



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

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Tab Number: 4

Public Hearings: Planning & Zoning Board (PZB): September 2, 2020  
Board of County Commissioners (BCC): September 29, 2020

Case No. and Project Name: MCUP-20-02-4 Summer Lake-Grace Groves MCUP Amendment

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

Owner: Summer Lake-Grace Groves, LLP / Mt. Dora Hills, LLC / Tom West, Inc / HB Sorrento, LLC / Harvey Bernfield / Grace Lindblom

Requested Action: Amend the existing MCUP Ordinance #2019-11 to expand the approved borrow pit acreage by 13.56-acres within the previously MCUP area.

Staff Determination: Staff finds the conditional use permit application consistent with the Land Development Regulations (LDR) and Comprehensive Plan.

Case Manager: Steve K. Greene, AICP, Chief Planner

PZB Recommendation:

### Subject Property Information

Size: 265.5+/- acres

Location: East of Round Lake Road, south of Coronado-Somerset Drive, in the east Mount Dora area.

Alternate Key No.: 1112001, 2731541, 1102235, 1085110

Future Land Use: Regional Office

Current Zoning District: Planned Unit Development (PUD)

Flood Zone: "X" and "A"; Panel #12069C0390E

Joint Planning Area / ISBA: Mount Dora

Overlay Districts: N/A

**Adjacent Property Land Use Table**

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Regional Office & Mt. Plymouth-Sorrento Neighborhood	Agriculture (A)	SFR, Agriculture, and Vacant Land	None
South	Orange County	Orange County	SFR and Agriculture	None
East	Mt. Plymouth-Sorrento Neighborhood	A & R-7	SFR, Agriculture, and Vacant Land	None
West	Urban Low, Conservation, and Regional Office	A, R-1, and PUD	SFR, Agriculture, and Vacant Land	Conservation FLUC (Wolf Branch Sink Area) Sullivan Ranch Subdivision.

**- Summary of Analysis -**

This Mining Conditional Use Permit (MCUP) application seeks to expand the borrow pit area within the previously approved MCUP area by 13.56-acres, from 111.26-acres to 124.82 acres. This new borrow acreage involves expanding Phase 5 by 5.28-acres and a new Phase 6 for 9.39-acres. In addition to authorizing a mixed-use Planned Unit Development (PUD), MCUP Ordinance #2019-11 allowed for a borrow pit/mining use to supply fill material for the construction of the Wekiva Parkway. The 265.5-acre MCUP project is located east of Round Lake Road, south of Coronado-Somerset Drive, in the east Mount Dora area, and is designated as Regional Office future land use. Upon completing the borrow pit reclamation the development will consist of Office, Warehouse / Distribution, Industrial, Commercial, Medical Services, a Hospital, a College, and Multi-Family Residential uses that will span a 55-year period.

On February 16, 2016, the Board of County Commissioners (BCC) approved MCUP Ordinance #2016-11 to allow a phased, mixed-use PUD consisting of Office, Warehouse/Distribution, Industrial, Commercial, Medical Services, a Hospital, a College, and Multi-Family Residential uses, including borrow pit use to supply fill material to Wekiva Parkway construction effort.

On February 12, 2019, the BCC approved MCUP Ordinance #2019-11 to replace MCUP Ordinance #2016-11 to correct scrivener's errors in the PUD / MCUP legal description, correct misidentified properties, and to extend the PUD expiration date to February 12, 2021 to commence infrastructure construction.

**Standards for Review (LDR Section 14.03.03)**

**A. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.**

**Mixed-Use PUD**

As part of the larger project, the reclamation effort of the borrow pit activity entailed the establishment of a Planned Unit Development (PUD) Zoning District, which is permitted in all Future Land Use Classifications/Categories pursuant to LDR, Table 3.00.03. Previously approved MCUP #2019-11 allows land use classifications in accordance with LDR Section 4.03.02.A-D, which permits complimentary and compatible residential, commercial, industrial, and other private, public, or semi-public uses that are complimentary and compatible with planned residential, commercial, and industrial developments (including sewer and water utility plants). The PUD is designed with a 55-year project buildout (shown below) for professional office/commercial (24%) / industrial park, including a college campus (8%) capable of supporting 4,000 students maximum, a medical office/hospital (13%), and 192 multi-family dwelling units (24%) which have the potential to provide workforce housing to support the various industries/professions of the office park development. The balance of the land area is wetlands, utilities/stormwater/right-of-way, and open space.

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	
<b>Total</b>		4,000	60,000	1,786,608	72,000	192	1,234,627	39.6

**B. Whether the proposed amendment is in conflict with any applicable provisions of the Code.**

Borrow Pit Use / MCUP

Approval of MCUP Ordinance #2019-11 facilitated the current borrow pit activity and removal of approximately 3.4 million cubic yards of soil off-site to provide fill for the Wekiva Parkway construction. To date, approximately 2.5 million cubic yards have been removed. The proposed 13.56-acre borrow pit expansion will yield an additional 900,000 cubic yards for removal (Attachment 1). This borrow pit expansion remains consistent with this ordinance and the mining definition specified by LDR Section 6.06.00. The LDR defines mining activity as the extraction of minerals, ore or other naturally occurring materials from the earth by whatever method, including borrow pits and overburden removal by extracting and transportation for the sole purpose of construction and processing to facilitate development.

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

The area surrounding the MCUP zoning district is intended for large office/industrial development as evidenced by the Regional Office future land use designation for this area of the County. The proposed rezoning remains consistent with the existing and proposed land uses for this area.

**D. Whether there have been changed conditions that justify an amendment.**

As previously indicated, the Applicant seeks to expand the borrow activity area 13.56 acres beyond the area depicted by Exhibit "C" within current MCUP Ordinance #2019-11 (Attachment 2). Further, the ordinance contains a condition that limits the borrow activity to the area shown in Attachment 2.. Although the proposed expansion is within the described MCUP area (Attachment 1), the expansion of the borrow pit area beyond the limits shown in Attachment 2 requires an amendment to the MCUP.

**E. Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, 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 City of Mount Dora will be the water and sewer service provider.

Schools

The request is not anticipated to adversely impact school capacities.

Parks

No adverse impacts to parks are anticipated.

Solid Waste

The request is not anticipated to adversely impact solid waste capacities or levels of service.

Fire

Lake County Fire and Rescue Station (LCFR #39) is located in Sorrento, approximately 4 miles from the property. LCFR #39 is manned 24/7 with an approximate response time of 5 to 7 minutes, providing fire protection and advanced life support for this area.

Public Works

The soil removal will use the same haul route as previously identified, within the project limits of the Wekiva Parkway Road construction.

**F. Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.**

The environmental assessment (EA) of the proposed expansion area indicates the presence of gopher tortoises. The EA specifies the need for proper agency relocation permits prior to commencement of activity. Although the presence of sand skink is indicated, the application seeks to obtain consultation and confirmation from the US Fish and Wildlife Service prior to the commencement of construction. These findings will be reassessed during the Operating Permit (OP) amendment process.

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

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

**H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.**

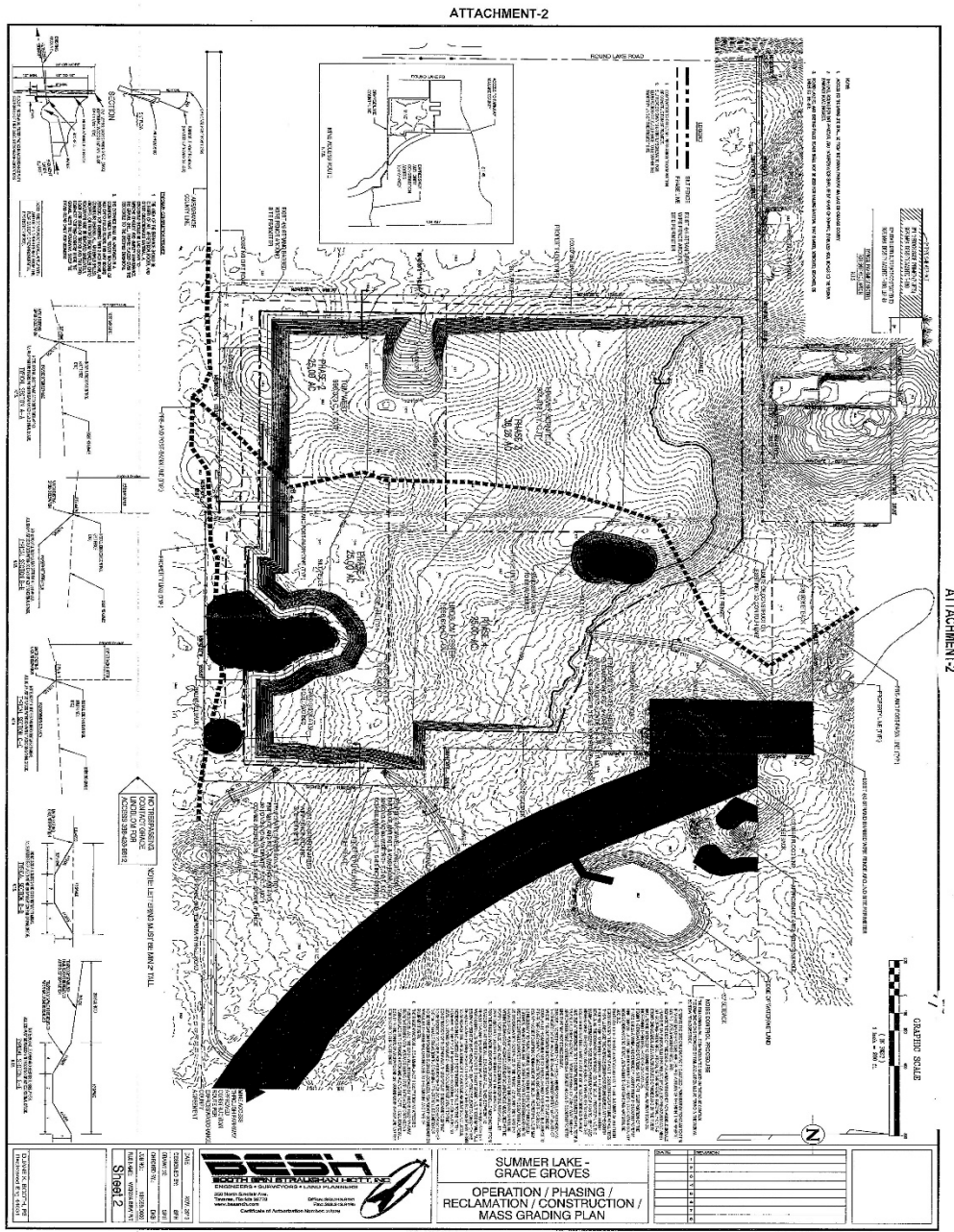
The surrounding properties are developed with commercial uses, with varying tract sizes. Therefore, the proposed rezoning is not anticipated to disrupt the existing orderly, logical development pattern in the area.

The development pattern for the area surrounding the property is predominately single-family residential and agricultural, with a Future Land Use designation of Regional Office. This area was designated Regional Office with the adoption of the 2030 Comprehensive Plan. The proposed Mixed-Use PUD is consistent with the Regional Office FLUC as amended by Lake County Comprehensive Plan Amendment (Ordinance #2015-5), and would result in an orderly and logical development pattern. The proposed Borrow Pit Use/MCUP to provide fill for the Wekiva Parkway construction and mass grading (Reclamation Plan) of the property in preparation for development of the PUD is consistent with the Comprehensive Plan and LDR as stated above.

**I. Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.**

The proposed rezoning (PUD / MCUP) is not in conflict with the public interest and is in harmony with the proposed intent of the Lake County Comprehensive Plan and LDR.

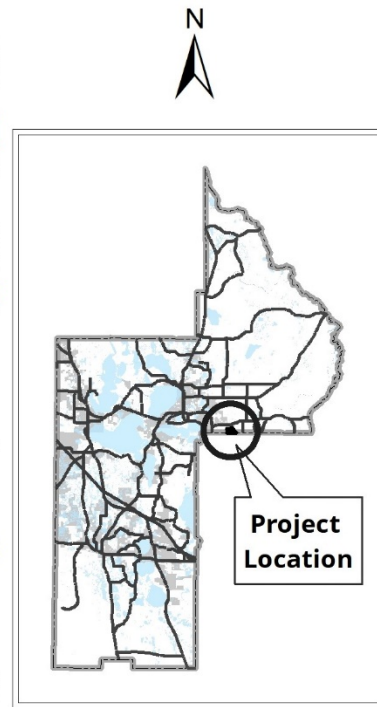
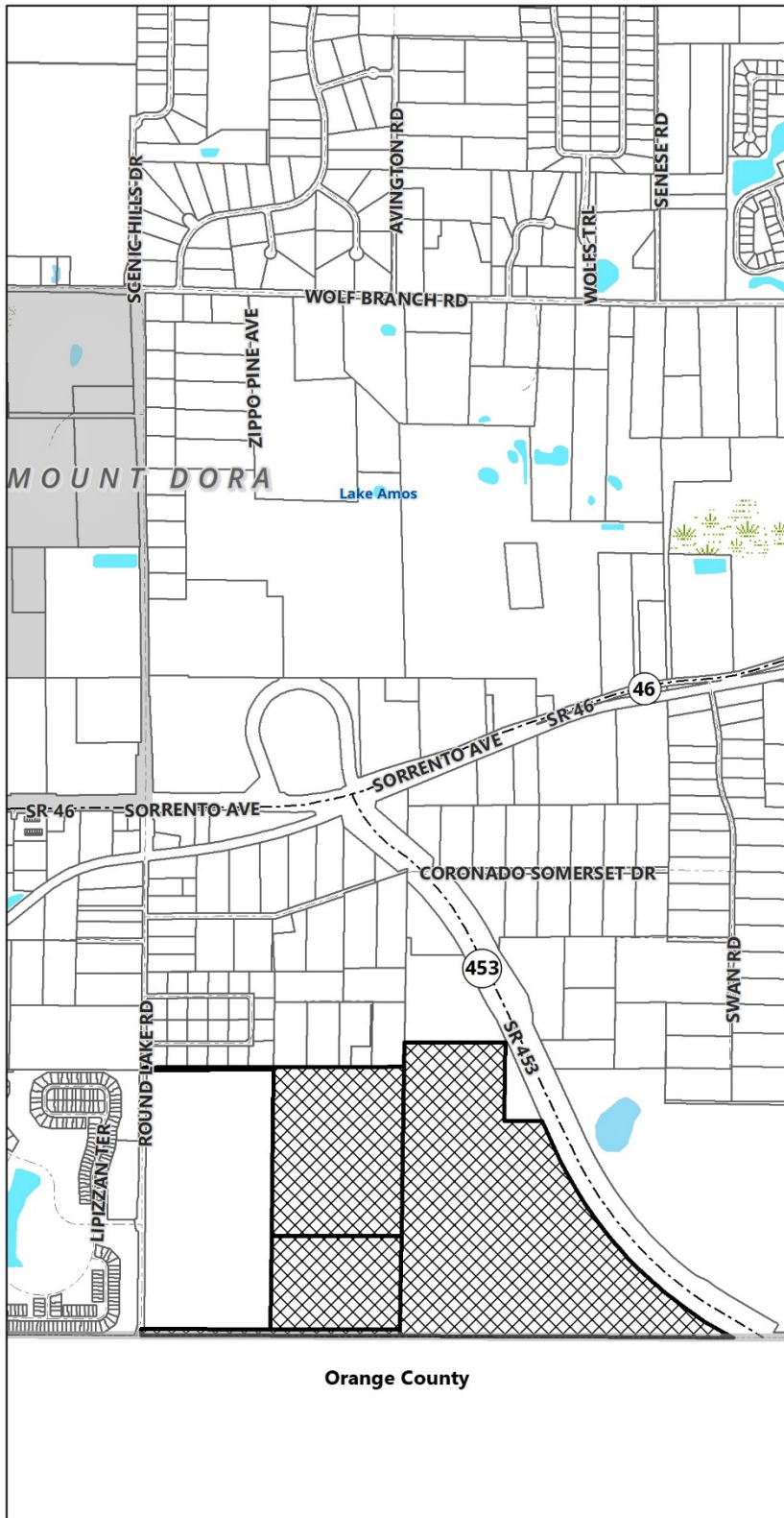




ATTACHMENT-2

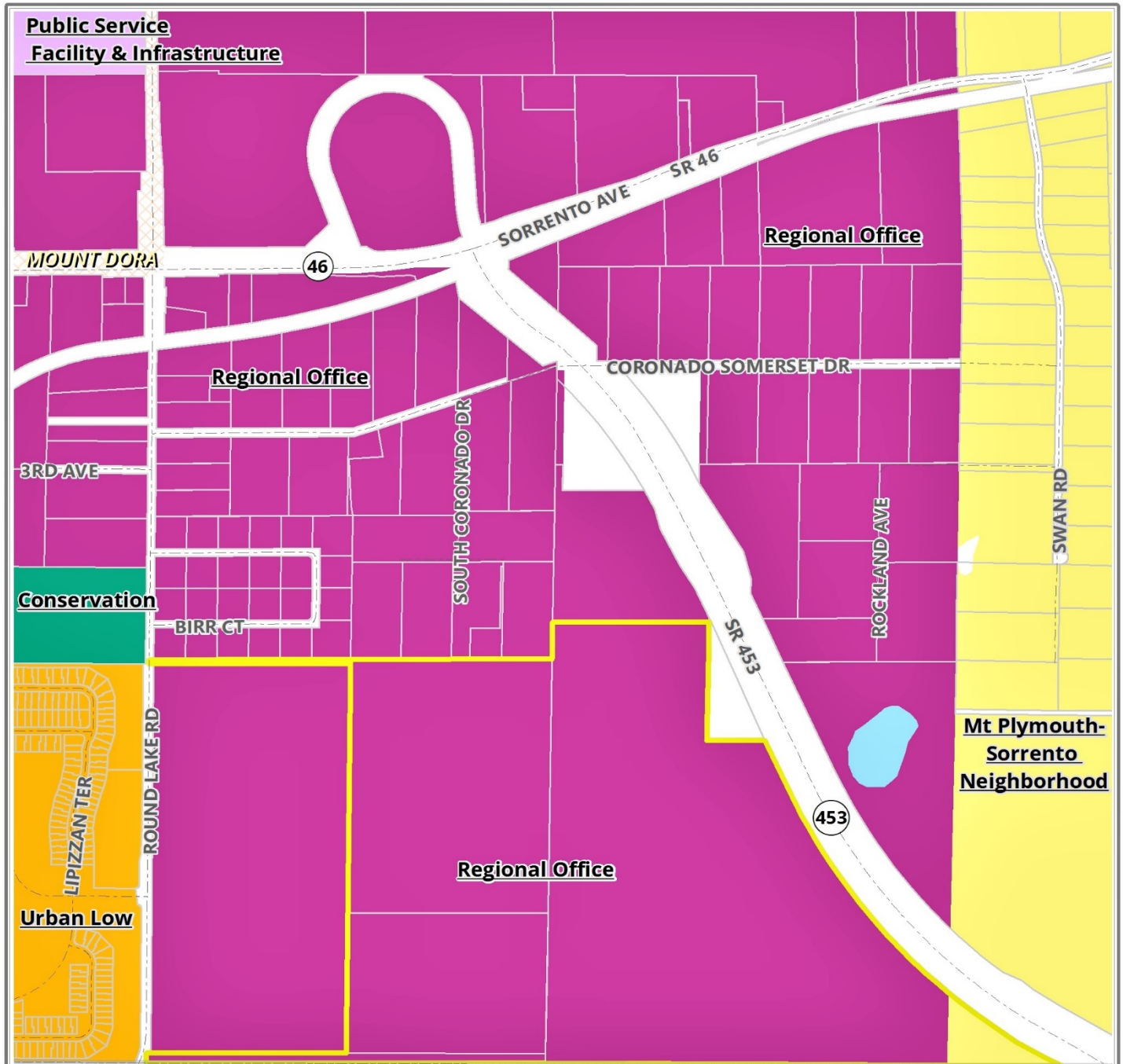
ATTACHMENT-2

# Subject Property





**CURRENT FUTURE LAND USE**



Orange County

**FUTURE LAND USE LEGEND**

- Regional Office
- Conservation
- Mt Plymouth-Sorrento Neighborhood
- Urban Low
- Public Service Facility Infrastructure

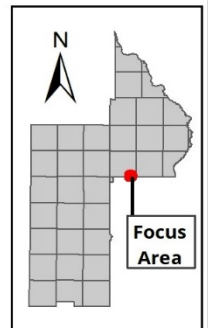
**NAME: SUMMER LAKE-GRAVE GROVES PROPERTY**

**DISTRICT: 4**

**CASE NUMBER: MCUP-20-02-4**

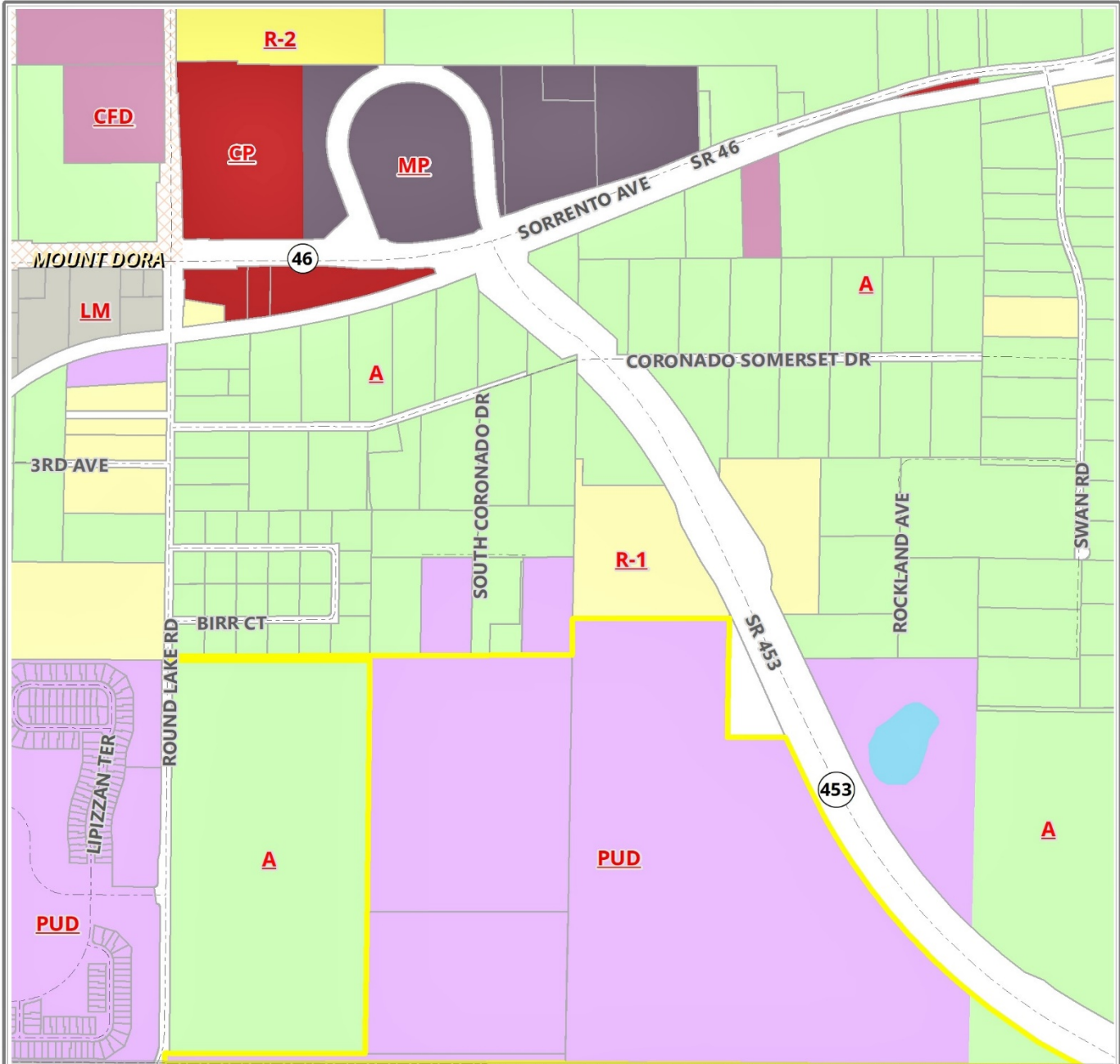
**LOCATION (S-T-R): 35-19-27**

**REQUEST: AMEND MCUP ORDINANCE 2019-11 TO EXPAND ACREAGE BY 13.42 ACRES**





**CURRENT ZONING**



Orange County

**ZONING LEGEND**

A R-1 R-2 CP LM MP CFD PUD

NAME: **SUMMER LAKE-GRAVE GROVES PROPERTY**

DISTRICT: **4**

CASE NUMBER: **MCUP-20-02-4**

LOCATION (S-T-R): **35-19-27**

REQUEST: **AMEND MCUP ORDINANCE 2019-11 TO EXPAND ACREAGE BY 13.42 ACRES**





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

2                                    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 +/-	13%			
WRA	Dry Water Retention As Amenity	29.1 +/-	*			
ROW	Right-of-Way	5.7 +/-	2%			
WATER	Open Water	0 +/-	0%			
OPEN	Open Space	64.0 +/-	*			
<b>Totals</b>	<b>Gross Acreage</b>	<b>265.5 +/-</b>	<b>100%</b>	<b>192</b>	<b>4,446,985</b>	<b>340,000</b>
	<b>Net Developable</b>	<b>559.5 +/-</b>				

\*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 = 35.8 acres

Dry Retention As Amenity = 29.1 +/- acres

Total Open Space = 64.9 +/- acres (25% of net land area minimum)

Total Development Floor Area = 4,786,985

GLA = 4,446,985 sqft

Net Residential Density 1 units per 10,000 sqft Commercial

WRA areas shown are included in the pod acreage, and are subject to engineering and permitting

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

10                                   **B. Development Requirements:**

Impervious Surface Ratio (ISR)	75% of the overall 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)

11

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

- 1                    1. The borrow pit activity shall be within the legally described MCUP and generally consistent  
2                    with Exhibit "C" (MCUP / Wekiva Borrow Pit Conceptual Plan), subject to all related Wekiva  
3                    Study Area development requirements contained in the Comprehensive Plan and LDR, as  
4                    amended.
- 5                    2. The borrow pit activity shall be subject to the mining regulations contained in LDR Section  
6                    6.06.00, as amended.
- 7                    3. The borrow pit activity shall meet all submittal requirements for a Mining Conditional Use  
8                    Permit and Mining Operating Permit in accordance with the LDR, as amended.
- 9                    4. The approval of this Ordinance facilitates/provides approval for the Mining Conditional Use  
10                    Permit (MCUP) and foregoes a separate public hearing for the MCUP.
- 11                    5. Access to the mining site shall be limited to Round Lake Road at the proposed SLG Boulevard  
12                    as depicted on Exhibit "C" (MCUP / Wekiva Borrow Pit Conceptual Plan).
- 13                    6. The developer shall secure the easement/ownership for the access off Round Lake Road  
14                    prior to the mining operating permit approval.
- 15                    7. The Developer shall construct a paved access entrance meeting County standards at Round  
16                    Lake Road and the proposed SLG Boulevard entrance for the borrow pit access. The paved  
17                    access length from Round Lake Road edge of pavement shall be determined by Lake County  
18                    Public Works Department during the mining operation permit review.
- 19                    8. Round Lake Road and other existing public roads shall not be used for hauling material that  
20                    is mined, burrowed, removed, and/or extracted from the borrow pit activity. The use of any  
21                    form of construction / demolition (C&D) material as backfill shall be prohibited.
- 22                    9. The haul routes for dirt / fill removal and transportation shall be by means of internal stabilized  
23                    haul roads to the Wekiva Parkway road project only, as depicted on Exhibit "C" (MCUP /  
24                    Wekiva Borrow Pit Concept Plan).

25                    **D. Setbacks:**

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

39                    **E. Operating Plan Requirements:**

- 40                    1. The MCUP / Wekiva Borrow Pit shall require approval of an Operating Plan prior to the  
41                    commencement of mining / borrow pit activities, which includes the following:
  - 42                    • Operating Plan
  - 43                    • Environmental Assessment no older than 6 months
  - 44                    • Reclamation Plan

- 1                                   • Noise Study
- 2                                   • Management Plan
- 3                                   • Tree Removal Permit and Tree Removal Mitigation Plan
- 4                                   • Outside Agency Permits
- 5                                   2. Permits and Approvals. All appropriate Army Corp of Engineer, Water Management District
- 6                                   and Florida Department of Environmental Protection permits shall be obtained prior to
- 7                                   commencement of mining / borrow pit activities on the site, and all permits shall be kept
- 8                                   current.
- 9                                   3. Agency Approvals. All mining activities shall be conducted in accordance with all applicable
- 10                                   federal, state, regional, and local laws, ordinances, rules, and regulations, as amended.
- 11                                   4. Hours of operation. Hours of operation shall be from 7 a.m. to 7 p.m., 6 days per week
- 12                                   (Monday – Saturday).
- 13                                   5. Air Quality:
- 14                                   a. The mining/borrow pit activity shall be conducted so as to prevent, reduce and control the
- 15                                   generation and off-site migration of fugitive dusts and particles. All areas in which such
- 16                                   dusts or particles may be generated shall be kept wet or controlled in another manner to
- 17                                   reduce the potential for their Off-Site migration.
- 18                                   b. The Applicant shall cease all operations which do not meet the requirements of the Air
- 19                                   Quality section of the LDR and Comprehensive Plan, as amended, and the Operating
- 20                                   Plan, upon notification by Lake County.
- 21                                   6. Reclamation Standards:
- 22                                   a. A Reclamation Plan, conforming to the Mining Reclamation Standards contained in LDR,
- 23                                   as amended shall be filed with the Operating Plan. The reclamation plan shall fully
- 24                                   describe the proposed site reclamation by both illustration and documentation, including
- 25                                   but not limited to:
- 26                                   • A plan view with cross sections, final slopes/contours, vegetative plantings,
- 27                                   stormwater retention areas, etc. shall be submitted; and
- 28                                   • All areas to be reclaimed by depicting and describing what man-made and natural
- 29                                   features will exist when the reclamation plan is completed; and
- 30                                   • A contour map and two (2) typical cross sections, generally oriented north to south
- 31                                   and east to west, showing areas to be filled, backfilled, reconstructed, and reshaped;
- 32                                   and
- 33                                   • Identification of the size, type, location, and planting schedule for all vegetation to be
- 34                                   planted or seeded in accordance with the reclamation plan.
- 35                                   b. Timing. Reclamation shall commence within 90 days after completion of the
- 36                                   mining/borrow pit activity. Reclamation of the area associated with the completed
- 37                                   mining/borrow pit activity shall be completed no later than one (1) year after termination
- 38                                   of the mining/borrow pit activity. Reclamation shall be completed pursuant to the
- 39                                   approved Operating Plan and associated Reclamation Plan.
- 40                                   7. Financial Responsibility:
- 41                                   a. Before final approval of the Operating Plan and Reclamation Plan, the Permittee / Owner
- 42                                   must file a compliance and reclamation guarantee with the County to ensure that the site

- 1 is operated and reclaimed in conformance with the Lake County Code and the approved  
2 Operating and Reclamation Plans. Acceptable forms of the guarantee include cash,  
3 certificates of deposit, irrevocable letters of credit, or surety bonds. In all cases, the form  
4 of the guarantee shall be subject to approval by the County Attorney.
- 5 b. The total cost of reclamation shall be estimated by the applicant and reviewed by the  
6 County. The estimated amount shall be established by calculations and judgments based  
7 on acceptable industry standards and procedures. The final amount of the guarantee  
8 shall be set by the Board of County Commissioners not less than one hundred and ten  
9 (110) percent of the estimated cost of reclamation, based upon the area of the  
10 mining/borrow pit activity being permitted.
- 11 c. The reclamation guarantee shall not be released by the County until the final reclamation  
12 of all areas subject to this approval has been completed, inspected, and approved by the  
13 County.
- 14 d. If reclamation under the approved Reclamation Plan has not been successful after the  
15 end of two (2) years, at the option of the County, a new Reclamation Plan shall be  
16 required of and carried out by the Permittee/Owner, or the reclamation guarantee shall  
17 be forfeited and the site reclaimed by the County using the guarantee to fund it.  
18 Additionally, if the site has been abandoned by the Permittee, the reclamation guarantee  
19 may be declared forfeited by the Board and the site reclaimed by the County using the  
20 guarantee to fund it. The site shall be considered abandoned if no mining activity has  
21 taken place for a period of six (6) months, or if reclamation has not been instituted as  
22 required under this ordinance.
- 23 8. Inspections: County staff, upon notification to the Applicant, shall have access to the project  
24 site to inspect and observe permitted activities in order to determine compliance with the terms  
25 of this ordinance. This use shall be inspected by the Code Enforcement Division annually to  
26 ensure compliance with the conditions of this Conditional Use Permit and the approved  
27 Operating Plan. An annual inspection fee will be assessed. If an emergency inspection is  
28 necessary during non-operating hours, a fee shall also be assessed.
- 29 9. Annual Progress Report: An Annual Progress Report shall be submitted to the County twelve  
30 (12) months following the approval of the Operating Plan and every twelve (12) months  
31 thereafter, consistent with the Mining provisions specified in the LDR, as amended. Failure to  
32 file the required annual progress report shall be grounds for suspension of the Operating Plan.  
33 An extension of time for filing may be granted by the County upon request in writing and for  
34 good cause shown.
- 35 10. Additional conditions of this permit are as follows:
- 36 a. The Applicant and mining and restoration activities on the property shall be subject to  
37 Chapter 62-345, Florida Administrative Code, entitled, "Uniform Mitigation Assessment  
38 Method", as amended.
- 39 b. In the event of any breach in any of the terms or conditions of this permit or any default  
40 or failure of the Permittee or his successor to: Fulfill development in substantial  
41 accordance with the conceptual plan as submitted to the Planning & Zoning Board and  
42 the Board of County Commissioners; comply with the codes of the governmental  
43 agencies having lawful and appropriate jurisdiction thereon; or comply with any of the  
44 terms of the Mining Conditional Use Permit; or this Mining Conditional Use Permit is found  
45 to become a nuisance or safety hazard, the permit may be revoked after due Public  
46 Hearing before the Planning & Zoning Board and the Board of County Commissioners,  
47 or may be rescinded upon annexation to a municipal jurisdiction.



- 1 c. This Permit shall inure to the benefit of, and shall constitute a covenant running with the
- 2 land; and the purpose, terms, and conditions contained herein shall be binding upon the
- 3 Permittee or any successor and his interest hereto.
- 4 d. Action by the Lake County Code Enforcement Special Master. The Lake County Code
- 5 Enforcement Special Master shall have authority to enforce the terms and conditions set
- 6 forth in this ordinance and to recommend that the ordinance be revoked.
- 7 e. If the mining / borrow pit activities commence within three (3) years of the date that the
- 8 Board grants the Mining Conditional Use Permit approval, the Permit shall remain valid
- 9 and in force as long as the operator shall abide by this ordinance, the Operating Plan and
- 10 the LDR requirements. Should the mining/borrow pit activities not commence within the
- 11 specified period, the Mining Conditional Use Permit shall expire and the applicant shall
- 12 submit a request for extension for review and approval by the Board of County
- 13 Commissioners.

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

- 15 1. The development is providing 64.9 +/- acres of open space (25% of the net buildable area)
- 16 which exceeds the minimum required open space (15% of the net buildable area per
- 17 Comprehensive Plan and 20% per LDR). The development shall maintain the open space on
- 18 the site, consistent with the Lake County Comprehensive Plan and LDR, as amended.
- 19 2. All wetlands and designated common open space within the property shall be placed into a
- 20 conservation easement or similar recorded and legally binding instrument, as allowed by law,
- 21 pursuant to Lake County Comprehensive Plan Policy and LDR, as amended. The
- 22 conservation easement or similar instrument shall require that all wetlands and wetland
- 23 buffers be maintained in their natural and unaltered state, in accordance with the Lake County
- 24 Comprehensive Plan and LDR, as amended.
- 25 3. The conservation easement or similar recorded and legally binding instrument, as allowed by
- 26 law, pursuant to Lake County Comprehensive Plan Policy and LDR, as amended, for the
- 27 wetlands, and wetland buffers, and common open space areas shall be accepted by the Board
- 28 of County Commissioners and a recorded copy provided to the County prior to the approval
- 29 of a site plan or preliminary plat for the PUD.
- 30 4. All areas designated on Exhibit "B" PUD Conceptual Plan and Exhibit "C" MCUP / Wekiva
- 31 Borrow Pit Concept Plan for sand skink protection shall be placed into a conservation
- 32 easement or similar recorded and legally binding instrument, as allowed by law, pursuant to
- 33 Lake County Comprehensive Plan Policy and LDR, as amended. The conservation easement
- 34 or similar instrument shall require that all sand skink protection areas and sand skink
- 35 protection area buffers be maintained in their natural and unaltered state pursuant to Florida
- 36 Department of Environmental Protection protocols.
- 37 5. The conservation easement or similar recorded and legally binding instrument, as allowed by
- 38 law, pursuant to Lake County Comprehensive Plan Policy and LDR, as amended, for the sand
- 39 skink protection areas shall be accepted by the Board of County Commissioners and a
- 40 recorded copy provided to the County prior to the approval of the Mining Operation Permit.
- 41 6. A tree removal permit will be required with the associated removal mitigation prior to the
- 42 approval of any associated development application. All removal and mitigation will be in
- 43 accordance with the LDRs, as amended. The table below establishes the base line for tree
- 44 removal mitigation and shall be carried forward with any development application addressing
- 45 the trees to be removed and the proposed mitigation as running totals for each application.

46

1

Location	Measure	Unit	Trees Planted C	Trees Planted U	Total Trees	Inches/Tree	Caliper Inches
Perimeter Project Buffers	5,935 LF	5 / 100 LF	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 LF	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 LF	113	45	158	4	632
Commercial	9.4 acres	12 / acre	113		113	4	452
Commercial Buffers	4,042 LF	5 / 100 LF	120	80	200	4	800
Industrial	37.1 acres	10 / acre	371		371	4	1,484
Industrial Buffers	2,904 LF	5 / 100 LF	88	60	148	3	444
General Office	8.1 acres	10 / acre	81		81	3	243
General Office Buffers	1,037 LF	5 / 100 LF	32	22	54	3	162
College	19.9 acres	12 / acre	238		238	3	714
College Buffers	1,792 LF	5 / 100 LF	54	36	90	3	270
Medical/Hospital	39.6 acres	10 / acre	396		396	4	1,584
Medical/Hospital Buffers	7,605 LF	5 / 10 LF	228	152	380	4	1,520
Water Retention	14,869 LF	3 / 150 LF	298		298	3	894
Street Trees	8,207 LF	2 / 50 LF	328		328	3	984
<b>Total Trees Planted</b>					<b>4949</b>		
<b>Total Inches Replaced</b>							<b>18,114</b>
<b>Total Inches Required</b>							<b>18,111</b>

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

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**G. Stormwater and Flood Zones:**

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1. Stormwater facilities shall be designed and constructed in accordance with the Comprehensive Plan and LDR, as amended.

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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 LDR, as amended.

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**H. Utilities:**

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1. A copy of the fully executed Utility Service Agreement between the developer and the City of Mount Dora shall be provided to the County prior to the approval of a site plan and/or preliminary plat.

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2. Central water and sewer shall be provided to the development prior to final plat and/or site plan approval.

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**I. Parking:** All parking for the development shall be consistent with the Comprehensive Plan and LDR, as amended.

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**J. Buffers, Landscaping, and Setbacks:**

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1. A twenty-five (25) foot wide, Type "C" landscape buffer shall be provided along the boundary of the PUD.

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2. A fifty (50) foot wide agriculture buffer shall be provided along all boundaries of the PUD that are adjacent to property with the Agriculture (A) Zoning District. The required landscape buffer may be included as a part of this agriculture buffer.

- 1                    3. Landscaping and screening shall be in accordance with the Comprehensive Plan and LDR,  
2                    as amended.
- 3                    4. Best Management Practices for native landscaping and "right plant-right place" landscaping  
4                    techniques shall be used for the landscape design to minimize the use of chemicals,  
5                    pesticides, and water for irrigation. Invasive and exotic plant species are prohibited.
- 6                    **K. Transportation:**
- 7                    1. A meeting between the Developer and Lake County shall be required to establish Traffic  
8                    Methodology prior to the submittal of the development application for the first phase of the  
9                    PUD. The Traffic Methodology shall be approved by County Engineer and shall be the basis  
10                    for future Traffic Impact Studies.
- 11                    2. A Traffic Impact Study meeting all requirements contained in the approved Traffic  
12                    Methodology shall be required with each development application submittal.
- 13                    3. Site access shall comply with Access Management standards in accordance with the LDR, as  
14                    amended.
- 15                    4. SLG Boulevard shall be a four lane divided boulevard with bike lanes, trails, and sidewalks.  
16                    This road shall be a means of access to the PUD and adjacent properties.
- 17                    5. The right-of-way widths for the two main internal roadways within the site shall be minimum  
18                    of one hundred (100) feet for the East-West Boulevard and eighty (80) feet for the North-South  
19                    road as depicted on Exhibit "B" (PUD Concept Plan).
- 20                    6. All intersection and offsite improvements shall be the responsibility of the Developer to design,  
21                    permit, and construct.
- 22                    7. Turn lane improvements at the intersections of SLG Boulevard and Round Lake Road,  
23                    Coronado Summerset Drive and Round Lake Road, and South Coronado Drive and Coronado  
24                    Summerset Drive will be evaluated with each development application submitted. Lake  
25                    County Public Works Department shall determine the required intersection improvements  
26                    during the development application review.
- 27                    8. Additional offsite road improvements required to mitigate site impacts will be determined and  
28                    approved by Lake County Public Works Department at the time of each development  
29                    application submittal.
- 30                    9. Sidewalks along all public road frontages shall be provided in accordance with the LDR, as  
31                    amended.
- 32                    10. Traffic calming such as, but not limited to, roundabouts for all internal roads shall be evaluated  
33                    with each development phase for inclusion with the road design for each phase development  
34                    application and plan.
- 35                    11. All internal roads shall include bike lanes, sidewalks, trails, and transit stops and shall meet  
36                    both FDOT and Lake County road design standards and shall include complete streets design  
37                    criteria, as amended.
- 38                    12. All development applications (site plans / preliminary plats / construction plans / final plats)  
39                    submitted for lands to be developed within the PUD boundaries shall include a pedestrian  
40                    ways and bike path plan that coordinates with the overall PUD and provides connections to  
41                    Round Lake Road, Coronado Summerset Drive, South Coronado Drive, and any surrounding  
42                    developments.

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- 1                   **L. Lighting:**  
 2                   1. Exterior lighting shall not illuminate adjacent properties and rights-of-way. Outdoor lighting  
 3                   shall be full-cutoff lighting.  
 4                   2. Lighting shall be designed so as to prevent direct glare, light spillage, and hazardous  
 5                   interference consistent with Dark Sky Principles and be in accordance with the  
 6                   Comprehensive Plan and LDR, as amended.  
 7                   **M. Noise:** A noise assessment shall be required with the preliminary plat and / or site plan submittal  
 8                   to demonstrate mitigation for any noise impacts the proposed project may have on the neighboring  
 9                   uses pursuant to the LDR, as amended.

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

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

Phase	Years	College (students)	Commercial	Commercial Warehouse	Commercial General Office	Multi-Family Units	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		100,00	
Phase 6	2049-2054	800		200,000			200,00	10.0
Phase 7	2055-2060			200,000	27,000		250,000	
Phase 8	2061-2066			314,608			250,000	
Phase 9	2067-2072			500,000			234,627	
<b>Total</b>		<b>4,000</b>	<b>60,000</b>	<b>1,786,608</b>	<b>72,000</b>	<b>192</b>	<b>1,234,627</b>	<b>39.6</b>

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

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

18                   **R. PUD Term Limits:**

19                   1. Failure to commence construction on the infrastructure for Phase I of the PUD on or before  
 20                   February 12, 2021 shall cause the revocation of this ordinance in accordance with the  
 21                   Comprehensive Plan and LDR or superseding documents as amended. Clearing and grading  
 22                   alone shall not be construed as sufficient to meet this requirement.

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

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

28                   **U.** The transfer of ownership or lease of any or all of the property described in this Ordinance shall  
 29                   include in the transfer or lease agreement, a provision that the purchaser or lessee is made good  
 30                   and aware of the conditions pertaining to this Ordinance, and agrees to be bound by these  
 31                   conditions. The purchaser or lessee may request a change from the existing plans and conditions  
 32                   by following procedures contained in the LDR, as amended.

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

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

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

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

**Section 5. Effective Date.** This Ordinance shall become effective as provided by law.

ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

FILED with the Secretary of State \_\_\_\_\_, 2020.

EFFECTIVE \_\_\_\_\_, 2020.

BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA

\_\_\_\_\_  
LESLIE CAMPIONE, CHAIRMAN

ATTEST:

\_\_\_\_\_  
NEIL KELLY, CLERK OF THE  
BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
MELANIE MARSH, COUNTY ATTORNEY

**Exhibit "A"**  
**(Legal Description)**

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3 **Parcel 3**  
4 The South 27 feet of the Southwest ¼ of the Northwest ¼ of Section 35, Township 19 South, Range 27 East in Lake County,  
5 Florida.  
6 **AND**  
7 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  
8 South, Range 27 East in Lake County, Florida.  
9 **AND**  
10 The South 27 feet of the Southeast ¼ of the Northwest ¼ of Section 35, Township 19 South, Range 27 East in Lake County,  
11 Florida.  
12 **Parcel 4**  
13 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  
14 thereof.  
15 **Parcel 5**  
16 The South 272.50 feet of the Southwest ¼ of the Northeast ¼ of Section 35, Township 19 South, Range 27 East, Lake County,  
17 Florida.  
18 **AND**  
19 West ½ of the Southeast ¼ of Section 35, Township 19 South, Range 27 East, Lake County, Florida; less the West 324.72 feet  
20 of the East 1801.64 feet of the South 761.64 feet of the Southeast ¼ thereof.  
21 **AND**  
22 The West 324.72 feet of the East 1801.64 feet of the South 761.64 feet of the Southeast ¼ of Section 35, Township 19 South,  
23 Range 27 East, Lake County, Florida.  
24 **Parcel 6**  
25 The East ½ of the Southeast ¼ of Section 35, Township 19 South, Range 27 East, Lake County, Florida  
26 **Parcel 8**  
27 The South 66 feet of that part of the SE ¼ of Section 34, Township 19 South, Range 27 East, Lake County, Florida, lying East  
28 of Round Lake Road, LESS Right of way for road.  
29  
30 Less the following limited access right of way as recorded in Official Records Book 4676, Page 881, Public Records of Lake  
31 County, Florida:  
32 A parcel of land lying in the East ½ of Section 35 and the Southwest ¼ of Section 36, Township 19 South, Range 27 East, Lake  
33 County, Florida, being more particularly described as follows:  
34 Commence at the Southwest corner of Section 36, Township 19 South, Range 27 East, Lake County, Florida, said point being  
35 a 6" X 6" concrete monument with ½' iron rod stamped "2 1 36 35"; thence run South 89°47'27" East along the South line of the  
36 Southwest ¼ of said Section 36, a distance of 1317.59 feet to the Southeast corner of the West ½ of the Southwest ¼ of said  
37 Section 36, said point being a found 3.5" concrete monument with cap stamped "LB 3827"; thence departing said South line, run  
38 North 00°58'18" East, a distance of 51.00 feet; thence run North 89°47'27" West, a distance of 159.72 feet to the point of  
39 beginning; thence continue North 89°47'27" West, a distance of 511.79 feet; thence run North 60°15'41" West, a distance of  
40 220.43 feet; thence run North 54°36'10" West, a distance of 235.58 feet to a point on a curve, concave to the Northeast, having  
41 a radius of 3984.72 feet and a central angle of 29°42'47", thence run Northwesterly along the arc of said curve, a distance of  
42 2066.44 feet (chord bearing = North 39°44'46" West, chord distance = 2043.36 feet) to the end of said curve; thence run North  
43 24°53'22" West, a distance of 364.97 feet; thence run North 90°00'00" West, a distance of 383.88 feet; thence run North  
44 01°03'08" East, a distance of 799.40 feet to a point on the North line of the South 272.50 feet of the Southwest ¼ of the Northeast  
45 ¼ Section 35, Township 19 South, Range 27 East; thence run North 89°47'59" East along said North line, a distance of 301.90  
46 feet to the Northeast corner of said South 272.50 feet, said point being a 3.5" diameter concrete monument with cap stamped  
47 "LB 3827"; thence run South 00°53'15" West along the East line of said South 272.50 feet, a distance of 272.55 feet to the  
48 Southeast corner of the Southwest ¼ of the Northeast ¼ of said Section 35; thence run North 89°47'59" East along the North  
49 line of the Southeast ¼ of said Section 35, a distance of 190.12 feet; thence departing said North line, run South 24°53'22" East,



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

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

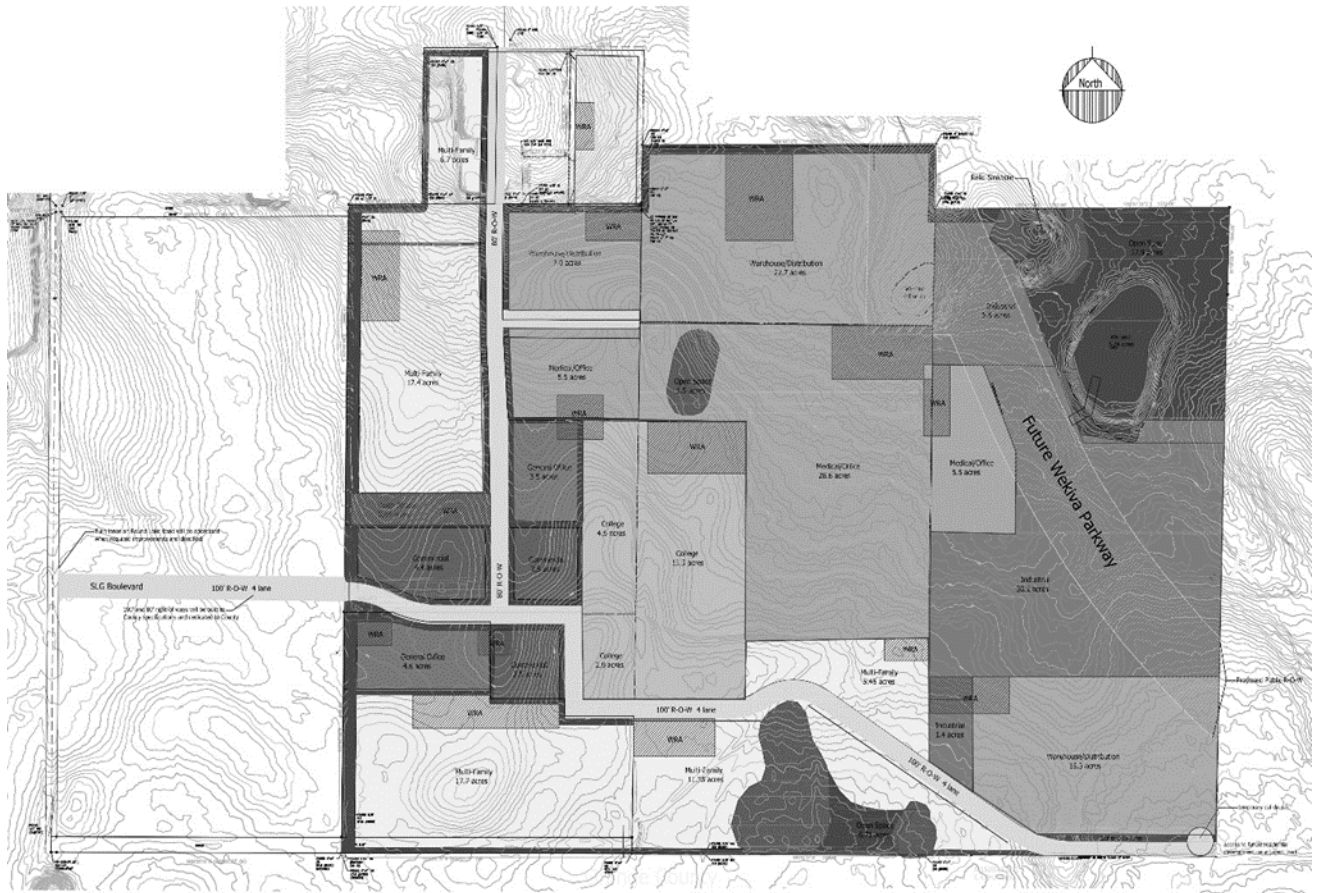
11 And also less the following right of way as recorded in Official Records Book 4676, Page 881, Public Records of Lake County,  
12 Florida:

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

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



Notes

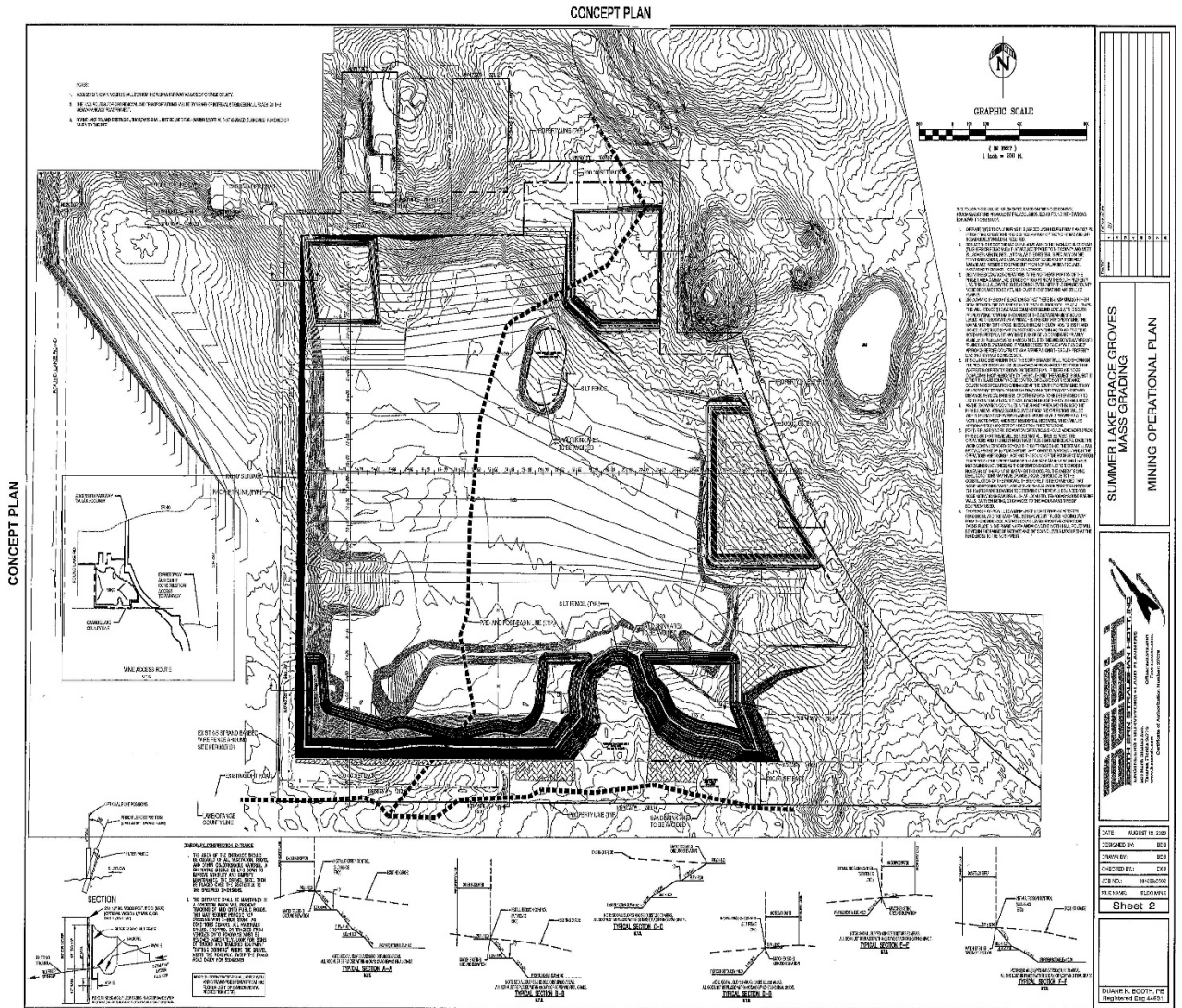
Total Project Acreage: 265.5 Acres± (11,565,180 sq ft±)  
 Future Land Use: Regional Office  
 Zoning: Lake County A  
 Adjacent Zoning: North - Lake County A  
 South - Orange County  
 East - Lake County A  
 West - Lake County A  
 Proposed Zoning: Lake County Mixed Use PUD  
 Flood Zone: As noted 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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Exhibit "C"  
 (MCUP / Wekiva Borrow Pit Concept Plan)



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