a procedure for credits; however, if the Florida Land and Water Adjudicatory Commission imposes any additional requirement, the local government shall not be required to grant a credit toward the local exaction

BK 0826 PG 0535

or impact fee, unless the local government determines that such requirement, contribution, payment, or construction meets the same needs that the local exaction or impact fee would address; and

WHEREAS, in accordance with Section 380.06 (16)(d), Florida Statutes, the Developer shall not receive credit for internal on-site facilities required by local regulation, or for any off-site public facilities, to the extent that they are necessary to provide safe and adequate services to the development; and

WHEREAS, the public notice requirements of the City of Crystal River and Section 380.06(10), Florida Statutes, have been satisfied and notice has been given to the State Land Planning Agency, hereinafter referred to as "SLPA," and the Withlacoochee Regional Planning Council, hereinafter referred to as "WRPC," initially on May 26, 1987.

WHEREAS, the City of Crystal River, on July 25, 1989 and August 9, 1989, held a duly noticed public hearing on the Development of Regional Impact Application for Development Approval, and has heard and considered the testimony and documents received thereon; and

WHEREAS, the City of Crystal River received and considered the report and recommendations of the WRPC which held a public hearing on the Development of Regional Impact Application for Development Approval on June 29, 1989; and

WHEREAS, the City of Crystal River received and considered public comments and the public were afforded the opportunity to participate in the application hearing on the subject DRI before the City of Crystal River; and

WHEREAS, the City of Crystal River has reviewed the above referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public;

BK082600536

NOW, THEREFORE, BE IT RESOLVED BY THE CRYSTAL RIVER CITY COUNCIL, CITRUS COUNTY, FLORIDA, IN PUBLIC MEETING DULY CONSTITUTED AND ASSEMBLED THIS _____ DAY OF _____, 1989, THAT THE DEVELOPMENT OF REGIONAL IMPACT APPLICATION FOR DEVELOPMENT APPROVAL SUBMITTED BY EDWARD J. DEBARTOLO CORPORATION IS HEREBY ORDERED APPROVED, EFFECTIVE UPON THE _____ DAY OF _____, _____, SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS:

I. FINDINGS OR FACT

- A. That the real property which is the subject of the Crystal River Mall Application for Development Approval is legally described as set forth in Exhibit A, attached hereto and by reference made a part hereof.
- B. That the Developer submitted to the City of Crystal River an Application for Development Approval, Sufficiency Response, and W.R.P.C. Assessment Report, which are incorporated herein by reference, and made a part hereof. For purposes of interpretation, the provisions of this Development Order shall govern where conflicts exist between the Development Order and the ADA and where the Development Order is silent, the ADA shall govern.
- C. That the proposed development is not located in an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.
- D. That a comprehensive review of the impact generated by the development has been conducted by the City's departments and the WRPC.
- E. The Developer proposes to develop 815,850 gross square feet (GSF) of commercial space, (481,000 square feet of mall Phase 1, and 334,850 square feet of peripheral commercial Phase 2), and 500 dwelling units (Phase 3) on a 260 acre site hereinafter referred to as Crystal River Mall or a development constituting a Multi-Use (Shopping Center and Residential) Development of Regional Impact under Chapter 28-24, formerly Chapter 27F-2.028, Florida Administrative Code, on real property located in the City of Crystal River and described in the attached "Exhibit A".

BK 0826 PG 0537

II. CONCLUSIONS OF LAW

- A. That the project is consistent with all local land development regulations and the adopted Local Comprehensive Plan.
- B. That this Development Order is consistent with the report and recommendations of the WRPC.
- C. That the development will not unreasonably interfere with the achievement or objectives of the adopted State Land Development Plan applicable to the area.
- D. That the provisions of this Development Order shall not be construed as a waiver or exception of any rule, regulation or ordinance of the City of Crystal River or its departments, agencies commissions.
- E. That this Development Order constitutes final DRI approval of 815,850 gross square feet (GSF) of commercial space, (481,000 square feet of mall Phase 1, and 334,850 square feet of peripheral commercial Phase 2), and 500 dwelling units (Phase 3) on a 260 acre site hereinafter referred to as Crystal River Mall or a development constituting a Multi-Use Development of Regional Impact under Chapter 28-24, formerly Chapter 27F-2.028, Florida Administrative Code, on real property located in the City of Crystal River and described in the attached "Exhibit A".
- F. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the Developer and the various departments of the City are authorized to conduct development as described herein, subject to the conditions and restrictions set forth herein.
- G. That the review by the City, the WRPC, and other participating agencies and interested citizens reveals that impacts are adequately addressed pursuant to the requirements of Section 380.06 Florida Statutes, within the terms and conditions of this Order and the ADA.
- H. That the development shall be developed in accordance with all applicable City Ordinances, rules, and regulations, pertaining to land development within the City of Crystal River, specifically including, but without limitation, subdivision

BK 0826 PG 0538

regulations, land use regulations, utility ordinances, and any other ordinance regulating developments within the City of Crystal River; provided, however, that the development shall be developed to be consistent with and in accordance with this Development Order; and further provided any rights vested prior to or by this Development Order shall not be affected.

- I. That the development is consistent with the State Comprehensive Plan, Chapter 187, F.S.

III. CONDITIONS

A. AIR

1. Prior to the issuance of development permits, the Developer shall analyze the impacts of parking lot traffic flow on air quality pursuant to the Florida Department of Environmental Regulation's Interim Guidelines for Evaluating the Air Quality Impacts of Indirect Sources of Carbon Monoxide Emissions. If this analysis indicates that standards are exceeded, the Developer shall undertake measures, acceptable to the Florida Department of Environmental Regulations, to mitigate any adverse impacts on air quality.
2. Fugitive particulate emissions, which potentially can result during construction and subsequent development activity, shall be mitigated in compliance with the F.A.C. of the FDER, Chapter 17-2, "Air Pollution", fugative particulate subsection.
3. The Developer shall at all times comply with the F.A.C. of the FDER, Chapter 17-5, "open burning" regulations and the applicable city code and/or County regulation pertaining to open burning.

B. LAND

1. The Developer shall mulch, sod or seed all disturbed soils as soon as possible during or after construction to help stabilize soil from impacts of rainfall and wind transport.
2. In order to reduce the potential for on-site sinkhole development, foundation soil conditions shall be investigated and evaluated for sinkhole potential where vertical construction is proposed. Site specific geotechnical recommendations shall be developed for foundation construction and soil support conditions in areas indicating anomalous

BK0826PG0539

conditions or characteristics consistent with sinkhole formation.

3. Where areas exhibit the potential for sinkhole development, the following criteria shall apply:
 - a) Run-off from building roofs or impervious surfaces shall be dispersed as far as possible away from the building foundation or edge of the slab(s). Such run-off shall not be allowed to collect adjacent to support structures.
 - b) The use of shallow wells for irrigation shall be discouraged. Should wells be installed, they shall be located no closer than 50 feet from building areas or other structures sensitive to settlement. The wells must be cased and sealed a minimum of 20 feet into the limestone.
 - c) Water impoundment areas or areas that may collect surface run-off shall be located no less than 25 feet from the edge of buildings or structures sensitive to settlement.
 - d) Should sinkholes develop, regardless of their location, they shall be immediately filled with clayey sands and sand clays. Such locations should be identified, explored, evaluated, and mitigated as may be dictated by pertinent conditions.

4. To mitigate the potential for direct connections from on-site surface and stormwater basins to the Floridan Aquifer, the following criteria shall apply:
 - a) Stormwater retention basins shall be monitored by visual observations following significant storm events. If open solutions or pipes and/or sinkhole-like depressions are noted, this information shall be related to the on-site maintenance coordinator.
 - b) Where small, shallow depressions are noted, these may be filled to pre-existing grade with clayey sand materials and graded. This material is generally available within the Crystal River area if not on the project site itself.
 - c) When, and if, chimney-type solution pipes are exposed within the retention basins, these may be plugged in accordance with acceptable water well plugging and

BK 0826 PG 0540

abandonment procedures. Where these features are small in diameter and of a limited vertical depth, bridging of the pipe with indigenous limestone boulders is acceptable. Once the bridge is in place, the pipe may be filled with clay and/or clayey sand back to the land surface. These materials are generally available in the area if not on the Crystal River Mall project site.

- d) Remedial plugging activities shall employ methodologies acceptable to the applicable regulatory agency.
5. The Developer shall have the option to employ additional and/or different criteria from that stated in Conditions B.3 and B.4 above, if the City Manager, upon recommendation from the City Engineer and the Southwest Florida Water Management District (SWFWMD), to the extent their review would otherwise be required, is satisfied with those criteria and so notifies the Developer in writing, of the acceptability of those criteria.
 6. Any new sinkholes which develop on-site shall be reported to the Florida Sinkhole Institute of the University of Central Florida.
 7. No site preparation or land clearing activities shall commence until all applicable permits have been obtained for this development from DER, SWFWMD, Florida Game & Fresh Water Fish Commission, and City of Crystal River.

C. WATER AND DRAINAGE

1. The development's site design and regulatory permitting shall be consistent with the rules, regulations, and standards of the F.A.C. of the FDER Chapters 17-3, 17-4, and 17-25 as same pertains to stormwater management facilities.
2. The development's site design and regulatory permitting shall be consistent with the F.A.C. of the Southwest Florida Water Management District (SWFWMD) Chapter 40-D.
3. Prior to the issuance of development permits, the Developer shall coordinate with the Florida Department of Environmental Regulation and the Southwest Florida Water Management District regarding alternative stormwater treatment options. Additional stormwater treatment techniques, acceptable to both regulatory agencies, may be implemented.

BK 0826 PG 0541

4. Prior to the issuance of development permits, ground and surface water quality monitoring plans shall be submitted to and approved by FDER and the City of Crystal River. At a minimum, background water quality data shall be provided prior to construction; programmed water quality sampling shall begin upon commencement of construction. The surface water quality parameters to be monitored shall include those listed under F.A.C. of FDER, Chapter 17-3.061. The Developer shall also install two groundwater quality monitoring wells; one upgradient and one downgradient of the mall site detention/retention basin. The parameters to be monitored shall, at a minimum, include primary and secondary drinking water standards found under F.A.C. of FDER, Chapter 17-550. Groundwater quality parameters shall be monitored on an annual basis and reported in the Annual Report until three (3) years after buildout of Phase II.

Surface water quality parameters shall be monitored and reported to the City of Crystal River and FDER on a quarterly basis until three (3) years after buildout of the development area contributing to the stormwater management facility.

If the monitoring indicates any violations of water quality criteria attributed to the development, the Developer shall employ additional water quality management measures acceptable to the FDER. If necessary, the Developer shall incorporate additional water quality treatment methods into the project's surface drainage system to correct water quality violations beyond the project's zone of influence defined by FDER Chapter 17-28.

5. Except as described in D.5 below, the conservation area described in D.3 shall not be disturbed.
6. Stormwater discharges leaving the development site after development shall not exceed actual pre-development rates in terms of peak flow rates and velocity.
7. Grassed/vegetated swales, other at-source stormwater treatment practices and other suitable mechanisms shall be employed to the greatest practicable extent in order to provide pre-treatment of stormwater run-off prior to its discharge into the stormwater retention/detention ponds and/or wetlands.

BK 0826 PG 0542

D. WETLANDS

1. Prior to any site preparation and the issuance of development permits, a multi-agency wetland jurisdictional survey of the property will be completed and approved in accordance with the rules of the Florida Department of Environmental Regulation, ACOE, and SWFWMD. Said survey shall be signed and sealed and be of minimum scale of 1"=100'.
2. In accordance with the City's Comprehensive Plan (Ord. 89-0-5), Conservation Element, development in wetlands permits mitigation as a last resort on the basis of comparable quality and on a minimum 2:1 basis. (For purposes of this condition, this may include wetlands, quality uplands, or a combination thereof, acceptable to the applicable permitting agencies). Before development permit issuance, a final mitigation plan shall be submitted and approved by the City prepared at a 1"=100' scale. This plan shall depict the jurisdictional survey required by D.1 above clearly identifying all individual isolated wetlands areas and their respective acreage slated for elimination as well as the new proposed individual mitigation areas and their acreages to assure compliance with the City Comprehensive Plan and the City Code.
3. The final approved wetland conservation and mitigation area as per D.2. above, shall be identified on the Master Development Plan, called for in the General Conditions Section. This conservation area shall be preserved in perpetuity by a conservation easement granted to the City of Crystal River by an instrument recorded in the public records of Citrus County, Florida and delineated on the final subdivision record plat. Said conservation easement area shall not encompass less than the acreage of the main northernmost jurisdictional area, plus those created wetlands/uplands required for mitigation, and not a part of those stormwater management areas lying south of N.W. 19th Street.
4. Buffers not less than 15' shall be provided around all proposed wetland conservation easement areas. These areas shall remain undisturbed with no permanent intrusion or structure in accordance with SWFWMD rules.
5. The Developer shall have the right to construct a conveyance into and to utilize the conservation area described in

BK 0826 PG 0543

Condition 3. above for stormwater management purposes for Phase III provided that no direct discharge of stormwater without pre-treatment shall be permitted into any wetland conservation or mitigation area. Any such wetland area intended to be integrally made a part of the stormwater management system for Phases I and II shall be clearly disclosed separately from the conservation area.

E. FLOODPLAINS

1. The development's site design shall be based on the official FEMA Flood Insurance Rate Maps (FIRM) for Crystal River.
2. The Developer shall perform construction activities in compliance with the City of Crystal River Code, applicable to fill, excavation, and alteration of land.
3. The Developer shall secure a development permit issued in accordance with the provisions of Ordinance No. 87-0-4, known as "Flood Protection Ordinance".
4. Development within the 100-year flood plain shall not be conducted to materially adversely impede the directional movement and capacity of the historical floodway nor increase the flood hazards to other lands by the construction of flood barriers which will unnaturally divert flood waters to adjacent lands, in accordance with Policy E, under Objective 1.3. of the Conservation Element of the City of Crystal River Comprehensive Plan.
5. The Developer shall create compensatory storage volume commensurate with any flood storage volume lost as a result of development activities (including roadways) in the 100-Year Rainfall Event Flood Plain per SWFWMD criteria.

F. VEGETATION AND WILDLIFE

1. Prior to site preparation or the issuance of development permits, the Developer shall submit additional information necessary to complete the impact analysis on vegetation and wildlife resources consisting of gopher tortoise and commensal species and Sherman fox squirrel studies prepared in accordance with the Florida Game and Fresh Water Fish Commission, "Wildlife Methodology Guidelines", June 1988.

BK 0826 PG 0544

2. The Developer will enter into a binding agreement with or obtain applicable permits from the Florida Game and Fresh Water Fish Commission prior to any on-site construction to mitigate adverse impacts on regionally significant vegetation and wildlife resources, if any, resulting from this additional study review. Such mitigation may involve habitat set asides, contribution to established Regional or County wildlife mitigation funds, and/or relocation as applicable.
3. For Phase I, specimen live oak, magnolia, and hickory trees greater than 12" dbh will be preserved on-site to the maximum extent practical. In particular, such trees shall be maintained around perimeters of the development site and in landscaping areas throughout the parking lots. During construction, protective fencing maintaining a clear zone will be installed around those trees.

Sites for Phase II may be clear-cut, however, landscaping plans must be submitted for each building permit for the peripheral development which, at a minimum, includes tree planting along the perimeters of each parcel at intervals of 40 feet. Planting areas must be at least 250 square feet per tree with a minimum dimension of five feet in width. Among others, the Developer shall use live oak, magnolia, and hickory trees in these perimeter planting areas.

For Phase III, specimen live oak, magnolia, and hickory trees greater than 12" dbh will be preserved on-site to the maximum extent practical. In particular, such trees shall be maintained throughout the multiple family site as a design locational criteria for roads and buildings. During construction phases, protective fencing maintaining a clear zone will be installed around those trees. In cases where specimen live oaks, magnolia, and hickory trees must be removed, two (2) trees will be planted for each one (1) removed. The replacement trees need not be the same species as removed.

4. In lieu of Condition 3, the Developer may submit an alternate tree preservation plan by phase for consideration by the City. Any alternate plan approval will be at the sole discretion of the City.
5. To reduce glare and heat and provide shade, the Developer shall include a minimum of 2.5 percent of the total parking lot areas as open space and landscaping. This may be

BK 0826 PG 0545

accomplished through the establishment of landscape islands and strips throughout the parking lot. These landscaping planting islands (minimum 250 sq. ft.) shall be installed at the end of selected parking rows, with a minimum of 1 shade tree per island. Planting strips shall be planted with low shrubs, maximum height 3', and shade trees planted 40' on center. No more than 25 percent of all tree planting may be met through the use of palm species, and where used, must be planted in clusters of three. The Developer further agrees to utilize native or other drought resistant plants, trees and other vegetation and landscape features that reduce the requirement for water, fertilizer, maintenance and other needs. As called for elsewhere, existing trees will be incorporated into the landscape plan to the greatest extent practical. A landscape plan incorporating these requirements including existing trees, where practical, shall be submitted, reviewed and approved at the time of building permit application subject to review and recommendation by a licensed landscape architect. The cost of this review shall be borne by the Developer. This condition shall apply to Phases I and II only.

G. WASTEWATER MANAGEMENT

1. The Crystal River Mall Development shall be served in its entirety, by a governmental central sewer system.
2. The Developer shall enter into an Agreement with the City of Crystal River to provide wastewater service to the development. Any provision hereof shall be interpreted so as to not be in conflict with said Agreement.
3. No development permits shall be issued for Phase III unless adequate, permitted, available and committed wastewater treatment capacity is available to meet the development demand for wastewater treatment capacity of the development. It is acknowledged that the City's present wastewater treatment facility may not have capacity available for Phase III without expansion. Nothing herein commits or obligates the City to provide wastewater treatment for Phase III unless by separate, subsequent written undertaking by the City upon mutual agreeable terms.
4. In anticipation of area-wide needs, the City of Crystal River reserves the authority to approve the sizing of any on-site and off-site wastewater facility infrastructure. The cost of

BK 0826 PG 0546

any oversizing of the facilities required by the City will be borne by the City unless the Developer agrees to pay said cost in return for connection fee credits.

5. The Developer agrees to provide to the City of Crystal River, all necessary easements for the operation and maintenance of the wastewater system.
6. The development, contemplated as a direct and indirect contributor into the wastewater collection and treatment system of the City of Crystal River, shall comply with all requirements of the City of Crystal River Code, Chapter 16, "Water and Sewer Services", Article II, Division 2, "Wastes Discharged into Sewers".
7. The Developer shall require any and all tenants with operations in the development which use, generate, or store hazardous materials or waste, to submit prior to receiving a certificate of occupancy, a plan for the proper disposal and handling of such materials. The plan shall be submitted to the City of Crystal River and the Citrus County Public Health Unit of the Florida Department of Health and Rehabilitative Services.

H. WATER SUPPLY

1. The Crystal River Mall Development shall be served in its entirety by a governmental central water system.
2. Developer shall enter into an Agreement with the City of Crystal River to provide water service to the development. Any provision hereof shall be interpreted so as to not be in conflict with said Agreement.
3. No development permits shall be issued for Phase II and III unless adequate, permitted, available and committed water capacity is available to meet the development demand for water capacity of the development. It is acknowledged that the City's present water facility may not have capacity available for Phase II and III. Nothing herein commits or obligates the City to provide water treatment for Phase II and III unless by separate, subsequent written undertaking by the City upon mutual agreeable terms.

BK 0826 PG 0547

4. All water service to the development shall comply with the City of Crystal River Code, Chapter 16, "Water and Sewer Services", Article III, "Water".
5. No certificates of occupancy shall be issued until the contamination assessment report for the Metal Industries contamination site has been reviewed by the Florida Department of Environmental Regulation in terms of the demands and drawdown resultant of this project and protection of the City of Crystal River's water supply.
6. The Developer shall comply with the requirements of the City of Crystal River Code, Chapter 6, "Buildings", Article III, "Fire Prevention and Protection". The Developer shall demonstrate, by acceptable engineering design and methodology and submit documentation by phase to the City Manager subject to review and approval by the City Engineer identifying that adequate water supply and pressure can be maintained for each phase or sub-phase of development. Should the Developer determine that existing city facilities are inadequate to meet the requirements of the development, the Developer shall have the option of constructing on-site fire prevention facilities or upgrading the existing systems. All costs associated with providing water supply for fire flows and pressure to the development beyond that of the existing city system shall be borne by the Developer.

I. SOLID WASTE

1. There shall be no on-site disposal of solid waste or construction debris.
2. Solid waste generation, containment, collection, transportation and disposal shall be conducted in accordance with the City of Crystal River Code, Chapter 9, "Garbage and Trash". The City of Crystal River shall provide for the solid waste collection and disposal services.
3. Prior to obtaining the first certificate of occupancy for multi-family units in Phase III of the Crystal River Mall Development, the Developer shall pay a proportionate share of the funds for the purchase of an additional garbage collection truck meeting city specifications. The Developer's cost shall be based on 11.43 cubic yards/day according to the ADA. This proportionate share shall be calculated against the capacity

BK 0826 PG 0548

of the new truck. The Developer's share is not to exceed \$45,000.00

4. The location of trash receptacles shall be to the rear of commercial establishments or enclosed to visually screen from view of residential drives and public access roadways.

J. ENERGY

1. The Developer shall employ the DeBartolo Summary of Energy Conservation Policy and Procedures (outlined in the ADA, pp. 25.4 - 25.8), as applicable, as well as others outlined herein.
2. The Developer shall use water conservation toilets with a maximum flush of 3.5 gallons and shower heads and faucets with a maximum flow rate of 3.0 gallons per minute (at 60 pounds of pressure per square inch) as specified in the Water Conservation Act, Chapter 553.14, Florida Statutes.
3. The Developer shall to the extent practical provide for structural shading (i.e., awnings and roof overhangs) when natural shading cannot be used effectively on all pedestrian entrances.

K. RECREATION AND OPEN SPACE

1. In accordance with the Developer's statement in the ADA p. 27.1 to provide a recreational area of similar size and type to other such development in the area, the Developer shall provide five acres of active recreational amenities to serve the 500 unit multiple family residential project.
2. Drainage retention and detention areas and wetlands may not be included in meeting this active recreational requirement.
3. Since such facilities are clearly to be privately owned and operated, the Developer shall not be eligible for credit against park impact fees given the recreation area's limited scale and size, which will not duplicate the regional and community park needs met by impact fees.

L. FIRE PROTECTION

1. In anticipation of the fire protection needs of this project, Crystal River has begun developing plans for an expansion to

BK 0826 PG 0549

the nearest fire station, the need for which was described in Exhibit 30-1 of the ADA, the Developer shall contribute \$100,000 (estimated construction cost - \$85,000, plus 15 - 20% for engineering fees). This contribution to the building of the required fire station expansion shall be paid at the time of the first building permit issuance and placed in a reserved earmarked fund for this capital facility. Upon formal application, Crystal River agrees to allow fire impact fees credit up to the amount of contribution for this capital facility.

2. Testing of the actual water system for Phase I fire flows as per City Code shall be conducted prior to issuance of a certificate of occupancy for Phase I, the Mall. In the event that fire flow testing proves insufficient, the Developer may elect to purchase a tanker truck for the use of the Crystal River Fire Department to ensure adequate fire protection. This vehicle shall become the permanent property of the Crystal River Fire Department. This is intended as an interim short-term solution not to exceed two years. Otherwise, any deficiency must be corrected before certificate of occupancy issuance. The Developer shall determine cause and based upon earlier engineering studies required per Condition H.6, shall recommend to the city whatever remedial action is necessary. All studies, testing and corrective action necessary, other than repair and maintenance of the public system, shall be undertaken at no cost to the city. This provision is intended to supplement Condition H.4 under Water Supply above.
3. The height limits of current fire protection apparatus is 60 - 80', non-habitable structures over two stories. Any additional demands for fire service as a result of construction exceeding 80' in height shall be borne by the Developer according to the terms of a written agreement with the Crystal River Fire Department to be entered into within two (2) years of the issuance of the certificate of occupancy for the mall.

M. TRANSPORTATION

1. The requirements in 9. below, along with other committed improvements listed in this section have been determined to be the appropriate requirements to cure and mitigate the impacts of Phase I, Phase II and Phase III on regionally significant transportation highway facilities within the impact area. The approval of this mitigation/curing mechanism

BK 0826 PG 0550

is based upon the project's impact on transportation facilities, the substantial public benefit to be gained by accelerating the design, construction and use of major public facilities, and its consistency with applicable City of Crystal River, WRPC and DCA policies.

2. (1) The following transportation improvements are required for each individual/year specified, to maintain acceptable levels of service (LOS C or better) as defined in the City of Crystal River Comprehensive Plan.

<u>Phase/Year</u>	<u>No.</u>	<u>Improvement Description</u>
Phase I (1990)	1	SR 44/CR-486; EB left, EB thru, WB thru, NB left, SB right
Phase IIa (1992)	2	CR-495/Crystal St.; Signalization
Phase IIb (1992)	3	SR 44; CR-486 to Rock Crusher Rd; Widen to 4 lanes
	4	U.S. 19, CR-495 to SR 44W - Widen to 6 lanes
Phase III (1994)	5	U.S. 19, Access C to CR-495 - Widen to 6 lanes

3. Sufficient funding commitments together with the Required Improvements of this Development Order are available to maintain acceptable transportation levels of service (LOS C or better) as defined in the City of Crystal River Comprehensive Plan. The Required Improvements consist of Improvement #2, #4 and #5 described in paragraph M.2.
4. The cost of Improvement #2 has been estimated at \$30,000.00. The Developer shall fund this improvement and the City or its assign shall construct this improvement prior to the completion and occupancy of Phase IIA development. However, the need for this improvement can be mitigated by the funding and construction of the City/County N.W. 19th Street improvement described in paragraph 9(b).
5. The cost of Improvement #4 has been estimated at \$1,062,000.00. The Developer shall fund this improvement and the City or its assign shall construct this improvement prior to the completion and occupancy of Phase IIB development. However, the need for this improvement can be mitigated by the funding and construction of the City/County N.W. 19th Street improvement described in paragraph (9b).

BK 0826 PG 0551

6. The cost of Improvement #5 shall be established prior to the completion of Phase IIB. The Developer shall fund this improvement and the City or its assign shall construct this improvement prior to the completion and occupancy of Phase III development. However, the need for this improvement can be mitigated by the funding and construction of the City/County N.W. 19th Street improvement described in paragraph 9(b).
7. The City/County N.W. 19th Street improvement, providing for the construction of a two-lane roadway extending easterly from U.S. 19 to SR 44E, shall be accepted as an alternative improvement for Required Improvements #2, #4 and #5 by virtue of the additional parallel/compensating capacity provided for U.S. 19 from N.W. 19th Street (Access C) to SR 44E. The funding and construction of the City/County 19th Street Improvement is described below:
 - a. Sufficient funding commitments are available and construction is timely scheduled for the segment of the improvement extending easterly from CR-495 to SR 44E.
 - b. The cost of the segment of this improvement extending easterly from the project to CR-495 has been estimated at \$365,000.00. The Developer shall, as an alternative to funding Required Improvement #2, #4 and #5, fund the cost of this portion of the City/County 19th Street Improvement. The City or its assigns shall, upon the selection of this alternative improvement, construct this improvement prior to the completion and occupancy of Phase IIA development.
8. In addition to the other committed improvements listed above, the Developer and the City shall mitigate the transportation impacts of this development by constructing the improvements described in 9. below.
9. CITY PROJECT
 - a. The Developer shall fund the construction of an improvement on U.S. 19 in the estimated amount of Nine Hundred Forty Thousand Dollars and no cents (\$940,000.00). This improvement shall be designed and constructed by the City of Crystal River and will consist of widening to a full six-lane undivided section between SR 44E and SR 44W. From SR 44W to Kings Bay Drive, the typical section shall provide four - twelve foot lanes

BK0826PG0552

and two - fourteen foot (curb) lanes. The location of which is shown in Exhibit "B". From Kings Bay Drive to SR 44E, the typical section shall provide four - eleven foot lanes and two - fourteen foot (curb) lanes. The location of which is shown in Exhibit "B".

- b. In addition to the improvement described in a. above, the City Project shall also include the extension of N.W. 19th Street from the project to CR-495/Turkey Oak Street as a two-lane curb and gutter section in an 80' right-of-way as shown on Exhibit "B" or widening of U.S. 19 from four to six lanes between SR 44E and CR-495 also as shown on Exhibit "B". This option is appropriate since each provides a similar measure of capacity enhancement on U.S. 19 north of SR 44E. The cost of the N.W. 19th Street widening from the project to CR 495 is estimated to be \$365,000.00 and the cost of the U.S. 19 widening is \$342,000.00

Based on the fact that the N.W. 19th Street extension is included in the Comprehensive Plan of both the City of Crystal River and Citrus County and both have expressed an interest in its early completion, it is recognized as the preferred alternative to be included in the City Project. However, in order to accomplish this, it will be necessary for the City of Crystal River and Citrus County to enter into an interlocal agreement.

Time is of the essence. If the City of Crystal River and Citrus County have not entered into an interlocal agreement to accomplish the N.W. 19th Street improvement (off-site) consistent with the time schedule, Developer responsibilities and all other terms and conditions of this order by November 15, 1989, then the City may elect to fund the additional U.S. 19 widening between SR 44E and CR-495 along with the improvement in a. above to mitigate the full impacts of all phases of the Crystal River Mall project.

- c. Hereinafter the roadway improvements described in a. above and the selected alternate from paragraph b. shall be referenced as the "City Project" and Developer's maximum contribution totaling \$1,305,000 shall be referred to as the "City Project Contribution".

BK 0826 PG 0553

The status of the Project shall be assessed in the Annual Report required under Section IV. of this Development Order.

10. City of Crystal River and/or Citrus County shall provide the necessary right-of-way for the N.W. 19th Street segment of the Improvement. The Developer shall reserve necessary right-of-way under their ownership needed for the Improvement, as shown on Exhibit "B".
11. The Citrus County Transportation Impact Fee in accordance with Ordinance 86-11 is approximately Two Million Two Hundred Forth-Six Thousand One Hundred Seventy-One Dollars and no cents (\$2,246,171.00) for Phase I, Phase II and Phase III of the project based on the current Fee Schedule. (Hereinafter said Ordinance shall be referred to as the "Transportation Impact Fee Ordinance").
12. The estimated cost of the City Project is approximately One Million Three Hundred Five Thousand Dollars and no cents (\$1,305,000.00) which amount includes design, construction and construction inspection.
13. Buildings within the Crystal River Mall development shall be subject to the Transportation Impact Fee Ordinance, as it may be amended from time to time, provided however that all costs and expenses borne by the Developer for the City Project. ("City Project Contribution") shall be applied toward and be a credit against impact fees imposed thereunder. Nothing herein shall be construed as a waiver of Developer's right to contest the validity of, or to apply for Individual Assessment and/or credits under the Transportation Impact Fee Ordinances or the impact fees assessed thereunder, except as stated herein.
14. The City and/or County shall commence design of the City Project no later than thirty (30) days from the date of final approval of the Development Order subject to no appeals and shall commence construction of same no later than eighteen (18) months from the date of final approval of the Development Order subject to no appeals.

Construction of the City Project shall be completed within thirty-six (36) months from the date of final approval of the Development Order subject to no appeals.

BK 0826 PG 0554

15. The Developer shall within thirty (30) days of final approval of the Development Order subject to no appeals provide the City a cashier's check in the full amount of the City Project Contribution (One Million Three Hundred Five Thousand Dollars and no cents - \$1,305,000.00). This cash contribution shall be placed in an Interest Bearing Account by the City to be drawn upon by the City for completion of the City Project. The City shall complete the City Project as expeditiously as possible.
16. The City Project shall be constructed regardless of cost. Any change to the City Project, schedule or transportation assessment obligations agreed to by the City and other review agencies shall be accomplished through an amendment to the Development Order.
17. The conditions outlined in Section M. Transportation of this Development Order constitutes full payment of Developer's obligation and negates the need for transportation monitoring and phasing, except if the contribution and construction required of the Developer in Section M. are not made.
18. In the event the Developer meets its responsibilities for herein identified transportation improvements, the Developer shall not be stopped by the City of Crystal River or Citrus County as a result of failures, omissions, activities, or responsibilities of other parties or any governmental agency.
19. The developer shall be responsible for 100 percent of the cost of site improvements, such as turn lanes and deceleration lanes. In addition, the developer shall be responsible for the entire cost and installation of signalization at U.S. 19/Old Tallahassee Road (to be in operation at the time of opening of the mall if approved by FDOT) as well as at Old Tallahassee Road/Access E, when warranted.
20. The Developer shall pay to the City of Crystal River, its proportionate share, for the Locally Significant Improvement to the realignment of Old Tallahassee Road/Crystal Street Intersection. This proportionate share has been determined to be Twenty-Two Thousand Dollars and no cents (\$22,000.00), and shall be paid to the City by January 1, 1990.

BK0826PG0555

21. The Developer shall construct sidewalks for pedestrian movement within the development. Sidewalks shall be constructed on both sides of N.W. 19th Street Extension (Access Road A from U.S. 19 to the eastern development boundary). These sidewalks need not be constructed simultaneously, however, the south sidewalk shall be installed at the time of road construction (Condition 24(b)) and the north sidewalk construction may be postponed until initial construction of Phase III. In addition, a minimum 5' wide sidewalk shall be constructed along the entire east side of U.S. Highway 19 project frontage, north of the realignment of Old Tallahassee Road.

A sidewalk shall be constructed for pedestrian access from the mall to the southern commercial tract, and along Old Tallahassee Road from Access Road E to the east property boundary.

A minimum 5' wide pedestrian access sidewalk shall be constructed from N.W. 19th Street to the mall perimeter roadway and need not be part of the vehicular access required in Condition M-25, however, this improvement shall accommodate pedestrian movement from the Phase III multi-family development to the mall.

22. Bicycle racks and/or stands shall be made a part of the mall's detailed site plans.
23. The Developer shall coordinate with Citrus County's public transportation services regarding provisions for existing and future public transportation system including pull-offs, designated stops and one shelter. To satisfy this requirement, a site plan shall be submitted to, and approved by, the Citrus County Department of Community Services and proof thereto provided to the City of Crystal River prior to issuance of a certificate of occupancy.
24. All on-site roadway improvements shall be constructed or funded by this Developer and shall be designed and built in accordance with the Crystal River Code which adopts by reference the Citrus County Public Works Manual Standards (Ordinance 83-01, as amended or its successor). In particular, the following shall apply:

- BK 0826 PG 0556
- (a) The reconstruction of the Old Tallahassee Road shall be to collector standards consisting of an 80' right-of-way (curb and gutter), 24' pavement width facility. No impact fee credits shall be given for this on-site improvement.
- (b) The construction of the Access A roadway shall be to collector standards consisting of an 80' right-of-way (curb and gutter), 24' pavement width facility. The Developer shall contribute to the City the amount of this project (estimated at \$220,000) to be used for the construction of this on-site facility concurrent with the off-site construction contemplated in paragraph 9b above. The City shall be responsible for design of this on-site facility by February 1, 1991. The Developer shall pay to the City the amount of \$220,000 on or before February 1, 1991, and the City shall construct same by August 1, 1992. No impact fee credits shall be given for this on-site improvement.
25. No curb cuts beyond those outlined on the revised Map H shall be permitted to the arterial/collectors roadways including U.S. 19, Old Tallahassee Road and proposed N.W. 19th Street Extension/Access A Roadway, except a primary vehicular access shall be constructed from Access Road A to the mall parameter road, and shall not be a part of any parking related facilities, and except on the north side of Access Road A where curb cuts shall be limited to every 200 feet in accordance with the City Comprehensive Plan.
26. Any changes to the land use, shifting square footage in excess of 10% from the mall to the peripheral commercial space or vice versa which affects traffic circulation and modifies off-site impacts shall be prohibited unless clearly disclosed in the annual report for the upcoming phase and appropriate mitigation agreements are developed and/or amended as applicable.

N. HOUSING

1. In order to ensure adequate housing opportunities reasonably proximate to places of work and to address the housing policies of the state land development plan, prior to the commencement of Phase II, the Developer shall conduct an analysis of the affordable housing needs to be generated by the Development, including the need for affordable housing for

BK0826PG0557

Phase I, (using a methodology approved by DCA). If the analysis shows that the Development will generate significant affordable housing needs which will not be met by such housing in the area, the Developer shall prepare a Housing Affordability Implementation Plan (HAIP) and shall adopt the HAIP as an amendment to this Development Order. The HAIP shall be consistent with applicable rules of DCA, WRPC, the Crystal River comprehensive plan, and City land development regulations.

At a minimum, the HAIP shall contain:

- a. Specific standards or amounts for needed housing delivery, including housing delivery alternatives.
- b. Specific mechanism for HAIP implementation.
- c. Monitoring.
- d. Location and placement of affordable units.
- e. An assessment of the HAIP and its relationship to the local comprehensive plan in regard to the need for affordable housing.
- f. Provisions for crediting the Developer for activities that address affordable housing.

O. GENERAL CONDITIONS

1. The Crystal River Mall DRI project shall be eligible for credit against impact fees collected in accordance with chapter 380.06(16) as amended 1989, and as provided for in local ordinance subject to filing and approval of an application for same. However, limits of credit shall be governed by the terms of this Development Order, where applicable, and in no case shall the Developer be eligible for credit for internal, on-site facilities required by local regulations or to any off-site facilities to the extent such facilities are necessary to provide safe and adequate services to the development. Notwithstanding any provisions herein to the contrary, the City of Crystal River does not have an impact fee ordinance relating to roads or parks/recreation but participates through an interlocal agreement with Citrus County, Florida wherein the City collects the County's impact fees within the municipal boundaries. To the extent that the Developer deems it is entitled to impact fee credits pursuant to Chapter 380, Laws of Florida, such shall be separately negotiated with the County pursuant to the application process in the County's impact fee ordinance. Nothing herein shall be constructed as to limiting the County's jurisdiction

BK 0826 PG 0558

thereover or binding said County by any terms or conditions herein without its express written consent.

2. Any internal adjustment transferring square footage from the mall to the peripheral commercial uses and vice versa shall not exceed 10% without demonstrated proof that no adverse impacts off-site will occur and that the supporting infrastructure is adequately sized to accommodate the change. All such changes shall be disclosed in the annual monitoring report in advance of such proposed transfers or adjustments.
3. Crystal River Mall DRI will comply with all applicable state and local regulations in effect at the time of each building permit application, except the Developer has elected to comply with the requirements of Chapter 403 and Chapter 373, F.S., in effect at the time of approval of this order, subject to the limitations of Chapter 380.06(5)(c), and except as approved in this Development Order.
4. For purposes of interpretation, the provisions of this Development Order shall govern where conflicts exist between the Development Order and the ADA and where the Development Order is silent, the ADA shall govern.
5. The Developer shall prepare a revised single sheet Master Plan Map H, within 6 months of the effective date of this resolution and approval, at a minimum scale of 1"=400' containing the following minimum information:
 - a. Acreage and land use schedule by type of land use and by phase. All phases shall be clearly delineated on the Master Plan.
 - b. All access points and relationship to major existing and proposed arterial or collector roadways (including, at a minimum, the US 19, Old Tallahassee Road and NW 19th St. Extension proposed collector).
 - c. Estimated number, type, density, size and height of multiple family housing units. (In Tabular Form).
 - d. Show active and passive recreation areas and indicate acreage.
 - e. Delineate all preserved wetlands and mitigation areas along with acreages for each.

BK826 PG 559

- f. Any applicable conditions ~~appearing~~ ^{BK826 PG 559} the site plan shall be incorporated into this revised Master Plan.

Copies of this revised site plan shall be submitted to the Crystal River Planning Department for their review and approval. Upon approval, copies shall be transmitted to the Withlacoochee Regional Planning Council, the Department of Community Affairs and Citrus County.

6. This project shall be platted in accordance with the standards and requirements for subdivision under the Crystal River Code, to include the construction and dedication of right-of-way for the Old Tallahassee Road and Access A roadways on-site and platting of the respective phase of major commercial development sites as parcels. This Development Order recognizes that a variance will be applied for from the subdivision regulations for further division of the platted parcels. However, any further re-subdivision may be made by metes and bounds provided that it meets all other requirements of City Code unless variances to the applicable code are applied for and granted.
7. All development, including the mall and peripheral commercial uses and the multiple family housing project, shall be subject to site plan review in advance of permit issuance by Crystal River coordinated by the Planning Department, Building and Zoning Department, including the City Engineer and Utilities Division along with the Citrus County Fire Prevention Bureau. Development plans shall include a site plan which includes a landscaping plan, traffic circulation plan, stormwater management plan with drainage calculations, erosion control plan, water and sanitary sewer plan, and fire protection plan shall require approval by agencies having jurisdiction prior to commencement of development activities. No site preparation, alteration, and/or construction of on-site facilities or improvements shall be undertaken until the above approval is granted. The City agrees to review the plans in a timely manner, and approval will not be unreasonably withheld.
8. With regard to geotechnical issues, the development shall, at a minimum, comply with all recommendations outlined in the Jammal & Associates reports dated December 23, 1987, December 21, 1988, and subsequent reports.

- BK 0826 PG 0560
9. The City shall promptly notify the Developer of any action, claim or petition filed by, administrative hearings instituted by, or appeals prosecuted by third parties against the City or naming the City as a party and arising as a direct result of this Development Order. Thereafter, the Developer shall have the option to assume the defense of the City with respect to such action, hearing, claim, petition or appeal at Developer's sole cost.
 10. Except as expressly provided herein, the City shall not be obligated to Developer to incur any cost or construct any facilities or improvements by virtue of, or as a result of, the order, rule or requirements of any other governmental agency relating to implementation of this Development Order.
 11. The Developer upon execution of this Order shall pay to the City a fee of \$4,000.00 representing administrative expenses associated for processing and reviewing the Developer's Development of Regional Impact Application for Development Approval, conferences and this Order. The Developer shall likewise pay all costs of advertising and transcription of all public hearings which shall be separately billed. Additionally, the Developer shall reimburse the City all engineering, planning and legal fees assumed by the City as a direct result of the Developer's Application. Upon execution hereof, the City Manager shall forthwith invoice the Developer for all such planning, legal and engineering fees incurred which shall be paid within 30 days.
 12. Upon request of Developer, the City shall certify in writing to Developer or its designee whether Developer is in compliance with this Development Order, and to the extent not in compliance, shall describe the nature of the noncompliance in reasonable detail. Such certification shall be made within fifteen (15) days after the date of receipt by the City of Developer's request therefor.

IV. ANNUAL REPORT

By January 31st of each year following the issuance of this Development Order and until such time as 100% of the development has been completed, the Developer shall provide an Annual Report as required in F.S. Chapter 380.06(18). Requirements for the content and dissemination of this report shall be as follows:

BK0826PG0561

A. Dissemination:

1. The Annual Report shall be sent to the following agencies: The City of Crystal River Department of Planning, or successor thereto; The Withlacoochee Regional Planning Council; The Department of Community Affairs (DCA); and such other agencies as may be appropriate.
2. By January 31st of each year, the Developer shall provide the City of Crystal River with a statement that all persons/agencies listed in A-1 above have been sent copies of the Annual Report.

B. Content:

1. Changes in the plan of development of phasing for the reporting year and for the next year;
2. A summary comparison of development activity proposed and actually conducted for the year;
3. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or Developer;
4. Identification and intended use of lands purchased, leased or optioned by the Developer adjacent to the original DRI site since the Development Order was issued;
5. An assessment of the development's and local government's compliance with conditions of approval contained in the DRI Development Order;
6. Any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;
7. Any change to the approved land use schedule outlined herein including internal transfers of square footage from mall to peripheral commercial or vice versa.
8. An indication of a change, if any, in local government jurisdiction for any portion of the development since the Development Order was issued;

- BK0826PG0562
9. A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number of purpose of each;
 10. A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(18), Florida Statutes; and
 11. A copy of any notice of the adoption of a Development Order or the subsequent modification of an adopted Development Order that was recorded by the Developer pursuant to Subsection 380.06(15)(f), Florida Statutes.

V. MONITORING AND ENFORCEMENT

- A. The City Manager or authorized designees shall be responsible for insuring compliance with this Development Order.
- B. Data necessary for monitoring shall be generated by building permits, certification of occupancy, approval of plats and offering statements, the annual report and on-site observations.
- C. Enforcement of the terms of this Development Order shall be through such means as are authorized and envisioned by Chapter 380, Florida Statutes, and through the City of Crystal River Development Regulations, including, but not limited to, plat approval, zoning approval, building permits and utility hookups.
- D. All conditions, restrictions, requirements, commitments, and impact mitigation provisions contained or incorporated by reference in this Development Order may be enforced by action at law or equity.
- E. Definitions contained in Chapter 380, Florida Statutes, shall control in the interpretation of this Development Order unless specifically defined within the Development Order.
- F. The obligation of this Development Order shall run with the land. All successors or assigns within the DRI, except owners of individual residential units, shall provide DCA with a report which addresses the ownership of the land and outlines responsibilities assumed by the new owner in meeting the conditions required by this Development Order, within thirty (30) days of title change.

BK0826PG0563

VI. COMMENCEMENT AND COMPLETION OF DEVELOPMENT

- A. In the event the Applicant fails to commence significant physical development within two (2) years from the effective date of the Development Order, the development shall be subject to further consideration pursuant to Section 380.06, Florida Statutes and shall be presumed to be a substantial deviation. Significant physical development shall mean site preparation work and all permits issued for such work for Phase I.

Any appeal of this Development Order or regulatory agency action which by denial of an application for permit prohibits or delays development, shall, during the pendency of any appeal of this Development Order or of regulating agency permit denial, stay the running of the two (2) years commencement of development time.

- B. The Crystal River Mall development is planned to extend for a five (5) year period. Failure to complete development within five (5) years of the projected buildout date for completion of development of the last phase of the Crystal River Mall shall constitute a presumption that a substantial deviation has occurred.

VII. SUBSTANTIAL DEVIATION

- A. Further review pursuant to Chapter 380, may be required if a substantial deviation, as defined in Section 380.06(19), Florida Statutes occurs. The Developer shall be given due notice of, and an opportunity to be heard at any hearing to determine whether or not a proposed change to the development is a substantial deviation. Substantial deviation may occur by failure to comply with the conditions herein or failure to follow the plans and specifications submitted in the ADA.
- B. Failure to file the Annual Report by March 1st of each and every year, as required, shall result in the temporary suspension of the Development Order by the local government.

VIII. VESTING

- A. Crystal River agrees that the Crystal River Mall shall not be subject to down-zoning, unit density reduction, or intensity reduction until August 1, 2005, unless it can demonstrate that

BK0826PG0564

substantial changes in the conditions underlying the approval of the Development Order was based on substantially inaccurate information provided by the Applicant or that the change is clearly established by the City of Crystal River after due notice and public hearing, to be essential to the public health, safety, or welfare.

IX. RESOLUTION AS DEVELOPMENT ORDER

- A. This Resolution, and its accompanying exhibits and references, shall be deemed the Development Order required pursuant to Section 380.06, Florida Statutes for the Crystal River Mall.
- B. Notice of the adoption of this Development Order shall be recorded by the Applicant in accordance with Chapter 380.06(15)(f), Florida Statutes.
- C. The City Clerk shall certify the date upon which certified copies of the recorded Development Order are deposited in the U.S. Mail to the DCA, the WRPC and the Applicant.

X. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or word of this Development Order is for any reason held or declared invalid, inoperative or void, the remaining portion of the order shall remain valid and continue in full force and effect.

XI. EFFECTIVE DATE

The effective date of this Development Order shall be the date of transmittal of the approved Development Order to all parties, as defined by Rule 9J-2.025(6), F.A.C., and Section 380.06, Florida Statutes as outlined above. Any appeal of this Development Order shall, during the pendency of such appeal, stay the effective date of this Development Order.

BE IT FURTHER RESOLVED BY THE CRYSTAL RIVER CITY COUNCIL THAT THE FOLLOWING SHALL APPLY:

- 1. That this Resolution shall constitute the Development Order of the City of Crystal River in response to the Development of Regional Impact Application for Development Approval filed by the Developer.

BK 0826 PG 0565

- 2. That the definitions found in Chapter 380, Florida Statutes (1989), shall apply to this Development Order.
- 3. That this Development Order shall be binding upon the Developer and its heirs, assignees, or successors in interest.
- 4. That a certified true copy of this Development Order shall be filed and recorded in the Public Works of the City of Crystal River, Florida and Land Records of Citrus County, in accordance with Section 380.06(15), Florida Statutes and this Development Order shall govern the development of the Crystal River Mall.
- 5. The Developer must begin construction no later than 2 years after the effective date of this order. This Development Order will expire on August 1, 2005.
- 6. That certified copies of the approved Development Order shall be transmitted immediately by certified mail to SLPA, WRPC, and the Developer by the City.

ADOPTED, in Regular Session this 9th day of August, 1989, by the City of Crystal River City Council, subsequent to the Public Hearings held on July 25th and August 9th, 1989.

(Seal)

CITY OF CRYSTAL RIVER
CITY COUNCIL

By: Harold D. Wilkins
Mayor

By: Robert Holmes
President

Attest: Shirley L. Carroll
Clerk

EXHIBITS

Exhibit "A" - Legal Description

Exhibit "B" - Transportation Improvement Location Map

APPROVED AS TO
CORRECTNESS AND FORM

By: [Signature]
City Attorney

VERIFIED BY:
Johnson
D.C.
'89 AUG 21 PM 3 54

FILED & RECORDED
CITRUS COUNTY, FLORIDA
BETTY STRIFLER, CLERK

595355

BK 0826 PG 0566

EXHIBIT "A"

CRYSTAL RIVER MALL DRI DEVELOPMENT ORDER
SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST

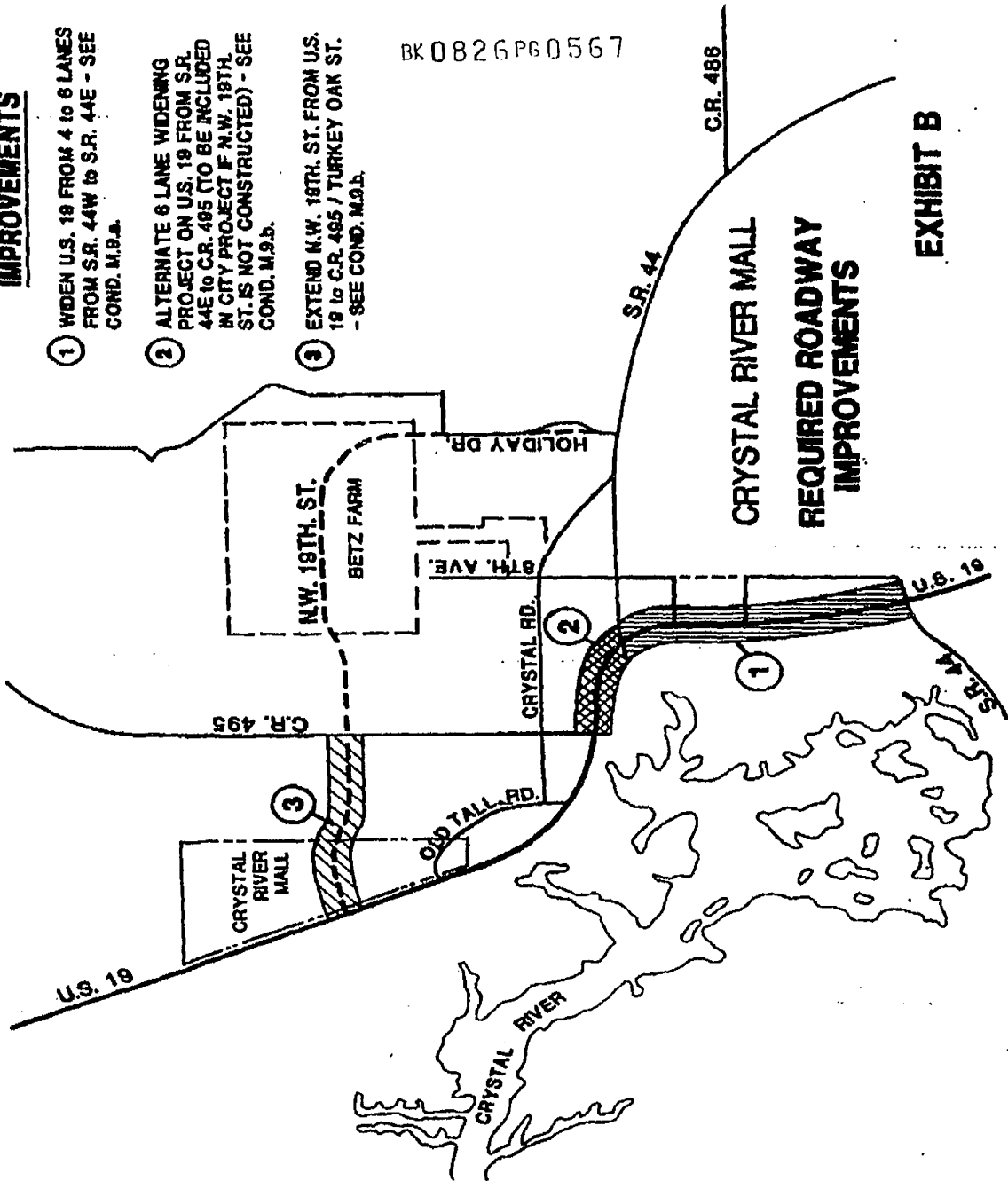
BOUNDARY SURVEY LEGAL DESCRIPTION: (As prepared by
Van Norman & Associates)

Commence at the Southeast corner of Section 17, Township 18 South, Range 17 East, Citrus County, Florida, thence North along the East line of said Section 17, 302.75 feet to the Point of Beginning; thence continue North 4,983.45 feet to the Northeast corner of Section 17, Township 18 South, Range 17 East, also being the Southeast corner of Section 8, Township 18 South, Range 17 East; thence N 0°28'20" E. along the East line of said Section 8, 1,325.59 feet to the Northeast corner of the South 1/2 of the Southeast 1/4 of said Section 8; thence S 88°36'41" W. 2,571.90 feet to a Point Beginning on the South right-of-way line of West Ashburn Lane; thence S 58°36'41" W. continuing along said South right-of-way 100.00 feet; thence S 88°36'41" W. 312.19 feet to a Point being 300.00 feet at right angles to the Easterly right-of-way of U.S. Highway No. 19; thence departing from the South right-of-way line of West Ashburn Lane S 22°58'24" E. parallel to the easterly right-of-way of U.S. Highway No. 19, 1,378.55 feet to a Point on the South line of said Section 8; thence S 22°58'13" E. 2,329.95 feet; thence S 67°03'13" W. 299.65 feet to the Easterly right-of-way line of U.S. Highway No. 19; thence S 22°59'47" E. along said right-of-way 700.00 feet; thence continuing along said right-of-way S 22°50'05" E. 279.96 feet; thence S 22°58'05" E. 808.87 feet; thence S 89°27'47" W. 21.66 feet; thence S 23°04'56" E. 1,087.48 feet; thence departing from said Easterly right-of-way S 89°19'41" E. 683.90 feet to the Point of Beginning.

BK0826PG0567

IMPROVEMENTS

- ① WIDEN U.S. 19 FROM 4 TO 6 LANES FROM S.R. 44W TO S.R. 44E - SEE COND. M.9.a.
- ② ALTERNATE 6 LANE WIDENING PROJECT ON U.S. 19 FROM S.R. 44E TO C.R. 485 (TO BE INCLUDED IN CITY PROJECT F N.W. 19TH ST. IS NOT CONSTRUCTED) - SEE COND. M.9.b.
- ③ EXTEND N.W. 19TH ST. FROM U.S. 19 TO C.R. 485 / TURKEY OAK ST. - SEE COND. M.9.b.



**CRYSTAL RIVER MALL
REQUIRED ROADWAY
IMPROVEMENTS**

EXHIBIT B

09/07/89 15:56 0913 286 6587 GREINER TAMPA --- HENIGER & RAY/CR 2002

Exhibit "C-2"

RESOLUTION 91-R-30

A RESOLUTION AMENDING RESOLUTION 89-R-8 OF THE CITY COUNCIL OF CRYSTAL RIVER, FLORIDA APPROVING AN APPLICATION OF NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI) KNOWN AS THE CRYSTAL RIVER MALL AND FILED BY THE EDWARD J. DEBARTOLO CORPORATION.

WHEREAS, on May 21, 1991, the Edward J. DeBartolo Corporation hereinafter referred to as the Developer, and Greiner, Inc., hereinafter referred to as the Authorized Agent, filed an amendment to the Development of Regional Impact for approval with the City of Crystal River City Council, in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the City of Crystal River, on September 9, 1991, held a duly noticed public hearing on the changes to the Development of Regional Impact for approval, and has heard and considered the testimony and documents received thereon; and

NOW, THEREFORE, BE IT RESOLVED by the City Council, of the City of Crystal River, Florida, as follows:

Section I. That the property known as the Crystal River Mall hereby officially requests that Section III. Condition, Subsection I, Solid Waste, paragraph 2, shall be changed as follows:

In the event the City of Crystal River is unable to provide solid waste collection and disposal services to the Crystal River Mall development, the applicant may contract with licensed, independent contractors to provide solid waste collection and disposal services until such time as the City of Crystal River can provide the appropriate services.

The City of Crystal River shall notify the applicant when such services shall be available and that the applicant shall contact the licensed contractor to discontinue service within a reasonable time.

Section II. That the Development Order Section I Finding of Fact, Subsection B, shall continue to read as:

That the developer submitted to the City of Crystal River and Application for Development Approval, Sufficiency Response, and W.R.P.C. Assessment Report, which are incorporated herein by reference, and made a part hereof. For the purpose of interpretation, the provisions of this Development Order shall govern where conflicts exist between the Development Order and the ADA and where the Development Order is silent, the ADA shall govern.

The development schedule for Crystal River Mall as set forth in the Application for Development Approval and included by reference in this Development Order is hereby amended to provide the following buildout dates:

Phase I - December 15, 1993

Phase II - December 15, 1995

Phase III - December 15, 1997


Section III. That the effective date of this Development Order shall be the date of transmittal of the approved Development Order to all parties, as defined by Rule 9J-2.025(6), F.A.C., and Section 380.06, Florida Statutes. Any appeal of this Development Order shall, during the pendency of such appeal, stay the effective date of this Development Order.

This Resolution was adopted at a regular meeting of the City Council of the City of Crystal River, Florida, on September 9, 1991.

CRYSTAL RIVER CITY COUNCIL


CURTIS A. RICH, MAYOR

ATTEST:


MERV WALDROP, CITY MANAGER

RESOLUTION 92-R-38

A RESOLUTION AMENDING RESOLUTION 89-R-8 OF THE CITY COUNCIL OF CRYSTAL RIVER, FLORIDA APPROVING AN APPLICATION OF NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI) KNOWN AS THE CRYSTAL RIVER MALL AND FILED BY THE EDWARD J. DEBARTOLO CORPORATION.

WHEREAS, on July 9, 1992, the Edward J. DeBartolo Corporation hereinafter referred to as the Developer, and Greiner, Inc., hereinafter referred to as the Authorized Agent, filed an amendment to the Development of Regional Impact for approval with the City of Crystal River City Council, in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the City of Crystal River, on November 9, 1992 held a duly noticed public hearing on the changes to the Development of Regional Impact for approval, and has heard and considered the testimony and documents received thereon; and

NOW, THEREFORE, BE IT RESOLVED by the City Council, of the City of Crystal River, Florida, as follows:

Section I. That the Development Order Section I Finding of Fact, Subsection B, shall be amended to read as:

That the developer submitted to the City of Crystal River an Application for Development Approval, Sufficiency Response, and W.R.P.C. Assessment Report, which are incorporated herein by reference, and made a part hereof. For the purpose of interpretation, the provisions of this Development Order shall govern where conflicts exist between the Development Order and the ADA and where the Development Order is silent, the ADA shall govern.

Phase I - December 15, 1995
Phase II - December 15, 1997
Phase III - December 15, 1999

Section II. That the property known as the Crystal River Mall hereby officially requests that Section III. Conditions, Subsection C, Water & Drainage, paragraph 4, shall be changed to read as follows:

4). Prior to the issuance of development permits, ground and surface water quality monitoring plans shall be submitted to and approved by FDER and the City of Crystal River. At a minimum, background water quality data shall be provided prior to construction; programmed water quality sampling shall begin upon commencement of construction. The surface water quality parameters to be monitored shall include those listed under F.A.C. of FDER, Chapter 17-3.061. The Developer shall also install two groundwater quality monitoring wells; one upgradient and one downgradient of the mall site detention/retention basin. The parameters to be monitored shall, at a minimum, include primary and secondary drinking water standards found under F.A.C. of FDER, Chapter 17-550. Groundwater quality parameters shall be monitored on an annual basis and reported in the Annual Report until two (2) years after buildout of Phase II.

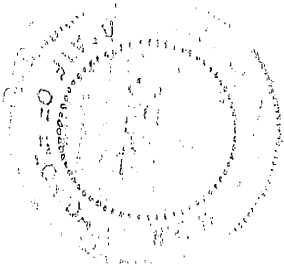
Surface water quality parameters shall be monitored and reported to the City of Crystal River and FDER on an annual basis until two (2) years after buildout of the development area contributing to the stormwater management facility.

If the monitoring indicates any violations of water quality criteria attributed to the development, the Developer shall employ additional water quality management measures acceptable to the FDER. If necessary, the Developer shall incorporate additional water quality treatment methods into the project's surface drainage system to correct water quality violations as defined by FDER Chapter 17-28.

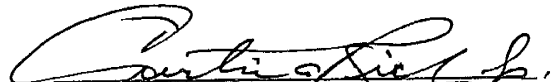
The development schedule for Crystal River Mall as set forth in the Application for Development Approval and included by reference in this Development Order is hereby amended to provide the following buildout dates:

Section III. That the effective date of this Development Order shall be the date of transmittal of the approved Development Order to all parties, as defined by Rule 9J-2.025(6), F.A.C., and Section 380.06, Florida Statutes. Any appeal of this Development Order shall, during the pendency of such appeal, stay the effective date of this Development Order.

This Resolution was adopted at a regular meeting of the City Council of the City of Crystal River, Florida, on November 9th, 1992.



CRYSTAL RIVER CITY COUNCIL


CURTIS A. RICH, SR., MAYOR

ATTEST:


MERV WALDROP, CITY MANAGER

Exhibit "C-6"

RESOLUTION 96-R-13

A RESOLUTION AMENDING RESOLUTION 89-R-8 OF THE CITY COUNCIL OF CRYSTAL RIVER, FLORIDA APPROVING AN APPLICATION OF NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI) KNOWN AS THE CRYSTAL RIVER MALL AND FILED BY THE EDWARD J. DEBARTOLO CORPORATION.

WHEREAS, on April 26, 1996 the Edward J. DeBartolo Corporation, hereinafter referred to as Developer, and Greiner, Inc., hereinafter referred to as the Authorized Agent, filed an amendment to the Development of Regional Impact for approval with the City of Crystal River City Council, in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the City of Crystal River has determined that the proposed modifications to the Crystal River Mall do not constitute a "Substantial Deviation" under Section 380.06(19), Florida Statutes; and

WHEREAS, the City of Crystal River, on July 22, 1996 held a duly noticed public hearing on the changes to the Development of Regional Impact for approval, and has heard and considered the testimony and documents received thereon.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Crystal River, Florida as follows:

Section I. That the Development Order Section I, Findings of Fact, Subsection B, shall be amended to read:

That the Developer submitted to the City of Crystal River an application for development approval, sufficiency response and W.R.P.C. Assessment Report, which are incorporated herein by reference and made a part hereof. For the purpose of interpretation, the provisions of this Development Order shall govern where conflicts exist between the Development Order and the ADA and where the Development Order is silent, the ADA shall govern.

Section I., B., is modified to reflect an extension of the project's build-out dates for each of the phases (I, II and III), each one by a

period of six (6) years, eleven (11) months, and thirty (30) days. The development schedule for Crystal River Mall set forth in the Application for Development Approval and Development Order, as amended, should be changed to reflect the following proposed build-out dates:

- * Phase I - December 30, 1996
- * Phase II - December 30, 1998
- * Phase III - December 30, 2000

Section II. That the Development Order Section III, conditions, Subsection O., shall be amended to add:

13. A multi-screen movie theater is an approved use in the mall and said movie theater to be added will have nine screens and 1,696 seats, and will involve the conversion of 26,317 square feet of existing approved retail space in the mall, and no addition of parking spaces. Table 1, attached hereto as Exhibit A, provides a tabulation of the changes relating to the conversion of retail space to movie theater.

Revised Map H, attached Hereto as Exhibit B, shows the Revised Development Plan.

Section III. That the Development Order Section VIII., Vesting, Subsection A., shall be amended to read:

The City of Crystal River agrees that the Crystal River Mall shall not be subject to down-zoning, unit density reduction, or intensity reduction until August 1, 2010, unless it can demonstrate that substantial changes in the conditions underlying the approval of the Development Order was based on substantially inaccurate information provided by the Applicant or that the change is clearly established by the City of Crystal River after due notice and public hearing, to be essential to the public health, safety, or welfare.

Section IV. That the Development Order Section XI., Effective Date, Subsection 5., shall be amended to read:

The Developer must begin construction no later than 2 years after the effective date of this order. This Development Order will expire on August 1, 2010.

ADOPTED, in Regular Session this 22nd day of July, 1996 by the City of Crystal River City Council, subsequent to the Public Hearings held on July 22, 1996.

CITY OF CRYSTAL RIVER




CURTIS A. RICH, SR., MAYOR

ATTEST:


SHIRLEY CARROLL, CITY CLERK

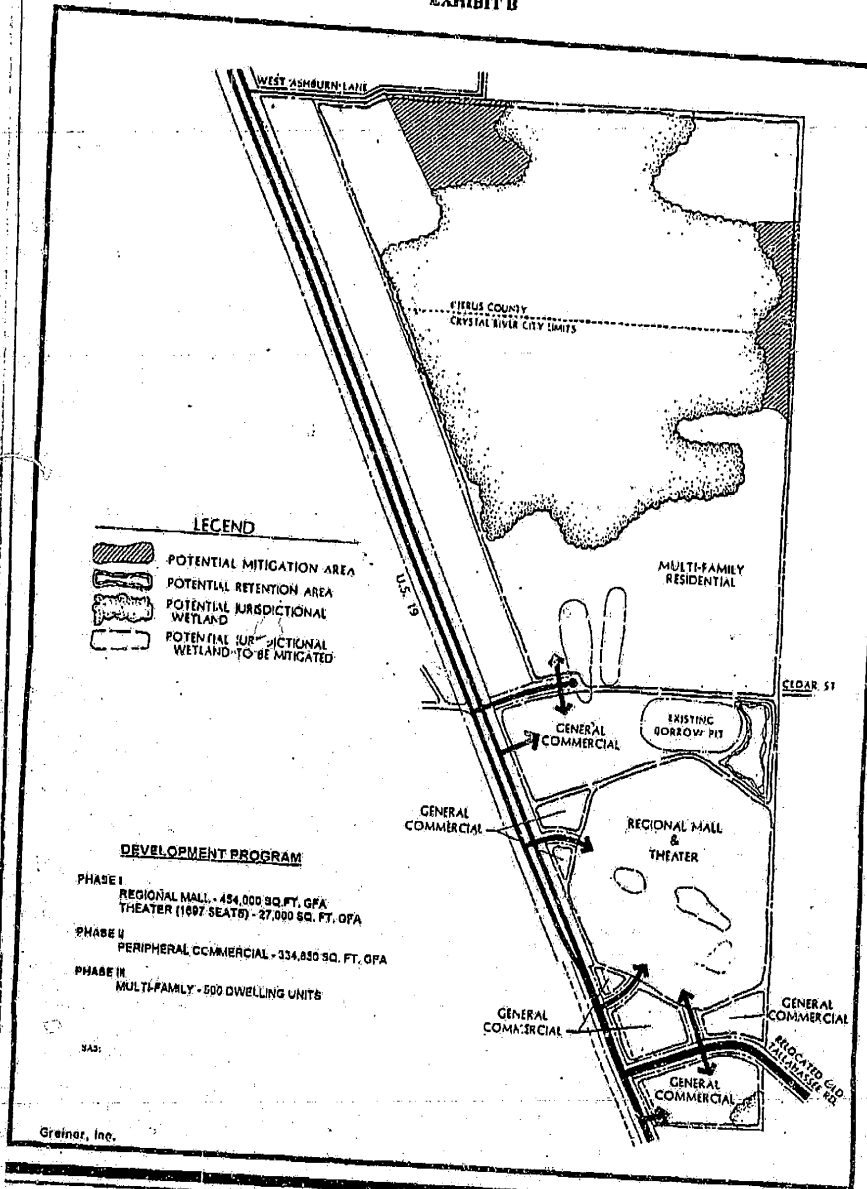
TABLE 1
Crystal River Mall
Substantial Deviation Determination Chart

Original Land Use	Change Category	Proposed Plan	Original Plan	Permitted Change Date
Attraction/Recreation (380.0651(6)3., F.S., Multi Screen Movie Theater	No. Parking Spaces	0	0	None (N)
	No. Spectators	0	0	N
	No. Seats	1,696	0	N
	Site Location Changes	None	N/A	N
	Acreage, including drainage, ROW, easements, etc.	26,317 Sq. Ft. 2.20 Ac	N/A	N
	No. External Vehicle Trips, PM Peak Hour	77 ⁽¹⁾	0 ⁽²⁾	N
	Parking Spaces	340 ⁽³⁾	0	
	D.O. Conditions	No Change	No Change	N
	ADA Representations	See Note 2	See Note 2	N
Wholesale, Retail, Service	Acreage, including drainage ROW, Easement, etc.	74.4	76.6	None (N)
	Floor Space (gross square feet)	789,533 ⁽⁴⁾	815,850	N
	No. Parking Spaces	3,234 ⁽⁵⁾	3,572	N
	No. Employees	2,071	2,071	N
	Site Location Changes	None	N/A	N
	No. External Vehicle Trips, PM Peak Hour	2,164 ⁽⁶⁾	2,224 ⁽⁶⁾	N
	D.O. Conditions	No Change	N/A	N
ADA Representations	No Change	N/A		

Notes:

1. Based on ITE, 5th Edition, Land Use Code 444 - For 1696 seat, free standing theater p.m. peak hour = 102 trips. Assume 25% capture/internalization as part of Regional Mall = 77 p.m. peak hour theater trips.
2. At the time of DO approval and according to current industry practice the definition of "Regional Mall" includes theater as a normal use or tenant. It is identified as a separate use herein only for purposes of compliance with Section 380.06(19), F.S.
3. Result of converting 26,317 sq. ft. of approved retail to theater.
4. Result of subtracting 60 trips associated with 26,317 sq. ft. of approved retail.
5. From ADA Table 31-10 (Retail Portion Only)
6. Theater spaces at 1 space/5 seats- for information only. Parking is shared with retail. No additional spaces are required by local code and none are permanently dedicated.

Revised 7/2/96



LEGEND

- POTENTIAL MITIGATION AREA
- POTENTIAL RETENTION AREA
- POTENTIAL JURISDICTIONAL WETLAND
- POTENTIAL SUPERJUNCTIONAL WETLAND TO BE MITIGATED

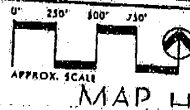
DEVELOPMENT PROGRAM

- PHASE I
REGIONAL MALL - 454,000 SQ. FT. GFA
THEATER (1697 SEAT) - 27,000 SQ. FT. GFA
- PHASE II
PERIPHERAL COMMERCIAL - 334,850 SQ. FT. GFA
- PHASE III
MULTI-FAMILY - 500 DWELLING UNITS

SAS:

Greiner, Inc.

**CRYSTAL RIVER MALL
MASTER PLAN**



MAP 4

FILED & RECORDED
CITRUS COUNTY Florida
BETTY SIRIFLER, CLERK

1076654

VERIFIED BY: *[Signature]* D.C.

RESOLUTION 99-R-02

A RESOLUTION OF THE CITY COUNCIL OF CRYSTAL RIVER, FLORIDA APPROVING AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS CRYSTAL RIVER MALL.

WHEREAS, on May 21, 1987, The Edward J. DeBartolo Corporation, hereinafter referred to as the Developer, and Greiner, Inc., hereinafter referred to as the Authorized Agent, filed a Development of Regional Impact Application for Development Approval with the City of Crystal River City Council, hereinafter sometimes referred to as the City of Crystal River, in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the Developer proposes to develop a 481,000 sq. ft. regional mall, 334,850 sq. ft. of general commercial uses, and 500 multi-family dwelling units on a 260-acre site hereinafter referred to as Crystal River Mall, with a buildout date of December 30, 2005, or a development constituting a Multi-Use (Shopping Center, Commercial and Residential) Development of Regional Impact under Chapter 380.0651, F.S. and Chapter 28-24, formerly 27F-2.028, Florida Administrative Code, on real property located in the City of Crystal River and described in the attached "Exhibit A"; and

WHEREAS, the City of Crystal River, as governing body of the local government having jurisdiction, is authorized and empowered to consider Applications for Development Approval for Developments of Regional Impact in accordance with Chapter 380.06, F.S.; and

WHEREAS, in accordance with Section 380.06 (16)(a), Florida Statutes, the Developer shall receive credit for exactions as part of this Development Order which contribute land or a public facility or construct, expand, or pay for land acquisition or construction or expansion of a public facility, or portion thereof, against existing impact fees and/or any future ordinances adopted by the local government, if such fees meet the same needs and the local government has established and implemented a procedure for credits; however, if the Florida Land and Water Adjudicatory commission imposes any additional requirement, the local government shall not be required to grant a credit toward the local exaction or impact fee, unless the local government determines that such requirement, contribution, payment, or construction meets the same needs that the local exaction or impact fee would address; and

WHEREAS, in accordance with Section 380.06(16)(d), Florida Statutes, the Developer, shall not receive credit for internal on-site facilities required by local regulation, or for any off-site public facilities, to the extent that they are necessary to provide safe and adequate services to the development; and

WHEREAS, the public notice requirements of the City of Crystal River and Section 380.06 (10), Florida Statutes, have been satisfied and notice has even given to the

RM 130908155

1999 JUN -9 AM 10:55

BK 1309 PG 1155

1999 JUN -9 AM 10:56

State Land Planning Agency, hereinafter referred to as "SLPA," and the Withlacoochee Regional Planning Council, hereinafter referred to as "WRPC," initially on May 26, 1987.

WHEREAS, the City of Crystal River, on July 25, 1989 and August 9, 1989, held a duly noticed public hearing on the Development of Regional Impact Application for Development Approval, and has heard and considered the testimony and documents received thereon; and

WHEREAS, the City of Crystal River received and considered the report and recommendations of the WRPC which held a public hearing on the Development of Regional Impact Application for Development Approval on June 29, 1989; and

WHEREAS, the City of Crystal River received and considered public comments and the public were afforded the opportunity to participate in the application hearing on the subject DRI before the City of Crystal River; and

WHEREAS, the City of Crystal River has reviewed the above referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public; and

WHEREAS, the City of Crystal River has received and reviewed a Notice of Proposed Change (NOPC) application to the DRI for the Crystal River Mall (last revised 3/22/99) submitted by Simon Property Group, Inc., a successor owner and developer to the original DRI developer Edward J. DeBartolo Corporation.

NOW, THEREFORE, BE IT RESOLVED BY THE CRYSTAL RIVER CITY COUNCIL, CITRUS COUNTY, FLORIDA, IN PUBLIC MEETING DULY CONSTITUTED AND ASSEMBLED THIS 10TH DAY OF MAY, 1999, THAT THE DEVELOPMENT OF REGIONAL IMPACT APPLICATION FOR DEVELOPMENT APPROVAL SUBMITTED BY EDWARD J. DEBARTOLO CORPORATION, AS MODIFIED BY THE MARCH 22, 1999 NOPC APPLICATION SUBMITTED BY SIMON PROPERTY GROUP, INC., IS HEREBY ORDERED APPROVED, EFFECTIVE UPON THE 10TH DAY OF MAY, 1999, SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS:

I. FINDINGS OF FACT

- A. That the real property which is the subject of Crystal River Mall Application for Development Approval is legally described as set forth Exhibit A, attached hereto and by reference made a part hereof.

BK 1309FG 1157

1999 JN -9 AM 10: 56

- B. That the Developer submitted to the City of Crystal River an Application for Development Approval, Sufficiency Response, and WRPC Assessment Report, which are incorporated herein by reference, and made a part hereof. For purposes of interpretation, the provisions of this Development Order shall govern where conflicts exist between the Development Order and ADA and where the Development Order is silent, the ADA shall govern.
- C. That the proposed development is not located in an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.
- D. That a comprehensive review of the impact generated by the development has been conducted by the City's departments and the WRPC.
- E. The developer proposes to develop a 481,000-square-foot mall, 334,850 square feet of general commercial and 500 multi-family dwelling units on a 260-acre site hereinafter referred to as Crystal River Mall with a buildout date of December 30, 2005, or a development constituting a Multi-Use (Shopping Center and Residential) Development of Regional Impact under Chapter 28-24, formerly Chapter 27F-2-028, Florida Administrative Code, on real property located in the City of Crystal River and described in the attached "Exhibit A".

II. CONCLUSIONS OF LAW

- A. That the project is consistent with all local land development regulations and the adopted Local Comprehensive Plan.
- B. That this Development order is consistent with the report and recommendations of the WRPC.
- C. That the development will not unreasonably interfere with the achievement or objectives of the adopted State Land Development Plan applicable to the area.
- D. That the provisions of this Development Order shall not be construed as a waiver or exception of any rule, regulation or ordinance of the City of Crystal River or its departments, agencies commissions.

BK 1309 PG 1158

1999 JUL -9 AM 10:56

- E. That this Development Order constitutes final DRI approval of 815,850 gross square feet (GSF) of commercial space, (481,000 square feet of the Regional Mall site, and 334,850 square feet of peripheral General commercial use and 500 dwelling units (Multi-Family Development area) on a 260 acre site hereinafter referred to as Crystal River Mall or a development constituting a Multi-Use Development of Regional Impact under Chapter 28-24, formerly Chapter 27F-2.028, Florida Administrative Code, on real property located in the City of Crystal River and described in the attached "Exhibit A."
- F. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the Developer and the various departments of the City are authorized to conduct development as described herein, subject to the conditions and restrictions set forth herein.
- G. That the review by the City, the WRPC, and other participating agencies and interested citizens reveals that impacts are adequately addressed pursuant to the requirements of Section 380.06 Florida Statutes, within the terms and conditions of this order and the ADA.
- H. That the development shall be developed in accordance with all applicable City ordinances, rules, and regulations, pertaining to land development within the City of Crystal River, specifically including, but without limitation, subdivision regulations, land use regulations, utility ordinances, and any other ordinance regulating developments within the City of Crystal River; provided, however, that the development shall be developed to be consistent with and in accordance with this Development Order; and further provided any rights vested prior to or by this Development Order shall not be affected.
- I. That the development is consistent with the State Comprehensive Plan, Chapter 187, F.S.

BK 1309FG 1159

1999 JUN -9 A:110:56'

III. CONDITIONS

A. AIR

1. Prior to the issuance of development permits, the Developer shall analyze the impacts of parking lot traffic flow on air quality pursuant to the Florida Department of Environmental Regulation's Interim Guidelines for Evaluation the Air Quality Impacts of Indirect Sources of Carbon Monoxide Emissions. If this analysis indicates that standards are exceeded, the Developer shall undertake measures, acceptable to the Florida Department of Environmental Regulations, to mitigate any adverse impacts on air quality
2. Fugitive particulate emissions, which potentially can result during construction and subsequent development activity, shall be mitigated in compliance with the F.A.C. of the FDER, Chapter 17-2, "Air Pollution", fugitive particulate subsection.
3. The Developer shall at all times comply with the F.A.C of the FDER, Chapter 17-5, "open burning" regulations and applicable City Code and/or County regulation pertaining to open burning.

B. LAND

1. The Developer shall mulch, sod or seed all disturbed soils as possible during or after construction to help stabilize soil from impacts of rainfall and wind transport.
2. In order to reduce the potential for on-site sinkhole development, foundation soil conditions shall be investigated and evaluated for sinkhole potential where vertical construction is proposed. Site specific geotechnical recommendations shall be developed for foundation construction and soil support conditions in areas indicating anomalous conditions or characteristics consistent with sinkhole formation.
3. Where areas exhibit the potential for sinkhole development, the following criteria shall apply:

BK 1309 PG 1160

1999 JUN -9 AM 10:56

- a) Run-off from building roofs or impervious surfaces shall be dispersed as far as possible away from the building foundation or edge of the slab(s). Such run-off shall not be allowed to collect adjacent to support structures.
 - b) The use of shallow wells for irrigation shall be discouraged. Should wells be installed, they shall be located no closer than 50 feet from building areas or other structures sensitive to settlement. The wells must be cased and sealed a minimum of 20 feet into the limestone.
 - c) Water impoundment areas or areas that may collect surface run-off shall be located no less than 25 feet from the edge of buildings or structures sensitive to settlement.
 - d) Should sinkholes develop, regardless of their location, they shall be immediately filled with clayey sands and sand clays. Such locations should be identified, explored, evaluated, and mitigated as may be dictated by pertinent conditions.
4. To mitigate the potential for direct connections from on-site surface and stormwater basins to the Floridan Aquifer, the following criteria shall apply:
- a) Stormwater retention basins shall be monitored by visual observations following significant storm events. If open solutions or pozes and/or sinkhole-like depressions are noted, this information shall be related to the on-site maintenance coordinator.
 - b) Where small, shallow depressions are noted, these may be filled to pre-existing grade with clayey sand materials and graded. This material is generally available within the Crystal River area if not on the project site itself.
 - c) When, and if, chimney-type solution pipes are exposed within the retention basins, these may be plugged in accordance with acceptable water well plugging and abandonment procedures. Where these features are small in diameter and of a limited vertical depth, bridging of the pipe with indigenous limestone boulders is acceptable, once the bridge is in place, the pipe may be filled with clay and/or clayey sand back to the land surface. These

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1999 JUL -9 11:10:56

materials are generally available in the area if not on the Crystal River Mall project site.

- d) Remedial plugging activities shall employ methodologies acceptable to the applicable regulatory agency.
5. The Developer shall have the option to employ additional and/or different criteria from that stated in Conditions B.3 and B.4 above, if the City Manager, upon recommendation from the City Engineer and the Southwest Florida Water Management District (SWFWMD), to the extent their review would otherwise be required, is satisfied with these criteria and so notifies the Developer in writing, of the acceptability of those criteria.
6. Any new sinkholes which develop on-site shall be reported to the Florida Sinkhole Institute of the University of Central Florida.
7. No site preparation or land clearing activities shall commence until all applicable permits have been obtained for this development from DER, SWFWMD, Florida Game & Fresh Water Fish Commissions, and City of Crystal River.

C. WATER AND DRAINAGE

1. The development's site design and regulatory permitting shall be consistent with the rules, regulations, and standards of the F.A.C. of the FDER Chapters 17-3, 17-4, and 17-25 as same pertains to stormwater management facilities.
2. The development's site design and regulatory permitting shall be consistent with the F.A.C. of the Southwest Florida Water Management District (SWFW14D) Chapter 40-D.
3. Prior to the issuance of development permits, the Developer shall coordinate with the Florida Department of Environmental Regulation and the Southwest Florida Water Management District regarding alternative stormwater treatment options. Additional stormwater treatment techniques, acceptable to both regulatory agencies, may be implemented.

BK 1309 PG 1162

1999 JUN -9 AM 10:56

4. Prior to the issuance of development permits, ground and surface water quality monitoring plans shall be submitted to and approved by FDER and the City of Crystal River. At a minimum, background water quality data shall be provided prior to construction; programmed water quality sampling shall begin upon commencement of construction. The surface water quality parameters to be monitored shall include those listed under F.A.C. of FDER, Chapter 17-3.061. The Developer shall also install two groundwater quality monitoring wells; one upgradient and one downgradient of the mall site detention/retention basin. The parameters to be monitored shall, at a minimum, include primary and secondary drinking water standards found under F.A.C. of FDER, Chapter 17-550. Groundwater quality parameters shall be monitored on an annual basis and reported in the Annual Report until three (3) years after buildout of the Regional Mall and General Commercial Development.

Surface water quality parameters shall be monitored and reported to the City of Crystal River and FDER on a quarterly basis until three (3) years after buildout of the development area contributing to the stormwater management facility.

If the monitoring indicates any violations of water quality criteria attributed to the development, the Developer shall employ additional water quality management measures acceptable to the FDER. If necessary, the Developer shall incorporate additional water quality treatment methods into the project's surface drainage system to correct water quality violations beyond the project's surface drainage system to correct water quality violations beyond the project's zone of influence defined by FDER Chapter 17-28.

5. Except as described in D.5 below, the conservation area described in D.3 shall not be disturbed.
6. Stormwater discharges leaving the development site after development shall not exceed actual pre-development rates in terms of peak flow rates and velocity.
7. Grassed/vegetated swales, other at-source stormwater treatment practices and other suitable mechanisms shall be employed to the greatest practicable extent in order to provide pre-treatment of stormwater run-off prior to its discharge into the stormwater retention/detention ponds and/or wetlands.

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1999 JUL -9 AM 10:56

D. WETLANDS

1. Prior to any preparation and the issuance of development permits, a multi-agency wetland jurisdictional survey of the property will be completed and approved in accordance with the rules of the Florida Department of Environmental Regulation, ACOE, and SWFWMD. Said survey shall be signed and sealed and be of minimum scale of 1" = 100'.
2. In accordance with the City's Comprehensive Plan (Ord. 89-0-5). Conservation Element, development in wetlands permits mitigation as a last resort on the basis of comparable quality and on a minimum 2:1 basis. (For purposes of this condition, this may include wetlands, quality uplands, or a combination thereof, acceptable to the applicable permitting agencies). Before development permit issuance, a final mitigation plan shall be submitted and approved by the City prepared at 1" = 100' scale. This plan shall depict the jurisdictional survey required by D.1 above, clearly identifying all individual isolated wetlands areas and their respective acreage slated for elimination as well as the new proposed individual mitigation areas and their acreages to assure compliance with the City Comprehensive Plan and the City Code.
3. The final approved wetland conservation and mitigation area as per D.2. above, shall be identified on the Master Development Plan, called for in the General Conditions Section. This conservation area shall be preserved in perpetuity by a conservation easement granted to the City of Crystal River by an instrument recorded in the public records of Citrus County, Florida and delineated on the final subdivision record plat, said conservation easement area shall not encompass less than the acreage of the main northernmost jurisdictional area, plus those created wetlands/uplands required for mitigation, and not a part of those stormwater management areas lying south of NW 19th Street.
4. Buffers not less than 15' shall be provided around all proposed wetland conservation easement areas. These areas shall remain undisturbed with no permanent intrusion or structure in accordance with SWFWMD rules.
5. The Developer shall have the right to construct a conveyance into and to utilize the conservation area described in condition 3. above for stormwater management purposes for the multi-

BK 1309 PG 1164

1999 JUN -9 AM 10:56

family development area provided that no direct discharge of stormwater without pre-treatment shall be permitted into any wetland conservation or mitigation area. Any such wetland area intended to be integrally made part of the stormwater management system for the Regional Mall and General Commercial areas shall be clearly disclosed separately from the conservation area.

E. FLOODPLAINS

1. The development's site design shall be based on the official FEMA Flood Insurance Rate Maps (FIRM) for Crystal River.
2. The Developer shall perform construction activities in compliance with the City of Crystal River Code, applicable to fill, excavation, and alteration of land.
3. The Developer shall secure a development permit issued in accordance with the provisions of Ordinance No. 87-0-4, known as "Flood Protection Ordinance".
4. Development within the 100-year flood plain shall not be conducted to materially adversely impede the directional movement and capacity of the historical floodway nor increase the flood hazards to other lands by the construction of flood barriers which will unnaturally divert flood waters to adjacent lands, in accordance with Policy E, under Objective 1.3. of the Conservation Element of the City of Crystal River Comprehensive Plan.
5. The Developer shall create compensatory storage volume commensurate with any flood storage volume lost as a result of development activities (including roadways) in the 100-Year Rainfall Event Flood Plain per SWFWMD criteria.

F. VEGETATION AND WILDLIFE

1. Prior to site preparation or the issuance of development permits, the Developer shall submit additional information necessary to complete the impact analysis on vegetation and wildlife resources consisting of gopher tortoise and commensal species and Sherman fox squirrel studies prepared

PK 1309 PG 1165

1999 JUN -9 11:10:56

in accordance with the Florida Game and Fresh Water Fish Commission, "Wildlife Methodology Guidelines," June 1988.

2. The Developer will enter into a binding agreement with or obtain applicable permits from the Florida Game and Fresh Water Fish Commission prior to any on-site construction to mitigate adverse impacts on regionally significant vegetation and wildlife resources, if any, resulting from this additional study review. Such mitigation may involve habitat set asides, contribution to established Regional or County wildlife mitigation funds, and/or relocation as applicable.
3. For the Regional Mall site, specimen live oak, magnolia, and hickory trees greater than 12" dbh will be preserved on-site to the maximum extent practical. In particular, such trees shall be maintained around perimeters of the development site and in landscaping areas throughout the parking lots. During construction, protective fencing maintaining a clear zone will be installed around those trees.

Sites for General Commercial use may be clear-cut, however, landscaping plans must be submitted for each building permit for the peripheral development, which, at a minimum, includes tree planting along the perimeters of each parcel at intervals of 40 feet. Planting areas must be at least 250 square feet per tree with a minimum dimension of five feet in width. Among others, the Developer shall use live oak, magnolia, and hickory trees in these perimeter planting areas.

For the Multi-Family Development area, specimen live oak, magnolia, and hickory trees greater than 12" dbh will be preserved on-site to the maximum extent practical, in particular, such trees shall be maintained throughout the multiple family site as a design locational criteria for roads and buildings. During construction phases, protective fencing maintaining a clear zone will be installed around those trees. In cases where specimen live oaks, magnolia, and hickory trees must be removed, two (2) trees will be planted for each one (1) removed. The replacement trees need not be the same species as removed.

4. In lieu of Condition 3, the Developer may submit an alternate tree preservation plan by phase for consideration by the City. Any alternate plan approval will be at the sole discretion of the City.

EX1309PG1166

1999 JUN -9 AM 10:56

5. To reduce glare and heat and provide shade, the Developer shall include a minimum of 2.5 percent of the total parking lot areas as open space and landscaping. This may be accomplished through the establishment of landscape islands and strips throughout the parking lot. These landscaping planting islands (minimum 250 sq. ft.) shall be installed at the end of selected parking rows, with a minimum of (1) shade tree per island. Planting strips shall be planted with low shrubs, maximum height 31", and shade trees planted 40' on center. No more than 25 percent of all tree planting maybe met through the use of palm species, and where used, must be planted in clusters of three. The Developer further agrees to utilize native or other drought resistant plants, trees and other vegetation and landscape features that reduce the requirement for water, fertilizer, maintenance and other needs. As called for elsewhere, existing trees will be incorporated into the landscape plan to the greatest extent practical. A landscape plan incorporating these requirements including existing trees where practical, shall be submitted, reviewed and approved at the time of building permit application subject to review and recommendation by a licensed landscape architect. The cost of this review shall be borne by the Developer. This condition shall apply to Phases I and II only.

G. WASTEWATER MANAGEMENT

1. The Crystal River Mall Development shall be served in its entirety, by a governmental central sewer system.
2. The Developer has entered into a Sewer Connection Agreement on August 21, 1989 which provided for payment of fees for the square footage associated with mall and peripheral commercial (nka general commercial) development, said agreement is amended and made a part hereof as appended to this resolution revised to reflect the change in phasing (See Exhibit "C"). The developer will enter into a similar agreement for the multi-family housing component of the project prior to its development and absent payment of connection fees, the City is not able to reserve capacity for same. While sufficient capacity exists today, this will be reassessed to ensure concurrency is satisfied at the time of application.

BK 1309PG 1167

1999 JUL -9 AM 10:56

3. No development permits shall be issued for the Multi-Family Development area unless adequate, permitted, available and committed wastewater treatment capacity is available to meet the development demand for wastewater treatment capacity of the development. It is acknowledged that the City's present wastewater treatment facility may not have capacity available for the Multi-Family portion of the project without expansion. Nothing herein commits or obligates the City to provide wastewater treatment for the Multi-Family portion of the project unless by separate, subsequent written undertaking by the City upon mutual agreeable terms.
4. In anticipation of area-wide needs, the City of Crystal River reserves the authority to approve the sizing of any on-site and off-site wastewater facility infrastructure. The cost of any oversizing of the facilities required by the City will be borne by the City unless the Developer agrees to pay said cost in return for connection fee credits.
5. The Developer agrees to provide to the City of Crystal River, all necessary easements for the operation and maintenance of the wastewater system.
6. The development, contemplated as a direct and indirect contributor into the wastewater collection and treatment system of the City of Crystal River, shall comply with all requirements of the City of Crystal River Code, Chapter 16, "Water and Sewer Services", Article II, Division 2, "Wastes Discharged into Sewers".
7. The Developer shall require any and all tenants with operations in the development which use, generate, or store hazardous materials or waste, to submit prior to receiving a certificate of occupancy, a plan for the proper disposal and handling of such materials. The plan shall be submitted to the City of Crystal River and the Citrus County Public Health Unit of the Florida Department of Health and Rehabilitative Services.

H. WATER SUPPLY

1. The Crystal River Mall Development shall be served in its entirety by a governmental central water system.

EK 1309PG 1168

1999 JUN -9 AM 10:56

2. The Developer has entered into two Water Connection Agreements, dated August 21, 1989 and November 1, 1990, the first for the core mall and peripheral commercial (nka general commercial). These agreements are amended and made a part hereof as appended to this development order resolution revised to reflect the change in phasing (See Exhibit "D"). The Developer will enter into a similar agreement for the multi-family housing component of the project prior to its development and absent payment of connection fees, the City is not able to reserve capacity for same. While sufficient capacity exists today, this will be reassessed to ensure concurrency is satisfied at the time of application.
3. No development permits shall be issued for the General Commercial or Multi-Family sites unless adequate, permitted, available and committed water capacity is available to meet the development demand for water capacity of the development. It is acknowledge that the City's present water facility may not have capacity available for the General Commercial or Multi-Family sites. Nothing herein commits or obligates the City to provide water treatment for the General Commercial or Multi-Family sites unless by separate, subsequent written undertaking by the City upon mutual agreeable terms.
4. All water service to the development shall comply with the City of Crystal River Code, Chapter 16, "Water and Sewer Services", Article III, "Water".
5. No certificates of occupancy shall be issued until the contamination assessment report for the Metal Industries contamination site has been reviewed by the Florida Department of Environmental Regulation in terms of the demands and drawdown resultant of this project and protection of the City of Crystal River's water supply.
6. The Developer shall comply with the requirements of the City of Crystal River Code, Chapter 6, "Buildings", Article III, "Fire Prevention and Protection". The Developer shall demonstrate, by acceptable engineering design and methodology and submit documentation by phase to the City Manager subject to review and approval by the City Engineer identifying that adequate water supply and pressure can be maintained for each phase or sub-phase of development. Should the Developer determine that existing facilities are inadequate to meet the requirements of the development, the Developer shall have the option of constructing on-site fire

EX 1309PG 1169

1999 JUN -9 AM 10:56

prevention facilities or upgrading the existing systems. All costs associated with providing water supply for fire flows and pressure to the development beyond that of the existing City system shall be borne by the Developer

I. SOLID WASTE

1. There shall be no on-site disposal of solid waste or construction debris.
2. Solid waste generation, containment, collection, transportation and disposal shall be conducted in accordance with the City of Crystal River Code, Chapter 9, "Garbage and Trash". The City of Crystal River shall provide for the solid waste collection and disposal services.
3. Prior to obtaining the first certificate of occupancy for multi-family units in the Crystal River Mall Development, the Developer shall pay a proportionate share of the funds for the purchase of an additional garbage collection truck meeting City specifications. The Developer's cost shall be based on 11.43 cubic yards/day according to the ADA. This proportionate share shall be calculated against the capacity of the new truck. The Developer's share is not to exceed \$45,000.00.
4. The location of trash receptacles shall be to the rear of commercial establishments or enclosed to visually screen from view of residential drives and public access roadways.

J. ENERGY

1. The Developer shall employ the DeBartolo Summary of Energy Conservation Policy and Procedures (outlined in the ADA, pp. 25.4 - 25.8), as applicable, as well as others outlined herein.
2. The Developer shall use water conservation toilets with a maximum flush of 3.5 gallons and shower heads and faucets with a maximum flush of 3.5 gallons and shower heads and faucets with maximum flow rate of 3.0 gallons per minute (at 60 pounds of pressure per square inch) as specified in the Water Conservation Act, Chapter 553.14, Florida Statutes.

EX 1309 PG 1170

1999 JUN -9 AM 10:56

3. The Developer shall to the extent practical provide for structural shading (i.e., awnings and roof overhangs) when natural shading cannot be used effectively on all pedestrian entrances.

K. RECREATION AND OPEN SPACE

1. In accordance with the Developer's statement in the ADA p. 27.1 to provide a recreational area of similar size and type to other such development in the area, the Developer shall provide five acres of active recreational amenities to serve the 500 unit multiple family residential project.
2. Drainage retention and detention areas and wetlands may not be included in meeting this active recreational requirement.
3. Since such facilities are clearly to be privately owned and operated, the Developer shall not be eligible for credit against park impact fees given the recreation area's limited scale and size, which will not duplicate the regional and community park needs met by impact fees.

L. FIRE PROTECTION

1. River has begun developing plans for an expansion to the nearest fire station, the need for which was described in Exhibit 30-1 of the ADA, the Developer shall contribute \$100,000 (estimated construction cost - \$85,000, plus 15-20% for engineering fees). This contribution to the building of the required fire station expansion shall be paid at the time of the first building permit issuance and placed in reserved earmarked fund for this capital facility. Upon formal application, Crystal River agrees to allow fire impact fees credit up-to the amount of contribution for this capital facility.
2. Testing of the actual water system for the Regional Mall site fire flows as per City Code shall be conducted prior to, issuance of a certificate of occupancy for the Regional Mall. In the event the fire flow testing proves insufficient, the Developer may elect to purchase a tanker truck for the use of the Crystal River Fire Department to ensure adequate fire

EK 1309PG 1171

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protection. This vehicle shall become the permanent property of the Crystal River Fire Department. This is intended as an interim short-term solution not to exceed two years. Otherwise, any deficiency must be corrected before certificate of occupancy issuance. The Developer shall determine cause and based upon earlier engineering studies required per Condition H.6, shall recommend to the City whatever remedial action is necessary. All studies, testing and corrective action necessary, other than repair and maintenance of the public system, shall be undertaken at no cost to the City. This provision is intended to supplement Condition H.4 under Water Supply above.

3. The height limits of current fire protection apparatus is 60 - 80', non-habitable structures over two stories. Any additional demands for fire service as a result of construction exceeding 80' in height shall be borne by the Developer according to the terms of a written agreement with the Crystal River Fire Department to be entered into within two (2) years of the issuance of the certificate of occupancy for the mall.

M. TRANSPORTATION

1. The requirements in 9. below, along with other committed improvements listed in this section have been determined to be the appropriate requirements to cure and mitigate the impacts of the Regional Mall, General Commercial, and Multi-Family elements on regionally significant transportation highway facilities within the impact area. The approval of this mitigation/curing mechanism is based upon the project's impact on transportation facilities, the substantial public benefit to be gained by accelerating the design, construction and use of major public facilities, and its consistency with applicable City of Crystal River, WRPC and DCA policies.
2. The following transportation improvements are required for each individual/year specified, to maintain acceptable levels of service (LOS C or better) as defined in the City of Crystal River Comprehensive Plan.

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1999 JUN -9 AM 10: 55

<u>Project Element</u>	<u>Improvement No.</u>	<u>Improvement Description</u>
<u>Regional Mall</u>	1	SR 44/CR-486, EB left, EB thru, WB thru, NB left, SB right
	2	CR-495/Crystal St.; Signalization
<u>General Commercial</u>	3	SR 44; CR-486 to Rock Crusher Rd. Widen to 4 lanes
	4	U.S. 19 CR-495 to SR44W Widen to 6 lanes
<u>Multi-Family</u>	5	U.S. 19, Access C to CR-495 Widen to 6 lanes

3. Sufficient funding commitments together with the Required Improvements of this Development Order are available to maintain acceptable transportation levels of service (LOS C or better) as defined in the City of Crystal River Comprehensive Plan. The Required Improvements consist of Improvement #2, #4 and #5 described in paragraph M.2.

4. The cost of Improvement #2 has been estimated at \$30,000.00. The Developer shall fund this improvement and the City or its assign shall construct this improvement prior to the completion and occupancy of the General Commercial development. However, the need for this improvement can be mitigated by the funding and construction of the City/County NW 19th Street improvement described in paragraph 9(b).

5. The cost of Improvement #4 has been estimated at \$1,062,000.00. The Developer shall fund this improvement and the City or its assign shall construct this improvement prior to the completion and occupancy of the General Commercial development. However, the need for this improvement can be mitigated by the funding and construction of the City/County NW 19th Street improvement described in paragraph 9(b).

PK 1309 PG 1173

1999 JUN -9 AM 10:56

6. The cost of Improvement #5 shall be established prior to the completion of the General Commercial. The Developer shall fund this improvement and the City or its assign shall construct this improvement prior to the completion and occupancy of the Multi-Family development. However, the need for this improvement can be mitigated by the funding and construction of the City/County NW 19th Street improvement described in paragraph 9 (b).
7. The City/County NW 19th Street improvement, providing for the construction of a two-lane roadway extending easterly from U.S. 19 to SR 44E, shall be accepted as an alternative improvement for Required Improvement #2, #4, and #5 by virtue of additional parallel/compensation capacity provided for U.S. 19 from NW 19th Street (Access C) to SR 44E. The funding and construction of the City/County 19th Street Improvement is described below:
 1. Sufficient funding commitments are available and construction is timely scheduled for the segment of the improvement extending easterly from CR-495 to SR 44E.
 2. The cost of the segment of this improvement extending easterly from the project to CR-495 has been estimated at \$365,000.00. The Developer shall, as an alternative to funding Required Improvement #2, #4 and #5, fund the cost of this portion of the City/County 19th Street Improvement. The City or its assigns shall, upon the selection of this alternative improvement, construct this improvement prior to the completion and occupancy of the General Commercial use development.
8. In addition to the other committed improvements listed above, the Developer and the City shall mitigate the transportation impacts of this development by construction the improvements described in 9. below.
9. CITY PROJECT
 - a. The Developer shall fund the construction of an improvement on U.S. 19 in the estimated amount of Nine Hundred Forty Thousand dollars and no cents (\$940,000.00). This improvement shall be designed and constructed by the City of Crystal River and will consist of widening to a full six-lane undivided section between SR 44E and SR 44W. From SR 44W to Kings Bay Drive, the

EX 1309PG 1174

1999 JUN -9 AM 10:56

typical section shall provide four (4) twelve foot lanes and two (2) fourteen foot (curb) lanes. The location of which is shown in Exhibit "F". From Kings Bay Drive to SR 44E, the typical section shall provide four-eleven foot lanes and two-fourteen foot (curb) lanes. The location of which is shown in Exhibit "F".

- b. In addition to the improvement described in (a.) above, the City Project shall also include the extension of NW 19th Street from the project to CR-495/Turkey Oak Street as a two-lane curb and gutter section in an 80' right-of-way as shown on Exhibit "F" or widening of U.S. 19 from four to six lanes between SR 44E and CR-495 also as shown on Exhibit "F". This option is appropriate since each provides a similar measure of capacity enhancement on U.S. 19 north of SR 44 E. The cost of the NW 19th Street widening from the project to CR 495 is estimated to be \$365,000.00 and the cost of the U.S. 19 Widening is \$342,000.00.

Based on the fact that the NW 19th Street extension is included in the Comprehensive Plan of both the City of Crystal River and the Citrus County and both have expressed an interest in its early completion, it is recognized as the preferred alternative to be included in the City Project. However, in order to accomplish this, it will be necessary for the City of Crystal River and Citrus County to enter into an interlocal agreement.

Time is of the essence. If the City of Crystal River and Citrus County have not entered into an interlocal agreement to accomplish the NW 19th Street improvement (off-site) consistent with the time schedule, Developer responsibilities and all other terms and conditions of this order by November 15, 1989, then the City may elect to fund the additional U.S. 19 widening between SR 44E and CR-495 along with the improvement in (a) above to mitigate the Lull impacts of all phases of the Crystal River Mall project.

- c. Hereinafter the roadway improvements described in a. above and the selected alternate from paragraph b. shall be referenced as the "City Project" and Developer's maximum contribution totaling \$1,305,000 shall be referred to as the "City Project Contribution".

EX 1309PG1175

1999 JUN -9 AM 10:56

The status of the Project shall be assessed in the Annual Report required under Section IV. of this Development Order.

10. City of Crystal River and/or Citrus County shall provide the necessary right-of-way for the N W. 19th Street segment of the improvement. The Developer shall reserve necessary right-of-way under their ownership needed for the Improvement, as shown on Exhibit "F".
11. The Citrus County Transportation Impact Fee in accordance with Ordinance 86-11 is approximately Two Million Two Hundred Forty-Six Thousand One Hundred Seventy-One Dollars and no cents (\$2,246,171.00) for the entire project based on the current Fee Schedule. (Hereinafter said Ordinance shall be referred to as the "Transportation Impact Fee Ordinance".)
12. The estimated cost of the City Project is approximately One Million Three Hundred Five Thousand Dollars and no cents (\$1,305,000.00) which amount includes design, construction and construction inspection.
13. Buildings within the Crystal River Mall development shall be subject to the Transportation Impact Fee Ordinance, as it may be amended from time to time, provided however that all costs and expenses borne by the Developer for the City Project. ("City Project Contribution") shall be applied toward and be a credit against impact fees imposed thereunder. Nothing herein shall be construed a waiver of Developer's right to contest the validity of, or to apply for individual Assessment and/or credits under the Transportation Impact Fee Ordinances or the impact fees assessed thereunder, except as stated herein.
14. The City and/or County shall commence design of the City Project no later than thirty (30) days from the date of final approval of the Development Order subject to no appeals and shall commence construction of same no later than eighteen (18) months from the date of final approval of the Development Order subject to no appeals.

Construction of the City Project shall be completed within thirty-six (36) months from the date of final approval of the Development Order subject to no appeals.

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1999 JUL-9 AM 10:56

15. The Developer shall within thirty (30) days of final approval of the Development Order subject to no appeals provide the City a cashier's check in the full amount of the City Project Contribution (One Million Three Hundred Five Thousand Dollars and no cents - \$1,305,000.00). This cash contribution shall be placed in an Interest Bearing Account by the City to be drawn upon by the City for completion of the City Project. The City shall complete the City Project as expeditiously as possible.
16. The City Project shall be constructed regardless of cost. Any change to the City Project, schedule or transportation assessment obligations agreed to by the City and other review agencies shall be accomplished through an amendment to the Development Order.
17. The conditions outlined in Section M, Transportation, of this Development Order constitutes full payment of Developer's obligation and negates the need for transportation monitoring and phasing, except if the contribution and construction required of the Developer in Section M. are not made.
18. In the event the Developer meets its responsibilities for herein identified transportation improvements, the Developer shall not be stopped by the City of Crystal River or Citrus County as a result of failures, omissions, activities, or responsibilities of other parties or any governmental agency.
19. The Developer shall be responsible for 100 percent of the cost of site improvements, such as turn lanes and deceleration lanes. In addition, the Developer shall be responsible for the entire cost and installation of signalization at U.S. 19/Old Tallahassee Road (to be in operation at the time of opening of the mall, if approved by FDOT) as well as at old Tallahassee road/Access E, when warranted.
20. The Developer shall pay to the City of Crystal River, its proportionate share, for the Locally Significant improvement to the realignment of Old Tallahassee Road/Crystal Street Intersection. This proportionate share has been determined to be Twenty-Two Thousand Dollars and no cents (\$22,000.00), and shall be paid to the City by January 1, 1990.
21. The Developer shall construct sidewalks for pedestrian movement within the development. Sidewalks shall be constructed on both sides of NW 19th Street Extension (Access



EX 1300 PG 1 177

1999 JUN -9 AM 10:55

Road A from U.S. 19 to the eastern development boundary). These sidewalks need not be constructed simultaneously, however, the south sidewalk shall be installed at the time of road construction (Condition 24(b)) and the north sidewalk construction may be postponed until initial construction of the Multi-Family Development. In addition, a minimum 5' wide sidewalk shall be constructed along the entire east side of U.S. Highway 19 project frontage, north of the realignment of Old Tallahassee Road.

A sidewalk shall be constructed for pedestrian access from the mall to the southern commercial tract, and along Old Tallahassee Road, from Access Road E to the east property boundary.

A minimum 5' wide pedestrian access sidewalk shall be constructed from NW 19th Street to the mall perimeter roadway and need not be part of the vehicular access required in Condition M-25, however, this improvement shall accommodate pedestrian movement from the Multi-Family development to the mall.

22. Bicycle racks and/or stands shall be made a part of the mall's detailed site plans.

23. The Developer shall coordinate with Citrus County's public transportation services regarding provisions for existing and future public transportation system including pull-offs, designated stops and one shelter. To satisfy this requirement, a site plan shall be submitted to, and approved by, the Citrus County Department of Community Services and proof thereto provided to the City of Crystal River prior to issuance of a certificate of occupancy.

24. All on-site roadway improvements shall be constructed or funded by the Developer and shall be designed and built in accordance with the Crystal River Code which adopts by reference the Citrus County Public Works Manual Standards (Ordinance 83-01, as amended or its successor). In particular, the following shall apply:

- (a) The reconstruction of the Old Tallahassee Road shall be to collector standards consisting of an 80' right-of-way (curb and gutter), 24' pavement width facility. No impact fee credits shall be given for this on-site improvement.

BK 1309 PG 1178

1999 JUL -9 AM 10:56

(b) The construction of the Access A roadway shall be to collector standards consisting of an 80' right-of-way (curb and gutter), 24' pavement width facility. The Developer shall contribute to the City the amount of this project (estimated at \$220,000) to be used for the construction of this on-site facility concurrent with the off-site construction contemplated in paragraph 9(b) above. The City shall be responsible for design of this on-site facility by February 1, 1991. The Developer shall pay to the City the amount of \$220,00 on or before February 1, 1991, and the City shall construct same by August 1, 1992. No impact fee credits shall be given for this on-site improvement.

25. No curb cuts beyond those outlined on the revised Map H shall be permitted to the arterial/collector roadways including U.S. 19, Old Tallahassee Road (NW 6th Avenue) and Turkey Oak Street (aka NW 19th Street Ext.), except a primary vehicular access drive shall be constructed from Turkey Oak Street to the mall's internal perimeter road, and direct access parking shall not be allowed on this connection drive. The intersection of the access at Turkey Oak Street shall provide a left turn lane at a minimum and employing generally accepted traffic engineering standards, may require a deceleration lane (Exhibit "E"). This primary access connection to Turkey Oak Street shall be completed by December 31, 2000. Future access shall also be permitted to the multi-family tract on the north side of the Turkey Oak Street in accordance with the allowance for curb cuts every 200 feet per the City's Comprehensive Plan and Codes.

26. Any changes to the land use, shifting square footage in excess of 10% for the mall to the peripheral commercial space or vice versa which affects traffic circulation and modifies off-site impacts shall be prohibited unless clearly disclosed in the annual report for the upcoming phase and appropriate mitigation agreements are developed and/or amended as applicable.

N. HOUSING

1. In order to ensure adequate housing opportunities reasonably proximate to places of work and to address the housing policies

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1999 JUN -9 AM 10:57

of the state land development plan, prior to the commencement of the General Commercial, the Developer shall conduct an analysis of the affordable housing needs to be generated by the Development, including the need for affordable housing for the Regional Mall, (using a methodology approved by DCA). If the analysis shows that the Development will generate significant affordable housing needs which will not be met by such housing in the area, the Developer shall prepare a Housing Affordability Implementation Plan (HAIP) and shall adopt the HAIP as an amendment to this Development Order. The HAIP shall be consistent with applicable rules of DCA, WRPC, the Crystal River Comprehensive Plan, and City land development regulations.

At a minimum, The HAIP shall contain:

- a. Specific standards or amounts for needed housing delivery, including housing delivery alternatives.
- b. Specific mechanism for HAIP implementation.
- c. Monitoring.
- d. Location and placement of affordable units.
- e. An assessment of the HAIP and its relationship to the local comprehensive plan in regard to the need for affordable housing.
- f. Provisions for crediting the Developer for activities that address affordable housing.

O. GENERAL CONDITIONS

- I. The Crystal River Mall DR1 project shall be eligible for credit against impact fees collected in accordance with chapter 380-06 (16) as amended 1989, and as provided for in local ordinance subject to filing and approval of an application for same. However, limits of credit shall be governed by the terms of this Development Order, where applicable, and in no case shall the Developer be eligible for credit for internal, on-site facilities required by local regulations or to any off-site facilities to the extent such facilities are necessary to provide safe and adequate services to the development.

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Notwithstanding any provisions herein to the contrary, the City of Crystal River does not have an impact fee ordinance relating to roads or parks/recreation but participates through an interlocal agreement with Citrus County, Florida wherein the City collects the County's impact fees within the municipal boundaries. To the extent that the Developer deems it is entitled to impact fee credits pursuant to Chapter 380, Laws of Florida, such shall be separately negotiated with the County pursuant to the application process in the County's impact fee ordinance. Nothing herein shall be constructed as to limiting the County's jurisdiction thereover or binding said County by any terms or conditions herein without its express written consent.

2. Any internal adjustment transferring square footage from the mall to the peripheral commercial uses and vice versa shall not exceed 10% without demonstrated proof that no adverse impacts off-site will occur and that the supporting infrastructure is adequately sized to accommodate the change. All such changes shall be disclosed in the annual monitoring report in advance of such proposed transfer or adjustments.
3. Crystal River Mall DRI will comply with all applicable state and local regulations in effect at the time of each building permit application, except the Developer has elected to comply with the requirements of Chapter 403 and Chapter 373, F.S., in effect at the time of approval of this order, subject to the limitations of Chapter 380.06 (5)(c), and except as approved in this Development Order.
4. For purposes of interpretation, the provisions of this Development Order shall govern where conflicts exist between the Development order and the ADA, and where the Development Order is silent, the ADA shall govern.
5. The Developer shall prepare a revised single sheet Master Plan Map H, within 6 months of the effective date of this resolution approval, at a minimum scale of 1" = 400' containing the following minimum information:
 - a. Acreage and land use schedule by type of land use and by phase. All phases shall be clearly delineated on the Master Plan.
 - b. All access points and relationship to major existing and proposed arterial or collector roadways (including, at a

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minimum, the US 19, Old Tallahassee Road and NW 19th St. Extension proposed collector).

- c. Estimated number, type, density, size and height of multiple family housing units. (In Tabular Form).
- d. Show active and passive recreation areas and indicate acreage.
- e. Delineate all preserved wetlands and mitigation areas along with acreages for each.
- f. Any applicable conditions affecting the site plan shall be incorporated into this revised Master Plan.

Copies of this revised site plan shall be submitted to the Crystal River Planning Department for their review and approval. Upon approval, copies shall be transmitted to the Withlacoochee Regional Planning Council, the Department of Community Affairs and Citrus County.

6. This project shall be platted in accordance with the standards and requirements for subdivision under the Crystal River Code, to include the construction and dedication of the right-of-way for the Old Tallahassee Road and Access A roadways on-site and platting of the respective phase of major commercial development sites as parcels. This Development Order recognizes that a variance will be applied for from the subdivision regulations for further division of the platted parcels. However, any further re-subdivision may be made by metes and bounds provided that it meets all other requirements of the City code unless variances to the applicable code are applied for and granted.
7. All development, including the mall and peripheral commercial uses and the multiple family housing project, shall be subject to site plan review in advance of permit issuance by Crystal River coordinated by the Planning Department, Building and Zoning Department, including the City Engineer and Utilities Division along with the Citrus County Fire Prevention Bureau. Development plans shall include a site plan which includes a landscaping plan, traffic circulation plan, stormwater management plan with drainage calculations, erosion control plan, water and sanitary sewer plan, and fire protection plan shall require approval by agencies having jurisdiction prior to commencement of development activities. No site preparation,

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alteration, and/or construction of on-site facilities or improvements shall be undertaken until the above approval is granted. The City agrees to review the plans in a timely manner, and approval will not be unreasonably withheld.

8. With regard to geotechnical issues, the development shall, at a minimum, comply with all recommendations outlined in the Jammal & Associates reports dated December 23, 1987, December 21, 1988, and subsequent report.
9. The City shall promptly notify the Developer of any action, claim or petition filed by, administrative hearings instituted by, or appeals prosecuted by third parties against the City or naming the City as a party and arising as a direct result of this Development Order. Thereafter, the Developer shall have the option to assume the defense of the City with respect to such action, hearing, claim, petition or appeal at Developer's sole cost.
10. Except as expressly provided herein, the City shall not be obligated to Developer to incur any cost or construct any facilities or improvements by virtue of, or as a result of, the order, rule or requirements of any other governmental agency relating to implementation of this Development Order.
11. The Developer upon execution of this Order shall pay to the City a fee of \$4,000.00 representing administrative expenses associated for processing and reviewing the Developer's Development of Regional Impact Application for Development Approval, conferences and this order. The Developer shall likewise pay all costs of advertising and transcription of all public hearings which shall be separately billed. Additionally, the Developer shall reimburse the City all engineering, planning and legal fees assumed by the City as a direct result of the Developer's Application. Upon execution hereof, the City Manager shall forthwith invoice the Developer for all such planning, legal and engineering fees incurred which shall be paid within 30 days.
12. Upon request of Developer, the City shall certify in writing to Developer or its designee whether Developer is in compliance with this Development Order, and to the extent not in compliance, shall describe the nature of the noncompliance in reasonable detail. Such certification shall be made within fifteen (15) days after the date of receipt by the City of Developer's request therefor.

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IV. ANNUAL REPORT

By January 31st of each year following the issuance of this Development Order and until such time as 100% of the development has been completed, the Developer shall provide an Annual Report as required in F.S. Chapter 380.06(18). Requirements for the content and dissemination of this report shall be as follows:

A. DISSEMINATION

1. The Annual Report shall be sent to the following agencies: The City of Crystal River Department of Planning, or successor thereto; the Withlacoochee Regional Planning Council; The Department of Community Affairs (DCA), and such other agencies as may be appropriate.
2. By January 31st of each year, the Developer shall provide the City of Crystal River with a statement that all persons/agencies listed in A-1 above have been sent copies of the Annual Report.

B. CONTENT

1. Changes in the plan of development of phasing for the reporting year and for the next year;
2. A summary comparison of development activity proposed and actually conducted for the year;
3. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or Developer;
4. Identification and use of lands purchased, leased or optioned by the Developer adjacent to the original DRI site since the Development order was issued;
5. An assessment of the development's and local government's compliance with conditions of approval contained in the DRI Development Order;
6. Any known incremental DRI applications for development approval or requests for a substantial deviation

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determination that were filed in the reporting year and to be filed during the next year;

7. Any change to the approved land use schedule outlined herein including internal transfers of square footage from mall to peripheral commercial or vice versa;
8. An indication of a change, if any, in local government jurisdiction for any portion of the development since the Development Order was issued;
9. A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number of purpose of each;
10. A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(18), Florida Statutes; and
11. A copy of any notice of the adoption of a Development Order or the subsequent modification of an adopted Development Order that recorded by the Developer pursuant to Subsection 380.06 (15)(f), Florida Statutes.

V. MONITORING AND ENFORCEMENT

- A. The City Manager or authorized designees shall be responsible for insuring compliance with this Development Order.
- B. Data necessary for monitoring shall be generated by building permits, certification of occupancy, approval of plats and offering statements, the annual report and on-site observations.
- C. Enforcement of the terms of this Development Order shall be through such means as are authorized and envisioned by Chapter 380, Florida Statutes, and through the City of Crystal River Development Regulations, including, but not limited to, plat approval, zoning approval, building permits and utility hookups.
- D. All conditions, restrictions, requirements, commitments, and impact mitigation provisions contained or incorporated by reference in this Development Order may be enforced by action at law or equity.

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- E. Definitions contained in Chapter 380, Florida Statutes, shall control in the interpretation of this Development Order unless specifically defined within the Development Order.
- F. The obligation of this Development Order shall run with the land. All successors or assigns within the DRJ, except owners of individual residential units, shall provide DCA with a report which addresses the ownership of the land and outlines responsibilities assumed by the new owner in meeting the conditions required by this Development Order, within thirty (30) days of title change.

VI. COMMENCEMENT AND COMPLETION OF DEVELOPMENT

- A. In the event the Applicant fails to commence significant physical development within two (2) years from the effective date of the Development Order, the development shall be subject to further consideration pursuant to Section 380.06, Florida Statutes, and shall be presumed to be a substantial deviation. Significant physical development shall mean site preparation work and all permits issued for such work for the Regional Mall.

Any appeal of this Development Order or regulatory agency action which by denial of an application for permit, prohibits or delays development, shall, during the pendency of any appeal of this Development Order, or of regulating agency. Permit denial, stay the running of two (2) years commencement of development time.

- B. The Crystal River Mall development is planned to extend for a five (5) year period. Failure to complete development within five (5) years of the projected buildout date for completion of development of the last phase of the Crystal River Mall shall constitute a presumption that a substantial deviation has occurred.

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VII. SUBSTANTIAL DEVIATION

- A. Further review pursuant to Chapter 380, may be required if a substantial deviation, as defined in Section 380.06(19), Florida Statutes occurs. The Developer shall be given due notice of, and an opportunity to be heard at any hearing to determine whether or not a proposed change to the development is substantial deviation. Substantial deviation may occur by failure to comply with the conditions herein or failure to follow the plans and specifications submitted in the ADA.
- B. Failure to file the Annual Report by March 1st of each and every year, as required, shall result in the temporary suspension of the Development Order by the local government.

VIII. VESTING

- A. Crystal River agrees that the Crystal River Mall shall not be subject to down-zoning, unit density reduction, or intensity reduction until August 1, 2012, unless it can demonstrate that substantial changes in the conditions underlying the approval of the Development Order was based on substantially inaccurate information provided by the Applicant or that the change is clearly established by the City of Crystal River after due notice and public hearing, to be essential to the public health, safety, or welfare.

IX. RESOLUTION AS DEVELOPMENT ORDER

- A. This Resolution and its accompanying exhibits and references shall be deemed the Development Order required pursuant to Section 380.06, Florida Statutes for the Crystal River Mall.
- B. Notice of the adoption of this Development order shall be recorded by the Applicant in accordance with Chapter 380.06 (15)(f), Florida Statutes.
- C. The City Clerk shall certify the date upon which certified copies of the recorded Development Order are deposited in the U.S. Mail to the DCA, the WRPC and the Applicant.

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X. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or word of this Development Order is for any reason held or declared invalid, inoperative or void, the remaining portion of the order shall remain valid and continue in full force and effect.

XI. EFFECTIVE DATE

The effective date of this Development Order shall be the date of transmittal of the approved Development Order to all parties, as defined by Rule 9J-2.025(6), F.A.C., and Section 380.06, Florida Statutes as outlined above. Any appeal of this Development Order shall, during the pendency of such appeal, stay the effective date of this Development Order.

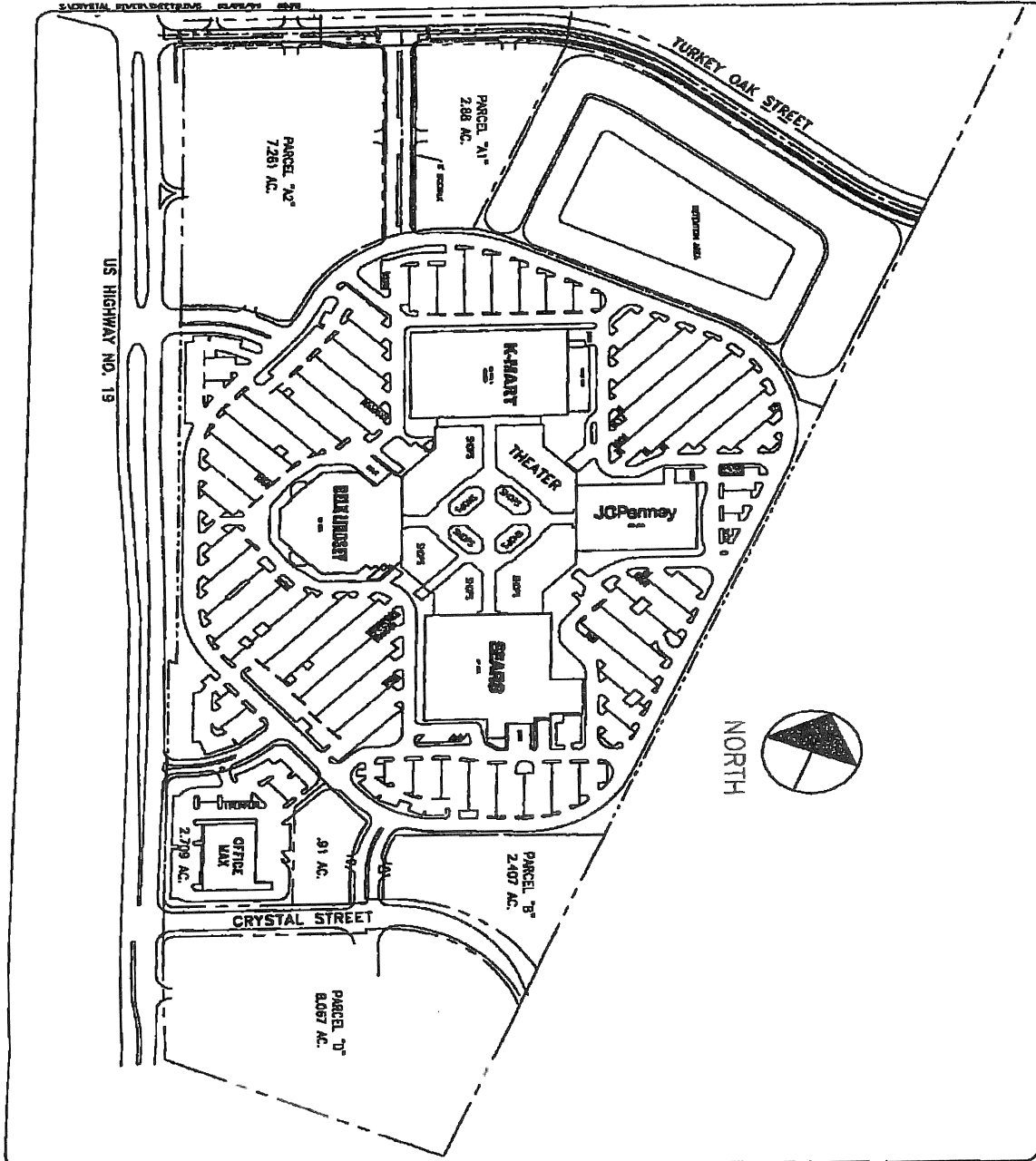
BE IT FURTHER RESOLVED BY THE CRYSTAL RIVER CITY COUNCIL THAT THE FOLLOWING SHALL APPLY:

1. That this Resolution shall constitute the Development Order of the City of Crystal River in response to the Development of Regional Impact Application for Development Approval filed by the Developer.
2. That the definitions found in Chapter 380, Florida Statutes (1989), shall apply to this Development Order.
3. That this Development Order shall be binding upon the Developer and its heirs, assignees, or successors in interest.
4. That a certified true copy of this Development Order shall be filed and recorded in the Public Works of the City of Crystal River, Florida and Land Records of Citrus County, in accordance with Section 380.06(15), Florida Statutes and this Development Order shall govern the development of the Crystal River Mall.
5. The Developer must begin construction no later than two (2) years after the effective date of this order. This Development Order will expire on December 31, 2010.

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Exhibit "E"



2 of 2 Date: 05/08/2017 Time: 10:57 AM	CRYSTAL RIVER MALL MALL SITE PLAN	SIMON PROPERTY GROUP, INC. <small>10000 W. UNIVERSITY BLVD. SUITE 1000 ORLANDO, FL 32817</small>	ES&S Greater Orlando Cycle <small>Engineers Landscape Architects 1000 W. UNIVERSITY BLVD. SUITE 1000 ORLANDO, FL 32817</small>	Scale: 1" = 100' Date: 05/08/2017 Time: 10:57 AM
	100'			

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6. That certified copies of the approved Development Order shall be transmitted immediately by certified mail to DCA, WRPC, and the Developer by the City.

EXHIBITS

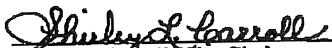
- "A" - Legal Description
- "B" - March 22, 1999 NOPC Application
- "C" - Waste Water Agreement
- "D" - Potable Water Agreement
- "E" - Turkey Oak Street Access Improvement Location Map
- "F" - Transportation Improvement Location Map
- "G"- Revised 1999 Map "H"

ADOPTED, in Regular Session this 10th day of May, 1999, City of Crystal River City Council, subsequent to the Public meetings held on May 10th, 1999.

CITY OF CRYSTAL RIVER
CITY COUNCIL

By 
Curtis A. Rich, Sr., Mayor

ATTEST:


Shirley L. Carroll, City Clerk

CERTIFIED AS TO CORRECTNESS
AND FORM


Clark A. Stillwell, City Attorney

C

C



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EXHIBIT "A"

CRYSTAL RIVER HALL DRI DEVELOPMENT ORDER
SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST

BOUNDARY SURVEY LEGAL DESCRIPTION: (As prepared by
Van Norman & Associates)

Commence at the Southeast corner of Section 17, Township 18 South, Range 17 East, Citrus County, Florida, thence North along the East line of said Section 17, .302.75 feet to the Point of Beginning; thence continue North 4,983.45 feet to the Northeast corner of Section 17, Township 18 South, Range 17 East, also being the Southeast corner of Section 8, Township 18 South, Range 17 East; thence N 0°28'20" E. along the East line of said Section 8, 1,325.59 feet to the Northeast corner of the South 1/2 of the Southeast 1/4 of said Section 8; thence S 88°36'41" W. 2,571.90 feet to a Point Beginning on the South right-of-way line of West Ashburn Lane; thence S 58°36'41" W. continuing along said South right-of-way 100.00 feet; thence S 88°36'41" W. 312.19 feet to a Point being 300.00 feet at right angles to the Easterly right-of-way of U.S. Highway No. 19; thence departing from the South right-of-way line of West Ashburn Lane S 22°58'24" E. parallel to the easterly right-of-way of U.S. Highway No. 19, 1,378.55 feet to a Point on the South line of said Section 8; thence S 22°58'13" E. 2,329.95 feet; thence S 67°02'13" W. 299.65 feet to the Easterly right-of-way line of U.S. Highway No. 19; thence S 22°59'47" E. along said right-of-way 700.00 feet; thence continuing along said right-of-way S 22°50'05" E. 279.96 feet; thence S 22°58'05" E. 898.87 feet; thence S 89°27'47" W. 21.66 feet; thence S 23°04'56" E. 1,087.48 feet; thence departing from said Easterly right-of-way S 89°19'41" E. 683.90 feet to the Point of Beginning.

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1999 JUN -9 AM 10:57

Exhibit "B"

FORM RPM-BSP-PROPCHANGE-1

STATE OF FLORIDA
 DEPARTMENT OF COMMUNITY AFFAIRS
 DIVISION OF RESOURCE PLANNING AND MANAGEMENT
 BUREAU OF STATE MANAGEMENT
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399
 (850) 489-4925

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
 DEVELOPMENT OF REGIONAL IMPACTS (DRI)
 SUBSECTION 380.06(19), FLORIDA STATUTES**

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, Thomas A. Marsicano, the undersigned authorized representatives of URS Greiner Woodward Clyde, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the Crystal River Mall development, which information is true and correct to the best of our knowledge. I have submitted today, under separate cover, copies of this completed notification to the City of Crystal River City Council, to the Withlacoochee Regional Planning Council, and to the Bureau of State Planning, Department of Community Affairs.

Mar 22, 1999
 (Date)

Thomas A. Marsicano
 (Signature)

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1998 JUN -9 AM 10: 57

2. Applicant (name, address, phone)

Timothy J. Daly, Development Director
 Simon Property Group, Inc.
 115 West Washington Street
 Indianapolis, IN 46204
 Phone: (317) 263-7153

3. Authorized Agent (name, address, phone)

Mr. Thomas A. Marsicano, Vice President
 URS Greiner Woodward Clyde
 Post Office Box 31646
 Tampa, Florida 33631-3416
 Phone: (813) 286-1711

Mr. John Crider, Attorney
 Crider Law Firm
 Plantation Point, Suite A
 521 West Fort Island Trail
 Crystal River, Florida 3442
 Phone: (352-795-2946)

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Section 17, Township 18 South, Range 17 East in Citrus County, Florida.

5. Provide a complete description of proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, buildout date, development order conditions and requirements, or to the representations contained in either the development order or the Application of Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

This proposed change consists of a request to consolidate the approved three phase project, the last of which has a December 30, 2000 buildout date, into a single phase project with a buildout date of December 30, 2005. A revised Master Plan, Map H, indicating a single phase development is included in Appendix A of this Application.

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The originally approved build-out dates were referenced in Resolution 89-R-8, Development Order for the Crystal River Mall Development of Regional Impact approved by the City of Crystal River City Council on August 9, 1989. The first amendment to the development order, Resolution 91-R-30, approved an extension to the original three phase buildout dates to 1993, 1995, and 1997, respectively. The currently approved project phases and schedule are included in the City of Crystal River Resolution 96-R-13. A copy of the original and all amendment resolutions is included in Appendix A.

Since all regional transportation and environmental mitigation conditions of the approved Development Order conditions have been satisfied for all phases of the development, consolidation will not result in any new or additional regional impacts. An updated Transportation Analysis which provides a summary of 2005 Peak Hour conditions is included in Appendix C.

There is one remaining on-site transportation condition, M.25, which requires construction of a roadway connection between the mall and Access Road A (Turkey Oak Street, formerly NW 19th Street). This connection will be installed in conjunction with planned peripheral commercial development to be completed by December 2000.

Cumulative Summary of Development Order Amendments			
Action/Resolution	Approval Date	Buildout Dates By Phase	Cumulative Extension (Years)
Original DO 89-R-8	August 9, 1989	I - 1990; II - 1992; III - 1994	0
First Amendment 91-R-30	May 13, 1991	I - 12/15/93; II - 12/15/95; 12/15/97	<3
Second Amendment 92-R-38	November 9, 1992	I - 12/15/95; II - 12/15/97; 12/15/99	<5
Third Amendment 96-R-13	July 22 1996	I - 12/30/96; II - 12/30/98; III - 12/30/2000	<7
Fourth Amendment	Proposed	December 31, 2005 (Single Phase)	12

- 6. Complete the following table for all land use types approved in the development. If no change is proposed or has occurred, please indicate no change.

The presently proposed change relates to a consolidation of the project's approved dates of buildout and further extension of the final buildout date to 2005. No changes in approved use or intensity are proposed. The Substantial Deviation Determination Table has been completed, however, the "Proposed Plan" column actually represents the currently approved plan except in the areas of "D.O. Conditions" and "ADA Representations", which have been revised to show the change from a three phase to a single phase project.

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- 7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI Development Order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or Development Order was issued? If so, has the annexing local government adopted a new DRI Development Order for the project? Please provide a copy of the order adopted by the annexing local government, if not previously provided to the Department.

The City of Crystal River City Council approved the Crystal River Mall DRI, Resolution 89-R-8, on August 9, 1989.

On September 9, 1991, the Crystal River City Council approved Resolution 91-R-30, the First Amendment to the Development Order. This amendment extended the buildout dates for the three phases, changed language controlling solid waste collection, and incorporated a land use designation change in the Crystal River Comprehensive Plan on 2.75 acres of the Crystal River Mall DRI (Ordinance 91-0-10). The second amendment, Resolution 92-R-38, extended the build-out dates of all phases an additional two years.

On July 22, 1996, the City of Crystal River City Council approved Resolution 96-R-13, the Third Amendment, providing a further extension of the buildout dates for all project phases.

The following table provides a cumulative summary of the prior changes and buildout date extensions.

- 8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI Development Order. Identify such land, its size, and intended use on a project master site plan or other map.

No additional lands have been purchased or optioned within 1/4 mile of the original DRI site.

- 9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

The proposed change is less than 40 percent of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes. In the original ADA, the phases were assessed cumulatively and mitigation has been completed for all phases. Since this proposed change involves only a consolidation of the three phase project into a single phase project with no further extension of the final buildout date, there is no increased cumulative impact.

Do you believe this Notification of Change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.?

No.

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- 10. Does the proposed change result in a change to the build out date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

Yes. The proposed change consolidates the three phases of the development into a single phase. The buildout date for this single phase will be December 30, 2005.

- 11. Will the proposed change require an amendment to the local government comprehensive plan?

No amendment to the City of Crystal River comprehensive plan will be required.

Provide the following for incorporation into such an amended Development Order, pursuant to Subsections 380.06(15), F.S., and 9J-2.025, Florida Administrative Code:

- 12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

No changes to the master site plan are proposed other than elimination of the phase designations referred to above.

- 13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the Development Order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representation in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change.

A draft resolution to amend the Development Order as described herein is included in the Appendix of this Application.

- b. An updated legal description of the property, if any project areas is/has been added or deleted to the previously approved plan of development.

Not applicable.



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1999 JUN -9 AM 10: 57

- c. **A proposed amended Development Order deadline for commencing physical development of the proposed changes, if applicable.**
Not applicable.
- d. **A proposed amended Development Order termination date that reasonably reflects the time period required to complete this development.**
December 31, 2010.
- e. **A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable.**
December 31, 2010.
- f. **Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.05(7), F.A.C.**
No change required.

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TABLE 1
Crystal River Mall
Substantial Deviation Determination Chart

Type of Land Use	Change Category	Proposed Plan	Original Plan	Previous DO Change - Date
Attraction/Recreation (380.0651(b)3., F.S.), Multi-Screen Movie Theater	Number of Parking Spaces	0	0	N
	Number of Spectators	0	0	N
	Number of Seats	1,696	0	N
	Site Location Changes	None	N/A	N
	Acreage, including drainage, ROW, Easement, etc.	No Change	N/A	N
	Number of External Vehicle Trips, PM Peak Hour	77 ¹	0 ¹	N
	D.O. Conditions	1 Phase 2005 Bulldozer	3 Phases	Amend. 1 - 5/13/91 Amend. 2 - 11/9/92 Amend. 3 - 7/22/96
ADA Representations	See Note 2	See Note 2	N	
Wholesale, Retail, Service	Acreage, including drainage ROW, Easement, etc.	76.6	76.6	None (N)
	Floor Space (gross square feet)	789,533 ⁽²⁾	815,850	N
	Number of Parking Spaces	3,572	3,572	N
	Number of Employees	2,071	2,071	N
	Site Location Changes	None	N/A	N
	Number of External Vehicle Trips, PM Peak Hour	2,264 ⁽⁴⁾	2,324	N
	D.O. Conditions	1 Phase 2005 Bulldozer	3 Phases	Amend. 1 - 5/13/91 Amend. 2 - 11/9/92 Amend. 3 - 7/22/96
ADA Representations	1 Phase	3 Phases		

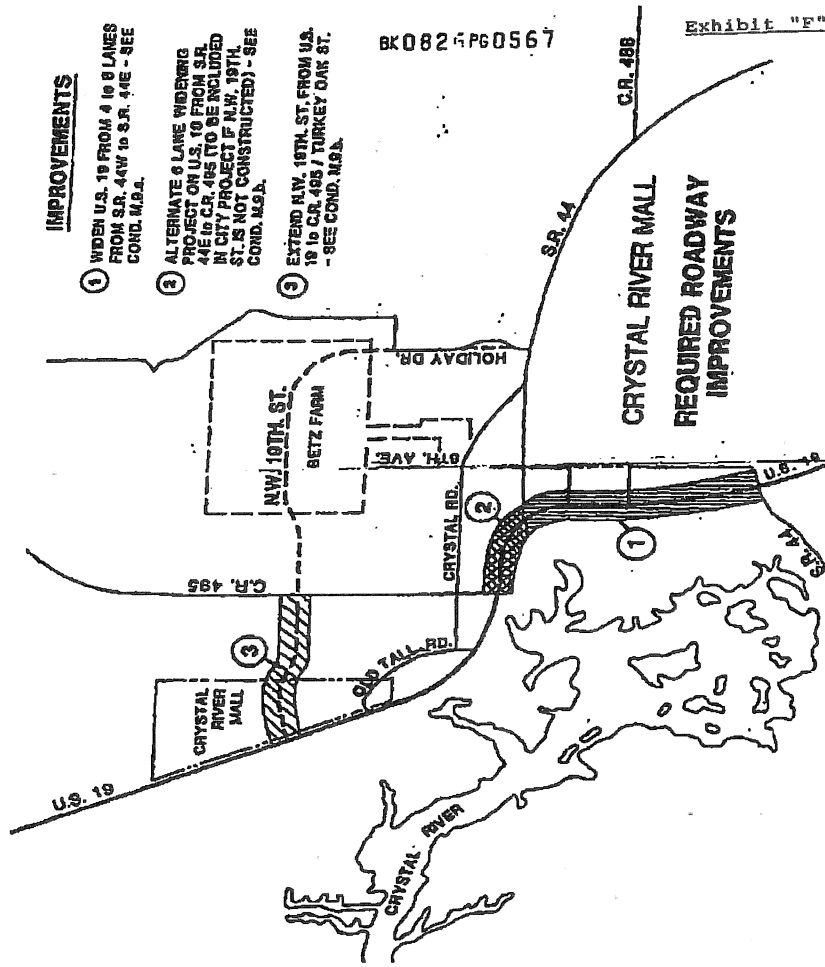
Notes:

1. Based on ITE, 5th Edition, Land Use Code 444 - for 1,696 seat, free standing theater p.m. peak hour = 102 trips. Assume 25% capture/internalization as part of Regional Mall = 77 p.m. peak hour theater trips.
2. At the time of DO approval and according to current industry practice, the definition of "Regional Mall" includes theater as a normal use or tenant. It is identified as a separate use herein only for purposes of compliance with Section 380.06(19), F.S.
3. Result of converting 26,317 sq. ft. of approved retail to theater.
4. Result of subtracting 60 trips associated with 26,317 sq. ft. of approved retail.

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08/07/98 15:58 2813 200 6547 GREINER TAMPA HENICER & RAY/CR 002



IMPROVEMENTS

- ① WIDEN U.S. 19 FROM 4 TO 8 LANES FROM S.R. 44W TO S.R. 44E - SEE COND. M.S.D.
- ② ALTERNATE 6 LANE WIDENING PROJECT ON U.S. 19 FROM S.R. 44E TO S.R. 405 (TO BE INCLUDED IN CITY PROJECT IF N.W. 19TH ST. IS NOT CONSTRUCTED) - SEE COND. M.S.D.
- ③ EXTEND N.W. 19TH ST. FROM U.S. 19 TO C.R. 488 / TURKEY OAK ST. - SEE COND. M.S.D.

BK0824P60567

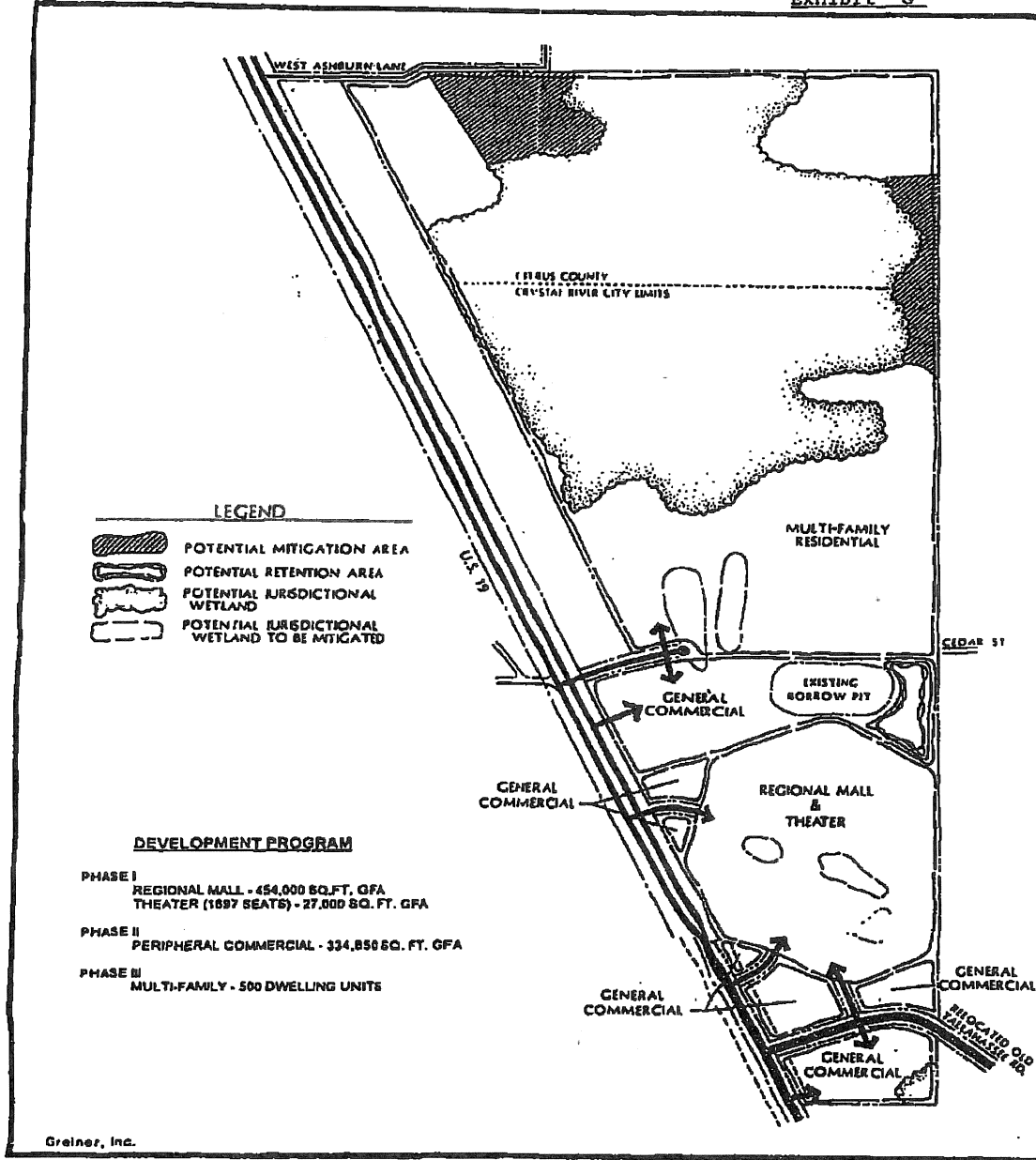
Exhibit "F"

**CRYSTAL RIVER MALL
REQUIRED ROADWAY
IMPROVEMENTS**

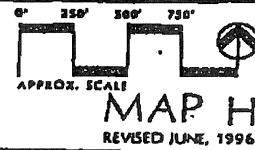
PK 1309PG1199

1999 JUL -9 AT 10: 57

Exhibit "G"



CRYSTAL RIVER MALL MASTER PLAN





RESOLUTION NO. 06-R-38

2006068171 2 PGS

**A RESOLUTION AMENDING RESOLUTION 89-R-8 OF
THE CITY COUNCIL OF CRYSTAL RIVER, FLORIDA,
APPROVING AN APPLICATION OF NOTIFICATION OF
A PROPOSED CHANCE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI) KNOWN
AS THE CRYSTAL RIVER MALL AND FILED BY THE
SIMON PROPERTY GROUP, INC.**

WHEREAS, on June 27, 2006, the Simon Property Group, Inc., hereinafter referred to as Developer, and Thomas A Marsicano, Vice President, URS Corporation Southern, hereinafter referred to as the Authorized Agent filed an amendment to the Development of Regional Impact for approval with the City of Crystal River City Council, in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the City of Crystal River City Council has determined that the proposed modifications to the Crystal River Mall do not constitute a "Substantial Deviation" under Section 380.06(19), Florida Statutes; and

WHEREAS, The City of Crystal River, on July 24, 2006, held a duly noticed public hearing on the changes to the Development of Regional Impact for approval, and has heard and considered the testimony and documents received thereon.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF CRYSTAL RIVER, FLORIDA THAT:**

SECTION 1: The second recital on Page 1 of Resolution 99-R-02 and all other reference in the Development Order to 500 multi-family dwelling units are hereby revised to a total of 549 multi-family dwelling units.

SECTION 2: That the Development Order Section I, Findings of Fact, Subsection E shall be amended to read:

Section I.E and I.I.E of Resolution 99-R-02 are hereby revised to indicate a total of 549 multi-family dwelling units with a build out date of December 31, 2015. Section V.B. is modified to read: Crystal River Mall Development is planned to extend for a 21 year period. Section VIII.Z is modified to indicate the Crystal River Mall shall not be subject to down zoning, unit density reduction, or intensity reduction until December 31, 2025.

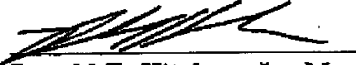
OFFICIAL RECORDS
CITRUS COUNTY
BETTY STRIFLER
CLERK OF THE CIRCUIT COURT
RECORDING FEE: \$10.50
2006068171 BK:2055 PG:2321
10/04/2006 12:14 PM 2 PGS
KCCR,DC Receipt #840718

SECTION 3: This Resolution shall take effect immediately upon passage.

DONE, THIS 24th day of July, 2006.

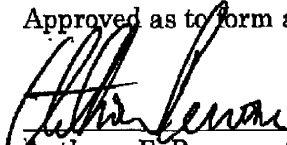
CITY OF CRYSTAL RIVER

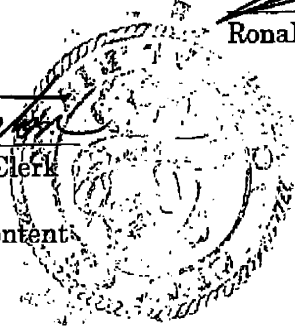
ATTEST:


Ronald E. Kitchen, Jr., Mayor


Carol A. Harrington, City Clerk

Approved as to form and content:


Anthony F. Perrone, City Attorney





2007029643 3 PGS

OFFICIAL RECORDS
CITRUS COUNTY
BETTY STRIFLER
CLERK OF THE CIRCUIT COURT
RECORDING FEE: \$27.00
2007029643 BK:2125 PG:828
05/15/2007 01:33 PM 3 PGS
KCCR, DC Receipt #017337

ORDINANCE 07-O-10

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA, REDESIGNATING ZONING OF CERTAIN PROPERTY KNOWN AS "HIDDEN LAKES PRESERVE", FROM RESIDENTIAL (R-2) TO PLANNED UNIT DEVELOPMENT (PUD) AS DESCRIBED IN SECTION 1; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Whereas, the Planning Commission held a public hearing on March 15, 2007 to consider a request that the zoning/classification be changed for 175.8 acres as described in Section 1; and

Whereas, the Planning Commission voted to recommend to the City Council to approve the request subject to a modification in the application and approval of that modification by the Planning Department; and

Whereas, such change was received, reviewed and approved by the Planning Department; and

Whereas, the City Council of the City of Crystal River, Florida, after publication of a notice of its consideration of this ordinance, has determined that it is in the best interest of the City of Crystal River to approve the rezoning of the subject property:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, AS FOLLOWS:

Section 1. Zoning Map Amendment

The zoning map of the City of Crystal River, Florida, is hereby amended to reflect a change from Multi-family Residential (R-2) to Planned Unit Development (PUD) for the following property:

Lots 7, 8, and 9 of the Crystal River Mall Development of Regional Impact (DRI).

Section 2. Repeal of Conflicting Ordinances

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 3. Severability.

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence or paragraph or section of this ordinance shall be declared unconstitutional by the valid judgement or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance

Section 4. Effective Date.

This Ordinance shall become effective immediately upon passage.


This Ordinance was introduced and placed on first reading on the 9th day of April, 2007, and upon motion duly made and seconded was passed on first reading.

This Ordinance was introduced and placed on second reading on the 23rd day of April, 2007, and upon motion duly made and seconded was passed and adopted on second reading.

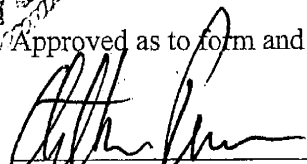
CITY OF CRYSTAL RIVER



Ronald E. Kitchen, Jr., Mayor

Attest:


Carol Harrington, City Clerk

Approved as to form and content:


Anthony F. Perrone,
City Attorney



ORDINANCE NO. 20-O-07

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA AMENDING THE MASTER PLAN ADOPTED BY ORDINANCE NUMBER 07-O-10 OF THE CITY OF CRYSTAL RIVER BY REVISING THE PUD KNOWN AS "HIDDEN LAKES PRESERVE" AS TO LOTS 7 AND 8, AS FURTHER DESCRIBED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER AS PARCEL NUMBERS 17E18S170300 0070 AND 17E18S170300 0080 BY INCLUDING CLASS "A" R.V. RESORT AS AN APPROVED USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Florida Statutes (F.S.) the City of Crystal River City Council adopted the City of Crystal River Comprehensive Plan; and

WHEREAS, on May 17, 2005, the City of Crystal River adopted the City of Crystal River Land Development Code (LDC) as ordinance 05-O-08; and

WHEREAS, the City Council of the City of Crystal River, Florida recognizes the need to update and revise the City's Land Development Code to maintain consistency with the goals, objectives, and polices of the Comprehensive Plan and Community Redevelopment Area (CRA) Plan; and

WHEREAS, the City of Crystal River Planning Commission held a public hearing on September 3, 2020 to consider a request to Modify the Master Plan adopted by Ordinance Number 07-O-10 of the City of Crystal River by revising the PUD known as "Hidden Lakes Preserve" as to Lots 7 and 8 as further described in the records of the Citrus County Property Appraiser as Parcel Numbers 17E18S170300 0070 and 17E18S170300 0080 ("Subject Property") by including Class "A" R.V. Resort as an approved use; and

WHEREAS, the City of Crystal River Planning Commission voted 7-0 to recommend approval of the proposed PUD Master Plan Modification, attached hereto as "Exhibit A"; and

WHEREAS, the City of Crystal River has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, the City Council of the City of Crystal River, Florida, has determined that adoption of this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Crystal River.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA THAT THE CITY'S LAND DEVELOPMENT CODE IS AMENDED AS FOLLOWS:

SECTION 1. PURPOSE. The purpose of this Ordinance is to Modify the Master Plan adopted by Ordinance Number 07-O-10 of the City of Crystal River by revising the PUD known as "Hidden Lakes Preserve" by adding a permitted use for the Subject Property as set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba. Specifically, such PUD is hereby amended to permit the Subject Property to be used as a Class "A" R.V. Resort.

SECTION 2. AUTHORITY. The City of Crystal River City Council is authorized to amend the Crystal River Land Development Code pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions, of the Code of Ordinances of the City of Crystal River, and as otherwise authorized by applicable Florida Statutes.

The City Council of the City of Crystal River, Florida, hereby adopts this Ordinance amending the Master Plan adopted by Ordinance Number 07-O-10 as set forth herein.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence or paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 5. MODIFICATION. It is the intent of the City Council that the provisions of this ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the Council and filed by the City Clerk.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

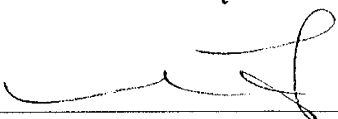
SECTION 10. EFFECTIVE DATE. This Ordinance shall become effective immediately upon passage.

APPROVED on the first reading after due public notice and public hearing the 14th day of SEPTEMBER, 2020.

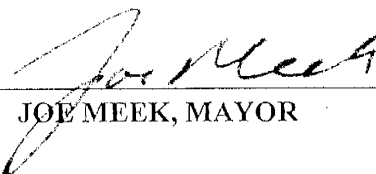
APPROVED on the second reading after due public notice and public hearing the 28th day of SEPTEMBER, 2020.

ATTEST:

CITY OF CRYSTAL RIVER



MIA FINK, CITY CLERK



JOE MEEK, MAYOR

PASSED on First Reading SEPTEMBER 14, 2020

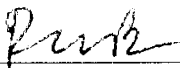
NOTICE Published on AUGUST 19, 2020

PASSED on Second & Final Reading SEPTEMBER 28, 2020

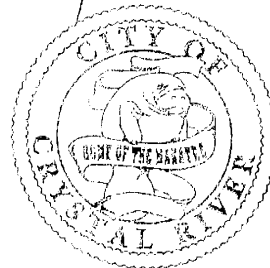
Approved as to form for the
Reliance of the City of Crystal River
only:

VOTE OF COUNCIL:

Brown	<u>Y</u>
Guy	<u>Y</u>
Holmes	<u>Y</u>
Fitzpatrick	<u>Y</u>
Meek	<u>Y</u>



Robert W. Batsel, Jr., City Attorney



Hidden Lake Preserve RV Resort

Preliminary Master Plan
August 7, 2020

SITE DATA

Land Use: Highway Commercial
Zoning: Planned Unit Development

Total ISR Proposed: 0.25
Total FAR Proposed: 0.15

Total Area: 175.8 AC
Area for Apartments: 10.7 AC
Conservation Easement: 80 AC
RV Resort: 85.1 AC

Total Parking Required - 947
Total Parking Provided - 171
(+ 107 Golf Cart Spaces)

Total Non-residential Square Footage:

Clubhouse - 9800 SF
Pool - 8000 SF
Laundry / Comfort Stations 4200 SF
Office - 2000 SF
Pavillion - 2400 SF
Bocce & Pickleball Courts - 6950 SF

Trees:

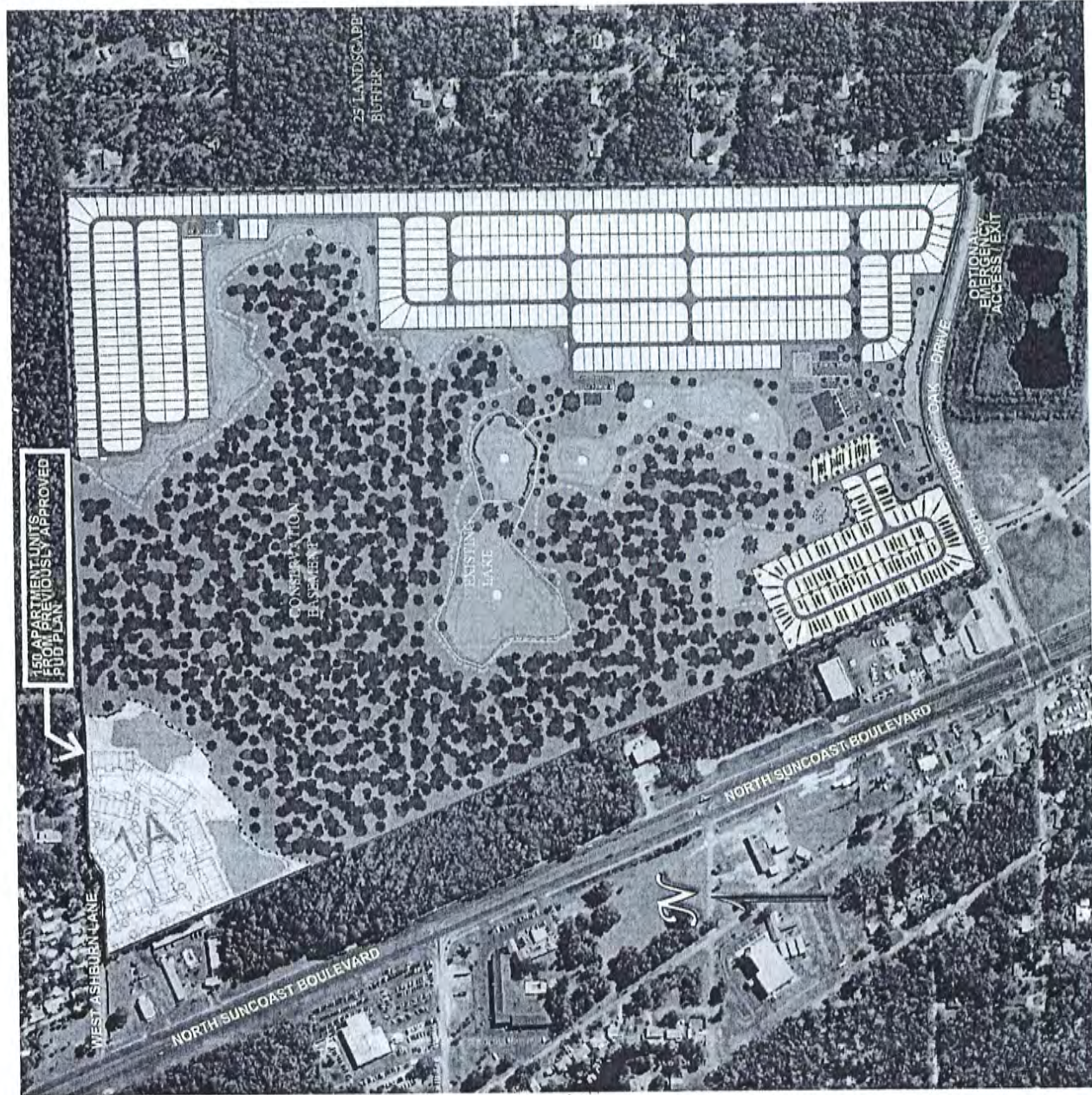
All trees in 80 AC Conservation Easement to remain.
Remaining Parcels: 15 Trees per acre required
(Trees in Buffer can count toward total)

Apartments: 150 Units

Three-story flat over flat apartments over parking garage level
Units 26' x 48' envelope with maximum height of 50'

RV Resort: 652 Units

All lots have min 20' x 55' pad to max 20' x 80' pad
Utilities and min 100 AMP service



CRYSTAL RIVER MALL SUBDIVISION

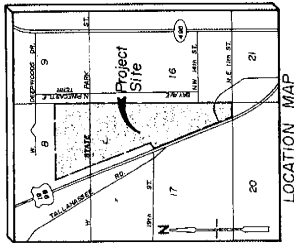
SECTIONS 17 & 8, TOWNSHIP 18 SOUTH, RANGE 17 EAST
CITRUS COUNTY, FLORIDA

DEDICATION:
 KNOW ALL MEN BY THESE PRESENTS THAT CR MALL, INC., INCORPORATED UNDER THE LAWS OF THE STATE OF FLORIDA, BEING THE OWNER IN FEE SIMPLE OF THE LANDS DESCRIBED HEREIN, HAS HEREBY DEEDED AND CONVEYED TO THE CITY OF CRYSTAL RIVER, CITRUS COUNTY, FLORIDA, HEREBY DESIGNATED TO THE PERPETUAL USE OF THE PUBLIC, ALL ROAD RIGHTS-OF-WAY, LOT 2, ALSO THE ISLANDS AND ISLANDS THEREON, AS SHOWN ON PLAT NO. 8,112, AND RECORDS BOOK 888, PAGES 869 AND 880, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, AND
 IN WITNESS WHEREOF I HAVE CAUSED THESE PRESENTS TO BE SIGNED AND ATTESTED TO BY OFFICERS WHOSE NAMES AND ADDRESSES ARE SET FORTH HEREIN, AND BY MYSELF, THE OWNER, AND BY TWO OTHERS, ALL OF WHOM ARE PERSONALLY KNOWN TO ME, AND BY THE SIGNATURE OF THE CITY OF CRYSTAL RIVER, CITRUS COUNTY, FLORIDA, AS A PUBLIC BODY, TO WIT:
 CR MALL, INC.
 C/O MALL, INC.
 7630 MARKET FLD #4212
 YOUNGSTOWN, OHIO 44132
 BY: Mrs. Allan Black
 STATE OF OHIO, COUNTY OF MAHONING,
 BEFORE ME THIS DAY PERSONALLY APPEARED Mrs. Allan Black IN AND TO ME, A Notary Public in and for the State of Ohio, who acknowledged that she is the duly authorized officer of said corporation, all by and with the authority of the board of directors of said corporation.
 SIGNED: Michelle Black
 DATED: SEPTEMBER 25, 1990
 MY COMMISSION EXPIRES: AUG. 28, 1995
 NOTARY PUBLIC

JOINER AND CONSENT TO DEDICATION:
 KNOW ALL MEN BY THESE PRESENTS THAT THE CITY OF CRYSTAL RIVER, CITRUS COUNTY, FLORIDA, HAS HEREBY DEEDED AND CONVEYED TO THE CITY OF CRYSTAL RIVER, CITRUS COUNTY, FLORIDA, HEREBY DESIGNATED TO THE PERPETUAL USE OF THE PUBLIC, ALL ROAD RIGHTS-OF-WAY, LOT 2, ALSO THE ISLANDS AND ISLANDS THEREON, AS SHOWN ON PLAT NO. 8,112, AND RECORDS BOOK 888, PAGES 869 AND 880, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, AND
 IN WITNESS WHEREOF SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED AND ATTESTED TO BY OFFICERS WHOSE NAMES AND ADDRESSES ARE SET FORTH HEREIN, AND BY MYSELF, THE OWNER, AND BY TWO OTHERS, ALL OF WHOM ARE PERSONALLY KNOWN TO ME, AND BY THE SIGNATURE OF THE CITY OF CRYSTAL RIVER, CITRUS COUNTY, FLORIDA, AS A PUBLIC BODY, TO WIT:
 THE CITY OF CRYSTAL RIVER, CITRUS COUNTY, FLORIDA
 BY: Shirley G. Brinkley
 CITY CLERK
 280 PARK AVENUE
 NEW YORK, NY 10035
 WITNESSES: Richard C. Pardy
 NOTARY PUBLIC

CRIMON OF TITLE:
 I, HEREBY CERTIFY THAT CR MALL, INC. IS THE APPARENT RECORD OWNER OF THE LANDS HEREBY PLATTED, THAT THERE ARE NO DELINQUENT TAXES ON SUCH LANDS, THAT RECORDS BOOK 888, PAGES 869 AND 880, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, SHOWS THE RECORDS OF THE CITY OF CRYSTAL RIVER, CITRUS COUNTY, FLORIDA, AS A PUBLIC BODY, TO WIT:
 DATED AT YOUNGSTOWN, OHIO, THIS 25TH DAY OF SEPTEMBER 1990.
 INTERSTATE TITLE SERVICES, INC.
 BY: Richard C. Pardy
 VICE PRESIDENT

LEGAL DESCRIPTION:
 COMMENCE AT THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, THENCE COMMENCE AT THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, THENCE S89°15'00"E 127.00 FEET TO THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST, ALSO BEING THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 17 EAST, THENCE N89°15'00"E 127.00 FEET TO THE EAST LINE OF ROAD RIGHTS-OF-WAY, LOT 2, ALSO THE ISLANDS AND ISLANDS THEREON, AS SHOWN ON PLAT NO. 8,112, AND RECORDS BOOK 888, PAGES 869 AND 880, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, AND
 IN WITNESS WHEREOF I HAVE CAUSED THESE PRESENTS TO BE SIGNED AND ATTESTED TO BY OFFICERS WHOSE NAMES AND ADDRESSES ARE SET FORTH HEREIN, AND BY MYSELF, THE OWNER, AND BY TWO OTHERS, ALL OF WHOM ARE PERSONALLY KNOWN TO ME, AND BY THE SIGNATURE OF THE CITY OF CRYSTAL RIVER, CITRUS COUNTY, FLORIDA, AS A PUBLIC BODY, TO WIT:
 CR MALL, INC.
 C/O MALL, INC.
 7630 MARKET FLD #4212
 YOUNGSTOWN, OHIO 44132
 BY: Mrs. Allan Black
 STATE OF OHIO, COUNTY OF MAHONING,
 BEFORE ME THIS DAY PERSONALLY APPEARED Mrs. Allan Black IN AND TO ME, A Notary Public in and for the State of Ohio, who acknowledged that she is the duly authorized officer of said corporation, all by and with the authority of the board of directors of said corporation.
 SIGNED: Michelle Black
 DATED: SEPTEMBER 25, 1990
 MY COMMISSION EXPIRES: AUG. 28, 1995
 NOTARY PUBLIC



ENGINEERS CERTIFICATE:
 THE UNDERSIGNED ENGINEERS HEREBY CERTIFY THAT THE PROJECT HAS BEEN DESIGNED AND CONSTRUCTION NECESSARY FOR THIS DEVELOPMENT ARE IN ACCORDANCE WITH THE DRAINAGE REQUIREMENTS ADOPTED BY THE CITY COUNCIL OF CRYSTAL RIVER, CITRUS COUNTY, FLORIDA.
 BY: John M. ...
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA LICENSE NO. 38753
 WEST PALM BEACH, FLORIDA 33411
 BY: John M. ...
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA LICENSE NO. 38753
 WEST PALM BEACH, FLORIDA 33411
 BY: John M. ...
 REGISTERED PROFESSIONAL ENGINEER
 FLORIDA LICENSE NO. 38753
 WEST PALM BEACH, FLORIDA 33411

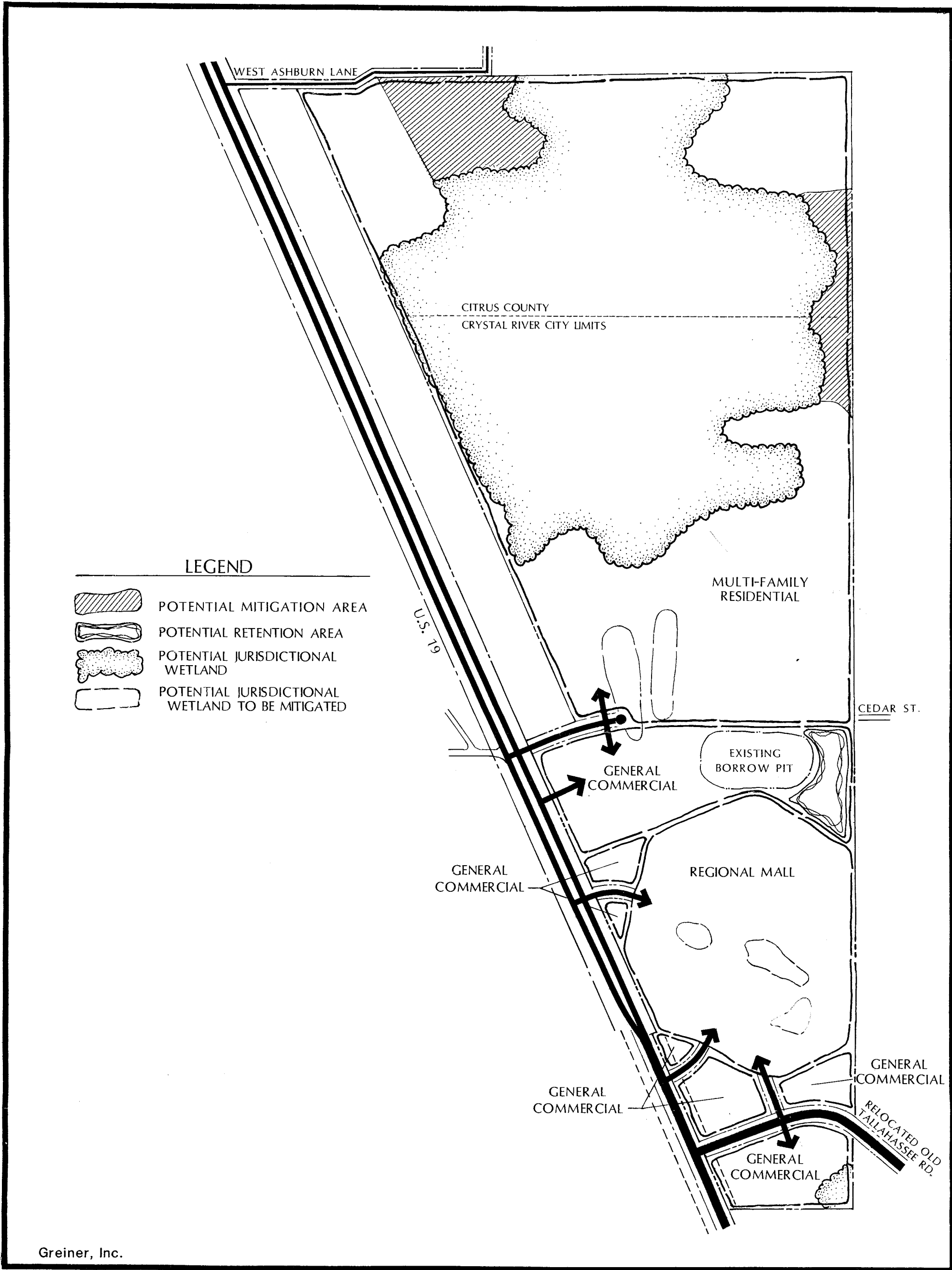
SURVEYORS CERTIFICATE:
 I, HEREBY CERTIFY THAT REPRESENTATION OF THE LANDS AS RECENTLY SURVEYED AND PLATTED UNDER MY DIRECTION, THAT THE PERMANENT REFERENCE MONUMENTS AS SHOWN ON THIS PLAT, COMPLY WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.
 VAN NORMAN & ASSOCIATES, INC.
 BY: John M. ...
 REGISTERED PROFESSIONAL SURVEYOR
 FLORIDA LICENSE NO. 11557
 1000 WEST COUNTY ROAD, CHASSALL CAUSEWAY
 TAMPA, FLORIDA 33609

CITY COUNCIL AND CITY CLERK:
 STATE OF FLORIDA, SS
 COUNTY OF CITRUS, FLORIDA THIS 25TH DAY OF SEPTEMBER 1990.
 BY: Shirley G. Brinkley
 CITY CLERK
 280 PARK AVENUE
 NEW YORK, NY 10035

CERTIFICATE OF APPROVAL OF THE COUNTY CLERK:
 I, BETTY STAFFLER, CLERK OF THE CIRCUIT COURT OF CITRUS COUNTY, FLORIDA, HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT THAT IT COMPLES IN FULL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND THAT IT WAS FILED FOR RECORD ON THIS 25TH DAY OF SEPTEMBER 1990, FILE NO. 8,112, AND RECORDED IN PLAT BOOK 888, PAGES 869 AND 880.
 BY: Betty Staffler
 CLERK OF THE CIRCUIT COURT

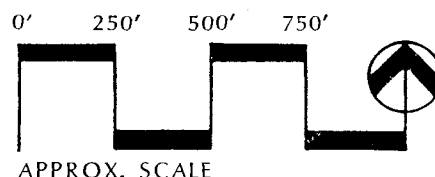
NOTES:
 1) THIS SUBDIVISION ENCOMPASSES 260.18 ACRES MORE OR LESS CENTRAL WATER AND SEWER SYSTEM.
 2) LOT 2 ENCOMPASSES A OBSERVATION EASEMENT GRANTED TO THE CITY OF CRYSTAL RIVER, BEING THE RIGHT OF WAY AND RECORDED IN PLAT NO. 8,112, AND RECORDS BOOK 888, PAGES 869 AND 880.
 3) MAINTAINED WITH ACCESS GRANTED TO THE CITY OF CRYSTAL RIVER.
 4) ACCORDING TO THE GOOD PRACTICES FOR DRAINAGE AND TO PROTECT THE STREETS FROM FLOODING, THERE SHALL BE A DRAINAGE CANAL TO BE CONSTRUCTED TO THE EAST OF THE PROJECT SITE.
 5) THIS PLAT ENCOMPASSES CRYSTAL RIVER ESTATES, PLAT BOOK 2, PAGES 163 AND 164, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, AND HAS BEEN INCORPORATED, RESOLUTION NO. 89-14, DATED AUGUST 9, 1989.
 6) ON SITE DRAINAGE FACILITIES ARE PRIVATELY OWNED AND WILL NOT BE SUBJECT TO THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.
 7) TRACTS LAND 2 ARE PLANNED FOR FUTURE ACQUISITION BY THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL ROAD RIGHT-OF-WAY.
 8) PARCELS 1, 3, 4, 5 AND 6 MAY BE REDIVIDED WITHOUT PLATTING.
 9) EACH LOT SHALL HAVE A MINIMUM OF 0.75 ACRE.
 10) EACH LOT SHALL BE PROVIDED LEGAL ACCESS TO PUBLIC HIGHWAYS.
 11) EACH LOT SHALL HAVE A MINIMUM LOT WIDTH OF 100 FEET.
 NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED IN THIS COUNTY.

EXHIBIT "E"



Greiner, Inc.

CRYSTAL RIVER MALL MASTER PLAN



APPROX. SCALE

MAP H

Altkey: 3516403
CR19 HOLDINGS LLC

Summary

Legal

Land & Agriculture

Residential

Commercial

Misc Improvements

Values

Sketch

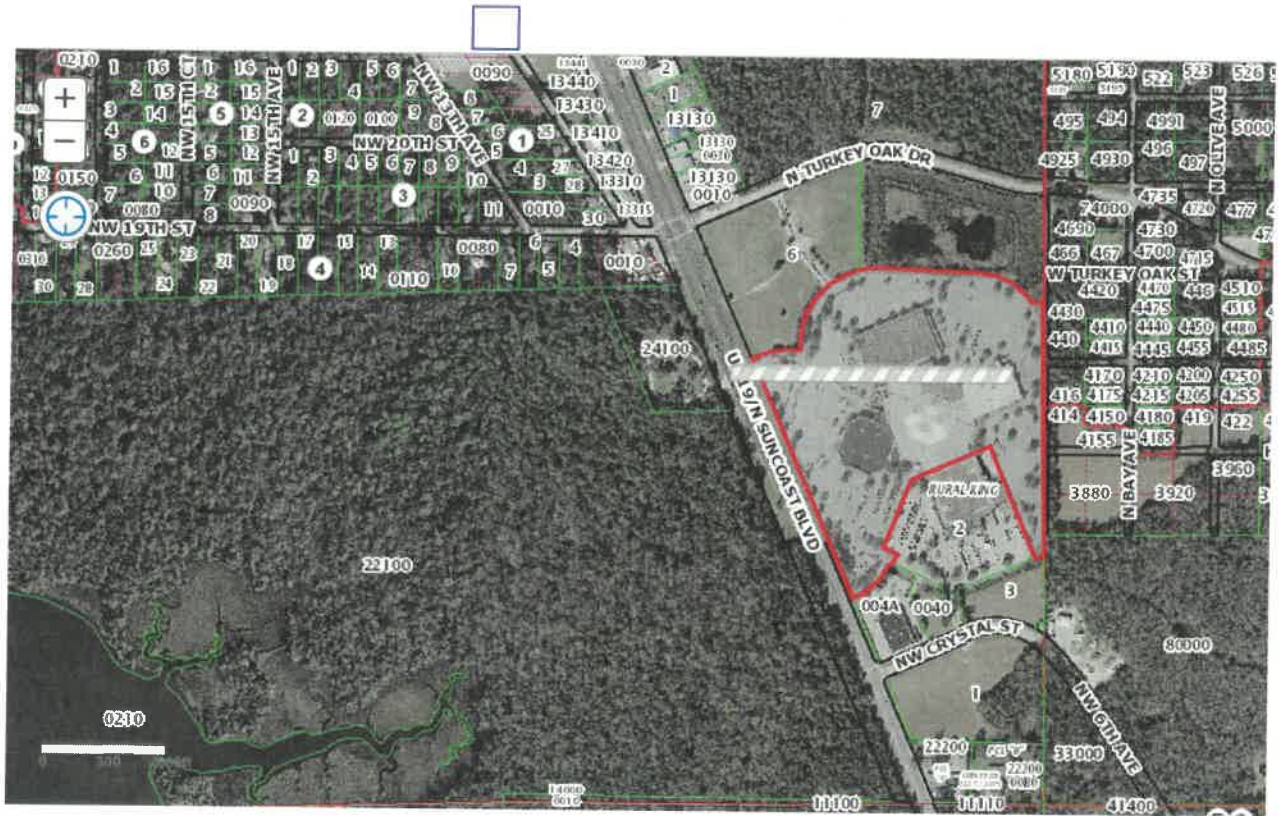
Photos

Permits

Quick Links

Map

Pictometry



ALTA/NSPS LAND TITLE SURVEY
 OF A PORTION OF
SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST
CITRUS COUNTY, FLORIDA

DESCRIPTION:

The land referred to herein below is situated in the County of Citrus, State of Florida, and is described as follows:

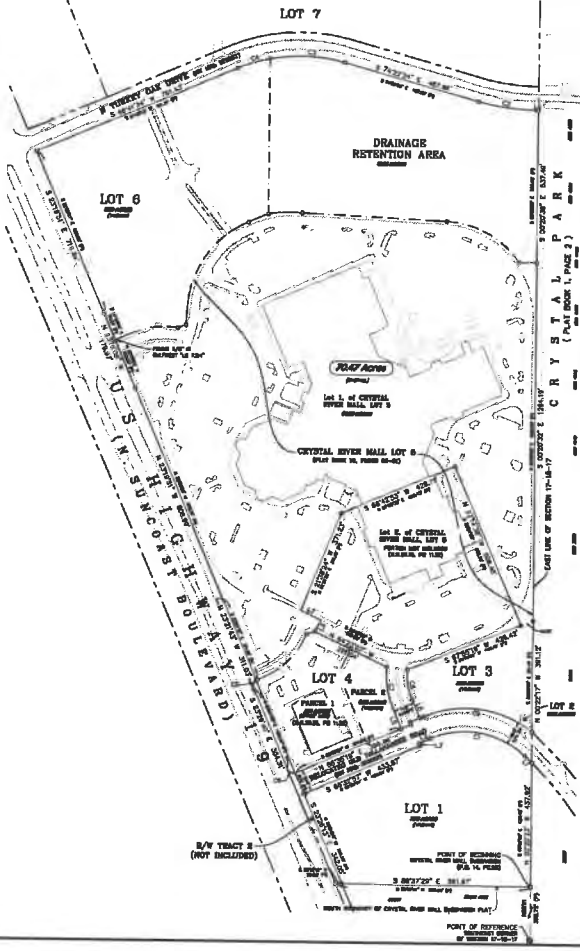
Parcel 1:
 Lot 1, 2, 3, 4, 5, 6, and 7, and Bridge and Retention Area, CRYSTAL RIVER MALL SUBDIVISION, according to the plat thereof, as recorded in Plat Book 14, Page 88, Public Records of Citrus County, Florida.

Parcel 2:
 Lot 8, CRYSTAL RIVER MALL SUBDIVISION, according to the plat thereof, as recorded in Plat Book 14, Page 88, Public Records of Citrus County, Florida.

Lot 1 of the plat of CRYSTAL RIVER MALL, LOT 1, according to the plat thereof, recorded in Plat Book 14, Page 88 and 89, of the Public Records of Citrus County, Florida.

SURVEYOR'S NOTES:

- Use of this survey for purposes other than intended, without written authorization, will be at the user's sole risk and without liability to the surveyor. Movable markers shall be maintained to show any change or movement to anyone other than those specified in this survey except the "City of Frostproof" set forth by the Florida Board of Land Surveyors in Chapter 11-117 Florida Administrative Code.
- This survey was prepared without an abstract of title therefore the undersigned makes no guarantee or representation regarding inalienable claims relating to easements, rights-of-way, or other claims, restrictions, or other similar matters.
- No underground installations, improvements or encroachments, have been located except those shown herein.
- Boundary shown herein are based on the Florida State Plane Coordinate System, F.S.P.C.S. 83, and the Florida boundary of Crystal River that subdivision bearing a 5/8" bearing of 0.0000° 00' 00".
- Boundary and distance shown herein are field measured, unless otherwise indicated.
- The lot for this improvement indicates the direction they do in relation to the boundary.
- Subdivided property may contain liens that are subject to jurisdiction or restriction by other governmental entities (S.D.P.A.S.) or Florida Department of Environmental Protection (F.D.E.P.).
- The physical address of the subject property is 1888 SW U.S. Highway 18, Crystal River, Florida 32622.
- Subdivided property appears to be in Final Plat "A" according to F.L.S.M. Community Plat 1817/2004, dated 02/18/2004.
- No address of record exists covering water, building construction or building additions were observed in process of construction the field work.
- No proposed changes to right-of-way line are shown by this survey. No evidence of poles, wires or overhead construction or repairs were observed in the course of conducting the field work.
- No outside of record are shown by the surveyor.



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°58'45" W	20.27'
L2	N 89°58'45" W	20.27'
L3	S 89°58'45" W	42.54'
L4	S 89°58'45" W	42.54'
L5	S 89°58'45" W	42.54'
L6	S 89°58'45" W	42.54'
L7	S 89°58'45" W	42.54'
L8	S 89°58'45" W	42.54'
L9	S 89°58'45" W	42.54'
L10	S 89°58'45" W	42.54'
L11	S 89°58'45" W	42.54'
L12	S 89°58'45" W	42.54'
L13	S 89°58'45" W	42.54'
L14	S 89°58'45" W	42.54'
L15	S 89°58'45" W	42.54'
L16	S 89°58'45" W	42.54'
L17	S 89°58'45" W	42.54'
L18	S 89°58'45" W	42.54'
L19	S 89°58'45" W	42.54'
L20	S 89°58'45" W	42.54'

CURVE TABLE

Curve	Angle	Radius	Chord	Delta	Stationing
C1	90.00°	10.135'	14.142'	90.00°	20.27
C2	90.00°	10.135'	14.142'	90.00°	40.54
C3	90.00°	10.135'	14.142'	90.00°	60.81
C4	90.00°	10.135'	14.142'	90.00°	81.08
C5	90.00°	10.135'	14.142'	90.00°	101.35
C6	90.00°	10.135'	14.142'	90.00°	121.62
C7	90.00°	10.135'	14.142'	90.00°	141.89
C8	90.00°	10.135'	14.142'	90.00°	162.16
C9	90.00°	10.135'	14.142'	90.00°	182.43
C10	90.00°	10.135'	14.142'	90.00°	202.70
C11	90.00°	10.135'	14.142'	90.00°	222.97
C12	90.00°	10.135'	14.142'	90.00°	243.24
C13	90.00°	10.135'	14.142'	90.00°	263.51
C14	90.00°	10.135'	14.142'	90.00°	283.78
C15	90.00°	10.135'	14.142'	90.00°	304.05
C16	90.00°	10.135'	14.142'	90.00°	324.32
C17	90.00°	10.135'	14.142'	90.00°	344.59
C18	90.00°	10.135'	14.142'	90.00°	364.86
C19	90.00°	10.135'	14.142'	90.00°	385.13
C20	90.00°	10.135'	14.142'	90.00°	405.40

- LEGEND**
- 1. 1/8" = 1' = 100'
 - 2. 1/4" = 1' = 200'
 - 3. 1/2" = 1' = 400'
 - 4. 3/4" = 1' = 600'
 - 5. 1" = 1' = 800'
 - 6. 1 1/4" = 1' = 1000'
 - 7. 1 1/2" = 1' = 1200'
 - 8. 1 3/4" = 1' = 1400'
 - 9. 2" = 1' = 1600'
 - 10. 2 1/4" = 1' = 1800'
 - 11. 2 1/2" = 1' = 2000'
 - 12. 2 3/4" = 1' = 2200'
 - 13. 3" = 1' = 2400'
 - 14. 3 1/4" = 1' = 2600'
 - 15. 3 1/2" = 1' = 2800'
 - 16. 3 3/4" = 1' = 3000'
 - 17. 4" = 1' = 3200'
 - 18. 4 1/4" = 1' = 3400'
 - 19. 4 1/2" = 1' = 3600'
 - 20. 4 3/4" = 1' = 3800'
 - 21. 5" = 1' = 4000'
 - 22. 5 1/4" = 1' = 4200'
 - 23. 5 1/2" = 1' = 4400'
 - 24. 5 3/4" = 1' = 4600'
 - 25. 6" = 1' = 4800'
 - 26. 6 1/4" = 1' = 5000'
 - 27. 6 1/2" = 1' = 5200'
 - 28. 6 3/4" = 1' = 5400'
 - 29. 7" = 1' = 5600'
 - 30. 7 1/4" = 1' = 5800'
 - 31. 7 1/2" = 1' = 6000'
 - 32. 7 3/4" = 1' = 6200'
 - 33. 8" = 1' = 6400'
 - 34. 8 1/4" = 1' = 6600'
 - 35. 8 1/2" = 1' = 6800'
 - 36. 8 3/4" = 1' = 7000'
 - 37. 9" = 1' = 7200'
 - 38. 9 1/4" = 1' = 7400'
 - 39. 9 1/2" = 1' = 7600'
 - 40. 9 3/4" = 1' = 7800'
 - 41. 10" = 1' = 8000'
 - 42. 10 1/4" = 1' = 8200'
 - 43. 10 1/2" = 1' = 8400'
 - 44. 10 3/4" = 1' = 8600'
 - 45. 11" = 1' = 8800'
 - 46. 11 1/4" = 1' = 9000'
 - 47. 11 1/2" = 1' = 9200'
 - 48. 11 3/4" = 1' = 9400'
 - 49. 12" = 1' = 9600'
 - 50. 12 1/4" = 1' = 9800'
 - 51. 12 1/2" = 1' = 10000'

COVER SHEET
OVERALL BOUNDARY

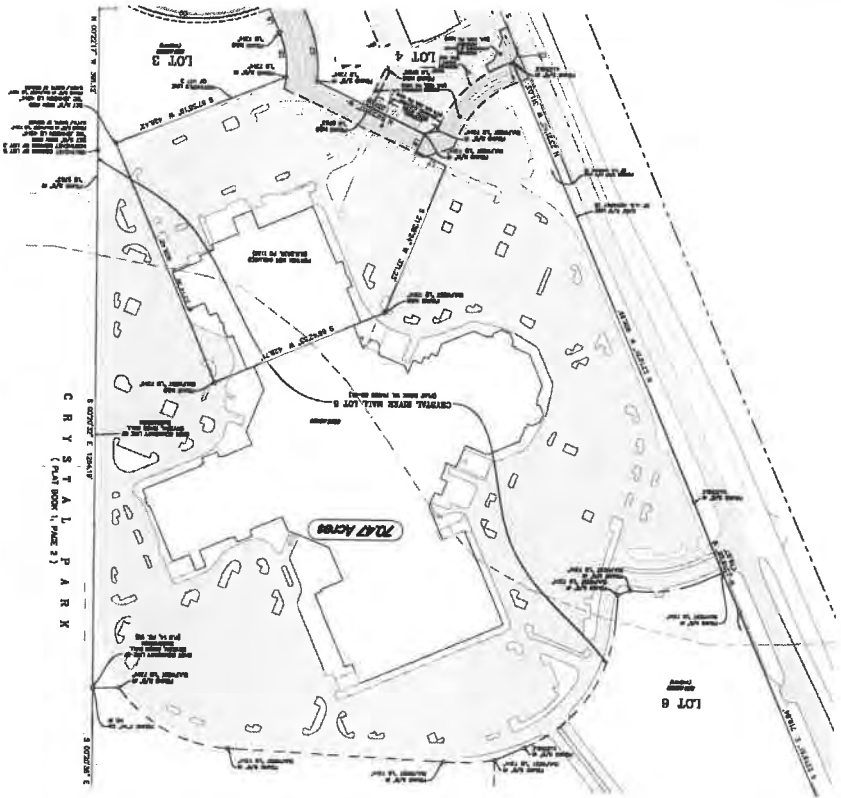
SEE SHEETS P-4 FOR DETAIL

MANSON ASSOCIATES
 SURVEYORS & ENGINEERS
 1111 W. U.S. HIGHWAY 18, SUITE 100
 CRYSTAL RIVER, FLORIDA 32622
 (904) 321-1111

OVERALL BOUNDARY EXHIBIT
 DOWNGRADE MANAGEMENT CO.
 CRYSTAL RIVER MALL

1" = 100'
 1 of 3

ALTA/NSPS LAND TITLE SURVEY
 OF A PORTION OF
 THE XXX OF
 SECTION 17, TOWNSHIP 18 SOUTH, RANGE 17 EAST
 CITRUS COUNTY, FLORIDA



LINE	BEARING	DISTANCE	AREA
1	N 00° 00' 00" E	100.00	100.00
2	S 00° 00' 00" E	100.00	100.00
3	S 00° 00' 00" W	100.00	100.00
4	N 00° 00' 00" W	100.00	100.00
5	N 00° 00' 00" E	100.00	100.00
6	S 00° 00' 00" E	100.00	100.00
7	S 00° 00' 00" W	100.00	100.00
8	N 00° 00' 00" W	100.00	100.00
9	N 00° 00' 00" E	100.00	100.00
10	S 00° 00' 00" E	100.00	100.00
11	S 00° 00' 00" W	100.00	100.00
12	N 00° 00' 00" W	100.00	100.00
13	N 00° 00' 00" E	100.00	100.00
14	S 00° 00' 00" E	100.00	100.00
15	S 00° 00' 00" W	100.00	100.00
16	N 00° 00' 00" W	100.00	100.00
17	N 00° 00' 00" E	100.00	100.00
18	S 00° 00' 00" E	100.00	100.00
19	S 00° 00' 00" W	100.00	100.00
20	N 00° 00' 00" W	100.00	100.00
21	N 00° 00' 00" E	100.00	100.00
22	S 00° 00' 00" E	100.00	100.00
23	S 00° 00' 00" W	100.00	100.00
24	N 00° 00' 00" W	100.00	100.00
25	N 00° 00' 00" E	100.00	100.00
26	S 00° 00' 00" E	100.00	100.00
27	S 00° 00' 00" W	100.00	100.00
28	N 00° 00' 00" W	100.00	100.00
29	N 00° 00' 00" E	100.00	100.00
30	S 00° 00' 00" E	100.00	100.00
31	S 00° 00' 00" W	100.00	100.00
32	N 00° 00' 00" W	100.00	100.00
33	N 00° 00' 00" E	100.00	100.00
34	S 00° 00' 00" E	100.00	100.00
35	S 00° 00' 00" W	100.00	100.00
36	N 00° 00' 00" W	100.00	100.00
37	N 00° 00' 00" E	100.00	100.00
38	S 00° 00' 00" E	100.00	100.00
39	S 00° 00' 00" W	100.00	100.00
40	N 00° 00' 00" W	100.00	100.00
41	N 00° 00' 00" E	100.00	100.00
42	S 00° 00' 00" E	100.00	100.00
43	S 00° 00' 00" W	100.00	100.00
44	N 00° 00' 00" W	100.00	100.00
45	N 00° 00' 00" E	100.00	100.00
46	S 00° 00' 00" E	100.00	100.00
47	S 00° 00' 00" W	100.00	100.00
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49	N 00° 00' 00" E	100.00	100.00
50	S 00° 00' 00" E	100.00	100.00
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52	N 00° 00' 00" W	100.00	100.00
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59	S 00° 00' 00" W	100.00	100.00
60	N 00° 00' 00" W	100.00	100.00
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80	N 00° 00' 00" W	100.00	100.00
81	N 00° 00' 00" E	100.00	100.00
82	S 00° 00' 00" E	100.00	100.00
83	S 00° 00' 00" W	100.00	100.00
84	N 00° 00' 00" W	100.00	100.00
85	N 00° 00' 00" E	100.00	100.00
86	S 00° 00' 00" E	100.00	100.00
87	S 00° 00' 00" W	100.00	100.00
88	N 00° 00' 00" W	100.00	100.00
89	N 00° 00' 00" E	100.00	100.00
90	S 00° 00' 00" E	100.00	100.00
91	S 00° 00' 00" W	100.00	100.00
92	N 00° 00' 00" W	100.00	100.00
93	N 00° 00' 00" E	100.00	100.00
94	S 00° 00' 00" E	100.00	100.00
95	S 00° 00' 00" W	100.00	100.00
96	N 00° 00' 00" W	100.00	100.00
97	N 00° 00' 00" E	100.00	100.00
98	S 00° 00' 00" E	100.00	100.00
99	S 00° 00' 00" W	100.00	100.00
100	N 00° 00' 00" W	100.00	100.00

LINE	BEARING	DISTANCE	AREA
101	N 00° 00' 00" E	100.00	100.00
102	S 00° 00' 00" E	100.00	100.00
103	S 00° 00' 00" W	100.00	100.00
104	N 00° 00' 00" W	100.00	100.00
105	N 00° 00' 00" E	100.00	100.00
106	S 00° 00' 00" E	100.00	100.00
107	S 00° 00' 00" W	100.00	100.00
108	N 00° 00' 00" W	100.00	100.00
109	N 00° 00' 00" E	100.00	100.00
110	S 00° 00' 00" E	100.00	100.00
111	S 00° 00' 00" W	100.00	100.00
112	N 00° 00' 00" W	100.00	100.00
113	N 00° 00' 00" E	100.00	100.00
114	S 00° 00' 00" E	100.00	100.00
115	S 00° 00' 00" W	100.00	100.00
116	N 00° 00' 00" W	100.00	100.00
117	N 00° 00' 00" E	100.00	100.00
118	S 00° 00' 00" E	100.00	100.00
119	S 00° 00' 00" W	100.00	100.00
120	N 00° 00' 00" W	100.00	100.00
121	N 00° 00' 00" E	100.00	100.00
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123	S 00° 00' 00" W	100.00	100.00
124	N 00° 00' 00" W	100.00	100.00
125	N 00° 00' 00" E	100.00	100.00
126	S 00° 00' 00" E	100.00	100.00
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196	N 00° 00' 00" W	100.00	100.00
197	N 00° 00' 00" E	100.00	100.00
198	S 00° 00' 00" E	100.00	100.00
199	S 00° 00' 00" W	100.00	100.00
200	N 00° 00' 00" W	100.00	100.00

- 1/4" = 1' SCALE
- 1/8" = 1' SCALE
- 1/16" = 1' SCALE
- 1/32" = 1' SCALE
- 1/64" = 1' SCALE
- 1/128" = 1' SCALE
- 1/256" = 1' SCALE
- 1/512" = 1' SCALE
- 1/1024" = 1' SCALE
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- 1/576460752303423488" =

EXHIBIT "G"
EXISTING ZONING MAP

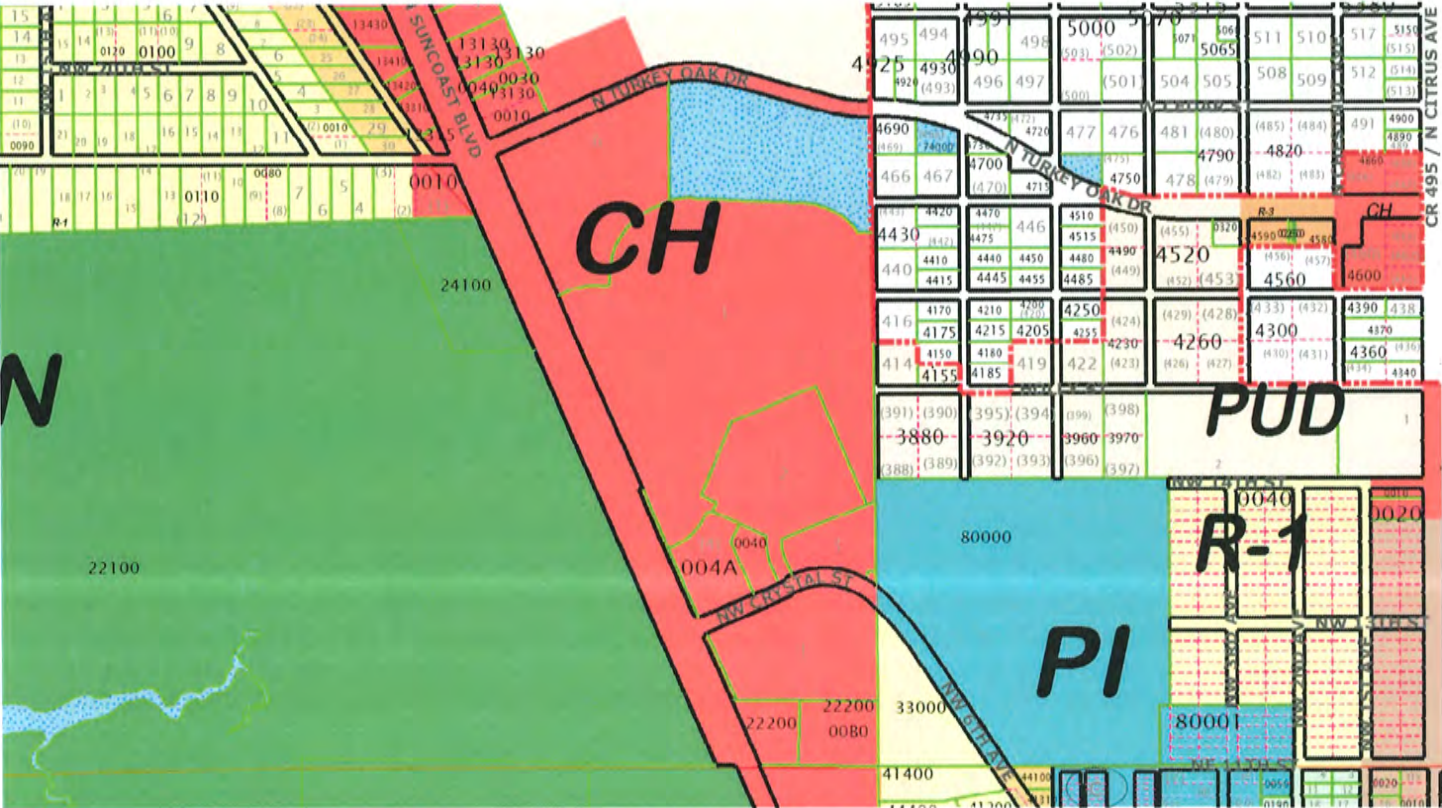


Exhibit H-1a PUD Master Plan of Development

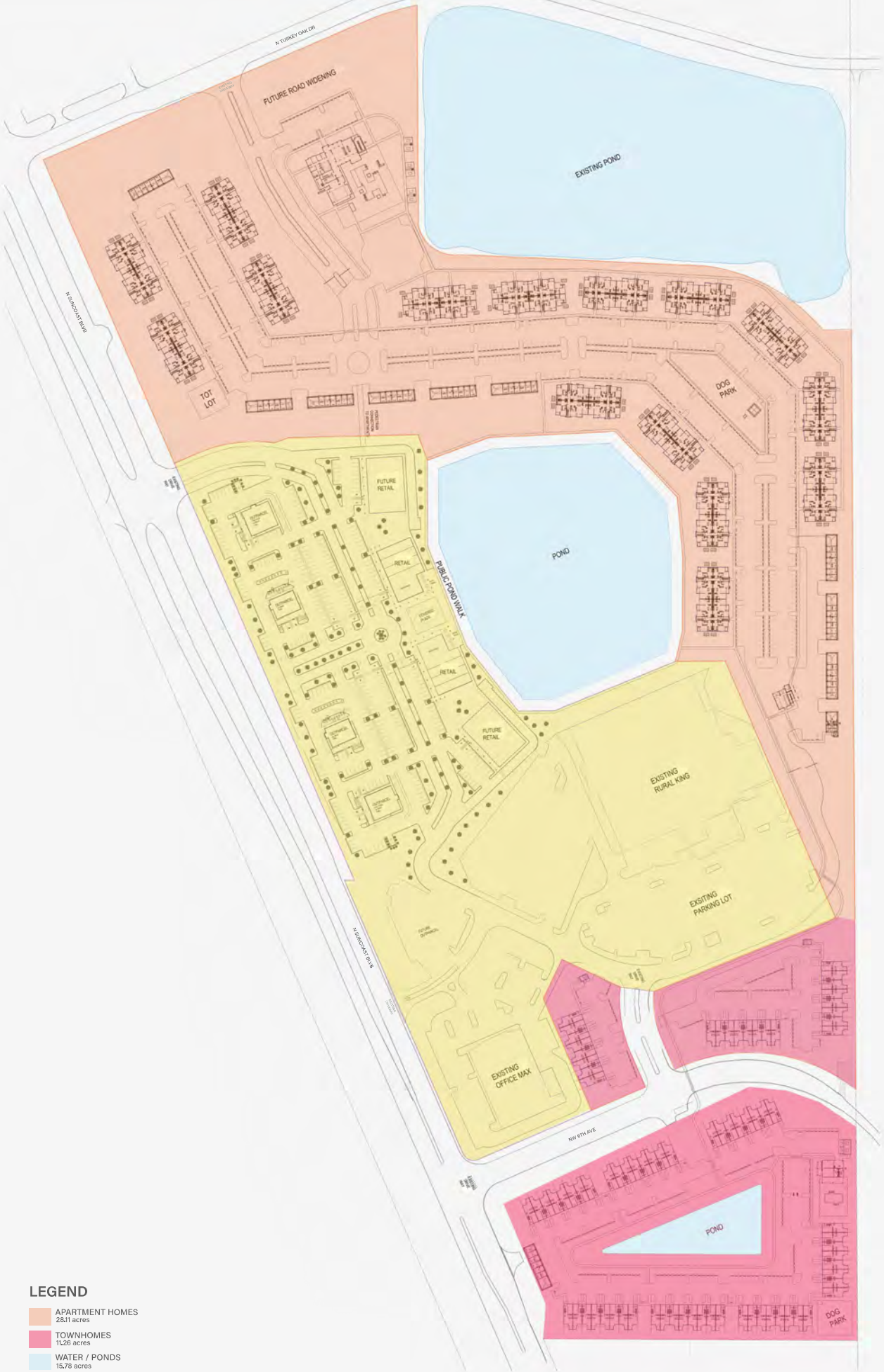


LEGEND

PROPOSED NEW RESIDENTIAL	
TOTAL = 440 UNITS - 39.37 ACRES	
 APARTMENT HOMES	
	360 units - 28.11 acres - 12.8 units/ac
 TOWNHOMES	
	80 units - 11.26 acres - 21 units/ac
 AMENITIES / BUILDING UTILITIES	
RETAIL	
TOTAL = 22 UNITS - 23 ACRES	
 RETAIL	
Existing Rural King	92,848 s.f. - 8.24 acres
Existing Office Max	23,500 s.f. - 2.54 acres
Proposed Restaurant/Retail 16 units	40,600 s.f. - 12.22 acres
Proposed Outparcels 4 units	12,550 s.f.
 WATER / PONDS	
	15.78 acres

EXHIBIT H-1b

MASTER COLOR CODED USE LEGEND

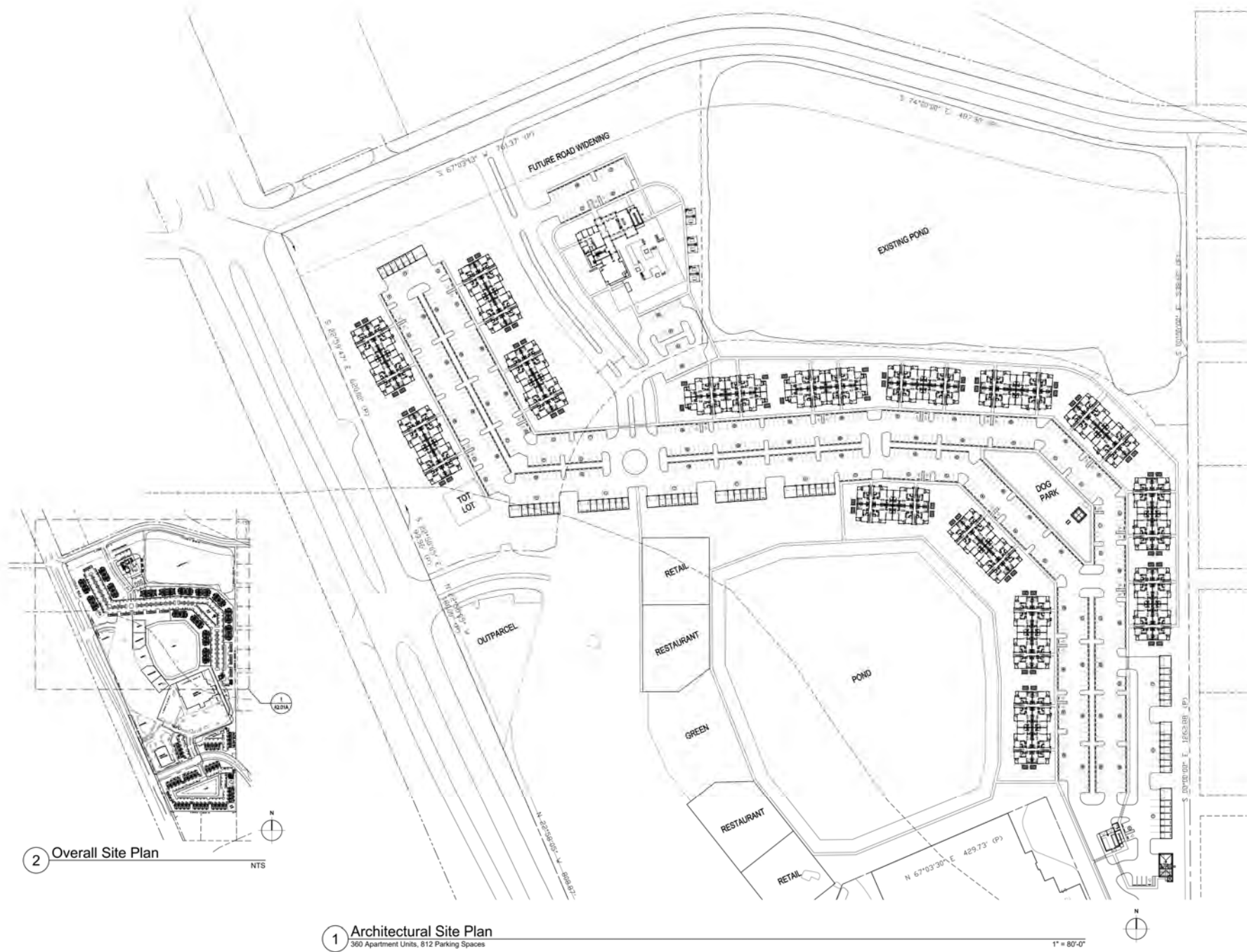


LEGEND

	APARTMENT HOMES 28.41 acres
	TOWNHOMES 11.26 acres
	WATER / PONDS 15.78 acres
	RETAIL 23 acres

EXHIBIT H-2a

CONCEPTUAL ARCHITECTURAL SITE PLAN



2 Overall Site Plan

1 Architectural Site Plan
360 Apartment Units, 812 Parking Spaces

1" = 80'-0"

FORUM
ARCHITECTURE &
INTERIOR DESIGN, INC.

237 S. Westmonte Drive, Suite 220
Altamonte Springs, FL 32714
407.630.1400
AR91191

**Crystal River
Apartments**

Jurisdiction: FL
10/12/2022
Andrew Scott Rosik
AR97193

SET DISTRIBUTIONS:

SHEET REVISIONS:

PROJECT NO. 4473

Architectural Site Plan

A2.01A

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Scale: 1" = 80'

EXHIBIT H-2a

CONCEPTUAL ARCHITECTURAL SITE PLAN



2 Overall Site Plan

1 Architectural Site Plan
80 Townhome Apartment Units, 285 Parking Spaces

FORUM
ARCHITECTURE &
INTERIOR DESIGN, INC.

237 S. Westmore Drive, Suite 220
Altamonte Springs, FL 32714
407.531.1400
AR91193

www.forumid.com

Crystal River Apartments

Jurisdiction: FL

10/12/2022
Andrew Scott Rosik
AR97193

SET DISTRIBUTIONS:

△ SHEET REVISIONS:

PROJECT NO. 4473

Architectural Site Plan

A2.01B

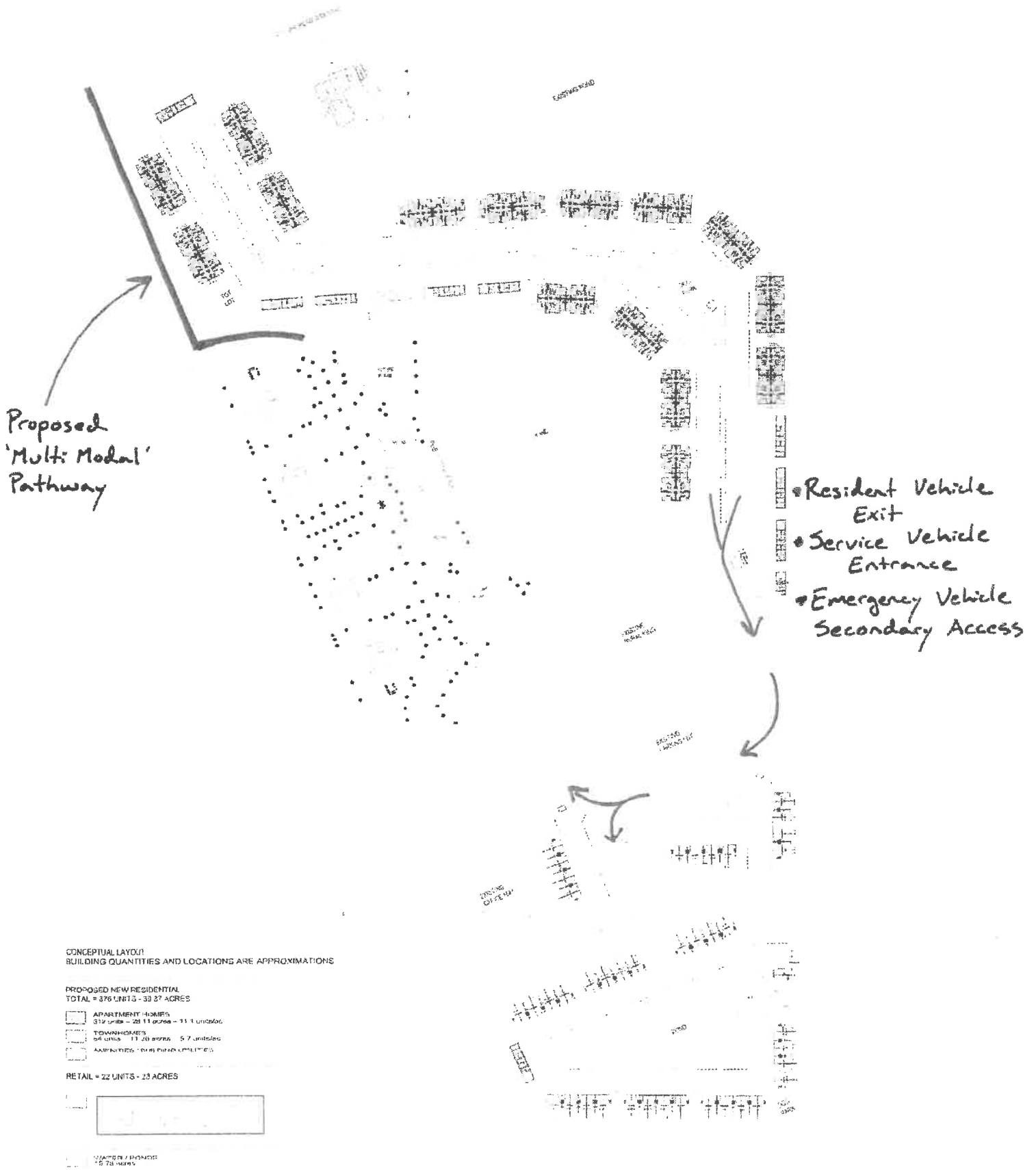
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Scale: 1" = 80'

NTS

1" = 80'-0"

Exhibit H-3 Cross-Access/Multi-modal Path Detail



2023 Crystal River Mall DRI Amendment(s)
Exhibit “I” – Application Text

- i. Crystal River Mall DRI History: The following resolutions represent the Crystal River Mall DRI history: Resolutions No. Resolution 89-R-8 (2/22/89), Resolution 91-R-30 (9/9/91), Resolution 93-R-04 (1/25/93), Resolution 96-R-13 (7/22/96), 1999 restated DRI Resolution No.99-R-02 (7/9/99). The Hidden Lakes development orders and ordinances did not change the DRI conditions; these development orders modified the land use from multi-family (R-2) to PUD – Ord. 07-O-10 and adopted a PUD master site plan for an RV park (Ord. No. 20-07).

The Crystal River Mall DRI was originally approved on August 22, 1989. As originally approved, the DRI Mall project consisted of the following land use components of development:

Phase I - Core Mall Building, 481,000 sq. ft. (inclusive of 27,000 sq. ft. of theater)

Phase II – Peripheral Commercial, 334,850 sq. ft. (of which Office Max was the first proposed project).

Phase III – Multi-Family Residential, 500 dwelling units.¹

To date, a series of DRI development orders have been approved and are in force governing the development. They are:

1. Resolution 89-R-8 (8/22/89) – Original development order (most comprehensive – contains 98 conditions of approval.
2. Resolution 91-R-30 (9/9/91) – Changed solid waste condition #2 & development schedule.
3. Resolution 93-R-04 (1/25/93) – Changed water and drainage condition #4 & development schedule.
4. Resolution 93-R-22 (7/16/93) – Changed water and sewer connection agreements extending dates.
5. Resolution 96-R-13 (7/22/96) – Changed development schedule, added new condition O.13 to address the movie theatre (27,000 sq. ft.), and changed the general condition

section of development order, which provided revised expiration and downzoning dates.

6. Resolution 99-R-02 (7/9/99) – eliminating phasing and restated DRI.
7. The Hidden Lakes ordinance and PUD modified multifamily area into the approved RV park of 500 units (MOL).

As noted above, the original DRI resolution – No. 89-R-8 contained 98 conditions of approval. A substantial number of such are a restatement of compliance with federal, regional or state standards, by example, water and drainage. It should be noted that over time these, rules have been repealed, rewritten and likely today contained higher standards. If so, with any future development of the site these new/higher standards will apply.

Listing of all DRI comments/conditions (extensive) is not productive in this text material. They are set forth in the attached resolutions. The last annual report (1995) for the mall DRI is attached as Exhibit “B”. Notwithstanding the project is not 100% built out, ALL DRI conditions have been met. There are no outstanding mitigation conditions. The most critical DRI conditions is generally traffic impacts and conditions – Par. H, Pages 16-23 of resolution 89-R-8 (attached as Exhibit “C-1”). These conditions apply to the total buildout of the mall and its respective phases. Again, notwithstanding the fact the mall buildout has not been complete, all mall DRI transportation mitigation conditions have been completed for the project and accepted. The last annual report addresses this issue (see Exhibit “B”, Pages 5-6, Paragraphs 12-15).

The Restated DRI Resolution (99’) conditions include the condition relative to environmental and wetland impacts. For the developed DRI parcels such permits have been obtained prior to construction. With the proposed DRI amendments, any future environmental impacts will be governed by existing federal, state, regional and city laws and regulations. An example, any necessary mitigation would utilize mitigation banks in lieu of an offsite mitigation areas. See Pages 4-5, Paragraphs 2-6 of annual Report (Exhibit “B”).

¹ Subject resolutions estimated this number at 549 units, Resolution #2006-R-38.

- ii. Site Characteristics: The total parcel size of amendment is 45 acres (mol). The MF portion is 33.0 acres. The site is currently 100% Highway Commercial. The parcel is served by central water and sewer. The subject site is developed with the existing mall building and associated parking areas and internal access roads. The site has an existing water management permit #405750.0 the large DRA, Lot 7 of Crystal River Mall Subdivision will remain. The site floodplain elevation maps (Exhibit "L") are AE - **II** _____. The new development structures will comply with such. Any environmental impacts were permitted with the original mall construction. There are no expected new environmental impacts from the amendments. A revised stormwater permit will be necessary given fill needed to meet FEMA floodplain standards and large pond area on MSP.

- iii. Concurrency: There are no concurrency issues. The City has capacity for sewer/water (Exhibit "J-2"). Solid waste letter is attached as Exhibit "M-2". Revised stormwater currency compliance will be a condition of the amended DRI resolution and permitting. As to traffic, as noted this is a substantial downzoning of the projects build out. The attached traffic report (Exhibit "N") shows a decrease in the total number of trips of 50% of vested DRI trips. The prior developer has made substantial traffic mitigation improvements within the City.

- iv. Compatibility: The text of "compatibility" F.S. 163.3164(9) was met for the mall at time of DRI approvals to include amendments to resolution and restated DRI order in the year 1999. The MF meets the allow multi-family in the existing HC district. The site plan limits public road access to HDR but has internal access of HDR parcel to commercial/retail area. The project is well below LDC ISR and provides substantial open space versus existing mall and outparcels. The existing DRA, retained on Lot 7, provides a large buffer of residential uses to the north and east. The original DRI mapping contemplated a mixed use of HC and multi-family proximity to each other across turkey Oak Dr. The revised plan continues such south of Turkey Oak Drive. The MF uses acts as a lower impact transition use abutting residential to the east. As to size (square footage, ISR and traffic the proposed modification is a substantial downzoning.

- v. Plan Consistency: With each of the above noted DRI resolutions, there was a finding of compatibility of the land uses to City Plan and LDC. As noted, this is a substantial downzoning of the allowed commercial buildout. Further, the HC uses are concentrated along US 19. The

multi-family acts as a transition zone to residential to the east. Total density average is 8.7 units per acre which meets Plan/LDC HC allowed uses. Specifically, the revised MSP meets Plan objectives, goals and:

1. The FLUE definition of the Highway Commercial (HC) district – B – 8
2. FLUE objectives 1.1, 1.3, 2.1 and related policies
3. FLUE objectives 3.1 and related policies
4. FLUE Obj 2.2 and CME Policy 4.1 – the attached traffic study reflects a 50% decrease in total trips and a deminus impact on hurricane evacuation times both inter and intra county. The DRI has provided substantial traffic mitigation projects which assist with hurricane evacuation for project and for city wide.

VI. PUD Site Plan: The revised new DRI map covers 45 acres (mol). Commercial uses of 52,000 sq. ft. are located on the west side along US 19 on 12 acres (mol). Note the uses do not front onto US 19; rather have an internal road. Access points on US 19 remain “AS IS”. The residential is in two (2) categories – apartments 312 units and townhouses 64 units. As noted, the apartments/townhouses are less than 10 units per acre with the apartments aimed at serving workforce housing. The ISR ration is substantially reduced. Substantial open space is provided for within the commercial area to create a mini town center experience. The existing commercial uses are tied in via cross access proposed new commercial area. The apartments similarly cross access to the south (exit only). Within the project, walking paths are provided to all land uses. A multifaceted trail along US 19 and turkey Oak is proposed to allow for pedestrian, bike and golf carts access from RV park to the north.

VII. Conclusion: The Crystal River Mall DRI resolutions and stated land uses relying on site built commercial represent an albatross on the sites future development. The proposed DRI amendments revitalize project consistent with market conditions and existing City land use plans. It is in the best interest of City and the project’s that revitalization of uses consistent with current market demand is approved. There are no concurrency issues. The proposed uses are consistent with the City’s land use plan. The projects workforce housing component meets a known, documented need within the County and City for affordable workforce housing units.



Board of County Commissioners
DEPARTMENT OF PUBLIC WORKS
SOLID WASTE MANAGEMENT DIVISION

January 11, 2023

Law Office of Clark A. Stillwell, LLC.
Brannen Bank Building
320 U.S. Highway 41 South
Inverness, FL 34450

Re: CR19 Holdings, LLC
Alternate Key No.: 2651954 and 3516403
Crystal River, Florida 45.27 acres (MOL) – Highway Commercial

Dear Mr. Stillwell,

This letter is in response to your request on January 10, 2023, for a determination of whether sufficient landfill capacity exists for the above referenced Alternate Key Numbers.

The Citrus County Central Landfill has sufficient capacity to accommodate this project.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Dan Sherlock
Solid Waste Management Director

ds:jly

Dan Sherlock, Director
Citrus County Division of Solid Waste Management
PO Box 340
Lecanto, FL 34460
Telephone: (352) 527-7670 Fax: (352) 527-7672
Dan.Sherlock@citrusbocc.com

Bill Mathews

From: Garri, Alan <Alan.Garri@kimley-horn.com>
Sent: Wednesday, January 25, 2023 5:45 PM
To: Bill Mathews
Subject: RE: Utility Capacity

Bill,

Based on these sewer commitments the WWTP does have capacity to serve the proposed development at the mall.

Alan J. Garri, PE
 Kimley-Horn | 1700 SE 17th Street, Suite 200, Ocala FL 34471
 Direct: 352 438 3030 | Mobile: 352 342 0970

From: Bill Mathews <rmathews@crystalriverfl.org>
Sent: Tuesday, January 24, 2023 8:50 AM
To: Garri, Alan <Alan.Garri@kimley-horn.com>
Subject: Utility Capacity

Alan,

In response to your request to identify reserved utilities capacity, (to the best of my understanding talking with Jack) please see the following:

SEPTIC TO SEWER

Indian Waters Phase I	24,000 gpd
-----------------------	------------

PACKAGE PLANT

Pelican Bay Abandonment	7,056
Island Condominiums	66,529
River Cove Landing	3,024

PLANNED DEVELOPMENT

Hidden Lakes RV Resort	24,500
Crystal Bay RV Resort	5,100
Scooters Coffee	117
MLK LLC Car Dealer	813
Best Western Restaurant	2,138
Charlies Fish House	683
Dan's Car Wash	678 (completed)
Home Depot	678

Bill Mathews

From: Jeff Hines <jhines@uswatercorp.net>
Sent: Thursday, January 26, 2023 10:10 AM
To: Bill Mathews
Cc: Ken Frink; Jack Dumas; Garri, Alan
Subject: RE: Potable Water Capacity Available for the CR19 Holdings LLC

Bill,

I wanted to double check with our engineers before responding to you. It looks like we can expect them to need roughly 90,000 gpd at full buildout. That doesn't pose a plant capacity problem. But it would mean we'd need to increase our WUP. But with this developer saying this buildout is over 7-10 years, I don't see that being a problem.

Thanks,

Jeff Hines
Operations Manager
US Water Services Corporation

From: Bill Mathews <rmathews@crystalriverfl.org>
Sent: Thursday, January 26, 2023 9:17 AM
To: Jeff Hines <jhines@uswatercorp.net>
Cc: Ken Frink <KFrink@crystalriverfl.org>; Jack Dumas <jdumas@crystalriverfl.org>; Garri, Alan <Alan.Garri@kimley-horn.com>
Subject: Potable Water Capacity Available for the CR19 Holdings LLC

Jeff,

Please see the attached document requesting verification of availability of potable water. Alan has already signed off on the availability of the wastewater capacity. I just need confirmation from you, and I will respond to the RFI.

Bill

Bill Mathews
Public Works Director
123 NW Hwy. 19
Crystal River, FL 34428
Cell (740)-202-2892
Office 352-795-4216 ext 313



Exh. 3-3

February 1, 2023

Citrus County Land Development Department
3600 W. Sovereign Path
Lecanto, FL 34461



Reference: ALTKEY 2651954 (10.94 AC)
3516403 (34.33 AC)
2652012 (10.93 AC)
2916273 (2.54 AC)
2916265 (0.92 AC)
2651938 (2.35 AC)
2651911 (7.92 AC)
Crystal River Mall Redevelopment
Coastal #: 22017

To whom it may concern:

Coastal Design Consultants, Inc. services were requested by the owner of the above referenced parcel to evaluate if the subject property is believed to be able to meet Citrus County and SWFWMD stormwater rules. The following is a summary of our findings:

The subject property totals approximately 69.39 acres of a previously permitted mall with an associated/vested stormwater system and appears to be located within an open basin with positive outfall, with topography ranging from Elevation 9 to 7 across the parcel. The property does contain an AE flood delineation area with a base flood elevation of 11.0 and 12.0. However, the floodzone is associated with water rising from the Gulf of Mexico, therefore, floodplain mitigation should not be required.

The request for the subject property, if approved, will have no adverse stormwater or floodplain impacts to surrounding and/or adjacent properties as it will be designed and permitted in accordance with Citrus County and SWFWMD rules and regulations.

If you have any questions or need any further information, please contact our office at (727) 849-8010.

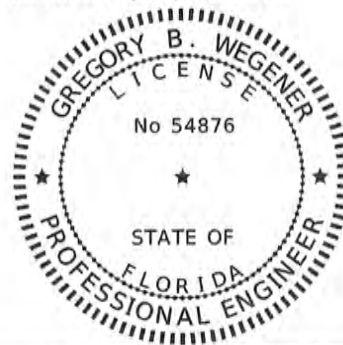
Sincerely,

Coastal Design Consultants, Inc.

**Gregory B
Wegener**

Digitally signed by Gregory B
Wegener
DN: cn=US, o=COASTAL DESIGN
CONSULTANTS,
dnQualifier=A01410D000001B596AFA
78C00159C65, cn=Gregory B Wegener
Date: 2023.02.02 15:59:01 -05'00'

Gregory B. Wegener, P.E.
Senior Project Manager



This item has been digitally signed and sealed by Gregory B. Wegener, P.E. on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

T:\@CDC\Projects\22017 Crystal River Mall\Documents\Crystal River Mall Redevelopment - Letter to Citrus.doc

Coastal Design Consultants, Inc.
7026 Little Road New Port Richey, FL 34654
Phone: (727) 849-8010 • Fax: (727) 849-8020

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--

Spencer Bartram
305-205-6737



Exh. "K"



TECHNICAL MEMORANDUM

TO: DORVIDOR MANAGEMENT COMPANY
 25 SE 2ND AVENUE, SUITE 900
 MIAMI, FLORIDA 33131

FROM: MICHAEL D. RAYSOR, P.E.
 RAYSOR TRANSPORTATION CONSULTING, LLC

SUBJECT: CITRUS RIVER MALL REDEVELOPMENT
 TRAFFIC STUDY

DATE: APRIL 22, 2023



This item has been digitally signed and sealed by Michael Daniel Raysor P.E., on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

1.0 | INTRODUCTION

This technical memorandum documents a traffic study prepared in association with the proposed redevelopment of the Crystal River Mall site, located in Citrus County, Florida; as shown in **FIGURE 1.0**. The project site was originally approved for development in 1989 consisting of 815,850 square feet of commercial development and 500 multi-family residential units. Subsequent to the original DRI approval, the 500 approved multi-family residential units were amended to 625 RV spaces and 150 apartment units; where this phase of development is located north of Turkey Oak Drive.

The current proposal will (1) demolish all existing commercial development, except for the 116,348 square feet of commercial development associated with the existing Rural King and existing Office Max, and (2) will add (a) 360 apartment units, (b) 80 townhomes, (c) 40,600 square feet of commercial, and (d) 12,550 square feet of outparcels. The resulting total development associated with the referenced development proposal includes 169,498 square feet of commercial development, 360 apartment units, and 80 townhomes; plus the 625 RV spaces and 150 apartment units north of Turkey Oak Drive. Refer to **FIGURE 2.0** for the currently proposed development plan.

The purpose of this traffic study is to evaluate (a) transportation concurrency vesting, and (b) hurricane evacuation; including trip generation comparisons between the DRI entitlements and the proposed development plan.

2.0 | TRIP GENERATION ESTIMATES

Trip generation estimates for the original DRI entitlements from the DRI transportation analysis are provided in **TABLE 1.0**. Trip generation estimates reflecting the redevelopment of the project site are provided in **TABLE 2.0**, which were calculated using trip characteristic data as identified in the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th edition).



FIGURE 1.0 | PROJECT SITE LOCATION





FIGURE 2.0 | PROPOSED DEVELOPMENT PLAN

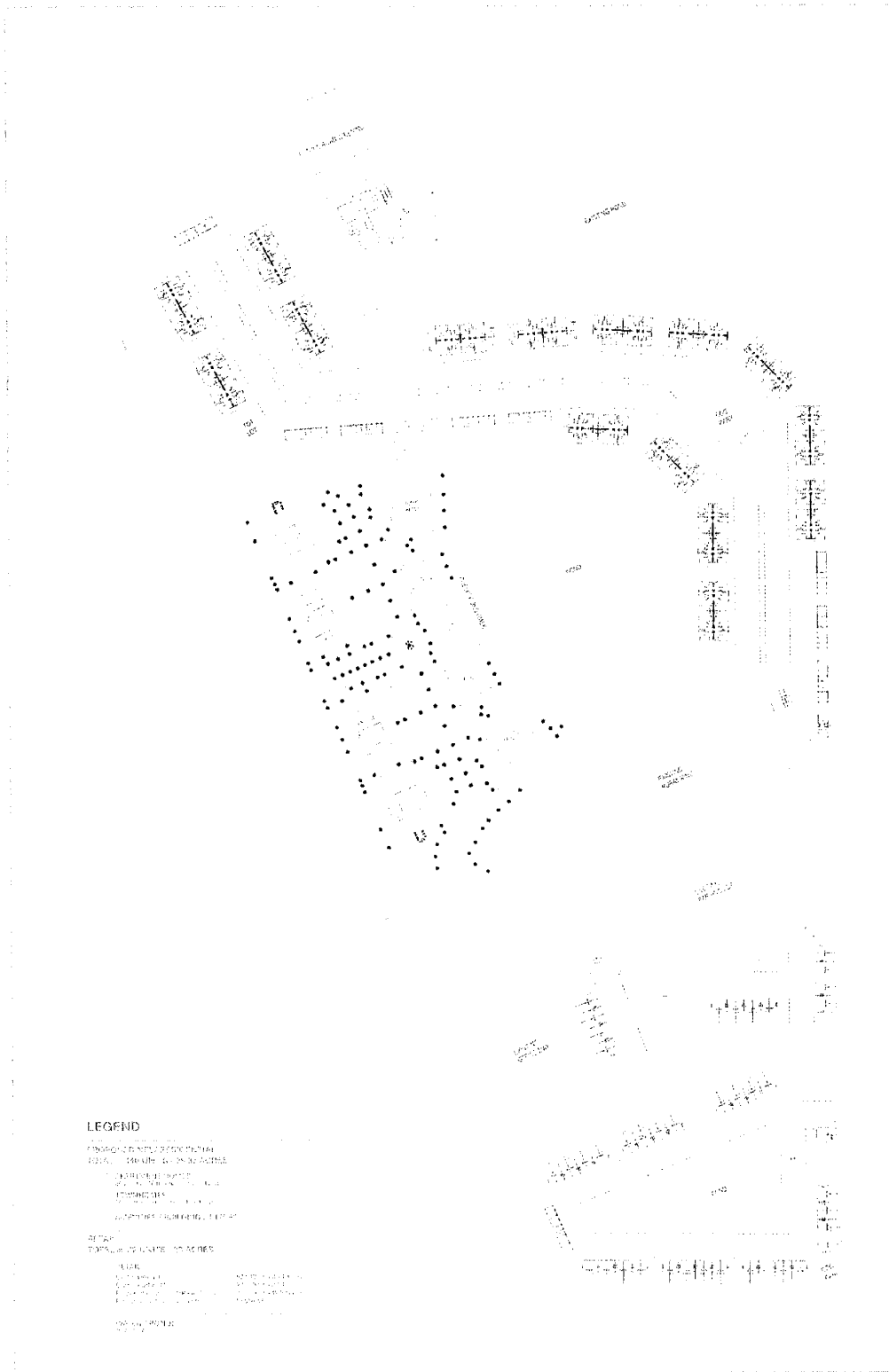




TABLE 1.0 | ORIGINAL DRI ENTITLEMENTS TRIP GENERATION SUMMARY

TABLE 1
CRYSTAL RIVER MALL ADA/DRI
TRIP GENERATION

		DAILY TRIPS (Cumulative)			
PHASE	LAND USE	GROSS TRIPS	PASSENGER BY	INT. CAPTURE	NEW TRIPS
1	Regional Mall	15,540	1,015	0	19,739
2a	Regional Mall & Peripheral Dev.	10,553	1,590	0	16,629
2b	Regional Mall & Peripheral Dev.	25,767	1,590	0	28,777
3	Regional Mall & Peripheral Dev.	25,767	2,046	752	22,969
	Multi-Family	3,031	0	752	2,233
TOTAL		80,718	5,241	1,504	26,168

		PM PEAK HOUR TRIPS (Cumulative)			
PHASE	LAND USE	GROSS TRIPS	PASSENGER BY	INT. CAPTURE	NEW TRIPS
1	Regional Mall	1,256	263	0	989
2a	Regional Mall & Peripheral Dev.	1,542	227	0	1,255
2b	Regional Mall & Peripheral Dev.	2,224	227	0	1,937
3	Regional Mall & Peripheral Dev.	2,224	305	38	1,877
	Multi-Family	254	0	38	216
TOTAL		7,500	822	76	2,093



TABLE 2.0 | PROPOSED DEVELOPMENT PLAN TRIP GENERATION SUMMARY (INCLUDING EXISTING TO REMAIN ENTITLEMENTS)

ITE LUC	Land Use Description	Size	Weekday		AM Peak Hour				PM Peak Hour			
			Formula	Trips	Formula	Trips	Enter	Exit	Formula	Trips	Enter	Exit
215	Single Family (Attached)	80 units	$T=7.62(X) - 50.48$	560	$T=0.52(X) - 5.70$	36	11	25	$T=0.60(X) - 3.93$	44	25	19
220	Multifamily Residential	360 units	$T=6.41(X) + 75.31$	2,384	$T=0.31(X) + 22.85$	134	32	102	$T=0.43(X) + 20.55$	175	110	65
820	Shopping Center	169,498 sf	$T=26.11(X) + 5863.73$	10,290	$T=0.59(X) + 133.55$	234	145	89	$\ln(T)=0.72^*$ $\ln(X)+3.02$	825	396	429
220	Multifamily Residential	150 units	$T=6.41(X) + 75.31$	1,038	$T=0.31(X) + 22.85$	69	17	52	$T=0.43(X) + 20.55$	85	54	31
240	Mobile Home Park	625 units	$\ln(T)=0.75^*$ $\ln(X)+3.11$	2,804	$T=0.30(X) + 14.45$	202	42	160	$T=0.57(X) + 0.35$	357	221	136
Gross Trips			-	17,076	--	675	247	428	-	1,486	806	680
<i>Internal Capture</i>			--	<i>2,058</i>	--	<i>96</i>	<i>48</i>	<i>48</i>	--	<i>296</i>	<i>148</i>	<i>148</i>
Driveway Trips			--	15,018	--	579	199	380	--	1,190	658	532
<i>Pass-By Trips</i>			34%	<i>3,148</i>	34%	<i>64</i>	<i>32</i>	<i>32</i>	34%	<i>228</i>	<i>114</i>	<i>114</i>
New External Trips			-	11,870	--	515	167	348	-	962	544	418

3.0 | TRANSPORTATION CONCURRENCY

The original DRI entitlements were estimated to generate 25,168 new external daily trips and 2,093 new external peak hour trips; which establishes the baseline for transportation concurrency vesting for the subject project site. The proposed development plan is estimated to generate 11,870 new external daily trips and 962 new external peak hour trips; reflecting less than 50% of the trip generation values for which transportation concurrency is vested. Therefore, as summarized in **TABLE 3.0**, it is concluded that the proposed development plan is vested for transportation concurrency without further mitigation.

TABLE 3.0 | TRANSPORTATION CONCURRENCY VESTING SUMMARY

Vested Traffic Volumes		Proposed Traffic Volumes		Proposed Development Vesting Status	
Daily	Peak Hour	Daily	Peak Hour	Daily	Peak Hour
25,168	2,093	11,870	962	Vested	Vested



4.0 | HURRICANE EVACUATION

As stated in the 2020 Statewide Regional Evacuation Study Program report, *“During an evacuation event, it is assumed that the ordinary trip making behavior of the residents in the modeled area is disrupted. Instead of going to work or shopping at the mall, individuals spend their time preparing to either weather the storm at home or evacuate. Evacuation events significantly deviate from typical behavior, where the most significant trip that is made during an evacuation event is the evacuation trip itself.”* Therefore, a comparison of trip generation between the approved and proposed development scenarios is not readily applicable, as the commercial entitlements do not generate evacuation trips. Therefore, to evaluate hurricane evacuation implications, the evacuation trips associated with the net increase in residential units was used. Specifically, the proposed development plan will add 360 apartment units and 80 townhomes to the currently vested residential entitlements, where due to the type and size of these residential uses, it is anticipated that each residential unit will add one vehicle to the roadway network during an evacuation event (i.e., 440 vehicles).

Pursuant to the Citrus County Evacuation Levels & Shelter Map, the subject development site is located in a Level A evacuation zone, as shown in **FIGURE 3.0** herein. The 2020 Statewide Regional Evacuation Study Program report identifies that for Citrus County there will be 37,509 vehicles evacuating from those areas designated as Level A, where it will take 19 hours (1,140 minutes) for in county and out of county Level A evacuations, and 16 hours (960 minutes) for Level A shelter evacuations. Evacuation rates were calculated using the foregoing values, where in county and out of county Level A evacuations were calculated to have an evacuation rate of 1,974 vehicles per hour, and Level A shelter evacuations were calculated to have an evacuation rate of 2,344 vehicles per hour. The additional 440 evacuating vehicles generated by the residential portion of the proposed development plan results in a total of 37,949 vehicles that would evacuate from those areas designated as Level A. Application of the above-referenced evacuation rates to the post-development total of 37,949 evacuating vehicles results in evacuation times of 19.2 hours (1,152 minutes) for in county and out of county Level A evacuations, and 16.2 hours (972 minutes) for Level A shelter evacuations. These findings indicate that the proposed development plan would result in the addition of ± 12 minutes to evacuation times, which is approximately 1% greater than the values identified in the 2020 Statewide Regional Evacuation Study; where these increases are marginal and thus insignificant to the ability to safely evacuate during a Level A evacuation event.

5.0 | CONCLUSION

Based on the data, analysis and findings presented within this traffic study prepared in association with the proposed redevelopment of the Crystal River Mall site, the following is concluded:

- ❖ **THE PROPOSED REDEVELOPMENT WAS FOUND TO BE VESTED FOR TRANSPORTATION CONCURRENCY.**
- ❖ **THE PROPOSED REDEVELOPMENT WAS FOUND TO BE INSIGNIFICANT TO THE ABILITY TO SAFELY EVACUATE DURING A LEVEL “A” EVACUATION EVENT.**

Exh. "M"
Pages 1-10

CRYSTAL RIVER MALL

Crystal River Mall is an enclosed shopping mall located approximately one mile north of downtown at the intersection with North Turkey Oak Drive and across from Crystal River Preserve State Park. The mall initially opened in 1990 and is the largest enclosed shopping destination in Citrus County. The mall has ample parking that is occasionally used as a remote parking location for large Crystal River Events. For the most part, the mall's out parcels remain undeveloped or are now vacant.

Crystal River Mall has more than 30 businesses including many unique local ones and a growing number of entertainment options. However, like regional malls across the country, it is suffering the loss of department store anchors and apparel tenants. Today the mall is nearly 50% vacant.

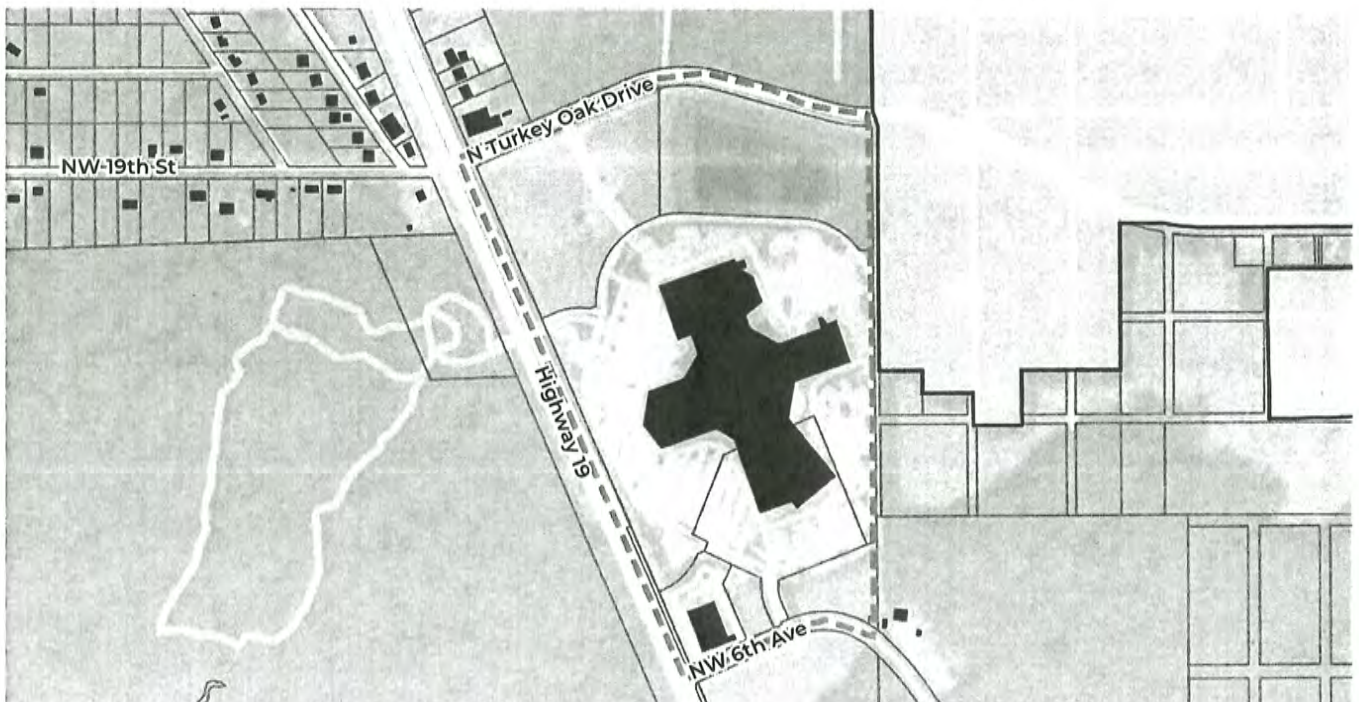
Yet the mall has had success at attracting new uses and there is tremendous opportunity to reimagine the mall site, its parking, and out parcels.



Crystal River Mall is home to many businesses, including local shops, offices, and entertainment destinations.



The Crystal River Mall has a 50% vacancy rate, following the trend for regional malls across the country.



Crystal River Mall existing development patterns



CRYSTAL RIVER AT A GLANCE

FOCUS AREAS

DOWNTOWN WATERFRONT / CRA

The CRA is characterized by the downtown waterfront, main street shops, City Hall, traditional neighborhoods, and several civic spaces. Centered on the city’s new Town Square at the intersection of Highway 19 (a high-intensity FDOT thoroughfare) and Citrus Avenue (the city’s “main street”), the district extends outward nearly ½ mile in all directions. City Council recently adopted a Form Based Code for the area that utilizes “building types” as its primary organizing principle.

COPELAND PARK NEIGHBORHOOD

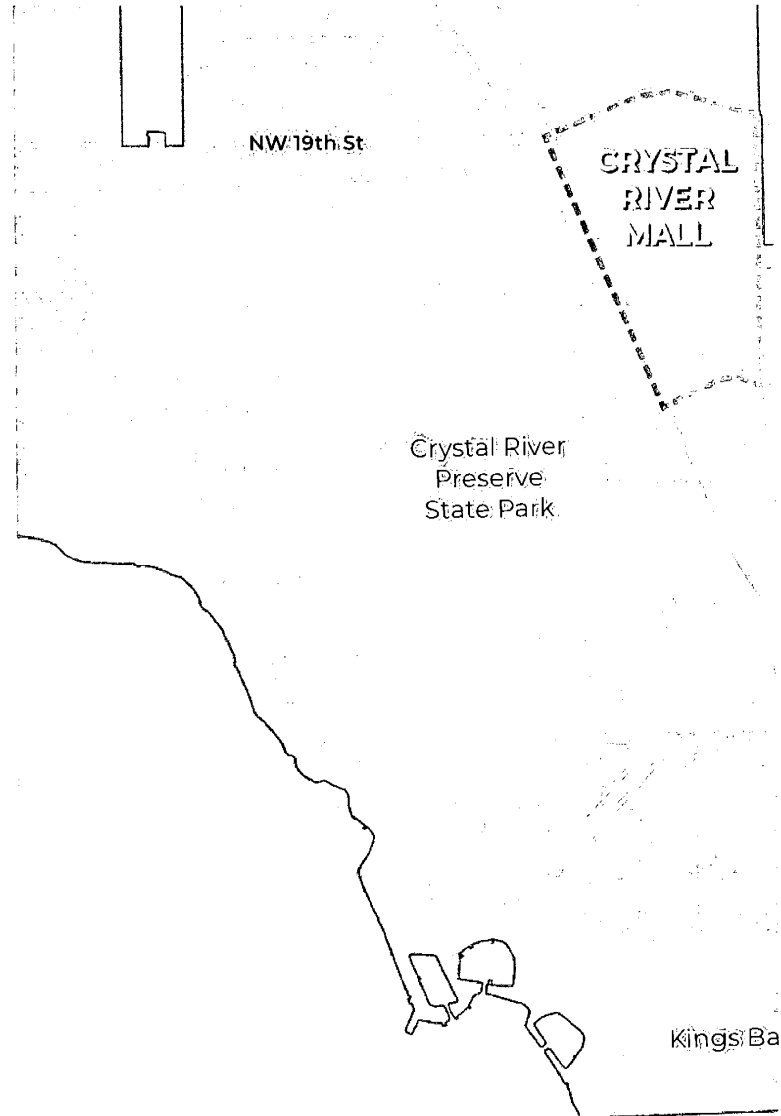
This area, which is characterized by residential neighborhoods, Crystal River Elementary School, and two well-used parks is centered on the intersection of Highway 44 (an intense commercial thoroughfare) and NE 8th Avenue (a neighborhood street), and extends for approximately ½ of a mile in each directions. Highway 44 bisects the neighborhood’s otherwise traditional grid of streets, dividing the community in two and creating a rather significant barrier for pedestrians.

CRYSTAL RIVER MALL

Following national trends, the Crystal River Mall has seen a decline in retail demand and has begun a transformation to expand mall uses beyond retail and into experiences that cannot be had online, including many independent stores, a growing variety of entertainment options, and small offices. The Crystal River Mall is in a good location and has a large area of land, including surface parking lots and vacant out parcels. This location presents an opportunity to re-use previously developed land for new, more productive uses without having to expand into the city’s natural lands.

HIGHWAY 19 SOUTH

A number of areas along Highway 19 are characterized by first generation, low intensity, auto-oriented, suburban retail centers at or near the end of their lifespan. Retail centers contain infrastructure and, in some cases, front existing neighborhoods, making them ideal for new “tax-positive”, multi-modal, mixed-use infill development.



Big Idea 2

REVITALIZE AGING RETAIL CENTERS AND INVEST IN NEIGHBORHOODS

Crystal River seeks to reinvent aging properties along its commercial corridors with new compact, walkable, mixed-use centers of activity. Growth that redevelops sites where public infrastructure funding and private development have already been made will have the greatest economic, environmental, and social benefit. New development which requires new infrastructure and is located in environmentally sensitive areas degrades the environment and costs the taxpayer.

THE COPELAND PARK NEIGHBORHOOD

The historic Copeland Park neighborhood is the first part of Crystal River one reaches when arriving from the east. While Highway 44 brings visitors and travelers to and through Crystal River, the road cuts the Copeland Park neighborhood in half. *Correcting past mistakes begins with transforming Highway 44 into a street that helps to bring together instead of further dividing this neighborhood.* Investment in the neighborhood should add to businesses and uses needed by the community, a range of housing types, and improvements to parks, sidewalks, and trails.

HIGHWAY 19

Along Highway 19, Kings Bay Plaza and Crystal Center are doing well economically and host valued local businesses but could be optimized with a greater addition of uses. Crystal Square is currently vacant. *In time the corridor could become a good candidate for mixed-use development.*

CRYSTAL RIVER MALL

The Crystal River Mall is in need of reinvestment. The Mall is home to the kind of stores one usually finds on local main streets like an independent bookstore and antique shop. However, the Mall is also home to hallways with dozens of closed shops. At the time of the Charrette, Crystal River Mall's 435,000 square feet was only at 50% capacity. This area can be reenvisioned as a new neighborhood and job center.



Aerial view of Crystal River with Highway 19 and it's surrounding development clearly visible

KEY PRIORITIES AS ILLUSTRATED BELOW:

- 1) Reconnect and invest in the Copeland Park Neighborhood
- 2) Reimagine the Crystal River Mall as a new regional center utilizing the existing large buildings.
- 3) Diversify centers with a balanced mix of housing, work space, shopping, and recreation.
- 4) Create a new center for the surrounding neighborhood with walkable mixed-use, street-oriented urbanism.
- 5) Repurpose smaller shopping centers to fit within their context and support today's uses and activities
- 6) Redevelop when possible to limit the development of greenfields and forested areas.





PROPOSED IMPROVEMENTS & POLICIES

BUILD UPON THE EXISTING FRAMEWORK OF THE CITY

A connected network of streets and regular blocks form the framework of Crystal River’s historic neighborhoods. These mostly residential neighborhoods are separated from one another by large retail shopping centers and state highways, breaking up the street network and isolating neighborhoods from one another. The Downtown and surrounding neighborhoods also have a high number of vacant lots.

The City should utilize this existing framework for great, walkable neighborhoods to accommodate the growing population and visitors while limiting development further from the Downtown.

CREATE NEW CENTERS FOR CRYSTAL RIVER’S NEIGHBORHOODS

Crystal River, following national trends, has existing demand for walkable neighborhoods and neighborhood centers, destinations that can define a community and offer a variety of uses, activities, and housing in one location. *There is value in the convenience and proximity to services and amenities offered by neighborhood centers, as demonstrated in the Downtown along Citrus Avenue.*

In addition to supporting the Downtown, new neighborhood centers should be created in coordination with the surrounding communities. Neighborhood centers come in a variety of shapes and sizes. They can range from a single neighborhood store to several blocks. *Crystal River should create centers of a variety of sizes, from larger regional centers to small four corner intersections, or neighborhood crossroads.*

KEY CHARACTERISTICS OF NEIGHBORHOOD CENTERS

- Include a balanced mix of housing, work space, shopping, and recreation.
- Defined with street-oriented urbanism

Redevelop Vacant Shopping Centers

Traveling south on Highway 19 from Downtown, large retail shopping centers dominate the scene. These shopping centers generally consist of large single story buildings set far back from the street with fields of parking. Some of these shopping centers are home to valued local businesses and important stores for daily needs. Others are completely vacant.

Large, vacant shopping centers provide an opportunity for creating new mixed-use neighborhood centers with housing, businesses, open space, parking and other desirable amenities. A network of blocks and streets can integrate the neighborhood center into the surrounding community and provide more options for accessing the site and its destinations.

The current shopping centers are almost completely covered by impervious surfaces, either asphalt or buildings. New designs can increase the amount of impervious surfaces and green space, creating neighborhood amenities while also reducing the impact of stormwater runoff.

Add New uses to Existing Shopping Centers

Other shopping centers are still actively used and serving the community. *However, the large size of these properties affords an opportunity to add new uses and create a center on what is currently underutilized parking or vacant buildings. Diversifying the uses by adding residential, office, or other community services makes for a more resilient investment and can attract more customers looking for an experience unique to Crystal River.*

Repurpose Small Retail Centers

Smaller shopping centers are located along the entire length of Highway 19 and Highway 44 in Crystal River. Many are home to local businesses that reflect Crystal River. *Small retail centers can be enhanced with new landscaping and upgraded facades that help create more street-oriented design.* Small interventions can move an area towards street-oriented design without requiring completely rebuilding.

Create New, Crossroads Centers

Small crossroads centers with commercial uses catering to local residents' daily needs are vital elements of walkable, sustainable neighborhoods. They may simply consist of several mixed-use, street-oriented buildings at an intersection. *A prime opportunity for such a center is at Highway 44 and 8th Avenue where a crossroads center can introduce a walkable destination and in-town character to the otherwise suburban strip.*

REIMAGINE CRYSTAL RIVER MALL AS A NEW REGIONAL CENTER

The Crystal River Mall is located at the intersection of North Turkey Oak Drive and Highway 19 and consist of a large existing investment in infrastructure and buildings. *Like regional malls nationwide, decreasing retail demand has left nearly half of the mall empty, creating an opportunity to reimagine the site. Possibilities range from utilizing the existing large buildings to starting over from scratch, although a scenario in the middle is much more likely.* The Mall provides potential space for new large anchors like an Amazon fulfillment center, a call center, or a satellite campus for a local university. At the same time, the soundest strategy for the vast mall property would be to convert it to a diversity of uses including residential uses, assisted living centers, or hotel uses.

RECONNECT AND INVEST IN THE COPELAND PARK NEIGHBORHOOD

The historic Copeland Park neighborhood extends eastward from Downtown towards the city's boundary. Over the past decades, the neighborhood has been divided in half by Highway 44 widenings and dis-invested in. *Reconnecting the neighborhood entails redesigning Highway 44 into a safer street that is easier to cross.*

Investment in the neighborhood includes helping homeowners and businesses renovate their properties, creating new homes on vacant lots, upgrading parks, providing sidewalks, and encouraging walkable centers with community-serving businesses and organizations. Zoning and development regulations should be revised to support and restore this neighborhood.

PRIORITIZE MIXED-USE DEVELOPMENT

Mixed-use development is a type of urban development that blends residential, commercial, cultural, institutional, or entertainment uses into one place. Ideally, those functions are to some degree physically and functionally integrated, and provide pedestrian connections and open spaces.

Mixed-use, multi-story buildings can also adapt better to a changing market than large, single-story, single-use buildings because of the wider range of potential tenants and the ability to include multiple tenants who provide a mix of goods and services.

IMPROVE GATEWAYS & MAIN CORRIDORS

Crystal River is served by several main thoroughfares that provide access to and through the city. These corridors serve as gateways to the city, providing the first impressions of Crystal River. In particular, Highway 44 and Highway 19 are currently not as welcoming as residents desire and do not reflect the city's image. The city should reimagine the Highway 44 gateway as a mixed-use center, hinting at the historic downtown ahead while also providing needed amenities for the surrounding neighborhood.

CONTROL SIZE AND SCALE ALONG HIGHWAY 19 AND HIGHWAY 44

Commercial, office and residential development should not be consumed in single, massive complexes, they should be developed at numerous multiple mixed-use centers. Development must be encouraged along major intersections first, to create walkable centers where each new reinvestment will encourage the next. Any intersection that achieves redevelopment on all four sides will have the feel of a complete place and become a magnet for new investment. *It is essential that new development respect the existing neighborhood and appropriately transition from larger mixed-use buildings to residentially-scaled development closer to the community's homes. This can be achieved by expanding the city's form-based regulations which employ metrics that respect the community's vision for the corridor.*



Civic Toolkit:

HOUSING & INFILL DEVELOPMENT

As Crystal River attracts new residents, it is important that housing affordability is maintained and that new housing contributes to the character and quality of life of the City.

INFILL HOUSING

The Crystal River Civic Master Plan proposes a variety of housing types that can be added to infill locations throughout the city in order to capitalize on existing infrastructure, reduce suburban sprawl, and offer smaller, less costly home options.

Infill reinforces the value of existing assets as well as the sense of community. New infill will raise valuations and over time allow financing for renovation and additional new units. Filling in the gaps in existing neighborhoods increases safety, as there will be more eyes on the street and more people who are likely to be engaged with the appearance, quality, and security of the community. It will also generate more tax revenue per acre for the city.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)

TND is a type of development that creates a complete neighborhood using traditional town planning principles centered on walkability, vibrant public spaces and mixed-use developments. TND provides a variety of housing types allowing people with different ages and incomes to live in the same neighborhood.

HOUSING CHOICES

A mix of residential building types creates neighborhoods which allow a diversity of ages and incomes, and permit residents to trade up or downsize their homes without having to move away. *Multi-generational and life-cycle neighborhoods create strong social networks, avoid concentrations of poverty or wealth, and lead to safer communities.* A large variety and scale of housing choices can be found between the conventional single-family home and multi-family apartment complex.

PLANNING FOR AFFORDABILITY

Maintaining affordability in Crystal River will require a combination of market-friendly tools additional programs and strategies:

- Streamlined development review
- Promote “Missing Middle” Housing types
- Reduced Minimum Parcel Size
- Require large project to include a mix of building and unit types
- Encourage multi-family and apartments in new TND centers along Highway 19
- Promote Accessory Dwelling Unit (ADU) Development by allowing ADUs to be built by-right and removing policies limiting their use.
- Establish a Community Land Trust

KEY CONSIDERATIONS FOR HOUSING

- 1 Opportunity Sites**
Actively encourage the redevelopment of large opportunity sites on Highway 19
- 2 Zoning and Land-Use**
Revise zoning and land-use regulations to allow for mixed-use developments of enough intensity and predictability to get realistic developments built
- 3 Infill Development**
Encourage infill development in the downtown and Copeland Park neighborhoods
- 4 Missing Middle Housing**
Ensure that residential density controls are calibrated to allow for missing middle housing types (discussed in more detail on the next page) including townhouses, duplexes, fourplexes, cottage courts, accessory dwelling units, and small apartment buildings

“MISSING MIDDLE” HOUSING

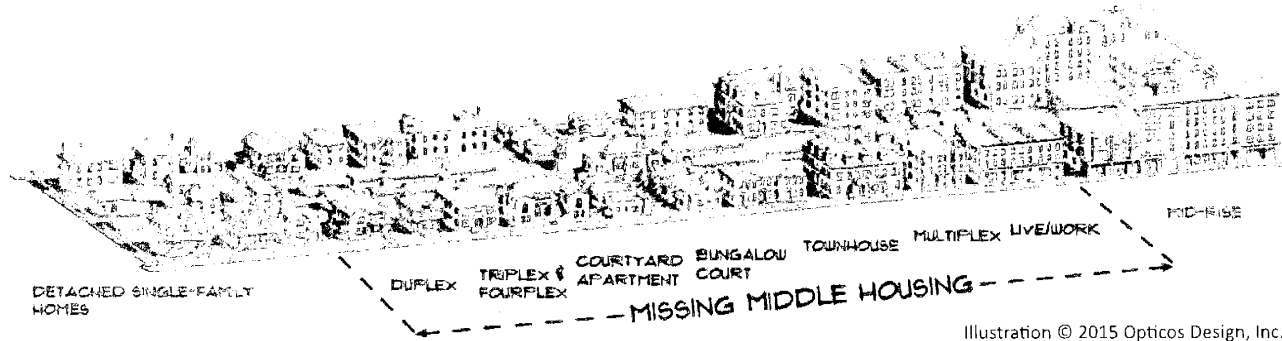


Illustration © 2015 Opticos Design, Inc.

There is a growing demand for alternative housing types and walkable neighborhoods throughout the United States. The term “Missing Middle” was conceived by Daniel Parolek of Opticos Design, Inc. to define a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living, often lacking in conventional suburban subdivisions.

MISSING MIDDLE HOUSING CHARACTERISTICS

(recreated from missingmiddlehousing.com)

- 1 **Walkable Context:** Missing Middle housing types are best located in a walkable context. Buyers and renters of these housing types are often trading square footage for proximity to services and amenities.
- 2 **Small-Footprint Buildings:** These housing types typically have small- to medium-sized footprints, similar to nearby single-family homes. This allows a range of Missing Middle types with varying densities to blend into a neighborhood.
- 3 **Lower Perceived Density:** Due to the small footprint of the building types and the fact that they are usually mixed with a variety of building types within the neighborhood, the perceived density of these types is usually quite low. But, the actual measured densities can meet established thresholds for supporting transit and neighborhood-serving main streets.
- 4 **Fewer Off-street Parking Spaces:** A balance must be sought between providing necessary car storage, and the expense and impact on community design of too much parking. Since they are built in walkable neighborhoods with proximity to transportation options and commercial amenities, Missing Middle housing types typically do not provide more than one parking space per unit.
- 5 **Smaller, Well-Designed Units:** Most Missing Middle housing types have smaller unit sizes, which can help developers keep their costs down and attract a different market of buyers and renters, who do not have such options in many communities.
- 6 **Simple Construction:** Missing Middle housing types can be simply constructed, which makes them an attractive alternative for developers to achieve good densities without the added financing challenges and risk of more complex construction types. This aspect can also increase affordability when units are sold or rented.
- 7 **Creates Community:** Missing Middle housing creates community through the integration of shared community spaces within the building type (for example, bungalow courts), or simply from being located within a vibrant neighborhood with places to eat and socialize.
- 8 **Marketable:** Because of the increasing demand from baby boomers and millennials, as well as shifting household demographics, the market is demanding more vibrant, sustainable, walkable places to live. Missing Middle housing types respond directly to this demand.

The Crystal River Mall

This plan recommends a hybrid approach to revitalizing the Crystal River Mall site following a strategy that would convert the vast mall property into a diversity of uses including residential, assisted living centers, or hotel uses, ultimately decreasing the amount of retail and adding housing and work places.

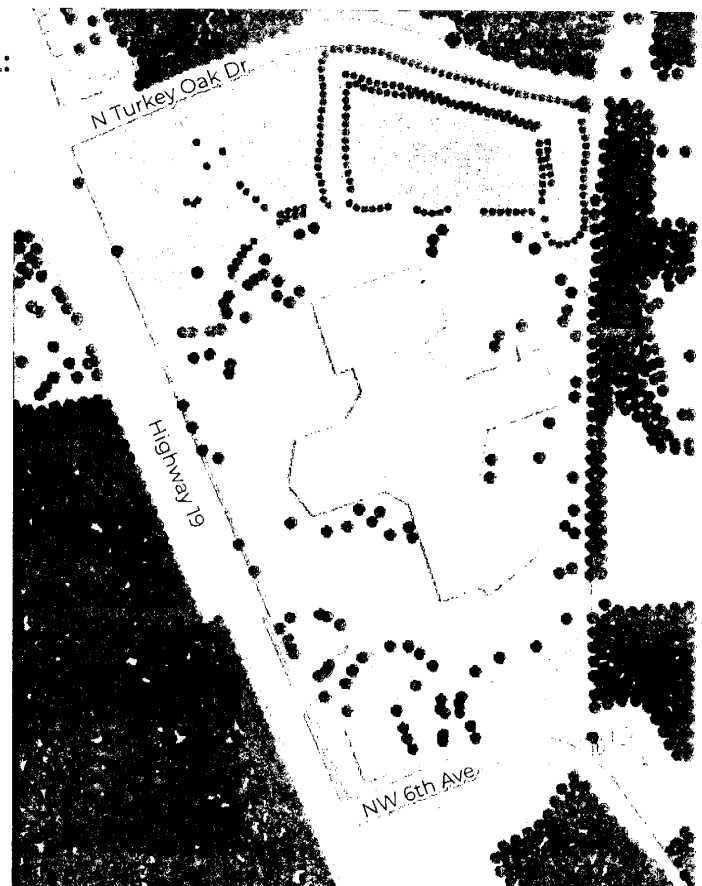
The plan envisions Crystal River Mall becoming a complete neighborhood center integrated into the fabric of the community as the northern gateway to the city and not a standalone destination. Half of the mall's existing structure and much of the surrounding parking and out

parcels can be transformed into walkable tree-lined streets, small blocks with a mix of housing and commerce, and new public spaces and parks.

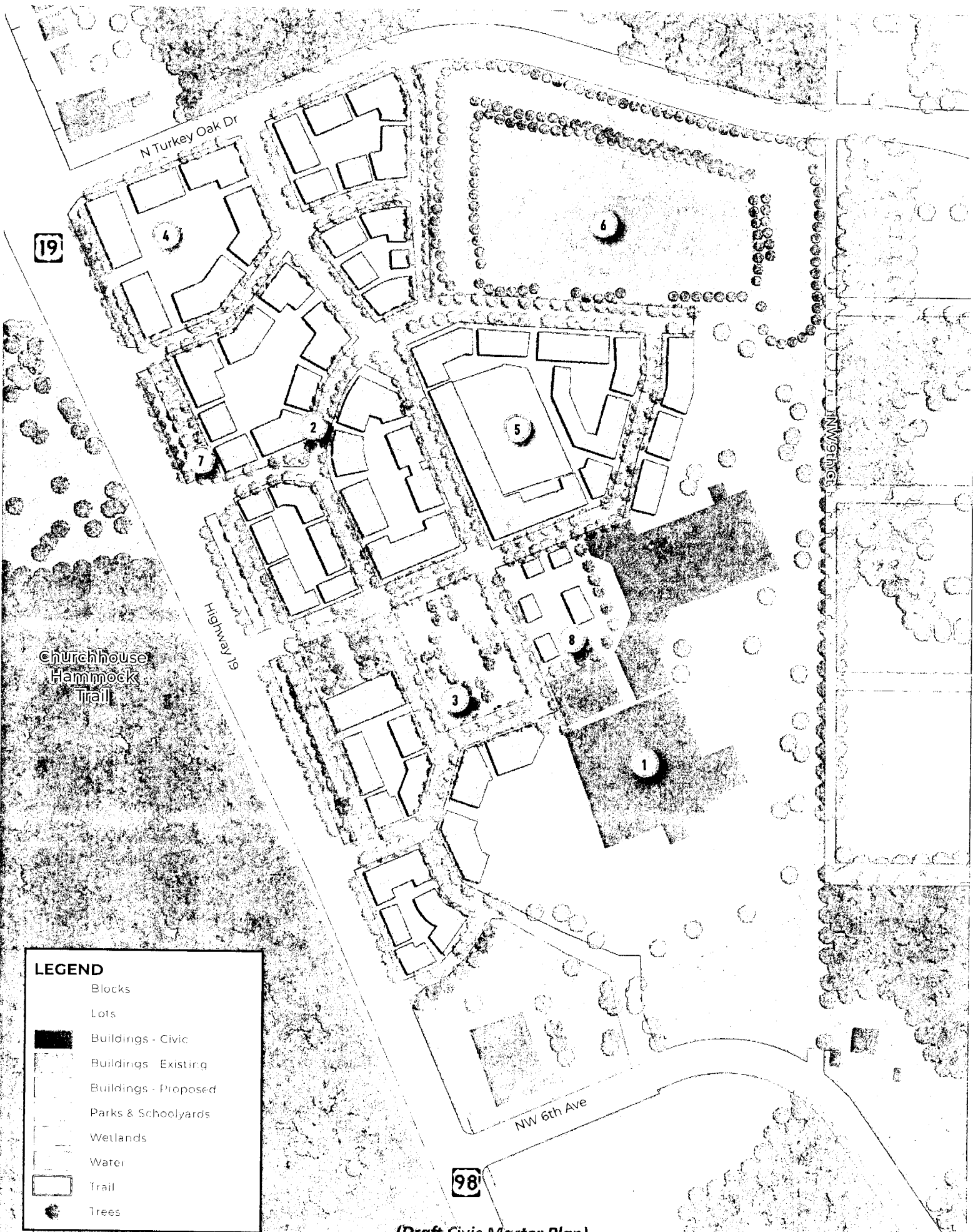
Portions of the mall's existing large footprint structures should remain and be utilized for tenants requiring large spaces. These large enclosed spaces can be used for activities that do not typically fit into the smaller building footprints of downtown. These could include a school, distribution center, light manufacturing, office, co-working or entertainment options, building upon the mall's successful expansion into non-retail tenants.

KEY ACTIONS FOR IMPLEMENTING THE BIG 5 IDEAS AT THE CRYSTAL RIVER MALL:

- 1 Identify sections of the mall that can remain and those that could be repurposed.
- 2 Create a network of walkable streets and blocks
- 3 Incorporate central squares lined with active ground floor uses.
- 4 Locate parking on-street and in mid-block locations.
- 5 Ensure at least one block can accommodate a structured parking garage lined with buildings on all sides.
- 6 Utilize low impact development techniques and districtwide stormwatermanagementsystems.
- 7 Create a pedestrian friendly frontage street along Highway 19 with street-oriented architecture.
- 8 Include a plaza area for smaller vendors and shops.



Existing Conditions



19

N Turkey Oak Dr

Churchhouse Hammock Trail

Highway 19

INVESTMENT

NW 6th Ave

98

LEGEND

- Blocks
- Lots
- Buildings - Civic
- Buildings - Existing
- Buildings - Proposed
- Parks & Schoolyards
- Wetlands
- Water
- Trail
- Trees