

LAKE COUNTY OFFICE OF PLANNING AND ZONING REZONING STAFF REPORT

Planning and Zoning Board
February 6, 2019



Board of County Commissioners
February 12, 2019

RZ-18-22-4 Summer Lake-Grace Groves PUD Amendment	Commissioner District 4 Campione	Agenda Item #2
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Applicant Requested Action: PUD amendment to replace PUD Ordinance #2016-11 with an amended ordinance to correct scrivener's errors in the legal PUD/MCUP description, correct mis-identified properties, and grant a one time, two (2) year extension to commence development consistent with Planned Unit Development (PUD) Ordinance #2016-11, Section R(1) for Summer Lake-Grace Groves Planned Unit Development, together with Borrow Pit Activity Conditional Use Permit.

Owners: Summer Lake-Grace Groves, LLP / Mt. Dora Hills, LLC / Tom West, Inc. / HB Sorrento, LLC / and Harvey Bernfeld

Applicant: Greg Beliveau, AICP, LPG Urban & Regional Planners, Inc.

- Site Location & Information -

Size	265.5 +/- acres
Location	East of Round Lake Road and south of Coronado-Somerset Drive in the Mount Dora area.
Alternate Key Number	1102235, 1085110, 1112001, 2731541, 1510757, 1814596, and 1124841
Future Land Use Category	Regional Office
Current Zoning District	Planned Unit Development (PUD)
Proposed Zoning District	Planned Unit Development (PUD)
Joint Planning Area/ ISBA	Mount Dora JPA
Overlay Districts	NA

- Land Use Table -

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Regional Office	Agriculture (A) and Rural Residential (R-1)	Residential	None
South	NA	NA	NA	Orange County
East	Mt. Plymouth-Sorrento Neighborhood	Agriculture (A)	Agriculture and Residential	None
West	Urban Low	Agriculture (A) and Planned Unit Development (PUD)	Residential	None

- Summary of Recommendation -

Staff Recommendation: Staff recommends **APPROVAL** of the application for a PUD amendment to replace PUD Ordinance #2016-11 with an amended ordinance to correct scrivener’s errors in the legal PUD/MCUP description, correct mis-identified properties, and grant a one time, two (2) year extension to commence development consistent with Planned Unit Development (PUD) Ordinance #2016-11, Section R(1) for Summer Lake-Grace Groves Planned Unit Development, together with Borrow Pit Activity Conditional Use Permit.

Planning and Zoning Board Recommendation:

Analysis

The subject property is currently zoned Planned Unit Development (PUD) in accordance with Ordinance #2016-11 and is designated as Regional Office Future Land Use Category (FLUC). The Applicant is requesting a one time, two (2) year extension to the sunset date specified in PUD Ordinance #2016-11, Section R(1), for the PUD together with Borrow Pit Activity Conditional Use Permit. There are no requested changes to the permitted uses contained in PUD Ordinance #2016-11.

Additionally, the Applicant has requested that the amended ordinance correct the below scrivener’s errors that were included in Ordinance #2016-11.

- a. Remove and replace listed Alternate Key Number 1124832 with Alternate Key Number 1814596;
- b. Remove listed Alternate Key Number 1510716 as it is a part of the expressway and is no longer included within the Planned Unit Development;

- c. Remove listed Alternate Key Number 3884122 as it is an invalid number;
- d. Remove the legal description of the eastern portion of Alternate Key Number 1124841 that was included in Ordinance #2016-11 but was not to be included within the PUD and was not shown in the concept plan (area shown in the attached map); and
- e. Remove a legal description that removed a portion of Alternate Key Number 1112001 that was to be included in the PUD (area shown in the attached map).

Any impacts on public facilities and the natural environment will be re-evaluated during the site development approval process, if this PUD amendment is approved. The associated Ordinance for the PUD extension will rescind and replace Ordinance #2016-11 in its entirety.

Standards for Review

Pursuant to LDR Section 14.03.03 Standards for Review

A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;

Section R(1) of PUD Ordinance #2016-11 requires physical Development within three (3) years from the date of the Ordinance approval, which was February 16, 2016. The Applicant alleges that it has been diligently working to secure development approvals from various Federal, State, and Local government agencies in accordance with the conditions of PUD Ordinance #2016-11 and Comprehensive Plan Policy I-7.8.2. The request for a one time extension of two (2) years to commence development is necessary to avoid losing entitlements granted by PUD Ordinance #2016-11.

B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;

The PUD amendment request is consistent with the Comprehensive Plan as stated above.

C. Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses;

The area surrounding the subject Planned Unit Development is located in the Regional Office FLUC. Both the County and the City of Mount Dora have considered long range planning for this type of development during the creation and adoption of the 2030 Comprehensive Plan.

There will be no changes to the conditions established in the previously approved PUD other than the granting of the one time, two (2) year extension to commence development if this amendment is approved by the BCC.

D. Whether there have been changed conditions that justify a rezoning;

The Applicant desires to correct scrivener's errors that were included in Ordinance #2016-11 and to request for a one time extension of two (2) years to commence development in order to avoid losing entitlements granted by PUD Ordinance #2016-11.

E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;

Water and Sewer

The project is located within City of Mount Dora JPA and the City has been identified as the utility service provider for the development's central water and sewer. It will be necessary for the Applicant to obtain a Utility Service Agreement from the City of Mount Dora and provide a copy of this agreement in conjunction with any development application approval associated with the PUD. Conditions have been incorporated into the ordinance requiring connection to central utilities.

Parks

The proposed rezoning is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

The Lake County Solid Waste Division has indicated there is sufficient capacity to support this project.

Public Safety

Lake County Fire and Rescue Station is located in Sorrento approximately 4 miles from the property.

Schools

The rezoning amendment request is to correct scrivener's errors and to allow a one time, two (2) year extension to commence development. Therefore, the rezoning amendment will be no more impactful to schools than the previously approved Ordinance #2016-11.

Transportation Analysis

The rezoning request is not anticipated to adversely impact the road network as no additional density is proposed.

F. Whether, and the extent to which, the proposed rezoning would result in significant adverse impacts on the natural environment;

If this amendment is approved the site will undergo additional evaluation for impacts to the natural environment during the platting and/or site plan review and approval process.

G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area;

The rezoning application did not contain any information regarding the effect of the rezoning on property values in the area.

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;

The proposed amendment will result in a continuation of the existing development in the area and would not cause an adverse effect on the existing residential development in the area.

I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and

The proposed rezoning amendment application is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

Not at this time.

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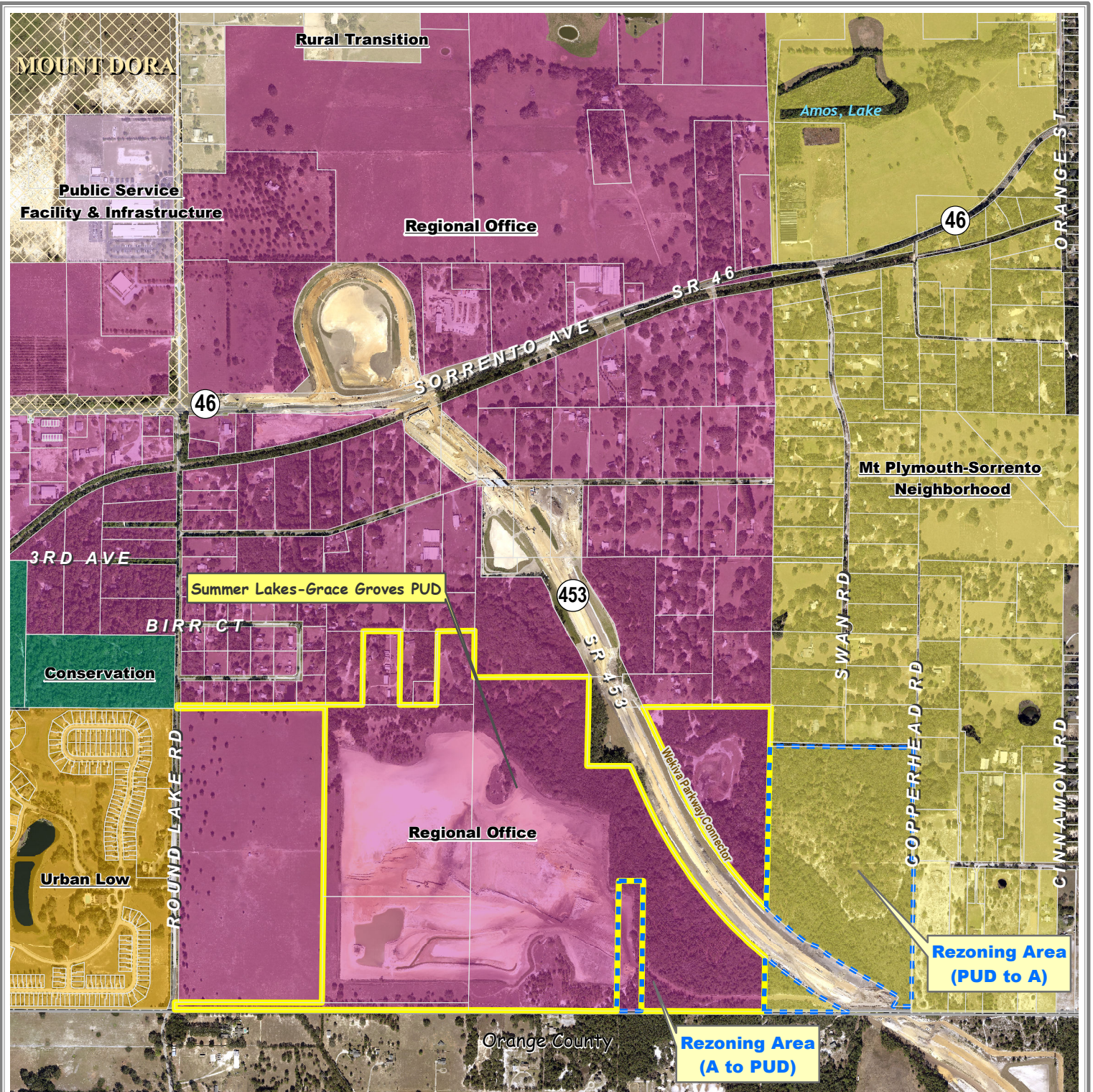
FINDINGS OF FACT: Staff has reviewed the application for this rezoning request and found:

1. The proposed PUD amendment remains consistent with the provisions of the 2030 Comprehensive Plan and LDR.
2. The proposed one-time extension of two (2) additional years to commence development is consistent with Comprehensive Plan Policy I-7.8.2, Time Frame of Planned Unit Developments and is permitted under Planned Unit Development (PUD) Ordinance #2016-11.

Based on these findings of fact, staff recommends **APPROVAL** of the PUD amendment to correct scrivener's errors in the legal PUD/MCUP description, correct mis-identified properties, and grant a one time, two (2) year extension to commence development consistent with Planned Unit Development (PUD) Ordinance #2016-11, Section R(1) for Summer Lake-Grace Groves Planned Unit Development, together with Borrow Pit Activity Conditional Use Permit.

Case Manager: Christine Rock, Planner

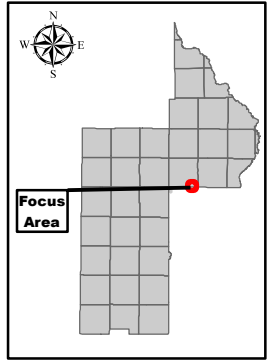
WRITTEN COMMENTS FILED: **Support:** -0- **Questions:** -0- **Opposition:** - 0 -



FUTURE LAND USE LEGEND

- | | | | |
|--------------------------------|--------------------------------------------|--------------------------|----------------------|
| Bella Collina | Mt Plymouth-Sorrento Main Street District | Regional Commercial | Urban Low Density |
| Cagan Crossings | Rural | Rural Transition | Urban Medium Density |
| Conservation | Mt Plymouth-Sorrento Neighborhood | Sending Area A-1-20 | Urban High Density |
| Green Swamp Core Conservation | Mt Plymouth-Sorrento Receiving Area | Sending Area A-1-40 | Wellness Way 1 |
| Green Swamp Interlachen | Regional Office | South Lake Regional Park | Wellness Way 2 |
| Green Swamp Ridge | Public Service Facility and Infrastructure | Summer Bay | Wellness Way 3 |
| Green Swamp Rural | Receiving Area A-1-20 | | Wellness Way 4 |
| Green Swamp Rural Conservation | Recreation | | Towncenter |
| Heavy Industrial | | | |

NAME: SUMMER LAKES - GRACE GROVES PUD
CASE NUMBER: RZ-18-22-1
LOCATION (S-T-R): 35, 36-19-27
REQUEST: AMEND PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE



1 This Ordinance shall supersede and replace any and all previous ordinances for this property.

2 **A. PUD Land Use and Design:**

3 1. Permitted Uses:

Pod	Use	Acreage	Percentage	Residential Units	Floor Area	Floor Area Civic
Pod 1	Comm/Office/Warehouse/Distribution	46.0 ±	17%		1,786,608	
Pod 2	Industrial	37.1 ±	14%		1,234,627	
Pod 4	Commercial/General Office	8.1 ±	3%		72,000	
Pod 6	Commercial	9.4 ±	4%		60,000	
Pod 7	Multi-Family	63.6 ±	24%	192		
Pod 8	College	19.9 ±	8%			340,000
Pod 9	Medical Office/Hospital	33.9 ±	13%		1,293,750	
WET	Wetlands	6.0 ±	2%			
UPLAND	Upland Open Space	35.8 ± (open space)	13%			
WRA	Dry Water Retention As Amenity	29.1 ± (open space)	*			
ROW	right-of-way	5.7 ±	2%			
WATER	Open Water	0 ±	0%			
OPEN	Open Space	64.9 ± (25%)	*			
Totals	Gross Acreage	265.5 ±	100%	192	4,446,985	340,000
	Net Developable	259.5±				

* see notes below
 Gross Land Area = 265.5± acres
 Net Land Area = 259.5± acres (265.5 acres total - 6 acres wetlands)
 Buffers - 12.9 acres, Upland Habitat Preserve - 21.0 acres, Internal Pod Open Space - 1.9 acres (pocket parks, plazas, etc.) = 35.8 acres
 Dry Retention As Amenity - 29.1
 Total Open Space = 64.9± acres (25% of net land area minimum)
 Total Development Floor Area 4,786,985
 GLA = 4,446,985 sq ft
 Net Residential Density 1 units per 10,000 sq ft Commercial
 WRA areas shown are included in the pod acreage, and are subject to engineering and permitting

- 4
- 5 2. Agricultural uses may continue on portions of the property that have not submitted a
- 6 development application for review and approval in accordance with the five year incremental
- 7 phasing schedule specified in Section O of this Ordinance.
- 8 3. Accessory uses directly associated with the above principal uses may be approved by the
- 9 County Manager or designee. Any other use of the site not specified in this Ordinance shall
- 10 require approval of an amendment to this Ordinance by the Board of County Commissioners.

11 **B. Development Requirements:**

Impervious Surface Ratio (ISR)	75% of the development site
Floor Area Ratio (FAR)	3.0 of the non-residential development site
Building Height (Residential)	Fifty (50) Feet
Building Height (Non-Residential)	Seventy-five (75) Feet
Open Space	25% (64.9-acres)

12 All development shall meet the development requirements within the Regional Office Future Land

13 Use Category in accordance with the Comprehensive Plan and LDR, as amended.

14

15 **C. Borrow Pit Activity/Mining Conditional Use Permit (MCUP):**

- 16 1. The borrow pit activity shall be consistent with Exhibit "C" (MCUP/Wekiva Borrow Pit
- 17 Conceptual Plan) and is subject to all related Wekiva Study Area development requirements
- 18 contained in the Comprehensive Plan and Land Development Regulations, as amended.
- 19 2. The borrow pit activity shall be subject to the mining regulations contained in Section 6.06.00,
- 20 Land Development Regulations, as amended.
- 21 3. The borrow pit activity shall meet all submittal requirements for a Mining Conditional Use
- 22 Permit and Mining Operating Permit in accordance with the Land Development Regulations,

- 1 as amended. The approval of this Ordinance facilitates/provides approval for the Mining
- 2 Conditional Use Permit (MCUP) and foregoes a separate public hearing for the MCUP.
- 3 4. Access to the mining site shall be limited to Round Lake Road at the proposed SLG Boulevard
- 4 as depicted on Exhibit "C" (MCUP/Wekiva Borrow Pit Conceptual Plan).
- 5 5. The developer shall secure the easement/ownership for the access off Round Lake Road prior
- 6 to the mining operating permit approval.
- 7 6. The Developer shall construct a paved access entrance meeting County standards at Round
- 8 Lake Road and the proposed SLG Boulevard entrance for the borrow pit access. The paved
- 9 access length from Round Lake Road edge of pavement shall be determined by Lake County
- 10 Public Works Department during the mining operation permit review.
- 11 7. Round Lake Road and other existing public roads shall not be used for hauling material that
- 12 is mined, burrowed, removed, and/or extracted from the borrow pit activity. The use of any
- 13 form of construction/demolition (C&D) material as backfill shall be prohibited.
- 14 8. The haul routes for dirt/fill removal and transportation shall be by means of internal stabilized
- 15 haul roads to the Wekiva Parkway road project only, as depicted on Exhibit "C"
- 16 (MCUP/Wekiva Borrow Pit Concept Plan).

17 **D. Setbacks:**

- 18 1. A one hundred (100) foot wide mining buffer shall be established along the east, west, and a
- 19 portion of the north sides of the burrow pit area and a two hundred (200) foot wide mining
- 20 buffer shall be placed along the northern boundary of the borrow pit area between the Rural
- 21 Residential (R-1) Zoning District and along the southern boundary between the residential
- 22 uses and the mining activity.
- 23 2. A twenty-five (25) foot, Type C landscape buffer shall be required for the PUD boundary and
- 24 shall be installed during the construction of the PUD. The buffers will be assessed during the
- 25 review of the required preliminary plat and/or site plan and may consist of existing non-
- 26 invasive vegetation or Florida Friendly vegetation.
- 27 3. All setbacks shall be permanently marked in a manner that will be clearly visible to equipment
- 28 operators. Such markers shall be shown on the Operating Plan and shall be spaced at no
- 29 more than 100 feet in areas being excavated and shall remain in place until mining/borrow pit
- 30 activities and reclamation are completed.

31 **E. Operating Plan Requirements:**

- 32 1. The MCUP/Wekiva Borrow Pit shall require approval of an Operating Plan prior to the
- 33 commencement of mining/borrow pit activities, which includes the following:
- 34 a. Operating Plan.
- 35 b. Environmental Assessment no older than 6 months.
- 36 c. Reclamation Plan.
- 37 d. Noise Study.
- 38 e. Management Plan.
- 39 f. Tree Removal Permit and Tree Removal Mitigation Plan.
- 40 g. Outside Agency Permits.
- 41 2. Permits and Approvals. All appropriate Army Corp of Engineer, Water Management District
- 42 and Florida Department of Environmental Protection permits shall be obtained prior to
- 43 commencement of mining/borrow pit activities on the site, and all permits shall be kept current.
- 44 3. Agency Approvals. All mining activities shall be conducted in accordance with all applicable
- 45 federal, state, regional, and local laws, ordinances, rules, and regulations, as amended.
- 46 4. Hours of operation. Hours of operation shall be from 7 a.m. to 7 p.m., 6 days per week
- 47 (Monday – Saturday).
- 48 5. Air Quality:

- 1 a. The mining/borrow pit activity shall be conducted so as to prevent, reduce and control the
2 generation and off-site migration of fugitive dusts and particles. All areas in which such
3 dusts or particles may be generated shall be kept wet or controlled in another manner to
4 reduce the potential for their Off-Site migration.
- 5 b. The Applicant shall cease all operations which do not meet the requirements of the Air
6 Quality section of the Land Development Regulations and Comprehensive Plan, as
7 amended, and the Operating Plan, upon notification by Lake County.
- 8 6. Reclamation Standards:
- 9 a. A Reclamation Plan, conforming to the Mining Reclamation Standards contained in Lake
10 County Land Development Regulations shall be filed with the Operating Plan. The
11 reclamation plan shall fully describe the proposed site reclamation by both illustration and
12 documentation, and including but not limited to:
- 13 I. A plan view with cross sections, final slopes/contours, vegetative plantings,
14 stormwater retention areas, etc. shall be submitted.
- 15 II. All areas to be reclaimed by depicting and describing what man-made and natural
16 features will exist when the reclamation plan is completed; and
- 17 III. A contour map and two (2) typical cross sections, generally oriented north to south
18 and east to west, showing areas to be filled, backfilled, reconstructed, and reshaped.
- 19 IV. Identification of the size, type, location, and planting schedule for all vegetation to be
20 planted or seeded in accordance with the reclamation plan.
- 21 b. Timing. Reclamation shall commence within 90 days after completion of the
22 mining/borrow pit activity. Reclamation of the area associated with the completed
23 mining/borrow pit activity shall be completed no later than one (1) year after termination
24 of the mining/borrow pit activity. Reclamation shall be completed pursuant to the
25 approved Operating Plan and associated Reclamation Plan.
- 26 7. Financial Responsibility:
- 27 a. Before final approval of the Operating Plan and Reclamation Plan, the Permittee/Owner
28 must file a compliance and reclamation guarantee with the County to ensure that the site
29 is operated and reclaimed in conformance with the Lake County Code and the approved
30 Operating and Reclamation Plans. Acceptable forms of the guarantee include cash,
31 certificates of deposit, irrevocable letters of credit, or surety bonds. In all cases, the form
32 of the guarantee shall be subject to approval by the County Attorney.
- 33 b. The total cost of reclamation shall be estimated by the applicant and reviewed by the
34 County. The estimated amount shall be established by calculations and judgments based
35 on acceptable industry standards and procedures. The final amount of the guarantee
36 shall be set by the Board of County Commissioners not less than one hundred and ten
37 percent (100%) of the estimated cost of reclamation, based upon the area of the
38 mining/borrow pit activity being permitted.
- 39 c. The reclamation guarantee shall not be released by the County until the final reclamation
40 of all areas subject to this approval has been completed, inspected, and approved by the
41 County.
- 42 d. If reclamation under the approved Reclamation Plan has not been successful after the
43 end of two (2) years, at the option of the County, a new Reclamation Plan shall be
44 required of and carried out by the Permittee/Owner, or the reclamation guarantee shall
45 be forfeited and the site reclaimed by the County using the guarantee to fund it.
46 Additionally, if the site has been abandoned by the Permittee, the reclamation guarantee
47 may be declared forfeited by the Board and the site reclaimed by the County using the
48 guarantee to fund it. The site shall be considered abandoned if no mining activity has
49 taken place for a period of six (6) months, or if reclamation has not been instituted as
50 required under this ordinance.

- 1 8. Inspections: County staff, upon notification to the Applicant, shall have access to the project
2 site to inspect and observe permitted activities in order to determine compliance with the terms
3 of this ordinance. This use shall be inspected by the Code Enforcement Division annually to
4 ensure compliance with the conditions of this Conditional Use Permit and the approved
5 Operating Plan. An annual inspection fee will be assessed. If an emergency inspection is
6 necessary during non-operating hours, a fee shall also be assessed.
- 7 9. Annual Progress Report: An Annual Progress Report shall be submitted to the County twelve
8 (12) months following the approval of the Operating Plan and every twelve (12) months
9 thereafter, consistent with the Mining provisions specified in the LDR, as amended. Failure to
10 file the required annual progress report shall be grounds for suspension of the Operating Plan.
11 An extension of time for filing may be granted by the County upon request in writing and for
12 good cause shown.
- 13 10. Additional conditions of this permit are as follows:
 - 14 a. The Applicant and mining and restoration activities on the property shall be subject to
15 Chapter 62-345, Florida Administrative Code, entitled, "Uniform Mitigation Assessment
16 Method", as amended.
 - 17 b. In the event of any breach in any of the terms or conditions of this permit or any default
18 or failure of the Permittee or his successor to: Fulfill development in substantial
19 accordance with the conceptual plan as submitted to the Planning & Zoning Board and
20 the Board of County Commissioners; comply with the codes of the governmental
21 agencies having lawful and appropriate jurisdiction thereon; or comply with any of the
22 terms of the Mining Conditional Use Permit; or this Mining Conditional Use Permit is found
23 to become a nuisance or safety hazard, the permit may be revoked after due Public
24 Hearing before the Planning & Zoning Board and the Board of County Commissioners,
25 or may be rescinded upon annexation to a municipal jurisdiction.
 - 26 c. This Permit shall inure to the benefit of, and shall constitute a covenant running with the
27 land; and the purpose, terms, and conditions contained herein shall be binding upon the
28 Permittee or any successor and his interest hereto.
 - 29 d. Action by the Lake County Code Enforcement Special Master. The Lake County Code
30 Enforcement Special Master shall have authority to enforce the terms and conditions set
31 forth in this ordinance and to recommend that the ordinance be revoked.
 - 32 e. If the mining/borrow pit activities commence within three (3) years of the date that the
33 Board grants the Mining Conditional Use Permit approval, the Permit shall remain valid
34 and in force as long as the operator shall abide by this ordinance, the Operating Plan and
35 the LDR requirements. Should the mining/borrow pit activities not commence within the
36 specified period, the Mining Conditional Use Permit shall expire and the applicant shall
37 submit a request for extension for review and approval by the Board of County
38 Commissioners.

39 **F. Environmental, Open Space and Conservation:**

- 40 1. The development is providing 64.9 +/- acres of open space (25% of the net buildable area)
41 which exceeds the minimum required open space (15% of the net buildable area per
42 Comprehensive Plan and 20% per LDR). The development shall maintain the open space on
43 the site, consistent with the Lake County Comprehensive Plan and LDR, as amended.
- 44 2. All wetlands and designated common open space within the property shall be placed into a
45 conservation easement or similar recorded and legally binding instrument, as allowed by law,
46 pursuant to Lake County Comprehensive Plan Policy and LDR, as amended. The
47 conservation easement or similar instrument shall require that all wetlands and wetland
48 buffers be maintained in their natural and unaltered state, in accordance with the Lake County
49 Comprehensive Plan and LDR, as amended.

- 1 3. The conservation easement or similar recorded and legally binding instrument, as allowed by
 2 law, pursuant to Lake County Comprehensive Plan Policy and LDR, as amended, for the
 3 wetlands, and wetland buffers, and common open space areas shall be accepted by the Board
 4 of County Commissioners and a recorded copy provided to the County prior to the approval
 5 of a site plan or preliminary plat for the PUD.
- 6 4. All areas designated on Exhibit "B" PUD Conceptual Plan and Exhibit "C" MCUP/Wekiva
 7 Borrow Pit Concept Plan for sand skink protection shall be placed into a conservation
 8 easement or similar recorded and legally binding instrument, as allowed by law, pursuant to
 9 Lake County Comprehensive Plan Policy and LDR, as amended. The conservation easement
 10 or similar instrument shall require that all sand skink protection areas and sand skink
 11 protection area buffers be maintained in their natural and unaltered state pursuant to Florida
 12 Department of Environmental Protection protocols.
- 13 5. The conservation easement or similar recorded and legally binding instrument, as allowed by
 14 law, pursuant to Lake County Comprehensive Plan Policy and LDR, as amended, for the sand
 15 skink protection areas shall be accepted by the Board of County Commissioners and a
 16 recorded copy provided to the County prior to the approval of the Mining Operation Permit.
- 17 6. A tree removal permit will be required with the associated removal mitigation prior to the
 18 approval of any associated development application. All removal and mitigation will be in
 19 accordance with the LDRs, as amended. The table below establishes the base line for tree
 20 removal mitigation and shall be carried forward with any development application addressing
 21 the trees to be removed and the proposed mitigation as running totals for each application.
 22

Location	Measure	Unit	Trees Planted C	Trees Planted U	Total Trees	Inches/Tree	Caliper Inches
Perimeter Project Buffers	5,935lf	5/100'	178	119	297	2.5	743
Multi-Family	63.6 acres	15/acre	954		954	4	3,816
Multi-Family Buffers	7,652 lf	5/100'	230	153	383	4	1,532
Office/Warehouse	46 acres	10/acre	460		460	4	1,840
Office/Warehouse Buffers	2,245 lf	5/100'	113	45	158	4	632
Commercial	9.4 acres	12/acre	113		113	4	452
Commercial Buffers	4,042 lf	5/100'	120	80	200	4	800
Industrial	37.1 acres	10/acre	371		371	4	1,484
Industrial Buffers	2,904.0	5/100'	88	60	148	3	444
General Office	8.1 acres	10/acre	81		81	3	243
General Office Buffers	1037 lf	5/100'	32	22	54	3	162
College	19.9 acres	12/acre	238		238	3	714
College Buffers	1,792 lf	5/100'	54	36	90	3	270
Medical/Hospital	39.6 acres	10/acre	396		396	4	1,584
Medical/Hospital Buffers	7,605 lf	5/100'	228	152	380	4	1,520
Water Retention	14,869 lf	3/150'	298		298	3	894
Street Trees	8,207 lf	2/50'	328		328	3	984
Total Trees Planted					4949		
Total inches replaced							18,114
Total inches required							18,111

*Note for Table Above: Column "Trees Planted C", "C" shall mean "Canopy" and column "Trees Planted U", "U" shall mean "Understory".

G. Stormwater and Flood Zone/s:

1. Stormwater facilities shall be designed and constructed in accordance with the Comprehensive Plan and LDR, as amended.
2. Any impacts to existing flood zone areas shall require compensating storage. All determinations for flood zone area impacts shall be the responsibility of the Developer in accordance with the LDRs, as amended.

- 1 **H. Utilities:**
- 2 1. A copy of the fully executed Utility Service Agreement between the developer and the City of
- 3 Mount Dora shall be provided to the County prior to the approval of a site plan and/or
- 4 preliminary plat.
- 5 2. Central water and sewer shall be provided to the development prior to final plat and/or site
- 6 plan approval.
- 7 **I. Parking:** All parking for the development shall be consistent with the Comprehensive Plan and
- 8 LDR, as amended.
- 9 **J. Buffers, Landscaping, and Setbacks:**
- 10 1. A twenty-five (25) foot wide, Type C landscape buffer shall be provided along the boundary
- 11 of the PUD.
- 12 2. A 50-foot wide agriculture buffer shall be provided along all boundaries of the PUD that are
- 13 adjacent to property with the Agriculture (A) Zoning District. The required landscape buffer
- 14 may be included as a part of this 50-foot agriculture buffer.
- 15 3. Landscaping and screening shall be in accordance with the Comprehensive Plan and LDR,
- 16 as amended.
- 17 4. Best Management Practices for native landscaping and “right plant-right place” landscaping
- 18 techniques shall be used for the landscape design to minimize the use of chemicals,
- 19 pesticides, and water for irrigation. Invasive and exotic plant species are prohibited.
- 20 **K. Transportation:**
- 21 1. A meeting between the Developer and Lake County shall be required to establish Traffic
- 22 Methodology prior to the submittal of the development application for the first phase of the
- 23 PUD. The Traffic Methodology shall be approved by County Engineer and shall be the basis
- 24 for future Traffic Impact Studies.
- 25 2. A Traffic Impact Study meeting all requirements contained in the approved Traffic
- 26 Methodology shall be required with each development application submittal.
- 27 3. Site access shall comply with Access Management standards in accordance with the LDRs,
- 28 as amended.
- 29 4. SLG Boulevard shall be a four lane divided boulevard with bike lanes, trails, and sidewalks.
- 30 This road shall be a means of access to the PUD and adjacent properties.
- 31 5. The right-of-way widths for the two main internal roadways within the site shall be minimum
- 32 of 100 feet for the East-West Boulevard and 80 feet for the North-South road as depicted on
- 33 Exhibit “B” (PUD Concept Plan).
- 34 6. All intersection and offsite improvements shall be the responsibility of the Developer to design,
- 35 permit, and construct.
- 36 7. Turn lane improvements at the intersections of SLG Boulevard and Round Lake Road,
- 37 Coronado Summerset Drive and Round Lake Road, and South Coronado Drive and Coronado
- 38 Summerset Drive will be evaluated with each development application submitted. Lake
- 39 County Public Works Department shall determine the required intersection improvements
- 40 during the development application review.
- 41 8. Additional offsite road improvements required to mitigate site impacts will be determined and
- 42 approved by Lake County Public Works Department at the time of each development
- 43 application submittal.
- 44 9. Sidewalks along all public road frontages shall be provided in accordance with the LDRs, as
- 45 amended.
- 46 10. Traffic calming such as but not limited to roundabouts for all internal roads shall be evaluated
- 47 with each development phase for inclusion with the road design for each phase development
- 48 application and plan.

11. All internal roads shall include bike lanes, sidewalks, trails, and transit stops and shall meet both FDOT and Lake County road design standards and shall include complete streets design criteria, as amended.
12. All development applications (site plans/preliminary plats/construction plans/final plats) submitted for lands to be developed within the PUD boundaries shall include a pedestrian ways and bike path plan that coordinates with the overall PUD and provides connections to Round Lake Road, Coronado Summerset Drive, South Coronado Drive, and any surrounding developments.

L. Lighting:

1. Exterior lighting shall not illuminate adjacent properties and rights-of-way. Outdoor lighting shall be full-cutoff lighting.
2. Lighting shall be designed so as to prevent direct glare, light spillage, and hazardous interference consistent with Dark Sky Principles and be in accordance with the Comprehensive Plan and Land Development Regulations, as amended.

M. Noise: A noise assessment shall be required with the preliminary plat and/or site plan submittal to demonstrate mitigation for any noise impacts the proposed project may have on the neighboring uses pursuant to the LDR, as amended.

N. Signage: Signage shall be consistent with the Comprehensive Plan and LDR, as amended.

O. PUD Phasing Schedule (55 year, 5-year incremental build-out):

Phase	Years	College (students)	Commercial	Commercial Warehouse/Dist	Commercial General Office	Multi-Family units per 10,000 sf commercial	Industrial	Medical/Hospital (acres)
Phase 1	2016-2024	400	10,000	68,000	5,000			
Phase 2	2025-2030	600	7,500	68,000	5,000	96	50,000	10.0
Phase 3	2031-2036	600	7,500	136,000	10,000	96	50,000	
Phase 4	2037-2042	800	15,000	150,000			100,000	10.0
Phase 5	2043-2048	800	20,000	150,000	25,000		100,000	
Phase 6	2049-2054	800		200,000			200,000	10.0
Phase 7	2055-2060			200,000	27,000		250,000	9.6
Phase 8	2061-2066			314,608			250,000	
Phase 9	2067-2072			500,000			234,627	
Total		4,000	60,000	1,786,608	72,000	192	1,234,627	39.6

P. Concurrency: The development (PUD/MCUP) shall be subject to all applicable Concurrency Management requirements in place at the time of development in accordance with the Comprehensive Plan and LDR, as amended.

Q. Future Amendments to Statutes, Code, Plan, and/or Regulations: The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations, include any future amendment to the Statutes, Code, Plan, and/or Regulation.

R. PUD Term Limits:

1. Failure to commence construction of the infrastructure for Phase 1 of the PUD on or before January 29, 2021 shall cause the revocation of this ordinance in accordance with the Comprehensive Plan and LDR or superseding documents as amended. Clearing and grading alone shall not be construed as sufficient to meet this requirement.

S. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the uses identified in this Ordinance.

- 1 T. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the land
- 2 and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and
- 3 any successor, and shall be subject to each and every condition herein set out.

- 4 U. The transfer of ownership or lease of any or all of the property described in this Ordinance shall
- 5 include in the transfer or lease agreement, a provision that the purchaser or lessee is made good
- 6 and aware of the conditions pertaining to this Ordinance, and agrees to be bound by these
- 7 conditions. The purchaser or lessee may request a change from the existing plans and conditions
- 8 by following procedures contained in the Lake County Land Development Regulations, as
- 9 amended.

- 10 V. **Action by the Lake County Code Enforcement Special Master:** The Lake County Code
- 11 Enforcement Special Master shall have the authority to enforce the terms and conditions set forth
- 12 in this ordinance and to recommend that the Ordinance be revoked.

- 13 **Section 2. Development Review and Approval:** Prior to the issuance of any permits, the Owner shall obtain
- 14 development order approvals from Lake County. The applications for final orders shall meet all
- 15 submittal requirements and comply with all County codes and ordinances, as amended.

- 16 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
- 17 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the
- 18 validity of the remaining portions of this Ordinance.

- 19 **Section 4. Filing with the Department of State.** The clerk shall be and is hereby directed forthwith to send a
- 20 copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section
- 21 125.66, Florida Statutes.

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1 Section 5. Effective Date. This Ordinance shall become effective as provided by law.
2
3 ENACTED this _____ day of _____, 2019.
4
5 FILED with the Secretary of State _____, 2019.
6
7 EFFECTIVE _____, 2019.

8

9 BOARD OF COUNTY COMMISSIONERS
10 LAKE COUNTY, FLORIDA

11 _____
12 LESLIE CAMPIONE, CHAIRMAN

13

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15 ATTEST:

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18 _____
19 GARY J. COONEY, CLERK OF THE
20 BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

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24 APPROVED AS TO FORM AND LEGALITY:

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28 _____
MELANIE MARSH, COUNTY ATTORNEY

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Exhibit "A"
(Legal Description)

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Parcel 1

From a point 27 feet north of the SE corner of the SE ¼ of the NW ¼ of Section 35, Township 19 South, Range 27 East, run South 88°53' West 662.23 feet to the point of beginning, thence continue South 88°53' West 331.115 feet thence North 00°00'52" West parallel with the East line of said SE ¼ of the NW ¼ a distance of 657.50 feet, thence North 88°53' East 331.64 feet, thence South 00°00'17" East 657.50 feet to point of beginning. Also described as Lot 28 According to an Unrecorded Plat of Sorrento Ranches, as recorded in UNX, Page 18, Public Records of Lake County, Florida.

Parcel 2

The East ¼ of the North 657.50 feet of the South 684.50 feet of the Southeast ¼ of the Northwest ¼ of Section 35, Township 19 South, Range 27 East, less the North 30 feet thereof, being also described as Lot 26, according to the survey of Sorrento Ranchos, Recorded I Official Records Book 421, Page 871, Public Records of Lake County, Florida, less the North 30 feet thereof.

Parcel 3

The South 27 feet of the Southwest ¼ of the Northwest ¼ of Section 35, Township 19 South, Range 27 East in Lake County, Florida.

AND

The Northeast ¼ of the Southwest ¼ and the North ¼ of the Southeast ¼ of the Southwest 1/4 of Section 35, Township 19 South, Range 27 East in Lake County, Florida.

AND

The South 27 feet of the Southeast ¼ of the Northwest ¼ of Section 35, Township 19 South, Range 27 East in Lake County, Florida.

Parcel 4

South ¾ of the SE ¼ of the SW ¼, lying and being in Section 35, Township 19 South, Range 27 East, less the South 66.00 feet thereof.

Parcel 5

The South 272.50 feet of the Southwest ¼ of the Northeast ¼ of Section 35, Township 19 South, Range 27 East, Lake County, Florida.

AND

West ½ of the Southeast ¼ of Section 35, Township 19 South, Range 27 East, Lake County, Florida; less the West 324.72 feet of the East 1801.64 feet of the South 761.64 feet of the Southeast ¼ thereof.

1 AND

2 The West 324.72 feet of the East 1801.64 feet of the South 761.64 feet of the Southeast ¼ of Section 35,
3 Township 19 South, Range 27 East, Lake County, Florida.

4 **Parcel 6**

5 The East ½ of the Southeast ¼ of Section 35, Township 19 South, Range 27 East, Lake County, Florida

6 **Parcel 7**

7 The South 66 feet of the South ¾ of the Southeast ¼ of the Southwest ¼ of Section 35, Township 19 South,
8 Range 27 East, Lake County, Florida.

9 **Parcel 8**

10 The South 66 feet of that part of the SE ¼ of Section 34, Township 19 South, Range 27 East, Lake County,
11 Florida, lying East of Round Lake Road, LESS Right of way for road.

12 **Parcel 9**

13 The South 66 feet of the West ½ of SW 1/4, Section 35, Township 19 South, Range 27 East, Lake County,
14 Florida, LESS Right of way of Round Lake Road.

15 **Less the following limited access right of way as recorded in Official Records Book 4676, Page 881,**
16 **Public Records of Lake County, Florida:**

17 A parcel of land lying in the East ½ of Section 35 and the Southwest ¼ of Section 36, Township 19 South,
18 Range 27 East, Lake County, Florida, being more particularly described as follows:

19 Commence at the Southwest corner of Section 36, Township 19 South, Range 27 East, Lake County, Florida,
20 said point being a 6" X 6" concrete monument with ½' iron rod stamped "2 1 36 35"; thence run South
21 89°47'27" East along the South line of the Southwest ¼ of said Section 36, a distance of 1317.59 feet to the
22 Southeast corner of the West ½ of the Southwest ¼ of said Section 36, said point being a found 3.5" concrete
23 monument with cap stamped "LB 3827"; thence departing said South line, run North 00°58'18" East, a
24 distance of 51.00 feet; thence run North 89°47'27" West, a distance of 159.72 feet to the point of beginning;
25 thence continue North 89°47'27" West, a distance of 511.79 feet; thence run North 60°15'41" West, a
26 distance of 220.43 feet; thence run North 54°36'10" West, a distance of 235.58 feet to a point on a curve,
27 concave to the Northeast, having a radius of 3984.72 feet and a central angle of 29°42'47", thence run
28 Northwesterly along the arc of said curve, a distance of 2066.44 feet (chord bearing = North 39°44'46" West,
29 chord distance = 2043.36 feet) to the end of said curve; thence run North 24°53'22" West, a distance of
30 364.97 feet; thence run North 90°00'00" West, a distance of 383.88 feet; thence run North 01°03'08" East, a
31 distance of 799.40 feet to a point on the North line of the South 272.50 feet of the Southwest ¼ of the
32 Northeast ¼ Section 35, Township 19 South, Range 27 East; thence run North 89°47'59" East along said
33 North line, a distance of 301.90 feet to the Northeast corner of said South 272.50 feet, said point being a 3.5"
34 diameter concrete monument with cap stamped "LB 3827"; thence run South 00°53'15" West along the East
35 line of said South 272.50 feet, a distance of 272.55 feet to the Southeast corner of the Southwest ¼ of the
36 Northeast ¼ of said Section 35; thence run North 89°47'59" East along the North line of the Southeast ¼ of
37 said Section 35, a distance of 190.12 feet; thence departing said North line, run South 24°53'22" East, a

1 distance of 794.45 feet to a point on a curve, concave to the Northeast, having a radius of 3654.72 feet and
2 a central angle of 28°00'10"; thence run Southeasterly along the arc of said curve, a distance of 1786.22 feet
3 (chord bearing = South 38°53'28" East, chord distance = 1768.49 feet) to the end of said curve; thence run
4 South 66°10'44" East, a distance of 137.81 feet; thence run South 51°38'41" East, a distance of 99.35 feet
5 to appoint on a curve concave to the Northeast, having a radius of 3632.72 feet and a central angle of
6 03°11'26"; thence run Southeasterly along the arc of said curve, a distance of 202.29 feet (chord bearing =
7 South 58°10'20" East, chord distance = 202.26 feet) to the end of said curve; thence run South 59°46'03"
8 East, a distance of 519.46 feet; thence run South 40°36'53" East, a distance of 21.18 feet; thence run South
9 30°14'34" West, a distance of 92.10 feet to the point of beginning.

10 Together with all rights of ingress, egress, light, air and view to, from or across any State Road 453 right of
11 way property which may otherwise accrue to any property adjoining said right of way.

12 **And also less the following right of way as recorded in Official Records Book 4676, Page 881, Public**
13 **Records of Lake County, Florida:**

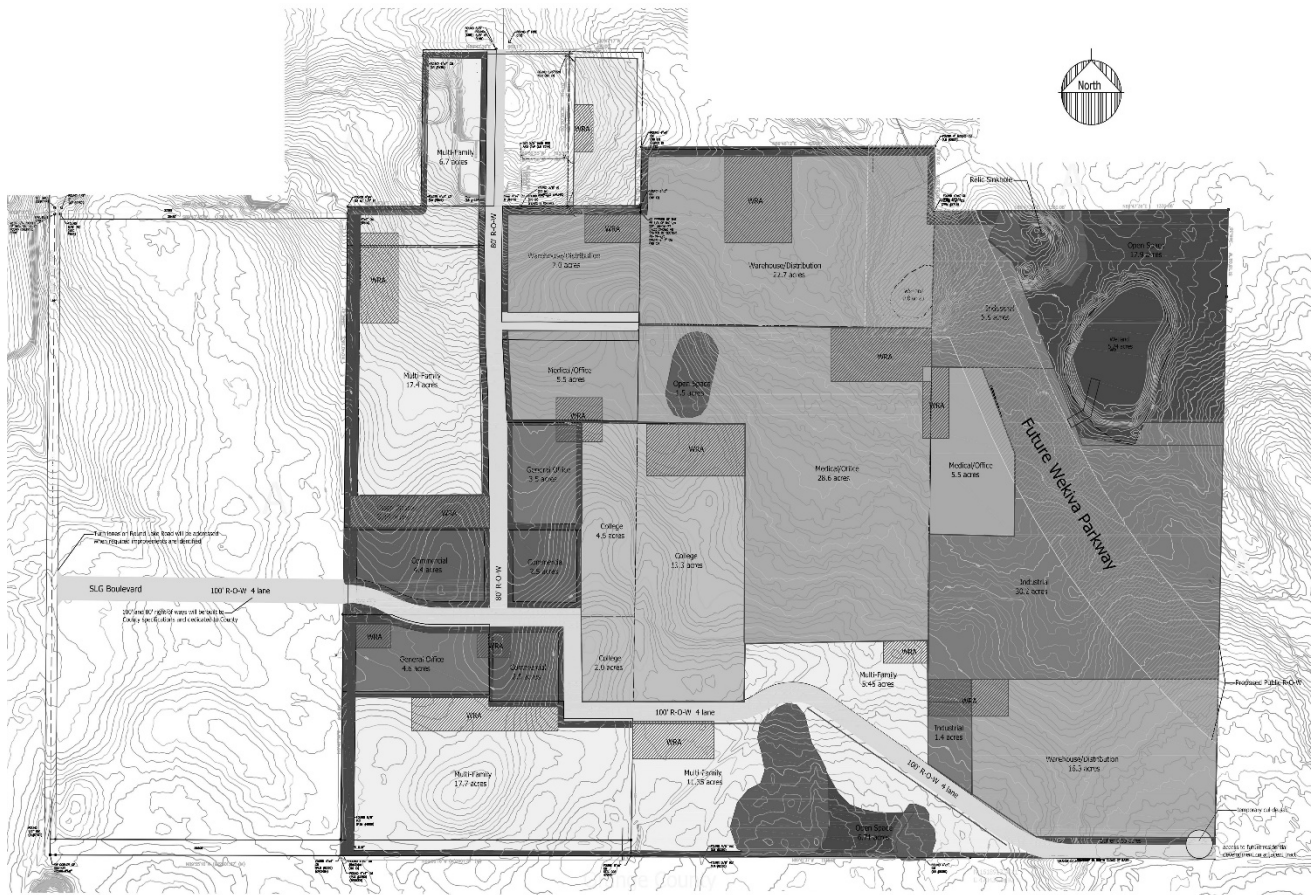
14 A parcel of land lying in the West ½ of the Southwest ¼ of Section 36, Township 19 South, Range 27 East,
15 Lake County, Florida, being more particularly described as follows:

16 Commence at the Southwest corner of Section 36, Township 19 South, Range 27 East, Lake County, Florida,
17 said point being a 6" X 6" concrete monument with ½ " iron rod stamped "2 1 36 35"; thence run South
18 89°47'27" East along the South line of the Southwest ¼ of said Section 36, a distance of 748.48 feet to the
19 point of beginning; thence departing said South line, run North 63°09'42" West a distance of 113.78 feet;
20 thence run South 89°47'27" East, a distance of 671.51 feet; thence run South 00°58'18" West, a distance of
21 51.00 feet to the Southeast corner of the West ½ of the Southwest ¼ of said Section 36, said point being a
22 found 3.5" concrete monument with cap stamped "LB 3827"; thence North 89°47'27" West along the South
23 line of said Southwest 1/4, a distance of 411.53 feet to the point of beginning.

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Exhibit "B"
 (PUD Concept Plan)



Notes

Total Project Acreage: 265.5 Acres± (11,565,180 sq ft±)
 Future Land Use: Regional Office
 Zoning: Lake County A
 Adjacent Zoning: North - Lake County A
 South - Orange County
 East - Lake County A
 West - Lake County A
 Proposed Zoning: Lake County Mixed Use PUD
 Flood Zone: As noted on survey
 Wetlands: None
 Open Space: 64.9 Acres ± (25%)

- Sewer and water service from the City of Mount Dora, re-use water service when it becomes available.
- Landscape buffers as shown
- Progress Energy Electric
- All Easements will be maintained by the POA
- Maximum Building Height shall be no more than 45 feet
- Stormwater management will be through a system of swales and dry retention ponds. Locations shown subject to final engineering.
- College site will be constructed in phases. Facilities to serve 400 students in Phase 1. Later phases will have facilities to serve 4,000 total.
- Transit stop details will be provided with site/subdivision plans to comply with DOT, Lake County, and Lake Xpress standards.
- A pedestrian way and bicycle path master plan will be provided with site/subdivision plans to meet Lake County standards.
- Land within the project area not currently being developed will remain under agricultural land use.
- Main 100' and 80' corridors will be evaluated when constructed for compliance with "Complete Streets" requirements to include trails, sidewalks, traffic calming, etc.
- All right-of-ways will be constructed to County specifications and be dedicated to the County.
- Turn lanes on Round Lake Road and Coronado Somerset will be addressed when required improvements are identified.
- Internal roads shall include bike lanes, sidewalks, trails, and transit stops.
- internal road design shall meet both FDOT and Lake County design standards
- SLG Blvd. shall be a four lane divided boulevard with bike lanes, trails and sidewalks.

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