



**CITY OF CLERMONT  
COUNCIL MEETING AGENDA  
6:30 PM, Tuesday, November 19, 2019**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker will be permitted 3 minutes to address the Council. These time limits may be changed by the Mayor. Thank you for participating in your City Government.

**CALL TO ORDER**

**INVOCATION & PLEDGE OF ALLEGIANCE**

**ELECTION RESULTS**

Acceptance of results for election held on November 5, 2019 for Seat 2 and Seat 4 and the Charter Amendments.

**OATH OF OFFICE**

**SELECTION OF MAYOR PRO TEM**

**PROCLAMATION**

National American Indian Heritage Month Proclamation

**PRESENTATIONS**

Florida Festival Events Association Award

East Avenue Complete Streets

**PUBLIC COMMENTS**

**REPORTS**

**CONSENT AGENDA**

The next portion of the meeting is the consent agenda which contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Council wish to speak on a consent item, they have the same opportunity.

Item No. 1 - Event and Road Closure Request

Consider approving the Mega Food Truck Rally with road closures January 11, 2020 from 12:00 PM to 10:00 PM.

**UNFINISHED BUSINESS**

Item No. 2 - Ordinance No. 2019-04 *Final*  
*South Lake Crossing*

The applicant is requesting voluntary annexation of 743 +/- acres located east of the intersection of US Hwy 27 and Schofield Road.

Item No. 3 - Ordinance No. 2019-05 *Final*  
*South Lake Crossing*

Consider large-scale comprehensive change on 743 +/- acres located 1.75 miles south of Hartwood Marsh Road and East of US Hwy 27 from Lake County Wellness Way 1 to City of Clermont Master Planned Development.

**CITY OF CLERMONT**  
**COUNCIL MEETING AGENDA**  
**6:30 PM, Tuesday, November 19, 2019**

Item No. 4 - Ordinance No. 2019-06 *Final*  
*South Lake Crossing PUD*

Consider an ordinance for a mixed-use project consisting of 1,850 residential units, 500,000 square feet of office use, and 300,000 square feet of commercial use on 743 acres located 1.75 miles south of Hartwood Marsh Road, east of US 27.

Item No. 5 - Ordinance No. 2019-47 *Final*  
*Heritage Square Distillery*

Consider ordinance to change the zoning from M-1 Industrial to Planned Unit Development (PUD) for property located at 901 12th Street.

**NEW BUSINESS**

Item No. 6 - Resolution No. 2019-30R

Consider approval of an updated Comprehensive Fee Schedule.

Item No. 7 - Ordinance No. 2019-48 *Introduction*  
*Olympus Community Development District*

The petitioner is requesting the City of Clermont to authorize a Community Development District (CDD) to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities in regards to the Olympus Sports & Entertainment project.

**ADJOURN**

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

Any person wishing to appeal any decision made by the City Council at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. In accordance with the Americans with Disabilities Act (ADA), if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding he/she should contact Clermont, City Clerk's Office, 352-241-7330.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the document, picture, video or item must be provided to the City Clerk for the City's records.



**OFFICIAL**  
**CITY OF CLERMONT CANVASSING BOARD CERTIFICATE OF BALLOT MEASURE RESULTS**  
**STATE OF FLORIDA, LAKE COUNTY**

We, the undersigned, constituting the City Canvassing Board of the City of Clermont, do hereby certify that we have this day met in the Office of the Supervisor of Elections, Tavares, Florida, on the 7<sup>th</sup> day of November, 2019, and proceeded to publicly canvass the votes for the CITY OF CLERMONT, as shown on the returns on file at the Lake County Supervisor of Elections Office. We do certify said returns:

**RETURN RESULTS**

**Clermont City Council Seat 2**

|                    |       |
|--------------------|-------|
| Joe Gustafson      | 1,147 |
| James (Jim) Purvis | 1,816 |

**Clermont City Council Seat 4**

|                  |       |
|------------------|-------|
| Heidi L. Brishke | 1,662 |
| Ebo Entsuah      | 1,231 |

**Clermont Charter Amendment Number 1**

|     |       |
|-----|-------|
| Yes | 2,699 |
| No  | 322   |

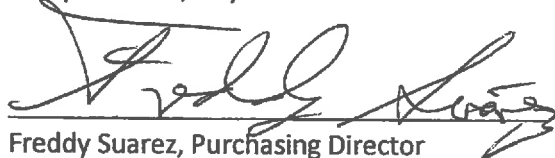
**Clermont Charter Amendment Number 2**

|     |       |
|-----|-------|
| Yes | 2,787 |
| No  | 223   |

Done at Tavares, Florida, County Seat,  
Lake County, this the 7<sup>th</sup> day of November  
A.D., 2019.



Tracy A. Howe, City Clerk



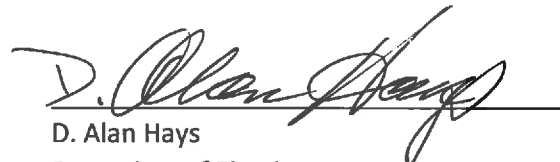
Freddy Suarez, Purchasing Director



D. Alan Hays, Supervisor of Elections



IN WITNESS WHEREOF I have hereunto  
set my hand and caused the Seal of the  
Office of Supervisor of Elections to be  
affixed this 7<sup>th</sup> day of November, 2019.

  
D. Alan Hays  
Supervisor of Elections



*Whereas*, the history and culture of our great nation have been significantly influenced by American Indians and indigenous people; and

*Whereas*, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

*Whereas*, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

*Whereas*, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November, as National American Indian Heritage Month; and

*Whereas*, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned;

*Now, Therefore*, I, Gail L. Ash, Mayor of the City of Clermont in the State of Florida, do hereby proclaim November as

***National American Indian Heritage Month***

*In Witness Whereof*, I have hereunto set my hand and caused the Great Seal of the City of Clermont to be affixed this 19th day of November in the year two thousand nineteen.

---

Gail L. Ash, Mayor

**ATTEST:**

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Tracy Ackroyd Howe, City Clerk



# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| Tuesday, November 19, 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                                |
| Event and Road Closure Request                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                    |                                |
| Recommend to approve the Mega Food Truck Rally to be held in Downtown Clermont along with road closures January 11, 2020 from 12:00 PM to 10:00 PM.                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| <p>The Clermont Downtown Partnership is requesting to host the Mega Food Truck Rally in Downtown Clermont on Saturday, January 11, 2020 from 2:00 PM to 9:00 PM. The organization is requesting to close off roads starting at 12:00 PM until 10:00 PM at the following intersections:</p> <ul style="list-style-type: none"> <li>-Montrose Street from Lake Avenue to midway point between 8th Street and West Avenue</li> <li>-8th Street from Montrose Street to Minneola Avenue</li> <li>-7th Street from Montrose Street to Desoto Street</li> </ul> <p>(Please see attached map)</p> |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| 1. Mega Food Truck 2020- Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Mega Food Truck 2020- Council.pdf  |                                |



## APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY

Today's Date 11/10/2019  
Name of Event Mega Food Truck  
Date(s) of Event 1/11/2020 Estimated Attendance: 4000  
Event Start Time: 2:00 PM Event End Time: 9:00 PM  
Before Event Setup Time: 12:00 After Event Cleanup Time: 10:00 PM  
Name of Organization/Applicant Clermont Downtown Partnership

\*The refundable deposit will be made payable and mailed to the name and address of the applicant listed\*

Check Type of Organization ☐ Resident ☐ Non Resident ☒ Non-Profit ☐ Business

Non-Profit documentation must be provided with application.

Tax Exempt ☒ Yes ☐ No If yes, provide Tax Exempt # 59-3749760 501-c6

If Yes, you must provide your Tax Exempt Certificate with application.

Federal ID # or Driver's License # 59-3749760  
Event Contact Sandy Farnsworth Email Sandyfcdp@gmail  
Day Phone 352-617-8788 Cell Phone 352-617-8788  
Address PO Box 120734 City Clermont State FL Zip 34712  
Secondary Contact Keith Mullins Phone # \_\_\_\_\_

If this event is a fundraiser, who is the beneficiary? (provide contact information and address)

Clermont Downtown Partnership  
Briefly Describe Event: 30 Food trucks, Band, Kid zone  
Some vendors

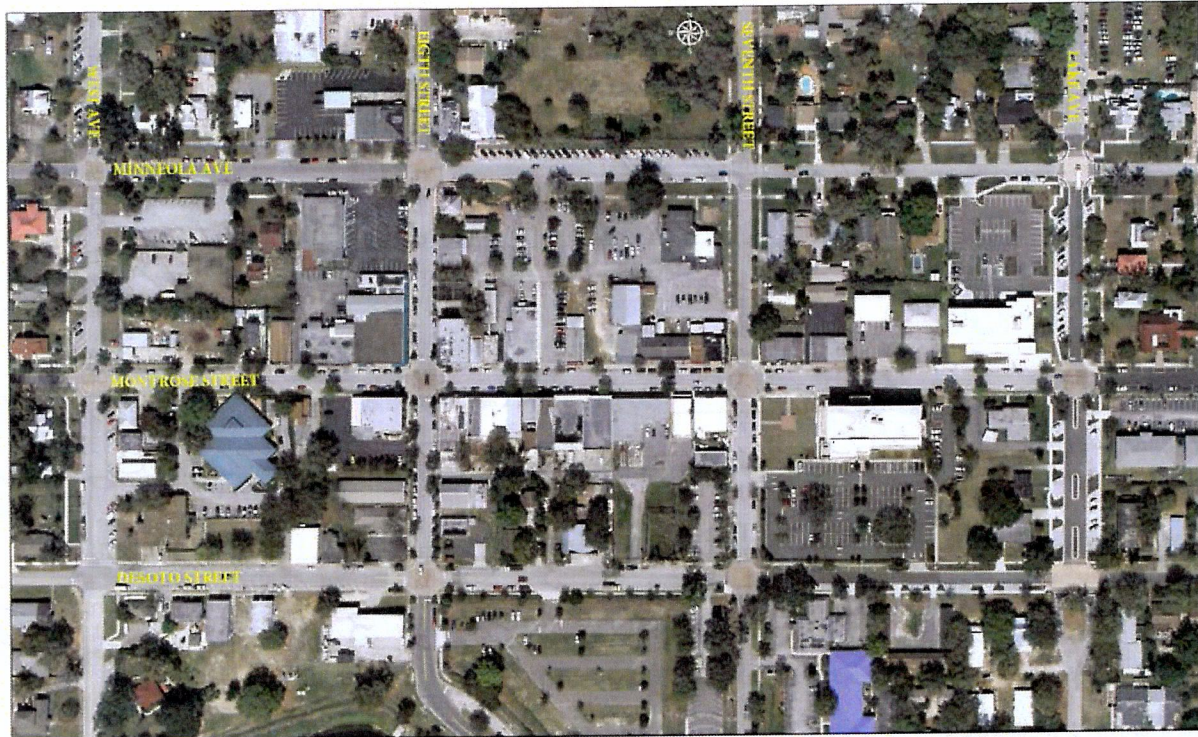
Location of Event on City Property: Map 1 ☐ A ☐ B ☐ C ☐ D ☒ Map 2 ☐ Map 3

Please choose A, B, C, or D on MAP 1, MAP 2 (Downtown Clermont), or Map 3 (Victory Pointe)

Other Location: Road Closed 12:00 - 10:00 PM  
dumpster location if any changes



## MAP 2



## MAP 3





**PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AND RETURN WITH YOUR APPLICATION**

Alcohol Served:

☐ Yes

☒ No

If Yes, State Alcoholic Beverage License REQUIRED for sale for alcoholic beverages 1-800-375-6975 and approval from the City of Clermont City Manager and Council.

Canopy/Tent Use:

☒ Yes

☐ No

Size of Tent\*

10 x 10

\*Tents larger than 900 sq. ft. will require an additional permit

Electrical Use:

☒ Yes

☐ No

Describe the need:

110 outlets

Additional permits may be required based on use

Electrical Power Provided:

☒ Generator

☐ Temporary Power Drop

☐ Property Power

Gas Fueled Equipment:

☒ Yes

☒ No

Describe Use:

If Yes, subject to permits as required by the Building/Fire Safety Division.

Fuel Source

☒ Propane

☐ Natural Gas

☐ Diesel Fuel

☐ Gasoline

Cooking Equipment Use:

☒ Yes

☐ No

If Yes, subject to approval as required by the Florida DBPR, Division of Hotels and Restaurants. Contact number 1-850-487-1395

Cooking Types:

☒ Fryers

☒ Propane Grill

☐ Charcoal Grill

☒ Concession Trailer

☒ Food Trucks

Insurance may be required by provider

Rides:

☒ Yes

☐ No

Ride Types:

☐ Mechanical

☒ Bounce Houses

☐ Animals

Rock Wall.

Insurance may be required by provider

Pyrotechnic/Fireworks Displays:

☐ Yes

☒ No

If Yes, requires separate approval process completed by Company with the Fire Prevention Division.  
The release of Sky Lanterns is not permitted under state law.

Streets to be Closed or Traffic Control:

☒ Yes

☐ No

Written submission for road closure is required and will require city council approval

Fire or Law Enforcement Stand-by Requested:

☐ Yes

☒ No

If Yes, requires separate approval process completed by applicant with the Clermont Police Department and Clermont Fire Department.  
Law enforcement or fire/ems stand-by may be required by the City for certain events/activities and at the applicant's cost.

Live Television or Radio Broadcast:

☐ Yes

☒ No

DJ, Band, Music or Sound Amplification Devices:

☒ Yes

☐ No

Describe:

Live Band, DJ

If loud sounds are created that require a permit under the City Noise Ordinance, a letter requesting a permit for such activity must accompany this permit application.

Banners or Attention Getting Devices:

☒ Yes

☐ No

day of event signage

If Yes, Attention Getting Devices and Banners require a separate permit with the Building/Fire Safety Division. Temporary signage is not permitted in right-of-ways.

Is another promoter/producer assisting with your event?

☐ Yes

☒ No

Is this event Public or Private?

☐ Private

☒ Public



## SPECIAL EVENTS COST ESTIMATOR

NAME OF EVENT: Mega Food Truck  
 DATE OF EVENT: 1/11/20  
 EVENT CONTACT: Sandy Farnsworth  
 REFUND MAILING ADDRESS: Po Box 120734  
 Street Address  
Clermont FL 34718  
 City ST Zip  
 CELL PHONE: 352-617-8788

**Payment Deadline:**

*Application Fee and deposit are due upon submission*

*Final payment is due 30 days prior to event date.*

*Final payment not received by the due date will be assessed a 10% late payment fee per week on balance due.*

|                                                           | NON-PROFIT/<br>RESIDENT<br>RATE | BUSINESS/<br>NON-RESIDENT<br>RATE | SPECIAL INSTRUCTION       | FEE  |
|-----------------------------------------------------------|---------------------------------|-----------------------------------|---------------------------|------|
| Application Fee                                           | \$10                            | \$10                              | Non-Refundable            | \$10 |
| <b>CITY PROPERTY:</b>                                     |                                 |                                   |                           |      |
| <b>HIGHLANDER BUILDING AND PAVILION ~ AREA A (BLUE)</b>   |                                 |                                   |                           |      |
| Deposit                                                   | \$250                           | \$250                             | Refundable                |      |
| Hourly Fee                                                | \$100                           | \$200                             | Per Hour (2 Hour Minimum) |      |
| Daily Fee                                                 | \$700                           | \$1100                            |                           |      |
| <b>PARK AREA ~ AREA B (RED)</b>                           |                                 |                                   |                           |      |
| Deposit                                                   | \$150                           | \$150                             | Refundable                |      |
| Hourly Fee                                                | \$25                            | \$50                              | Per Hour (2 Hour Minimum) |      |
| Daily Fee                                                 | \$200                           | \$300                             |                           |      |
| <b>WATERFRONT ~ AREA C (YELLOW)</b>                       |                                 |                                   |                           |      |
| Deposit                                                   | \$350                           | \$350                             | Refundable                |      |
| Hourly Fee                                                | \$200                           | \$300                             | Per Hour (2 Hour Minimum) |      |
| Daily Fee                                                 | \$1500                          | \$2500                            |                           |      |
| Each Consecutive Day                                      | \$1200                          | \$2000                            |                           |      |
| <b>CITY HALL PARK - DOWNTOWN ~ AREA D (GREEN)</b>         |                                 |                                   |                           |      |
| Deposit                                                   | \$150                           | \$150                             | Refundable                |      |
| Hourly Fee                                                | \$25                            | \$50                              | Per Hour (2 Hour Minimum) |      |
| Daily Fee                                                 | \$200                           | \$300                             |                           |      |
| <b>VICTORY POINTE</b>                                     |                                 |                                   |                           |      |
| Deposit                                                   | \$150                           | \$150                             | Refundable                |      |
| Hourly Fee                                                | \$25                            | \$50                              | Per Hour (2 Hour Minimum) |      |
| Daily Fee                                                 | \$200                           | \$300                             |                           |      |
| <b>~ ADDITIONAL FEES ~ TO BE DETERMINED BY CITY STAFF</b> |                                 |                                   |                           |      |
| Additional City Staff                                     | \$25                            | \$25                              | Per Person, Per Hour      |      |
| Public Works Event Staff                                  | \$25                            | \$25                              | 4 hr. min, per staff      |      |
| Police Officer                                            | \$42                            | \$42                              | 4 hr. min, Per Officer    |      |
| Fire/ EMS                                                 | \$60                            | \$60                              | 4 hr. min, 2 staff min    |      |
| Fire Boat in the Water                                    | \$100                           | \$100                             | Per Hour                  |      |
| <b>Sales Tax</b>                                          |                                 |                                   |                           |      |
| <b>GRAND TOTAL</b>                                        |                                 |                                   |                           |      |



**Resident/Non-Profit rate is defined as**

- A resident or land owner located in the Clermont city limits
- A business located in the Clermont city limits
- Be an organization/business that is active and currently registered with the Florida Division of Corporations. Applicant must be a registered agent, representative, or board member of the organization/business.

*\*Non-Profits must provide business license, proof of non-profit status (5013C)*

**Non-Resident/Business rate is defined as**

- Applicant resides outside the Clermont city limits
- Business is located outside the Clermont city limits

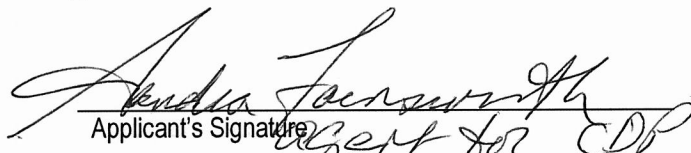
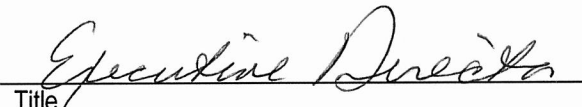
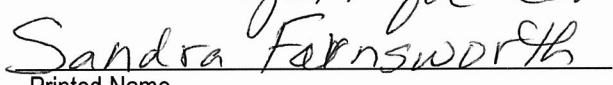
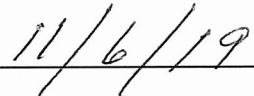
*\*Clermont Residents are not permitted to use 'Resident' status if the business is located outside of the city limits*

*All businesses, vendors, etc., must provide a Certificate of Liability with a minimum coverage of \$1,000,000 Comprehensive General Liability Insurance naming the City of Clermont as additionally insured*

**PLEASE NOTE:** The issuance of a Special Events Permit from the City shall NOT relieve any person from the duty to secure other City, State or County permits or approvals as may be required to include, but not be limited to, Department of Business and Professional Regulation, Health Department, tent permits, fireworks permit, attention getting device permits, business tax receipt, etc. The applicant agrees that no advertising for the event shall occur until this Special Event Permit has been approved. If any information is found to be false, incomplete or misrepresented, such fact is just cause for the immediate revocation of any permit issued. In addition, failure to correct any on-site condition or code violation as identified by the City staff will result in revocation of the permit and/or code enforcement fines.

**Indemnification, Insurance and Additional Costs**

The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney's fees, and attorney's fees on appeal, for any and all claims for damage to property, or injury to or death to persons, arising out of or resulting from the issuance of the permit or the conduct of the Special Event. The applicant may be required to provide insurance, as determined by the Risk Manager. In that case, the City shall be named as an Additional Insured. The applicant also agrees to reimburse the City for all costs due to damage, or use of City resources that are unanticipated but required to support this event.

|                                                                                                              |                                                                                               |
|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <br>Applicant's Signature | <br>Title |
| <br>Printed Name          | <br>Date  |

\*\*\*\*\*FOR CITY DEPARTMENT REVIEW ONLY\*\*\*\*\*

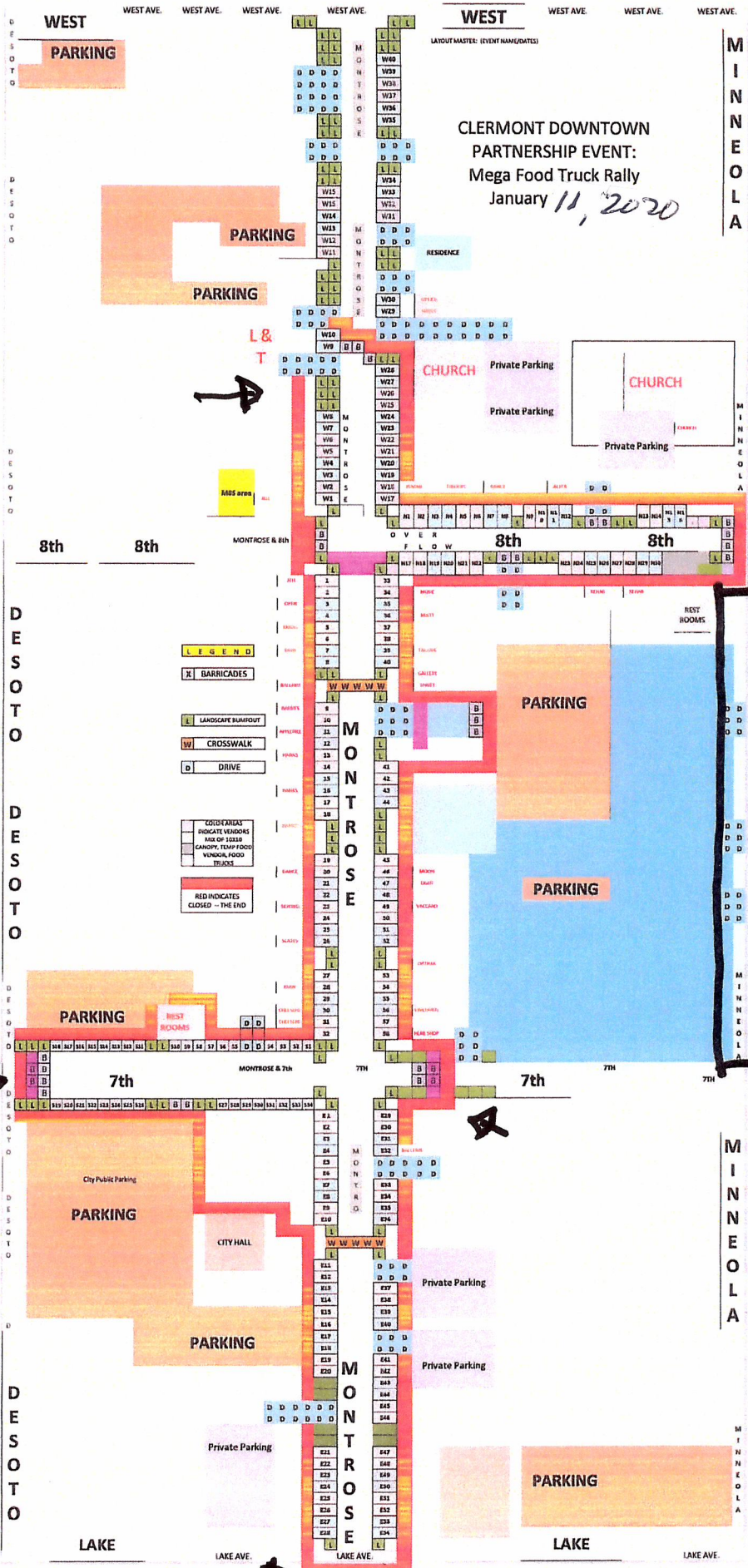
**Department / Division Routing:**

- |                       |                               |                    |
|-----------------------|-------------------------------|--------------------|
| a) Parks & Rec. Dept. | b) Police Department          | c) Fire Department |
| d) Public Works Dept. | e) Development Services Dept. |                    |

Provide email comments back to City within 7 calendar days of application receipt by the City. Comments need to include a specific denial or approval of the permit and any specific conditions required to be met or listed on the permit.







CLERMONT DOWNTOWN  
PARTNERSHIP EVENT:  
Mega Food Truck Rally  
January 11, 2020

- LEGEND**
- X BARRICADES
  - L LANDSCAPE BARRIER
  - W CROSSWALK
  - D DRIVE
  - COFFEE/BEVERAGES
  - FOOD TRUCKS
  - RED INDICATES CLOSED - THE END

LAYOUT MASTER: (EVENT NAME/DATE)

|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| W46  | W47  | W48  | W49  | W50  | W51  | W52  | W53  | W54  | W55  | W56  | W57  | W58  | W59  | W60  | W61  | W62  | W63  | W64  | W65  | W66  | W67  | W68  | W69  | W70  | W71  | W72  | W73  | W74  | W75  | W76  | W77  | W78  | W79  | W80  | W81  | W82  | W83  | W84  | W85  | W86  | W87  | W88  | W89  | W90  | W91  | W92  | W93  | W94  | W95  | W96  | W97  | W98  | W99  | W100 |      |      |      |      |      |
| W101 | W102 | W103 | W104 | W105 | W106 | W107 | W108 | W109 | W110 | W111 | W112 | W113 | W114 | W115 | W116 | W117 | W118 | W119 | W120 | W121 | W122 | W123 | W124 | W125 | W126 | W127 | W128 | W129 | W130 | W131 | W132 | W133 | W134 | W135 | W136 | W137 | W138 | W139 | W140 | W141 | W142 | W143 | W144 | W145 | W146 | W147 | W148 | W149 | W150 | W151 | W152 | W153 | W154 | W155 | W156 | W157 | W158 | W159 | W160 |



**AGENDA ITEM****Meeting Date**

Tuesday, November 19, 2019

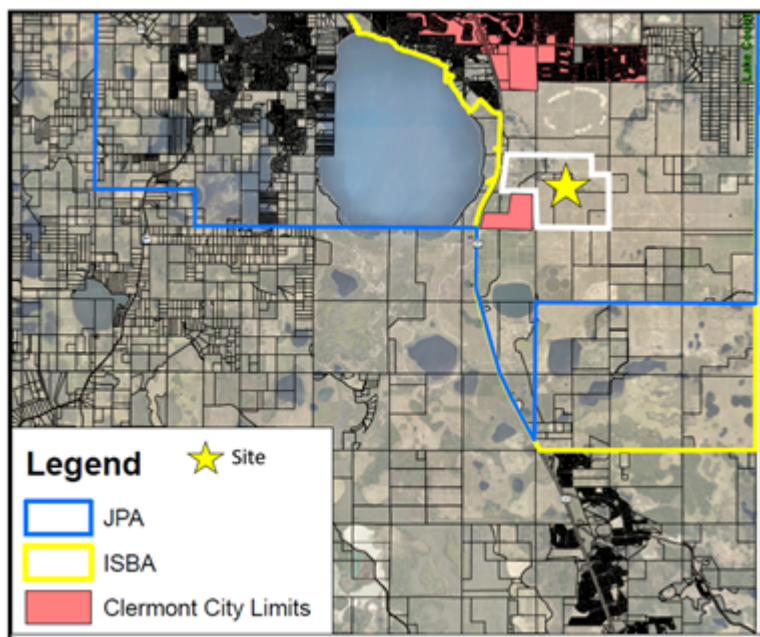
**Agenda Item Name**Ordinance No. 2019-04 *Final*  
*South Lake Crossing***Requested Action**

Recommend approval of Ordinance 2019-04.

**Staff Report**

The applicant, South Lake Crossings LLC, is requesting voluntary annexation of the subject property by adjacency to the City limits. The property, approximately 743 acres, is located east of the intersection of US Hwy 27 and Schofield Road. This request is being heard concurrently with a request for a Large-Scale Comprehensive Plan Amendment and a rezoning to a Planned Unit Development (PUD). The property has been historically used for agricultural uses.

The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The applicant is requesting City services for the 743 +/- acre project, in which the City can fully serve. The property is contiguous with the City limits along the west and southern property line of the subject property, which is the recently annexed Olympus Sports & Entertainment project.



The related request for a comprehensive plan amendment would change the future land use from Lake County's Wellness Way Area Plan 1 designation to the City's Master Planned Development.



The proposed annexation is consistent with the City's plans for municipal expansion south to include portions of the Wellness Way area. The City and County are working closely to coordinate master infrastructure and job creation efforts in the area. The Central Florida Expressway authority is also conducting preliminary studies for a new expressway corridor that would connect US 27 in Lake County to SR 429 in Orange County. Since the subject property meets the requirements for voluntary annexation under Florida Statutes Chapter 171.044, the City is capable of serving the property, and is within the ISBA and the JPA; staff recommends approval of the annexation.

#### Additional Analysis

#### Fiscal Impact Summary

#### Fiscal Impact

#### Fund Number and Description

#### Available Budget Amount

#### Exhibits Attached (copies of original agreements)

- |    |                                                              |                                                                  |
|----|--------------------------------------------------------------|------------------------------------------------------------------|
| 1. | 2019-04 South Lake Crossing ANN Formatted                    | 2019-04 South Lake Crossing ANN.doc                              |
| 2. | JPA ISBA Project Location Outline Annexation Map SL Crossing | JPA ISBA Project Location Outline Annexation Map SL Crossing.pdf |
| 3. | Annexation App Complete_SLC                                  | Annexation App Complete_SLC.PDF                                  |
| 4. | D051205 ORD 2019-04 ANN Legal Ad Proof                       | D051205 ORD 2019-04 ANN Legal Ad Proof.pdf                       |



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY, RECORDING, AND PUBLICATION.**

**WHEREAS**, the City Council of the City of Clermont, Lake County, Florida has received a Petition for Annexation of a parcel of land contiguous to the present corporate limits under Section 171.044, Florida Statutes; and

**WHEREAS**, the City Council of the City of Clermont, Lake County, Florida, has determined that it is in the best interest of the City and of the property herein sought to be annexed that the City annex the following described property; and

**WHEREAS**, the City Council has determined that the area sought to be annexed is contiguous to the City and is in need of the services which the City can offer and the City has determined that such area sought to be annexed will be substantially benefited by annexation; and

**WHEREAS**, the City Council has determined that all requirements of Section 171.044, Florida Statutes, have been met.

**SECTION 1.**

**NOW, THEREFORE, BE IT ORDAINED**, under the provisions of Florida Statute Chapter 171 and the General and Special Laws of the State of Florida; that the City of Clermont, Lake County, Florida, does hereby annex to and make part of its corporate boundaries; the following described property contiguous to the present City boundary, to-wit:

**LEGAL DESCRIPTION**

Parcel 1:

Parcel A

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence S88°49'23"E along the north line of the northwest ¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue S88°49'23"E along said north line, 1976.14 feet; thence S88°49'23"E along the north line of the northwest ¼



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-04**

of the northeast  $\frac{1}{4}$  of said section 22, 1323.29 feet; thence  $S00^{\circ}20'55''W$  along the west line of the northeast  $\frac{1}{4}$  of said northeast  $\frac{1}{4}$  of said section 22, 1314.56 feet; thence  $S89^{\circ}00'54''E$  along the south line of said northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence  $S00^{\circ}19'09''W$  along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast  $\frac{1}{4}$  of section 22, 1310.25 feet to a point in the north line of the southeast  $\frac{1}{4}$  of said section 22, distant 33.00 feet on a bearing of  $N89^{\circ}12'24''W$ , from a 5/8" iron rod and cap #PLS4779 found at the east  $\frac{1}{4}$  corner of said section 22, said east  $\frac{1}{4}$  corner according to certified corner record #084030; thence  $S00^{\circ}27'16''W$  along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast  $\frac{1}{4}$  of said section 22, 2681.30 feet to a point in the north line of the northeast  $\frac{1}{4}$  of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of  $N89^{\circ}12'03''W$  from a 4"x4" concrete monument #RLSL993 found at the northeast corner of said northeast  $\frac{1}{4}$  of section 27, thence  $N89^{\circ}12'03''W$  along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest  $\frac{1}{4}$  of said section 27; thence  $N89^{\circ}32'30''W$  along the north line of said northwest  $\frac{1}{4}$ , 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of  $S89^{\circ}32'30''E$  from a 4"x4" concrete monument found at the northwest corner of said northwest  $\frac{1}{4}$  of section 27; thence  $N00^{\circ}23'38''E$  along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest  $\frac{1}{4}$  of the aforesaid section 22, 2696.34 feet; thence  $N89^{\circ}12'24''W$ , 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest of said section 22, said northwest corner according to certified corner record #48107; thence  $S89^{\circ}36'30''W$  along the east-west center section line of the aforesaid section 21, 1287.60 feet; thence, departing said east-west center section line,  $N00^{\circ}00'00''E$ , 456.14 feet; thence  $N55^{\circ}49'12''E$ , 1567.27 feet to an iron rod with cap #LB68 set at the northwest corner of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of the aforesaid section 22; thence  $S89^{\circ}00'54''E$  along the north line of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$ , 679.40 feet; thence, departing said north line,  $N00^{\circ}00'00''W$ , 1325.72 feet to the point of beginning.

Less and except therefrom: those parcels described in Official Records Book 849, page 2162; Parcel 122 (fee simple); the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple): the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple): the northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567;





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-04**

Parcel 129 (fee simple): the westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple): the northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

and:

Parcel B

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast  $\frac{1}{4}$ , 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast  $\frac{1}{4}$ , run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 1210.47 feet; thence, departing said east-west center of section line, n00°00'00"e, 456.14 feet; thence n55°49'12"e, 1567.27 feet to the northwest corner of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of the aforesaid section 22; thence s89°00'54"e along the north line of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$ , 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast  $\frac{1}{4}$ , 2134.70 feet to the point of beginning.

Less and except

North Parcel (Cut Out Parcel)



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-04**

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4 " iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast ¼, 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13' 52"w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of si5°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Being more particularly described as:

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows;

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence s88°49'23"e along the north line of the northwest ¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue s88°49'23"e along said north line, 1976.14 feet; thence s88°49'23"e along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence s00°20'55"w along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.56 feet; thence s89°00'54"e along the



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-04**

south line of said northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence  $s00^{\circ}19'09''w$  along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast  $\frac{1}{4}$  of section 22, 1310.25 feet to a point in the north line of the southeast  $\frac{1}{4}$  of said section 22, distant 33.00 feet on a bearing of  $n89^{\circ}12'24''w$ , from a 5/8" iron rod and cap #pls4779 found at the east  $\frac{1}{4}$  corner of said section 22, said east  $\frac{1}{4}$  corner according to certified corner record #084030; thence  $s00^{\circ}27'16''w$  along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast  $\frac{1}{4}$  of said section 22, 2681.30 feet to a point in the north line of the northeast  $\frac{1}{4}$  of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of  $n89^{\circ}12'03''w$  from a 4"x4" concrete monument #rlsl993 found at the northeast corner of said northeast  $\frac{1}{4}$  of section 27, thence  $n89^{\circ}12'03''w$  along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest  $\frac{1}{4}$  of said section 27; thence  $n89^{\circ}32'30''w$  along the north line of said northwest  $\frac{1}{4}$ , 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of  $s89^{\circ}32'30''e$  from a 4"x4" concrete monument found at the northwest corner of said northwest  $\frac{1}{4}$  of section 27; thence  $n00^{\circ}23'38''e$  along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest  $\frac{1}{4}$  of the aforesaid section 22, 2696.34 feet; thence  $n89^{\circ}12'24''w$ , 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest  $\frac{1}{4}$  of said section 22, said northwest corner according to certified corner record #48107; thence  $n00^{\circ}23'17''e$  along the west line of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of the aforesaid section 22, 1327.85 feet to an iron rod with cap #lb68 set at the northwest corner of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of section 22; thence  $s89^{\circ}00'54''e$  along the north line of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$ , 679.40 feet; thence, departing said north line,  $n00^{\circ}00'00''w$ , 1325.72 feet to the point of beginning.

Less and except therefrom;

Those parcels described in Official Records Book 849, page 2162;

Parcel 122 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple):





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-04**

The northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567:

Parcel 129 (fee simple):

The westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that Parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple):

The northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, all in the Public Records of Lake County, Florida.

Parcel 2:

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

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast  $\frac{1}{4}$ , run the following fourteen (14) courses and distances along said east right-of-way line; s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22"w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-04**

the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23" w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46" w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, and that certain declaration of easement and agreement regarding Road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 1023, all in the Public Records of Lake County, Florida.

Contains 743.00 acres more or less.

**LOCATION**

1.75 miles south of Hartwood Marsh Road, East of US 27

**SECTION 2.**

That the aforescribed property shall be and hereby is made part and parcel of the City of Clermont, Florida, and that said property shall be subject to all of the laws, ordinances, and provisions pertaining to the City of Clermont.

**SECTION 3.**

All property aforescribed shall henceforth be subject to ad valorem taxation by the City of Clermont, and any other general or special taxes or assessments.

**SECTION 4.**

Should any Section or part of a Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be separable in meaning and effect from the Section to which such holding shall apply.

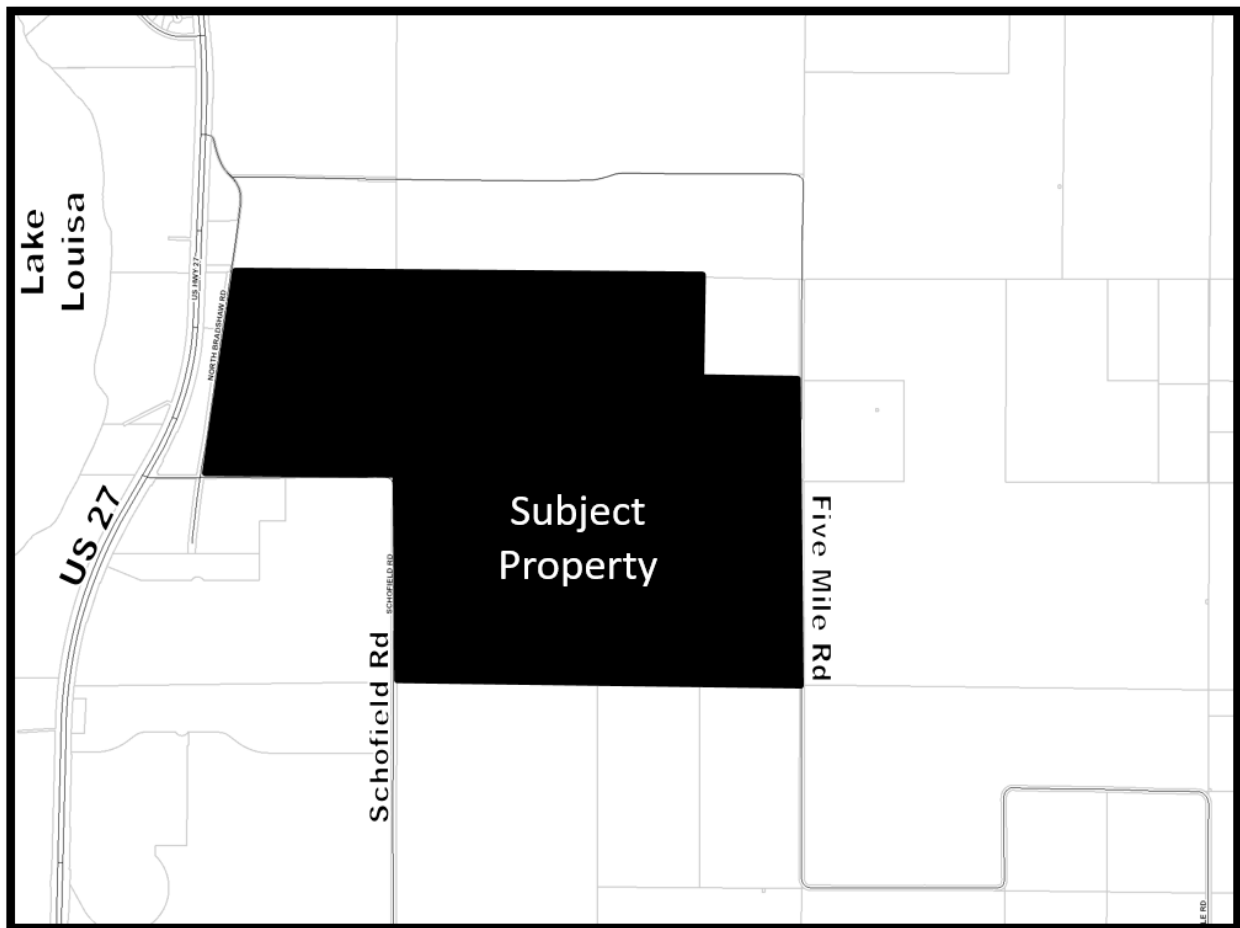
**SECTION 5.**

This Ordinance shall be recorded in the public records of Lake County, Florida.

**SECTION 6.**

This Ordinance shall be published as provided by law, and it shall become law and take effect upon its Second Reading and Final Passage.

Location map:







*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-04**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 19th day of November, 2019.

CITY OF CLERMONT

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Gail L. Ash, Mayor

ATTEST:

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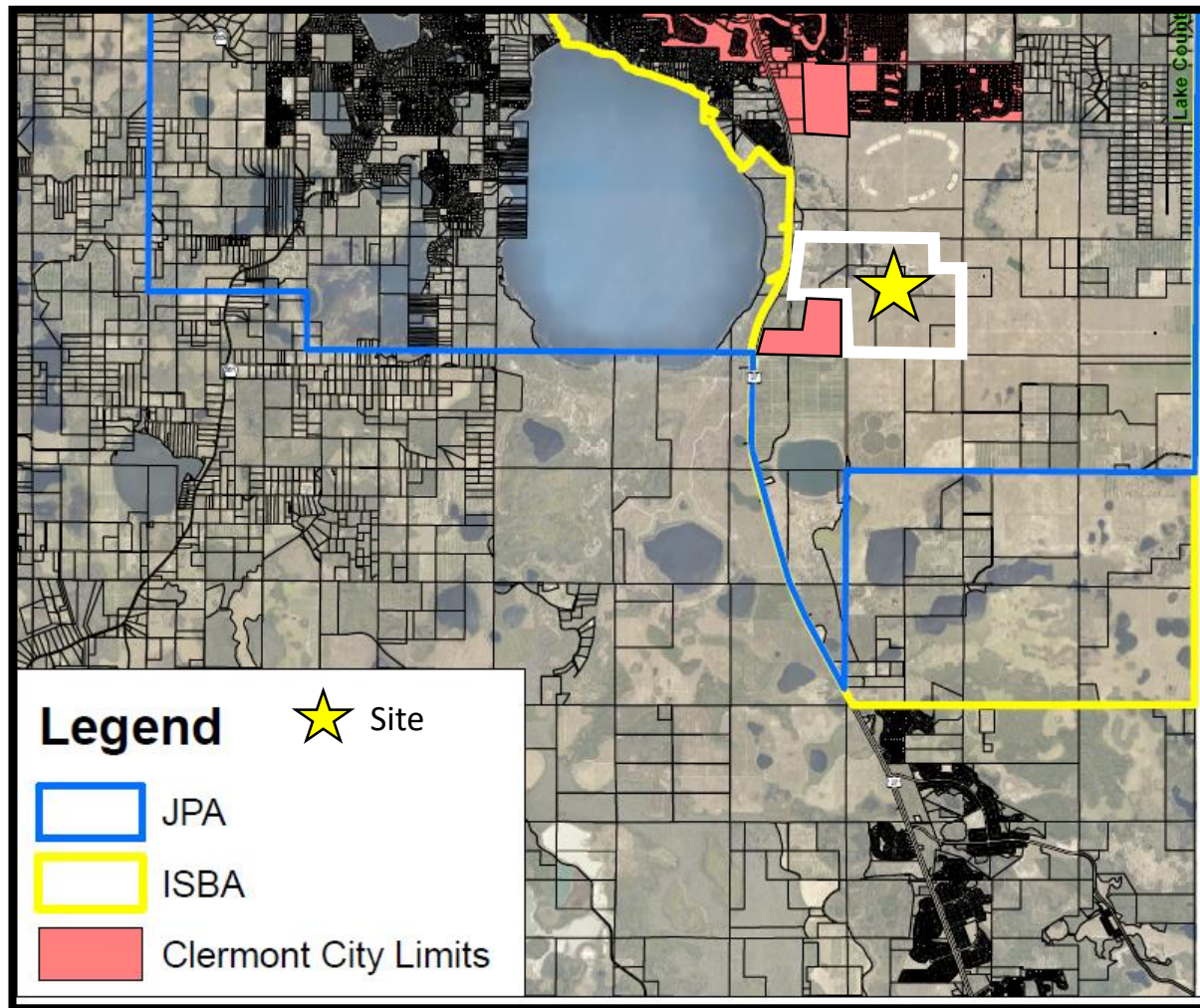
Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

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Daniel F. Mantzaris, City Attorney

## Location within ISBA/JPA – South Lake Crossing





## CHECK LIST & FILING INSTRUCTIONS

The following required information shall be submitted when applying for an **ANNEXATION**.

1. \_\_\_\_\_ Application & Petition by the landowners for Annexation (pages 3 and 4).
2. \_\_\_\_\_ General application form (page 5).
3. \_\_\_\_\_ Authorization for agent/owner representation (page 6)
4. \_\_\_\_\_ LEGAL DESCRIPTION: Email legal description typed in Word (not all capitalized) to [rchidlow@clermontfl.org](mailto:rchidlow@clermontfl.org). Include a copy of the latest TAX RECEIPT or recorded WARRANTY DEED showing the current fee simple owner.
5. \_\_\_\_\_ Map showing general area of site for which Annexation is being requested.
6. \_\_\_\_\_ Submit original application along with \$155.00 filing fee. (Price for advertisement will be invoiced once the cost has been received)

**NOTE: All territory annexed into the City of Clermont is automatically zoned Urban Estate Residential (UE) Zoning District. A separate application for a Land Use Plan Amendment & Rezoning is required. Applicable fees shall apply.**

### PROCEDURES:

1. The proposed use of the property must be assessed to determine if there will be an increase in demand on the water or wastewater systems prior to submittal of the application. Any increase in demand on the water or wastewater systems will be subject to impact fees.
2. Any person requesting an Annexation shall file a complete application in the Development Services Department on or before the 1<sup>st</sup> day of the Month. Complete applications will then be scheduled for Public Hearing on the 4<sup>th</sup> Tuesday of the following month for the City Council meeting. All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed. A pre-application meeting may be required prior to submission of an application. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council Workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearing.
3. Upon receipt of a complete application, the Development Services Department shall proceed with the request for a public hearing in accordance with the following:
  - A: The owners of all property lying within one hundred fifty (150) feet of the property requested to be annexed shall be notified by mail.
  - B. A legal advertisement of the request shall be advertised in a local newspaper prior to the meeting date.
4. Failure to provide an accurate and complete application will result in automatic rejection and return of the application and delay of the hearing date.



## APPLICATION & PETITION

DATE: \_\_\_\_\_

FEE: \$155.<sup>00</sup>  
+ cost of advertising

**Please type or print – use black pen/ink only.**

PROJECT NAME (if applicable): South Lake Crossings

APPLICANT: Dan O'Keefe - Shutts & Bowen LLP

Address: 300 S. Orange Ave, Suite 1600

City: Orlando State: FL Zip: 32801

Phone: 407-835-6956 Fax: \_\_\_\_\_

Applicant is: Owner: \_\_\_ Agent: ☒ Purchaser: \_\_\_ Lessee: \_\_\_ Optionee: \_\_\_

OWNER: South Lake Crossings I LLC; South Lake Crossings III LLC;

Address: PO Box 135

City: Windermere State: FL Zip: 34786

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

AGENT NAME (Affidavit required): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Property address and/or general location: 14811 Shell Pond Road

Area of property: 743 +/- acres, and/or \_\_\_\_\_ +/- sq. ft.

The property is PRESENTLY used for: Vacant

The property is PROPOSED to be used for: Mixed-use development





Existing Lake County Land Use\* : Wellness Way

Existing Lake County Zoning\* : A

**\* NOTE: All property annexed into the City of Clermont is automatically zoned Urban Estate Residential (UE) Zoning District. A separate application for a Land Use Plan Amendment & Rezoning is required. Applicable fees shall apply.**

Number of existing structures on the property and their present use: \_\_\_\_\_  
There are 0 structures as the property is vacant.

State the reason or basis for this request: Annexation is required for utility services.

EXACT LEGAL DESCRIPTION as shown on the Tax Receipt or Warrant Deed.  
(attach copy).

Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_

**City of Clermont**  
Development Services Department  
685 W. Montrose St.  
P.O. Box 120219  
Clermont, FL. 34712-0219  
(352) 394-4083 Fax: (352) 394-3542



**PETITION OF LANDOWNER(S) FOR ANNEXATION  
OF CERTAIN PROPERTY TO THE CITY OF CLERMONT**

WE, the undersigned landowner(s) pursuant to the provisions of Chapter 59-1497 (Senate Bill No. 912), Laws of Florida, Regular Session 1959, entitled

AN ACT TO AMEND CHAPTER 9820, LAWS OF FLORIDA, SPECIAL ACT OF 1923, AS AMENDED, BEING THE CHARTER OF THE CITY OF CLERMONT, FLORIDA, TO PROVIDE ENABLING LEGISLATION FOR THE FUTURE ANNEXATION OF CONTIGUOUS TERRITORY BY PETITION AND CONSENT OF THE LANDOWNER(S) IN THE AREA SOUGHT TO BE ANNEXED: PROVIDING THAT SAID PROVISIONS SHALL BE CUMULATIVE: PROVIDING THAT THE PROPERTY ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY, AND PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL OF SUCH TERRITORY HAD BEEN A PART OF THE CITY OF CLERMONT AT THE TIME OF THE PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES, AND FIXING EFFECTIVE DATE,

hereby petition that the hereinafter described real estate be annexed to, and become a part of the city limits of the City of Clermont, a municipal corporation in Lake County, Florida, created and existing pursuant to Chapter 9820, Laws of Florida, Special Acts of 1923, and amendatory and supplementary acts thereto, and we, jointly and severally, consent to such annexation of such area to said City of Clermont and upon annexation sought by this petition, all of the property, real and personal, within such area, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties and privileges of said City of Clermont, Florida and the said property shall be liable, proportionally, for all the present outstanding and existing, as well as future, indebtedness of the said City of Clermont; that all of the ordinances of the City of Clermont and all laws heretofore passed by the Legislature of the State of Florida, relating to and which now or hereafter constitute its Charter shall apply to have the same force and effect in such territory as may be annexed under the provisions hereof as if all of such territory had been part of the City of Clermont at the time of the passage and approval of said laws and ordinances.

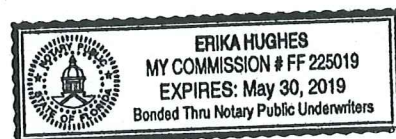
IN WITNESS WHEREOF, we, the undersigned landowners, as petitioners, have hereunto set our hands and seals as of the 1 day of November, 2018.

Legal description of the property: (Type, print in black ink, or attach a copy of the warranty deed or current tax receipt).

Landowner (Petitioner)

11/1/18  
Date

Notary Public  
5/30/2019  
My Commission Expires





OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: \_\_\_\_\_

Before me, the undersigned authority personally appeared Jim Karr - South Lake Crossings I LLC  
South Lake Crossings III, LLC (owner(s) name), who being by me duly sworn on oath,  
deposes and says:

1. That said authority is the fee-simple owner of the property legally described in this application.
2. That said authority desires an ANNEXATION to allow:

Mixed Use Development

3. That said authority (owner) has appointed (agent's name) Dan O'Keefe - Shutts & Bowen to act in its behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:

A. That he/she affirms and certifies that he/she understands and will comply with all Ordinances, Regulations, and Provisions of the City of Clermont, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the City of Clermont, Florida, and are not returnable.

B. That the Submittal requirements for the application have been completed and attached hereto as part of that application.

X [Signature]  
Owner (signature)

X [Signature]  
Agent's (signature)

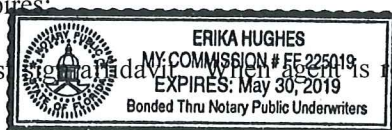
Sworn to and subscribed before  
me this 1 day of November  
2018.

[Signature]  
Notary Public, State of FL  
My commission expires:

Sworn to and subscribed before  
me this 31<sup>ST</sup> day of OCTOBER,  
2018.

[Signature]  
Notary Public, State of FL  
My commission expires:

\*Note: Owner must sign affidavit.



representing case, both agent and owner must sign.



TERRY E. BISSEN  
MY COMMISSION # FF 980268  
EXPIRES: May 22, 2020  
Bissen Notary Services

Prepared By

And Return to:

Andrea J. Fowler, Esq.

The Rosenthal Law Firm, P.A.

4798 New Broad Street, Suite 310

Orlando, FL 32814

RETURN

For Recording Purposes Only

### SPECIAL WARRANTY DEED

**THIS SPECIAL WARRANTY DEED** (this "Deed") is made and executed the 31<sup>st</sup> day of March, 2011, by **BRANCH BANKING AND TRUST COMPANY, successor in interest to Colonial Bank (formerly known as Colonial Bank, N.A.) by acquisition of assets from the FDIC as Receiver for Colonial Bank** ("Grantor"), whose post office address is 2501 20<sup>th</sup> Place South, Birmingham, Alabama 35223, in favor of **SOUTH LAKE CROSSINGS I, LLC, a Florida limited liability company** ("Grantee"), whose post office address is P.O. Box 135, Windermere, Florida 34786.

### WITNESSETH:

THAT Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, all that certain land located in Lake County, Florida and more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property") having the parcel identification numbers set forth on Exhibit "B" attached hereto and incorporated herein by this reference.

TOGETHER with all the easements, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; that Grantor hereby warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by or through Grantor, but against none other; and that the Property is free and clear of all encumbrances, except those set forth on Exhibit "C" attached hereto and incorporated herein by this reference, but reference thereto shall not serve to reimpose the same.



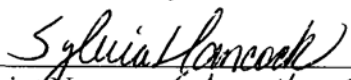
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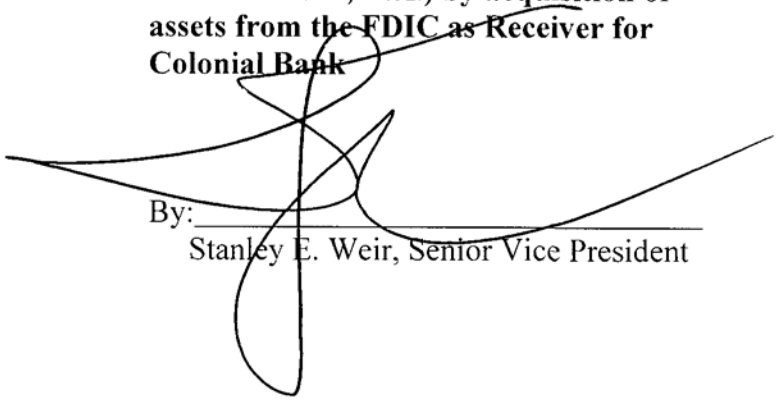
IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

Witnesses:

**BRANCH BANKING AND TRUST  
COMPANY, successor in interest to  
Colonial Bank (formerly known as  
Colonial Bank, N.A.) by acquisition of  
assets from the FDIC as Receiver for  
Colonial Bank**

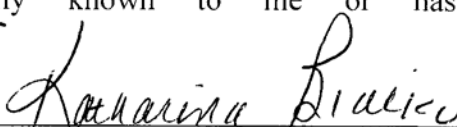
  
Print Name: Nathan Kennedy

  
Print Name: Sylvia Hancock

  
By: Stanley E. Weir, Senior Vice President

STATE OF ALABAMA  
COUNTY OF JEFFERSON

The foregoing general warranty deed was acknowledged before me this 30<sup>th</sup> day of March, 2011, by Stanley E. Weir, as Senior Vice President of Branch Banking and Trust Company, on behalf of the bank. He is personally known to me or has produced \_\_\_\_\_ as identification.

  
(Signature of Notary Public)

KATHARINA BIALKO  
(Typed name of Notary Public)

Notary Public, State of Alabama

Commission No. & Expiration **My Commission Expires July 22, 2011**



For Recording Purposes Only

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF THE PROPERTY**

**PARCEL A**

ALL THOSE PORTIONS OF SECTIONS 21, 22 AND 23, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT A 1-1/4" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48105; THENCE N89°16'46"E, 2653.20 FEET ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 TO A 2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF SAID SECTION 21, SAID NORTHEAST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48106; THENCE S88°49'23"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22, 670.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S88°49'23"E ALONG SAID NORTH LINE, 1976.14 FEET; THENCE S88°49'23"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, 1323.29 FEET; THENCE S00°20'55"W ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID NORTHEAST 1/4 OF SAID SECTION 22, 1314.56 FEET; THENCE S89°00'54"E ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, 1290.91 FEET TO THE WEST RIGHT-OF-WAY LINE OF FIVE MILE ROAD (A 66' WIDE RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 357, PAGE 21, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA); THENCE S00°19'09"W ALONG SAID WEST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET WESTERLY, BY PERPENDICULAR MEASURE, FROM THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 22, 1310.25 FEET TO A POINT IN THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22, DISTANT 33.00 FEET ON A BEARING OF N89°12'24"W, FROM A 5/8" IRON ROD AND CAP #PLS4779 FOUND AT THE EAST 1/4 CORNER OF SAID SECTION 22, SAID EAST 1/4 CORNER ACCORDING TO CERTIFIED CORNER RECORD #084030; THENCE S00°27'16"W ALONG SAID WEST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET WESTERLY, BY PERPENDICULAR MEASURE, FROM THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22, 2681.30 FEET TO A POINT IN THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 26 EAST, SAID POINT BEING DISTANT 33.00 FEET ON A BEARING OF N89°12'03"W FROM A 4"X4" CONCRETE MONUMENT #RLSL993 FOUND AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 27, THENCE N89°12'03"W ALONG SAID NORTH LINE, 2612.50 FEET TO A 4"X4" CONCRETE MONUMENT FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27; THENCE N89°32'30"W ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, 2614.54 FEET TO A 4"X4" CONCRETE MONUMENT FOUND IN THE EAST RIGHT-OF-WAY LINE OF SHELL POND ROAD, AND BEING DISTANT 33.00 FEET ON A BEARING OF S89°32'30"E FROM A 4"X4" CONCRETE MONUMENT FOUND AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF SECTION 27; THENCE N00°23'38"E ALONG SAID EAST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET EASTERLY, BY PERPENDICULAR MEASURE, FROM THE WEST LINE OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 22, 2696.34 FEET; THENCE N89°12'24"W, 33.00 FEET TO A 1-1/2" IRON PIPE FOUND AT THE NORTHWEST CORNER OF SAID SOUTHWEST OF SAID SECTION 22, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48107; THENCE S89°36'30"W ALONG THE EAST-WEST CENTER SECTION LINE OF THE AFORESAID SECTION 21, 1287.60 FEET; THENCE, DEPARTING SAID EAST-WEST CENTER SECTION LINE, N00°00'00"E, 456.14 FEET; THENCE N55°49'12"E, 1567.27 FEET TO AN IRON ROD WITH CAP #LB68 SET AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22; THENCE S89°00'54"E ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, 679.40 FEET; THENCE, DEPARTING SAID NORTH LINE, N00°00'00"W, 1325.72 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM:

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THOSE PARCELS DESCRIBED IN OFFICIAL RECORDS BOOK 849, PAGE 2162:

PARCEL 122 (FEE SIMPLE) :

THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE EASTERLY 35.00 FEET OF THE WESTERLY 2832.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

PARCEL 123 (FEE SIMPLE):

THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE EASTERLY 35.00 FEET OF THE WESTERLY 118.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

PARCEL 124 (FEE SIMPLE):

THE NORTHERLY 20.00 FEET OF THE SOUTHERLY 50.00 FEET OF THE EASTERLY 30.00 FEET OF THE WESTERLY 83.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

ALSO LESS FROM SAID SECTION 22, THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 845, PAGE 567:

PARCEL 129 (FEE SIMPLE):

THE WESTERLY 35.00 FEET OF THE EASTERLY 523.26 FEET OF THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

ALSO LESS FROM SAID SECTION 22, THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 851, PAGE 1455:

PARCEL 130 (FEE SIMPLE):

THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 900.00 FEET OF THE WESTERLY 35.00 FEET OF THE EASTERLY 93.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

AND:

PARCEL B

THAT PART OF SECTIONS 21 AND 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT A 1-1/4" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48105; THENCE N89°16'46"E ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 518.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF BRADSHAW ROAD AS MAINTAINED BY LAKE COUNTY, SAID

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EAST RIGHT-OF-WAY LINE AS FILED SURVEYED BY DONALD W. MCINTOSH ASSOCIATES, INC. AND SHOWN ON A "SPECIFIC PURPOSE SURVEY" PREPARED BY DONALD W. MCINTOSH ASSOCIATES, INC., DRAWING NUMBER CS#02-203, SURVEY DATE 02/27/02, AND TO THE POINT OF BEGINNING; THENCE, DEPARTING SAID NORTH LINE OF SAID NORTHEAST 1/4, RUN THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES ALONG SAID EAST RIGHT-OF-WAY LINE: S09°07'38"W, 226.88 FEET; S08°14'05"W, 483.61 FEET; S08°51'03"W, 111.11 FEET; S08°15'58"W, 235.08 FEET; S07°40'42"W, 73.87 FEET; S08°15'45"W, 120.18 FEET; S08°15'35"W, 293.65 FEET; S07°52'00"W, 391.90 FEET; S08°15'41"W, 126.07 FEET; S09°13'52"W, 181.39 FEET; S09°21'18"W, 192.16 FEET; S08°48'22"W, 191.95 FEET; S10°07'14"W, 16.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 36.00 FEET AND A CHORD BEARING OF S15°39'01"E; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°32'31" FOR A DISTANCE OF 32.38 FEET TO A NON-TANGENT LINE BEING THE EAST-WEST CENTER OF SECTION LINE OF AFORESAID SECTION 21; THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE, N89°36'30"E ALONG SAID EAST-WEST CENTER OF SECTION LINE 1210.47 FEET; THENCE, DEPARTING SAID EAST-WEST CENTER OF SECTION LINE, N00°00'00"E, 456.14 FEET; THENCE N55°49'12"E, 1567.27 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22; THENCE S89°00'54"E ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, 679.40 FEET; THENCE, DEPARTING SAID NORTH LINE, N00°00'00"W, 1325.72 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE N88°49'23"W ALONG SAID NORTH LINE, 670.44 FEET TO A 2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHEAST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48106; THENCE S89°16'46"W ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 2134.70 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

NORTH PARCEL (CUT OUT PARCEL)

THAT PART OF SECTIONS 21 AND 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT A 1-1/4" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48105; THENCE N89°16'46"E ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 518.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF BRADSHAW ROAD AS MAINTAINED BY LAKE COUNTY, SAID EAST RIGHT-OF-WAY LINE AS FILED SURVEYED BY DONALD W. MCINTOSH ASSOCIATES, INC. AND SHOWN ON A "SPECIFIC PURPOSE SURVEY" PREPARED BY DONALD W. MCINTOSH ASSOCIATES, INC., DRAWING NUMBER CS#02-203, SURVEY DATE 02/27/02, AND TO THE POINT OF BEGINNING; THENCE, DEPARTING SAID NORTH LINE OF SAID NORTHEAST 1/4, RUN THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES ALONG SAID EAST RIGHT-OF-WAY LINE: S09°07'38"W, 226.88 FEET; S08°14'05"W, 483.61 FEET; S08°51'03"W, 111.11 FEET; S08°15'58"W, 235.08 FEET; S07°40'42"W, 73.87 FEET; S08°15'45"W, 120.18 FEET; S08°15'35"W, 293.65 FEET; S07°52'00"W, 391.90 FEET; S08°15'41"W, 126.07 FEET; S09°13'52"W, 181.39 FEET; S09°21'18"W, 192.16 FEET; S08°48'22"W, 191.95 FEET; S10°07'14"W, 16.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 36.00 FEET AND A CHORD BEARING OF S15°39'01"E; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°32'31" FOR A DISTANCE OF 32.38 FEET TO A NON-TANGENT LINE BEING THE EAST-WEST CENTER OF SECTION LINE OF AFORESAID SECTION 21; THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE, N89°36'30"E ALONG SAID EAST-WEST CENTER OF SECTION LINE 2498.07 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 22; THENCE, DEPARTING SAID EAST-WEST CENTER OF



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SECTION LINE, N00°23'17"E ALONG THE WEST LINE OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 22, 1327.85 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 22; THENCE DEPARTING SAID WEST LINE RUN S89°00'54"E ALONG THE NORTH LINE OF SAID SOUTHWEST ¼ OF THE NORTHWEST ¼, 679.40 FEET; THENCE, DEPARTING SAID NORTH LINE, N00°00'00"W, 1325.72 FEET TO THE NORTH LINE OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 22; THENCE N88°49'23"W ALONG SAID NORTH LINE, 670.44 FEET TO A 2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE AFORESAID SECTION 21, SAID NORTHEAST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48106; THENCE S89°16'46"W ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 2134.70 FEET TO THE POINT OF BEGINNING.

**BEING MORE PARTICULARLY DESCRIBED AS:**

ALL THOSE PORTIONS OF SECTIONS 21, 22 AND 23, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT A 1-1/4" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48105; THENCE N89°16'46"E, 2653.20 FEET ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 TO A 2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF SAID SECTION 21, SAID NORTHEAST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48106; THENCE S88°49'23"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22, 670.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S88°49'23"E ALONG SAID NORTH LINE, 1976.14 FEET; THENCE S88°49'23"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, 1323.29 FEET; THENCE S00°20'55"W ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID NORTHEAST 1/4 OF SAID SECTION 22, 1314.56 FEET; THENCE S89°00'54"E ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, 1290.91 FEET TO THE WEST RIGHT-OF-WAY LINE OF FIVE MILE ROAD (A 66' WIDE RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 357, PAGE 21, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA); THENCE S00°19'09"W ALONG SAID WEST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET WESTERLY, BY PERPENDICULAR MEASURE, FROM THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 22, 1310.25 FEET TO A POINT IN THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22, DISTANT 33.00 FEET ON A BEARING OF N89°12'24"W, FROM A 5/8" IRON ROD AND CAP #PLS4779 FOUND AT THE EAST 1/4 CORNER OF SAID SECTION 22, SAID EAST 1/4 CORNER ACCORDING TO CERTIFIED CORNER RECORD #084030; THENCE S00°27'16"W ALONG SAID WEST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET WESTERLY, BY PERPENDICULAR MEASURE, FROM THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22, 2681.30 FEET TO A POINT IN THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 26 EAST, SAID POINT BEING DISTANT 33.00 FEET ON A BEARING OF N89°12'03"W FROM A 4"X4" CONCRETE MONUMENT #RLSL993 FOUND AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 27, THENCE N89°12'03"W ALONG SAID NORTH LINE, 2612.50 FEET TO A 4"X4" CONCRETE MONUMENT FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27; THENCE N89°32'30"W ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, 2614.54 FEET TO A 4"X4" CONCRETE MONUMENT FOUND IN THE EAST RIGHT-OF-WAY LINE OF SHELL POND ROAD, AND BEING DISTANT 33.00 FEET ON A BEARING OF S89°32'30"E FROM A 4"X4" CONCRETE MONUMENT FOUND AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF SECTION 27; THENCE N00°23'38"E ALONG SAID EAST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET EASTERLY, BY PERPENDICULAR MEASURE, FROM THE WEST LINE OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 22, 2696.34 FEET; THENCE N89°12'24"W, 33.00 FEET TO A 1-1/2" IRON PIPE FOUND AT THE NORTHWEST CORNER OF SAID SOUTHWEST OF SAID SECTION 22, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48107; THENCE

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N00°23'17"E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22, 1327.85 FEET TO AN IRON ROD WITH CAP #LB68 SET AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22; THENCE S89°00'54"E ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, 679.40 FEET; THENCE, DEPARTING SAID NORTH LINE, N00°00'00"W, 1325.72 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM:

THOSE PARCELS DESCRIBED IN OFFICIAL RECORDS BOOK 849, PAGE 2162:

PARCEL 122 (FEE SIMPLE) :

THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE EASTERLY 35.00 FEET OF THE WESTERLY 2832.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

PARCEL 123 (FEE SIMPLE):

THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE EASTERLY 35.00 FEET OF THE WESTERLY 118.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

PARCEL 124 (FEE SIMPLE):

THE NORTHERLY 20.00 FEET OF THE SOUTHERLY 50.00 FEET OF THE EASTERLY 30.00 FEET OF THE WESTERLY 83.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

ALSO LESS FROM SAID SECTION 22, THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 845, PAGE 567:

PARCEL 129 (FEE SIMPLE):

THE WESTERLY 35.00 FEET OF THE EASTERLY 523.26 FEET OF THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

ALSO LESS FROM SAID SECTION 22, THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 851, PAGE 1455:

PARCEL 130 (FEE SIMPLE):

THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 900.00 FEET OF THE WESTERLY 35.00 FEET OF THE EASTERLY 93.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

TOGETHER WITH THE BENEFICIAL EASEMENTS CONTAINED IN THAT CERTAIN DECLARATION OF EASEMENT AND AGREEMENT REGARDING ROAD AND UTILITY IMPROVEMENTS DATED MAY 25, 2006 AND WHICH IS RECORDED ON JUNE 2, 2006 IN OFFICIAL RECORDS BOOK 3175, PAGE 997, ALL IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

For Recording Purposes Only

**EXHIBIT "B"****PROPERTY PARCEL IDENTIFICATION NUMBERS**

|                      |
|----------------------|
| 2223260001-000-00900 |
| 2223260003-000-00300 |
| 2223260003-000-00400 |
| 2223260004-000-00600 |

For Recording Purposes Only

**EXHIBIT "C"**  
**PERMITTED EXCEPTIONS**

1. Taxes and assessments for the year 2011 and subsequent years, not yet due and payable.
2. Blanket Right of Way Easement to Sumter Electric Cooperative, Inc., recorded November 4, 1968 in Book 369, Page 533.
3. Right of Way Easement to Sumter Electric Cooperative, Inc. recorded November 4, 1968 in Book 369, Page 538.
4. Pipeline Easement in favor of Orange County, Florida, recorded August 8, 1984 in Book 815, Page 220.
5. Pipeline Easement in favor of Orange County, Florida, recorded August 8, 1984 in Book 815, Page 222.
6. Utility Easement in favor of Orange County, Florida recorded August 27, 1985 in Book 849, Page 2156; and as subordinated by Subordination of Encumbrance to Property Rights to Orange County, Florida recorded August 27, 1985 in Book 849, Page 2162.
7. Agreement for the Delivery and Use of Reclaimed Irrigation Water recorded October 9, 1985 in Book 854, Page 1026.
8. Pipeline Easement in favor of Orange County in Stipulated Final Judgment recorded August 30, 1984 in Book 816, Page 2115.
9. Permanent Utility Easement and Permanent Drainage Easement in favor of Orange County in Order of Taking recorded July 8, 1986 in Book 845, Page 567; and Stipulated Final Judgment recorded August 29, 1985 in Book 850, Page 506.
10. Access right with respect to the fee interest to that certain compound created by virtue of Taking recorded July 8, 1986 in Book 845, Page 567; and Stipulated Final Judgment recorded August 29, 1985 in Book 850, Page 506.
11. Utility Easement in favor of Orange County recorded September 3, 1985 in Book 851, Page 1456.



For Recording Purposes Only

12. Utility Easement in Stipulated Final Judgment styled Orange County, Florida vs. Gator Pool, Inc., et. al. under Case Number 86-2279-CA-N, recorded October 27, 1988 in Book 985, Page 1724.
13. Obligations contained in Declaration of Easements and Agreement Regarding Road and Utility Improvements recorded June 2, 2006 in Book 3175, Page 997.
14. Agreement for the Delivery and Use of Reclaimed Irrigation Water with Orange County and Amendment Number 1 to Agreement for the Delivery and Use of Reclaimed Irrigation Water recorded October 9, 1985 in Book 854, Page 865; Partial Release of Rights Under Agreement for Delivery and Use of Reclaimed Irrigation Water recorded March 7, 1994 in Book 1280, Page 1674; Acknowledgment of Assignment of Agreement for the Delivery and Use of Reclaimed Irrigation Water recorded December 17, 1997 in Book 1569, Page 1174; and Acknowledgment of Assignment of Agreement by Floribra U.S.A., Inc. recorded May 19, 1999 in Book 1717, Page 2045.

## South Lake Crossings

### Legal Description:

Parcel 1:

Parcel A

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence S88°49'23"E along the north line of the northwest ¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue S88°49'23"E along said north line, 1976.14 feet; thence S88°49'23"E along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence S00°20'55"W along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.56 feet; thence S89°00'54"E along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence S00°19'09"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of N89°12'24"W, from a 5/8" iron rod and cap #PLS4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence S00°27'16"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of N89°12'03"W from a 4"x4" concrete monument #RLSL993 found at the northeast corner of said northeast ¼ of section 27, thence N89°12'03"W along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest ¼ of said section 27; thence N89°32'30"W along the north line of said northwest ¼, 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest ¼ of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest ¼ of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest of said section 22, said northwest corner according to certified corner record #48107; thence S89°36'30"W along the east-west center section line of the aforesaid section 21, 1287.60 feet; thence, departing said east-west center section line, N00°00'00"E, 456.14 feet; thence N55°49'12"E, 1567.27 feet to an iron rod with cap #LB68 set at the northwest corner of the southwest ¼ of the northwest ¼ of the aforesaid section 22; thence S89°00'54"E along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

Less and except therefrom: those parcels described in Official Records Book 849, page 2162; Parcel 122 (fee simple); the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple): the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple): the northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567;

Parcel 129 (fee simple): the westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple): the northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

and:

Parcel b

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast  $\frac{1}{4}$ , 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast  $\frac{1}{4}$ , run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 1210.47 feet; thence, departing said east-west center of section line, n00°00'00"e, 456.14 feet; thence n55°49'12"e, 1567.27 feet to the northwest corner of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of the aforesaid section 22; thence s89°00'54"e along the north line of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$ ,

679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Less and except

North Parcel (Cut Out Parcel)

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4 " iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast ¼, 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13' 52"w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of si5°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Being more particularly described as:

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows;

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence s88°49'23"e along the north line of the northwest ¼ of



the aforesaid section 22, 670.44 feet to the point of beginning; thence continue s88°49'23"e along said north line, 1976.14 feet; thence s88°49'23"e along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence s00°20'55"w along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.56 feet; thence s89°00'54"e along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence s00°19'09"w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of n89°12'24"w, from a 5/8" iron rod and cap #pls4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence s00°27'16"w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of n89°12'03"w from a 4"x4" concrete monument #rlsl993 found at the northeast corner of said northeast ¼ of section 27, thence n89°12'03"w along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest ¼ of said section 27; thence n89°32'30"w along the north line of said northwest ¼, 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of s89°32'30"e from a 4"x4" concrete monument found at the northwest corner of said northwest ¼ of section 27; thence n00°23'38"e along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest ¼ of the aforesaid section 22, 2696.34 feet; thence n89°12'24"w, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest of said section 22, said northwest corner according to certified corner record #48107; thence n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of the aforesaid section 22, 1327.85 feet to an iron rod with cap #lb68 set at the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the point of beginning.

Less and except therefrom;

Those parcels described in Official Records Book 849, page 2162;

Parcel 122 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple):

The northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567:

Parcel 129 (fee simple):

The westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that Parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple):

The northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, all in the Public Records of Lake County, Florida.

Parcel 2:

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

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

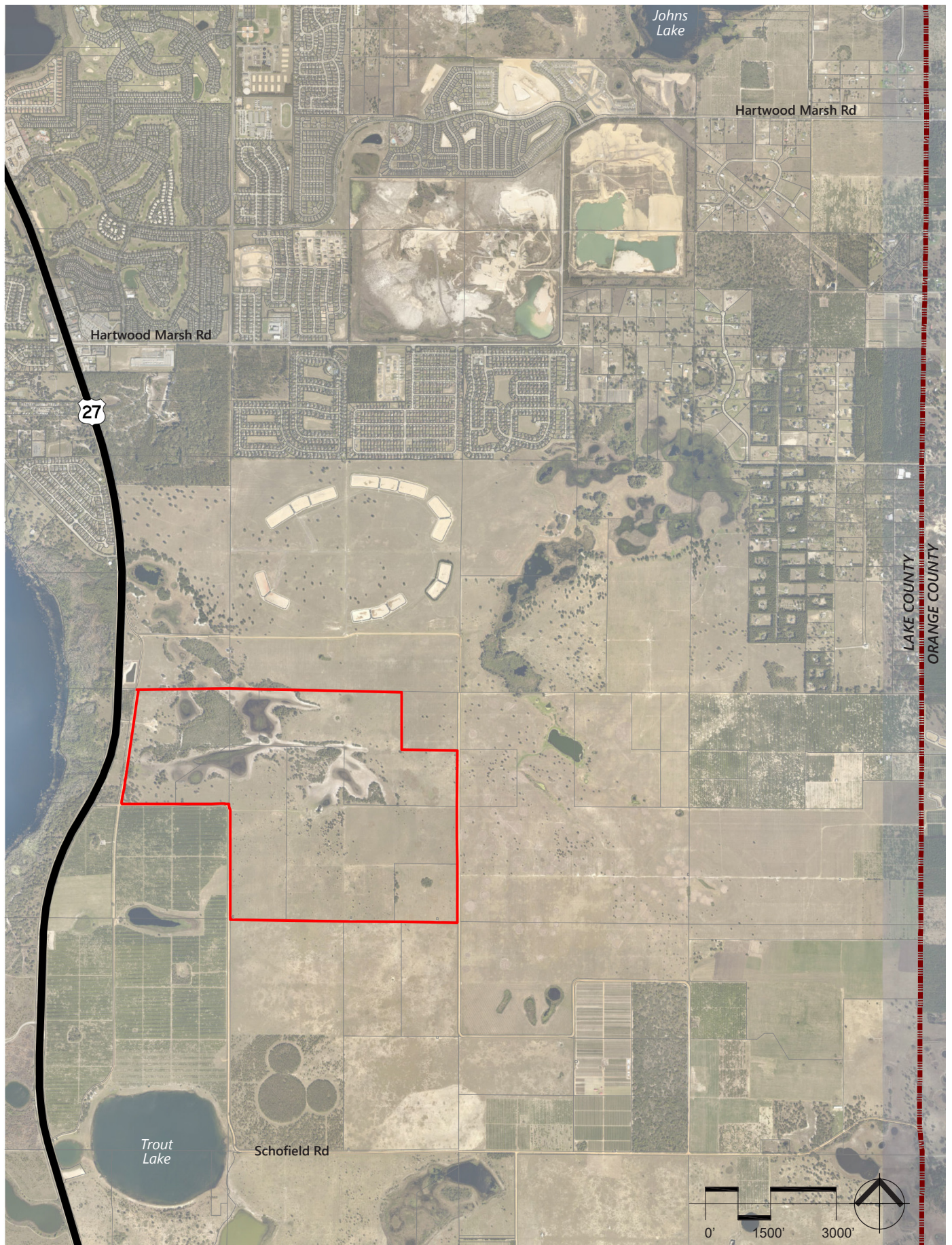
Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast  $\frac{1}{4}$ , run the following fourteen (14) courses and distances along said east right-of-way line; s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22"w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east

right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, and that certain declaration of easement and agreement regarding Road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 1023, all in the Public Records of Lake County, Florida.

Contains 743.00 acres more or less.





# **SOUTH LAKE CROSSINGS AREA MAP**

City of Clermont ■ Florida

NOTE: THE INFORMATION PROVIDED ON THIS DOCUMENT SHOULD BE TREATED AS CONCEPTUAL ONLY AND MAY BE SUBJECT TO CHANGE © 2018 VHB



DATE: October 30, 2018

PROJECT NUMBER: 63302.00

FILE PATH: \\vhb\proj\Orlando\63302.00 Lennar-Wellness Way\graphics\BOARDS\11x17 Exhibits for Shell Pond Rd North\Exhibits 8.5x11



LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday, November 19, 2019 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2019-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR AN EFFECTIVE DATE; SEVERABILITY; RECORDING, AND PUBLICATION.

LOCATION:

1.75 miles south of Hartwood Marsh Road, East of US 27  
743 +/- Acres

LEGAL DESCRIPTION

Parcel 1:

Parcel A

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence S88°49'23"E along the north line of the northwest ¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue S88°49'23"E along said north line, 1976.14 feet; thence S88°49'23"E along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence S00°20'55"W along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.56 feet; thence S89°00'54"E along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence S00°19'09"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of N89°12'24"W, from a 5/8" iron rod and cap #PLS4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence S00°27'16"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of N89°12'03"W from a 4"x4" concrete monument #RLSL993 found at the northeast corner of said northeast ¼ of section 27, thence N89°12'03"W along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest ¼ of said section 27; thence N89°32'30"W along the north line of said northwest ¼ , 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest ¼ of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest ¼ of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest of said section 22, said northwest corner according to certified corner record #48107; thence S89°36'30"W along the east-west center section line of the aforesaid section 21, 1287.60 feet; thence, departing said east-west center section line, N00°00'00"E, 456.14 feet; thence N55°49'12"E, 1567.27 feet to an iron rod with cap #LB68 set at the northwest corner of the southwest ¼ of the northwest ¼ of the aforesaid section 22; thence S89°00'54"E along the north line of said southwest ¼ of the northwest ¼ , 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

Less and except therefrom: those parcels described in Official Records Book 849, page 2162; Parcel 122 (fee simple); the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple): the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple): the northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.  
Also less from said section 22, that parcel described in Official Records Book 845, page 567;

Parcel 129 (fee simple): the westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast ¼ of the southeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.  
Also less from said section 22, that parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple): the northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast ¼ of the northeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.  
and:

Parcel B

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"e along the north line of said northeast ¼, 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼ , run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 1210.47 feet; thence, departing said east-west center of section line, n00°00'00"e, 456.14 feet; thence n55°49'12"e, 1567.27 feet to the northwest corner of the southwest ¼ of the northwest ¼ of the aforesaid section 22; thence s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼ , 2134.70 feet to the point of beginning.

Less and except

North Parcel (Cut Out Parcel)

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4 " iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast ¼, 518.50 feet to the east right- of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼ , run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13' 52"w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of si5°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼ , 2134.70 feet to the point of beginning.

Being more particularly described as:

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows;

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of

the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence s88°49'23"e along the north line of the northwest ¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue s88°49'23"e along said north line, 1976.14 feet; thence s88°49'23"e along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence s00°20'55"w along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.56 feet; thence s89°00'54"e along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence s00°19'09"w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of n89°12'24"w, from a 5/8" iron rod and cap #pls4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence s00°27'16"w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of n89°12'03"w from a 4"x4" concrete monument #rlsl993 found at the northeast corner of said northeast ¼ of section 27, thence n89°12'03"w along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest ¼ of said section 27; thence n89°32'30"w along the north line of said northwest ¼ , 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of s89°32'30"e from a 4"x4" concrete monument found at the northwest corner of said northwest ¼ of section 27; thence n00°23'38"e along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest ¼ of the aforesaid section 22, 2696.34 feet; thence n89°12'24"w, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest of said section 22, said northwest corner according to certified corner record #48107; thence n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of the aforesaid section 22, 1327.85 feet to an iron rod with cap #lb68 set at the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence s89°00'54"e along the north line of said southwest ¼ of the northwest ¼ , 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the point of beginning.

Less and except therefrom;  
Those parcels described in Official Records Book 849, page 2162;

Parcel 122 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple):

The northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.  
Also less from said section 22, that parcel described in Official Records Book 845, page 567;

Parcel 129 (fee simple):

The westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast ¼ of the southeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.  
Also less from said section 22, that Parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple):

The northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast ¼ of the northeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.  
Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, all in the Public Records of Lake County, Florida.

Parcel 2:

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

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22"w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest ¼ of the northwest ¼ , 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼ , 2134.70 feet to the point of beginning.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, and that certain declaration of easement and agreement regarding Road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 1023, all in the Public Records of Lake County, Florida.

Contains 743.00 acres more or less.

See Map Below

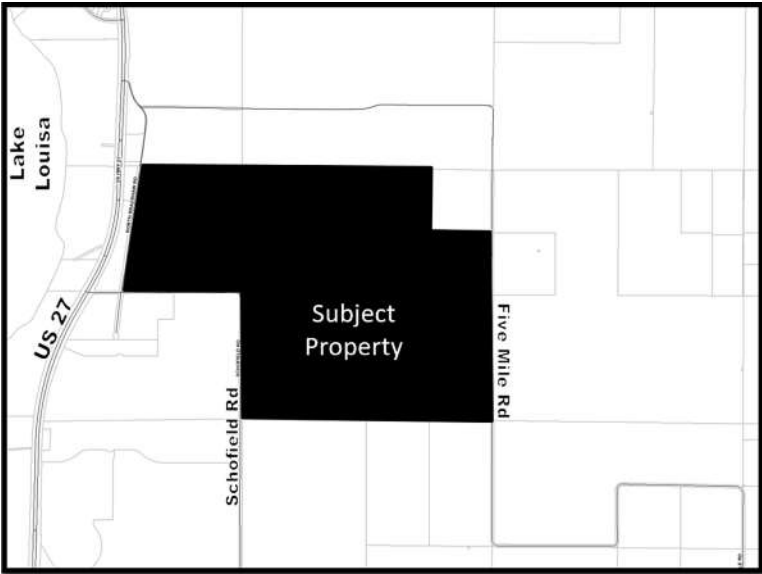
The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC  
City Clerk



D051205 - November 5 & 12, 2019

☐ **PROOF O.K. BY:** \_\_\_\_\_

☐ **O.K. WITH CORRECTIONS BY:** \_\_\_\_\_

**PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE**

LF-D051205 (100%)

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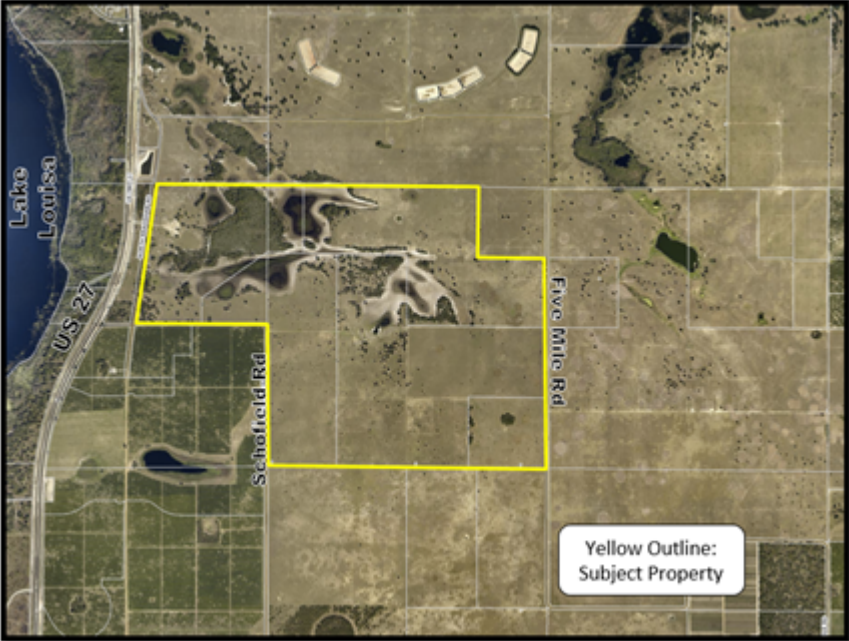
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PROOF DUE: 11/04/19 12:59:55



## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

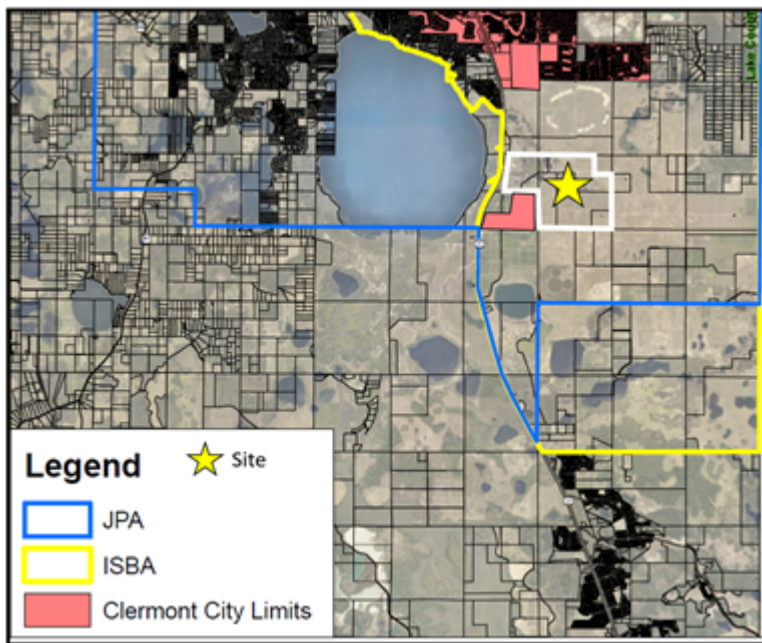
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| Tuesday, November 19, 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| Ordinance No. 2019-05 <i>Final</i><br><i>South Lake Crossing</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| Recommend approval of Ordinance 2019-05.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| <p>The applicant, South Lake Crossings LLC, has requested an amendment to the Future Land Use Map. The applicant is requesting the City to designate the property with a future land use category of Master Planned Development. The subject site is 743 +/- acres in size. The property is 1.75 miles south of Hartwood Marsh Road, east of US Hwy 27, adjacent to the Olympus Sports &amp; Entertainment project. The property has historically been used for agricultural purposes.</p>  <p>The current Future Land Use designation in unincorporated Lake County is Wellness Way Area Plan 1. The Wellness Way Area Plan allows for the following land use intensities:</p> |  |

Future Land Use Category Summary Table Maximum Density Allocation Table

| Future Land Use Categories | Minimum Density/Net Buildable Acre | Maximum Density/Net Buildable Acre | Minimum Average FAR | Maximum Average FAR |
|----------------------------|------------------------------------|------------------------------------|---------------------|---------------------|
| Town Center                | 6.00 (d.u)                         | 25.00 (d.u)                        | 0.30                | 2.00                |
| Wellness Way 1             | 3.00 (d.u)                         | 20.00 (d.u)                        | 0.25                | 2.00                |
| Wellness Way 2             | 2.50 (d.u)                         | 15.00( d.u)                        | 0.20                | 2.00                |
| Wellness Way 3             | 2.00 (d.u)                         | 10.00 (d.u)                        | 0.15                | 2.00                |
| Wellness Way 4             | 0.00                               | 0.00                               | N/A                 | N/A                 |

The residential density and Floor Area Ratio (FAR) caps in the Master Planned Development FLU category are consistent with the Wellness Way Area Plan designations. The applicant has requested a rezoning to a Planned Unit Development with up to 1,850 dwelling units and up to 800,000 square feet of commercial uses. The PUD will be considered by City Council during the adoption phase of the Comprehensive Plan Amendment to ensure the project is capped at the proposed development intensity.

The subject property is located entirely within the City of Clermont Utility Service Area. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA) Agreements with Lake County.



The City received five responses from the agencies reviewing the transmittal package. Three of the responses had "no comment" and the other two provided comments. One comment from the Lake County School Board expressed concern over student capacity and available school sites in the South Lake County Area. The response also indicated that a project may need to participate in proportionate share mitigation prior to moving forward. The other comment came from the Florida Department of Transportation (FDOT) that indicated US 27 is a constrained six-lane roadway with no additional capacity improvements planned or expected. The proposed local roadway network as part of the area developments are expected to augment US 27. If the local roadway network is not developed as proposed, then it will result in significant impacts to US 27 and other state highway facilities. The two comments have been addressed through conditions in the PUD ordinance, particularly the transportation impact fee credit agreement for the roadway network.

The Wellness Way Area Plan envisions this area as next generation employment opportunities. The economic objective of this area is employment. The Applicant intends to create a master planned community that promotes economic development while encouraging a well-balanced development pattern that minimizes environmental impacts. The applicant's request for a Comprehensive Plan Amendment to Master Planned Development FLU category provides for the long-range designation for the use of the property and is not the detailed development approval. The future land use designation establishes the future character and urban form of the city in this area.

Since the project is located within the City's JPA and ISBA boundary and the City can provide adequate public facilities and services, it is logical to support this future land use amendment along with the associated annexation request. The project is adjacent to the recently annexed Olympus Sports and Entertainment project, which is now designated Master Planned Development on the adopted Future Land Use map. The project incorporates residential, commercial, retail, and office uses. With this mix of uses, the most appropriate Future Land Use category is the City's Master Planned Development (MPD) designation. Therefore, staff supports the applicant's request for a change to Master Planned Development.

#### Additional Analysis

#### Fiscal Impact Summary

| Fiscal Impact                                            | Fund Number and Description | Available Budget Amount                            |
|----------------------------------------------------------|-----------------------------|----------------------------------------------------|
|                                                          |                             |                                                    |
| <b>Exhibits Attached</b> (copies of original agreements) |                             |                                                    |
| 1. 2019-05 South Lake Crossing CPA Formatted             |                             | 2019-05 South Lake Crossing CPA.doc                |
| 2. South Lake Crossings Map CPA                          |                             | South Lake Crossings Map CPA.pdf                   |
| 3. Revised_Clermont_Proposed_19-05ESR_FDOT_080219        |                             | Revised_Clermont_Proposed_19-05ESR_FDOT_080219.pdf |
| 4. LCS_SouthCtySchoolsLtr_08302019                       |                             | LCS_SouthCtySchoolsLtr_08302019.pdf                |
| 5. SL Crossing DEP 19-5ESR Response                      |                             | SL Crossing DEP 19-5ESR Response.pdf               |
| 6. SL Crossing SJRWMD 19-5ESR Response                   |                             | SL Crossing SJRWMD 19-5ESR Response.pdf            |
| 7. CTY. CLERMONT 19-05ESR (P)                            |                             | CTY. CLERMONT 19-05ESR (P).pdf                     |
| 8. South Lake Crossing Legal Ad Proof                    |                             | South Lake Crossing Legal Ad Proof.pdf             |





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on June 23, 2009, in accordance with the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Comprehensive Plan of the City of Clermont may be amended pursuant to Florida Statute 163.3187; and

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of Clermont have held public hearings on the proposed amendment to the plan in light of written comments, proposals and objections from the general public;

**NOW THEREFORE BE IT RESOLVED AND ENACTED**, by the City Council of the City of Clermont, Lake County, Florida that:

**SECTION 1.**

After public hearings held by the City of Clermont Local Planning Agency and the Clermont City Council, the Future Land Use Map of the Comprehensive Plan of the City of Clermont is hereby amended by changing the following described property as shown:

**LEGAL DESCRIPTION**

Parcel 1:

Parcel A

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-05**

certified corner record #48106; thence S88°49'23"E along the north line of the northwest ¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue S88°49'23"E along said north line, 1976.14 feet; thence S88°49'23"E along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence S00°20'55"W along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.56 feet; thence S89°00'54"E along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence S00°19'09"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of N89°12'24"W, from a 5/8" iron rod and cap #PLS4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence S00°27'16"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of N89°12'03"W from a 4"x4" concrete monument #RLSL993 found at the northeast corner of said northeast ¼ of section 27, thence N89°12'03"W along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest ¼ of said section 27; thence N89°32'30"W along the north line of said northwest ¼, 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest ¼ of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest ¼ of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest of said section 22, said northwest corner according to certified corner record #48107; thence S89°36'30"W along the east-west center section line of the aforesaid section 21, 1287.60 feet; thence, departing said east-west center section line, N00°00'00"E, 456.14 feet; thence N55°49'12"E, 1567.27 feet to an iron rod with cap #LB68 set at the northwest corner of the southwest ¼ of the northwest ¼ of the aforesaid section 22; thence S89°00'54"E along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

Less and except therefrom: those parcels described in Official Records Book 849, page 2162; Parcel 122 (fee simple); the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple): the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple): the northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-05**

Also less from said section 22, that parcel described in Official Records Book 845, page 567;

Parcel 129 (fee simple): the westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple): the northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

and:

Parcel B

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast  $\frac{1}{4}$ , 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast  $\frac{1}{4}$ , run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 1210.47 feet; thence, departing said east-west center of section line, n00°00'00"e, 456.14 feet; thence n55°49'12"e, 1567.27 feet to the northwest corner of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of the aforesaid section 22; thence s89°00'54"e along the north line of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$ , 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast  $\frac{1}{4}$ , 2134.70 feet to the point of beginning.

Less and except

North Parcel (Cut Out Parcel)



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-05**

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4 " iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast ¼, 518.50 feet to the east right- of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13' 52"w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of si5°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Being more particularly described as:

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows;

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence s88°49'23"e along the north line of the northwest ¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue s88°49'23"e along said north line, 1976.14 feet; thence s88°49'23"e along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence s00°20'55"w along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.56 feet; thence s89°00'54"e along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.91 feet to the west





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-05**

right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence  $s00^{\circ}19'09''w$  along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast  $\frac{1}{4}$  of section 22, 1310.25 feet to a point in the north line of the southeast  $\frac{1}{4}$  of said section 22, distant 33.00 feet on a bearing of  $n89^{\circ}12'24''w$ , from a  $\frac{5}{8}$ " iron rod and cap #pls4779 found at the east  $\frac{1}{4}$  corner of said section 22, said east  $\frac{1}{4}$  corner according to certified corner record #084030; thence  $s00^{\circ}27'16''w$  along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast  $\frac{1}{4}$  of said section 22, 2681.30 feet to a point in the north line of the northeast  $\frac{1}{4}$  of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of  $n89^{\circ}12'03''w$  from a 4"x4" concrete monument #rlsl993 found at the northeast corner of said northeast  $\frac{1}{4}$  of section 27, thence  $n89^{\circ}12'03''w$  along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest  $\frac{1}{4}$  of said section 27; thence  $n89^{\circ}32'30''w$  along the north line of said northwest  $\frac{1}{4}$ , 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of  $s89^{\circ}32'30''e$  from a 4"x4" concrete monument found at the northwest corner of said northwest  $\frac{1}{4}$  of section 27; thence  $n00^{\circ}23'38''e$  along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest  $\frac{1}{4}$  of the aforesaid section 22, 2696.34 feet; thence  $n89^{\circ}12'24''w$ , 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest of said section 22, said northwest corner according to certified corner record #48107; thence  $n00^{\circ}23'17''e$  along the west line of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of the aforesaid section 22, 1327.85 feet to an iron rod with cap #lb68 set at the northwest corner of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of section 22; thence  $s89^{\circ}00'54''e$  along the north line of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$ , 679.40 feet; thence, departing said north line,  $n00^{\circ}00'00''w$ , 1325.72 feet to the point of beginning.

Less and except therefrom;

Those parcels described in Official Records Book 849, page 2162;

Parcel 122 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple):

The northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-05**

Also less from said section 22, that parcel described in Official Records Book 845, page 567:

Parcel 129 (fee simple):

The westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that Parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple):

The northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, all in the Public Records of Lake County, Florida.

Parcel 2:

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

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast  $\frac{1}{4}$  518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast  $\frac{1}{4}$ , run the following fourteen (14) courses and distances along said east right-of-way line; s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22"w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest  $\frac{1}{4}$  of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of said section 22, 1327.85 feet to the northwest corner of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-05**

section 22; thence departing said west line run s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, and that certain declaration of easement and agreement regarding Road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 1023, all in the Public Records of Lake County, Florida.

Contains 743.00 acres more or less.

**LOCATION**

1.75 miles south of Hartwood Marsh Road, East of US 27

**CHANGE IN FUTURE LAND USE CLASSIFICATION**

FROM LAKE COUNTY: WELLNESS WAY-1  
TO CITY OF CLERMONT: MASTER PLANNED DEVELOPMENT

**SECTION 2.**

If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of the remainder would clearly and without doubt contradict or frustrate the intent of the Ordinance as a whole.

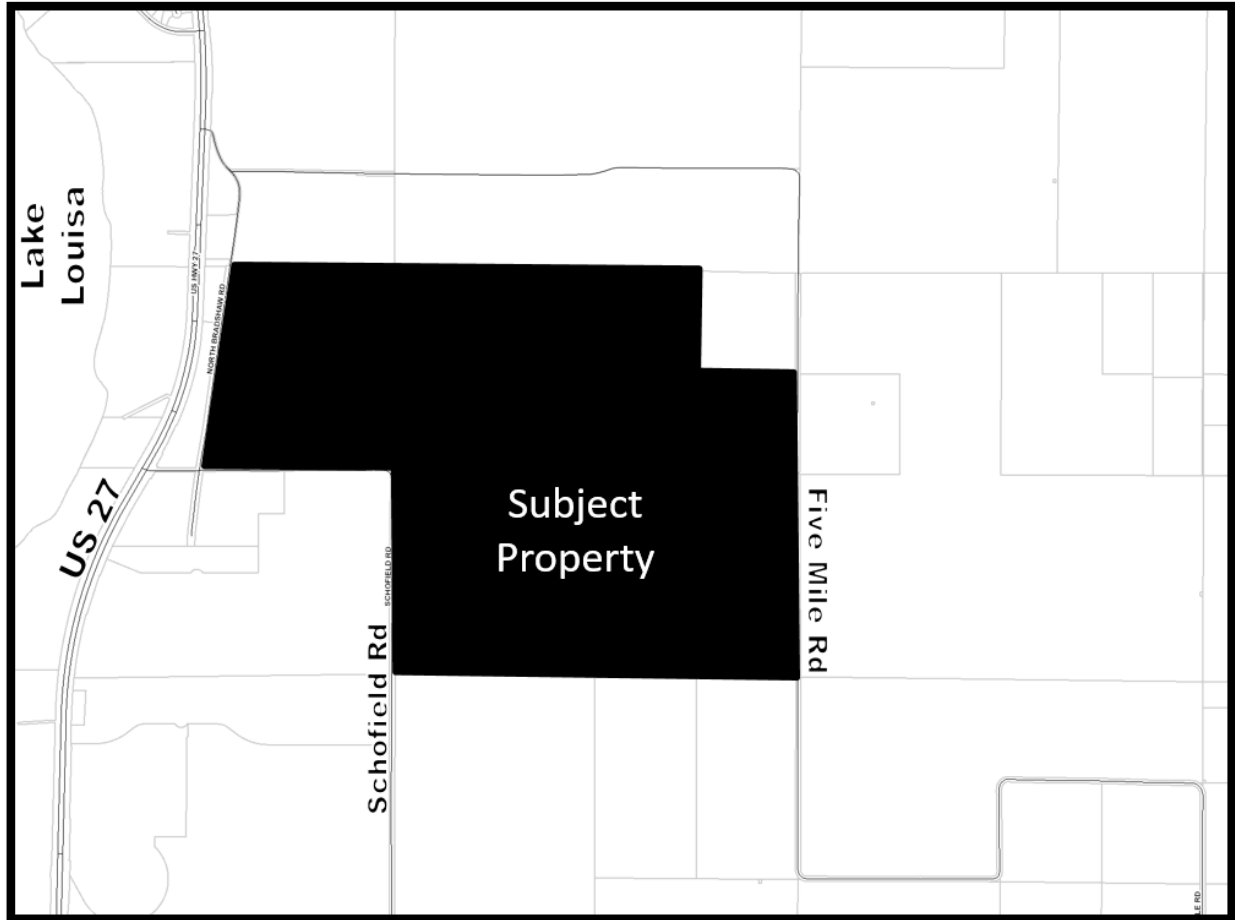
**SECTION 3.**

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**SECTION 4.**

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.

Location map:







*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-05**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida, this 19th day of November, 2019.

CITY OF CLERMONT

---

Gail L. Ash, Mayor

ATTEST:

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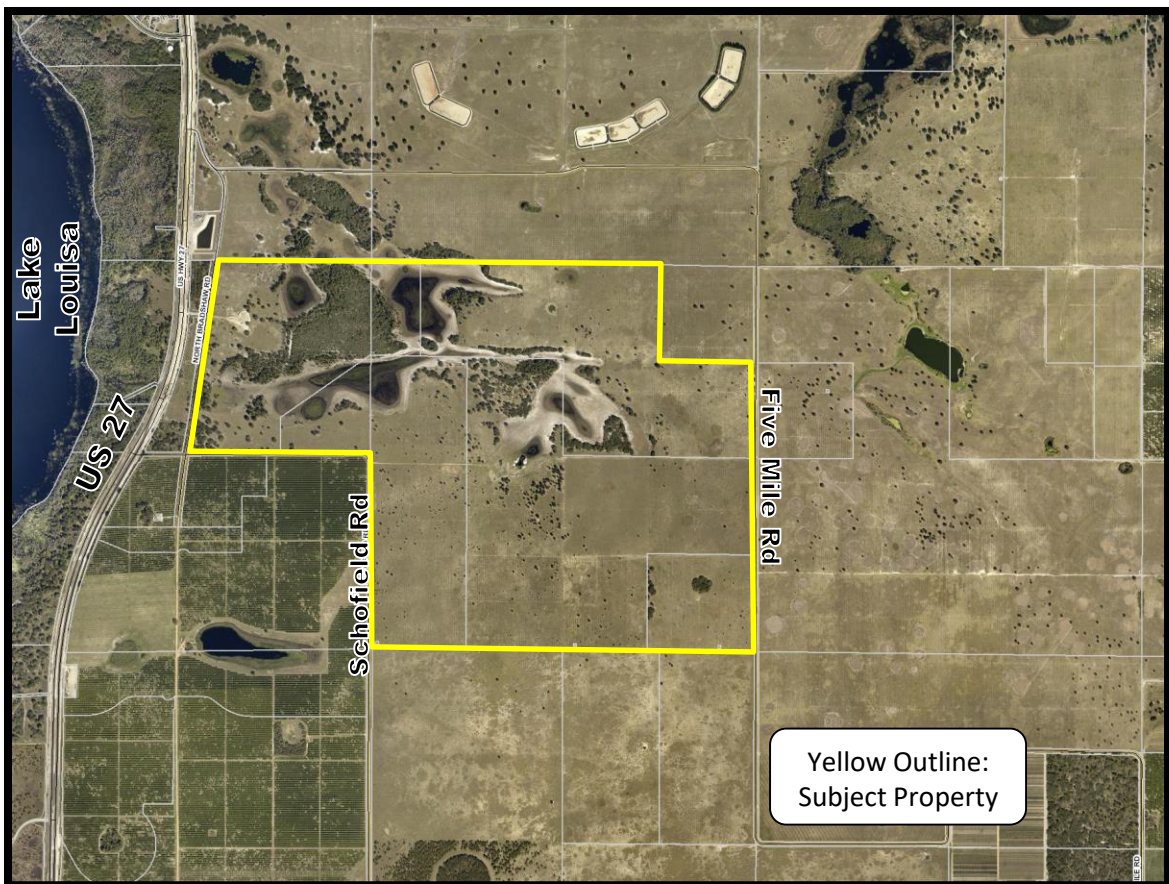
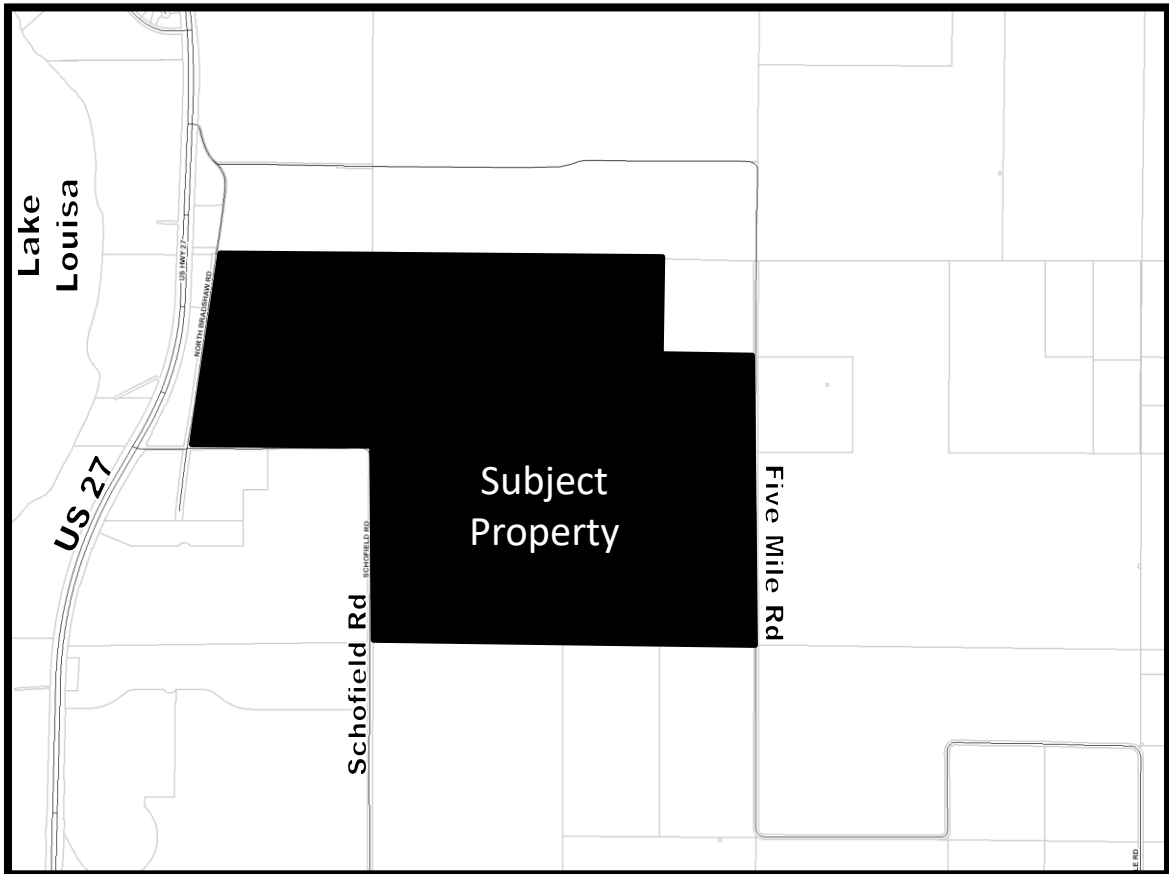
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

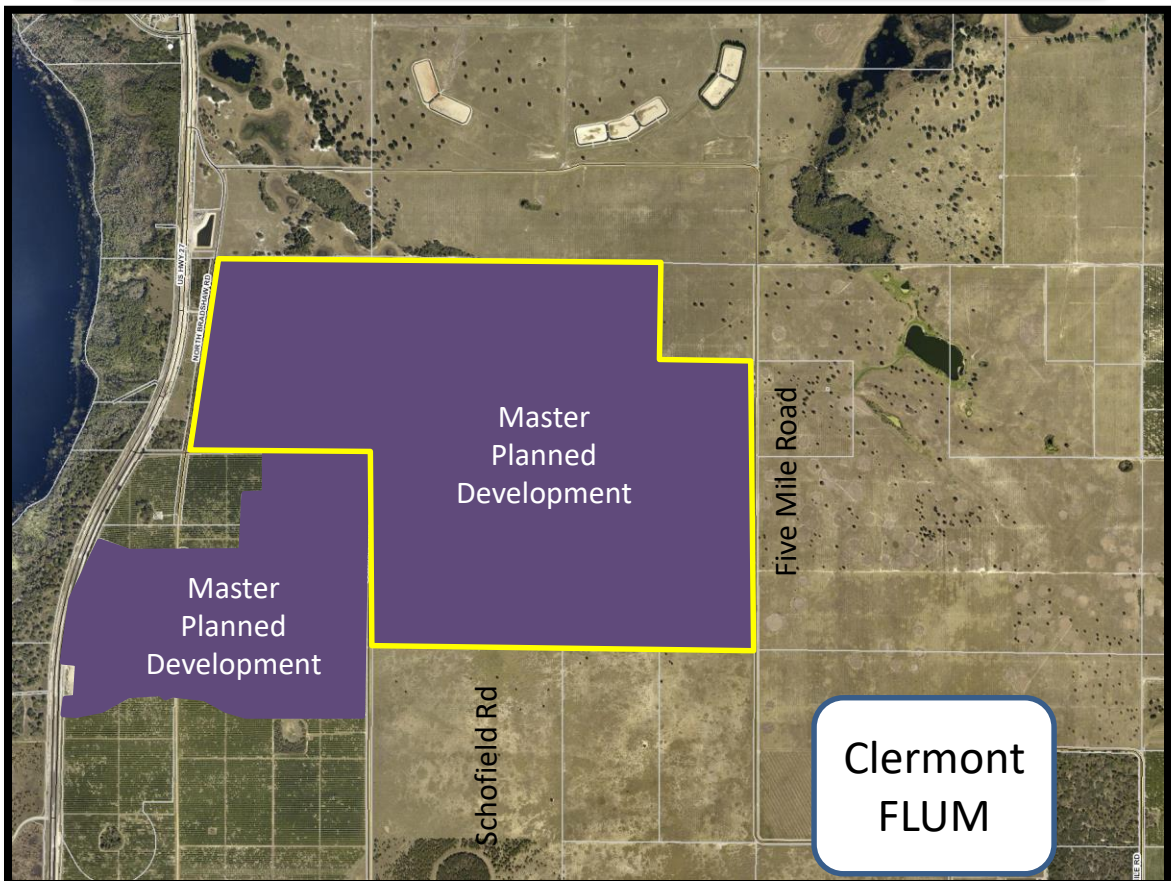
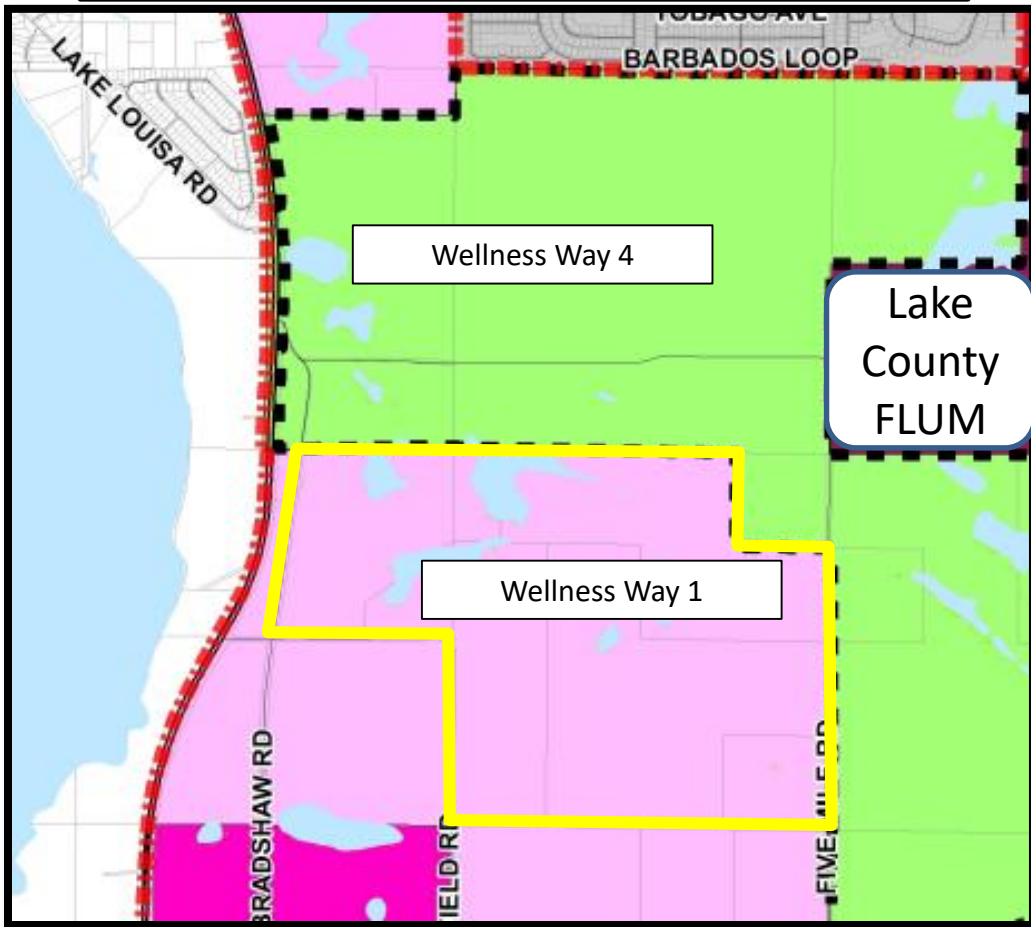
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Daniel F. Mantzaris, City Attorney

# Exhibit - Location Map – South Lake Crossing Property



# Future Land Use Map—South Lake Crossing





## *Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

719 S. Woodland Boulevard  
DeLand, Florida 32720-6834

KEVIN J. THIBAUT.  
SECRETARY

August 2, 2019

John E. Kruse  
Senior Planner  
City of Clermont  
685 W. Montrose Street  
Clermont, FL 34711

**SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW**  
**LOCAL GOVERNMENT: CITY OF CLERMONT**  
**DEO #: 19-05ESR**

Dear Mr. Kruse,

The Department of Transportation has completed its review of the above Proposed Comprehensive Plan Amendment, as requested in your transmittal letter dated July 15, 2019.

We appreciate the opportunity to participate in this review process. The proposed amendment is not anticipated to result in significant adverse impacts to the State Highway System and/or the Strategic Intermodal System. However, due to the magnitude of the development and the importance of the S.R. 25/U.S. 27 SIS facility, the Department offers a technical assistance comment in the attached review.

If you have any questions, you may contact me at 386-943-5150 or by e-mail at [Tina.Williamson@dot.state.fl.us](mailto:Tina.Williamson@dot.state.fl.us).

Sincerely,

Tina Williamson, AICP  
Growth Management Coordinator

C: Tim McClendon, Lake County  
Fred Milch, ECFRPC  
Kellie Smith, FDOT

Jennifer Carver, FDOT  
D. Ray Eubanks, FDEO  
Sherry Spiers, FDEO



## REVISED-PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

**Local Government:** City of Clermont  
**DEO Amendment #:** 19-05ESR  
**Date Amendment Received FDOT:** 7/17/2019  
**Review Comments Deadline:** 8/16/2019  
**Today's Date:** 8/2/2019

### GENERAL BACKGROUND INFORMATION

The City of Clermont has submitted the proposed 19-05 Large Scale comprehensive plan amendment package pertaining to 743± acres of subject property, generally located 1.75 miles south of Hartwood Marsh Road and East of US Highway 27. The proposed amendment would change the future land use (FLU) of the subject property from Lake County Wellness Way 1 to City of Clermont Master Planned Development. An associated rezoning request for a Planned Unit Development has been submitted.

The pertinent adopted and proposed FLUM designations and descriptions for the future land use amendment are:

- **LAKE COUNTY WELLNESS WAY 1**

Wellness Way 1 FLU category allows the permitted and conditional land uses listed below with a jobs-to-housing ratio of .1.75 to 1.

Agriculture, Agri-business, and Silviculture

Commercial: Retail, banking, restaurants, convenience stores, lodging, gas/service station, daycare, and similar uses

Industrial: Manufacturing, warehouse/distribution, wholesale trade, transportation services, communication services, and similar uses.

Office: General, medical/dental, corporate headquarters, government, research and development, and similar uses

Public/institutional: Schools, parks, civic, public safety, hospitals, educational facilities, transportation facilities, utilities, and similar uses.

Residential: Multi-family, single family, and similar uses

Target industries

Wellness Corridors/Recreation/Open Space networks: Active/passive recreation, trails, ecotourism, related uses, scenic, natural and cultural resources, community farms and gardens, and similar uses

Mining and Natural resource-based operations

*Maximum allowed density and/or intensity: Three to 20 dwelling units per acre and 0.25 to 2.0 average FAR.*

|               |                                                                                                                                                                                                                                                                                                                                                                                                                       |              |                  |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------|
| FDOT Contact: | Tina Williamson, AICP<br>Growth Management Coordinator<br>FDOT District Five, PLEMO                                                                                                                                                                                                                                                                                                                                   | Reviewed by: | Chelsea Williams |
| Telephone:    | 386-943-5150                                                                                                                                                                                                                                                                                                                                                                                                          |              | HDR              |
| Fax:          | 386-943-5713                                                                                                                                                                                                                                                                                                                                                                                                          |              | 407-420-4137     |
| E-mail:       | <a href="mailto:Tina.Williamson@dot.state.fl.us">Tina.Williamson@dot.state.fl.us</a>                                                                                                                                                                                                                                                                                                                                  |              | 407-420-4242     |
| File:         | <a href="h:\deland\development\plemo\planning\growth management\cpa\cpa project files\clermont_lake\review\2019\19-05esr\proposed\revised_city of clermont_proposed_19-05esr_fdot_07-31-2019-cpa review.docx">h:\deland\development\plemo\planning\growth management\cpa\cpa project files\clermont_lake\review\2019\19-05esr\proposed\revised_city of clermont_proposed_19-05esr_fdot_07-31-2019-cpa review.docx</a> |              |                  |

## REVISED-PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

**Local Government:** City of Clermont  
**DEO Amendment #:** 19-05ESR  
**Date Amendment Received FDOT:** 7/17/2019  
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### • CITY OF CLERMONT MASTER PLANNED DEVELOPMENT

The master planned development category is intended to provide for two existing approved developments of regional impact (DRI), King's Ridge DRI and Lost Lake Reserve DRI. The Black West proposed mixed-use development is subject to a utility and annexation agreement approved by the City and new master planned, mixed-use projects that shall be applied only upon City Council approval of a development agreement that specifies the allowable types and distribution of land uses and the maximum number/density of residential units, and which demonstrates that public facilities and services meet the requirements of the City's Concurrency Management System. The maximum intensity for office and commercial uses shall be 0.25 FAR; 1.0 FAR for industrial uses; and 0.25 FAR for institutional uses. The FAR shall not be applied to the residential portion of a mixed-use development.

*Maximum allowed density and/or intensity: Twelve (12) to twenty-five (25) dwelling units per acre, 0.25 FAR for office and commercial uses, 1.0 FAR for industrial uses, and 0.25 FAR for institutional uses.*

|               |                                                                                                                                                                                                     |              |                  |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------|
| FDOT Contact: | Tina Williamson, AICP<br>Growth Management Coordinator<br>FDOT District Five, PLEMO                                                                                                                 | Reviewed by: | Chelsea Williams |
| Telephone:    | 386-943-5150                                                                                                                                                                                        |              | HDR              |
| Fax:          | 386-943-5713                                                                                                                                                                                        |              | 407-420-4137     |
| E-mail:       | <a href="mailto:Tina.Williamson@dot.state.fl.us">Tina.Williamson@dot.state.fl.us</a>                                                                                                                |              | 407-420-4242     |
| File:         | <a href="mailto:Chelsea.Williams@hdrinc.com">Chelsea.Williams@hdrinc.com</a>                                                                                                                        |              |                  |
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## REVISED-PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

**Local Government:** City of Clermont  
**DEO Amendment #:** 19-05ESR  
**Date Amendment Received FDOT:** 7/17/2019  
**Review Comments Deadline:** 8/16/2019  
**Today's Date:** 8/2/2019

### MAP AMENDMENT

**Elements:** Future Land Use Element, Categories, Descriptions, Map

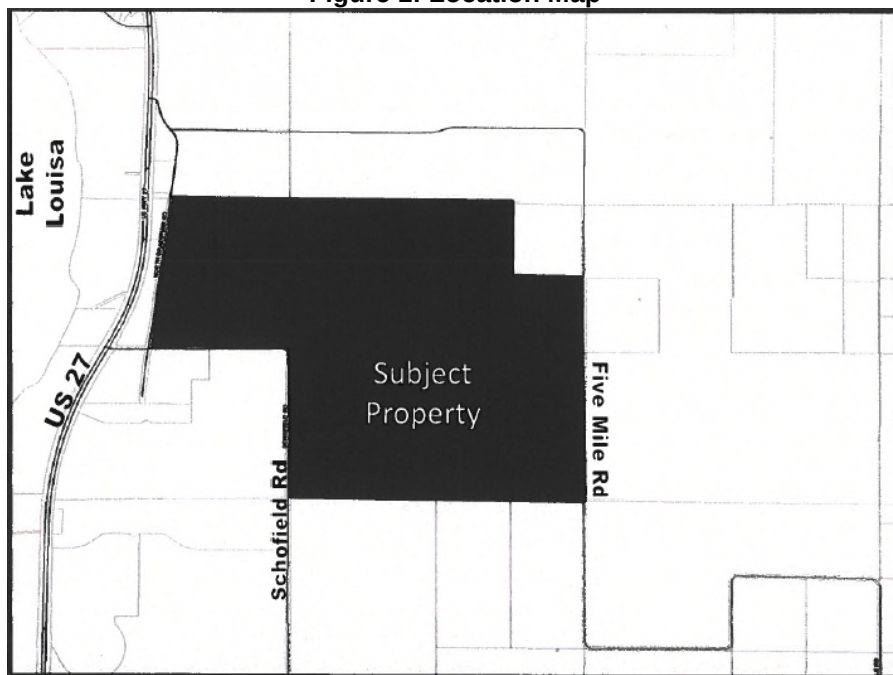
**Rule Reference:** Chapter 163, Florida Statutes

#### Background:

The City of Clermont has submitted the proposed 19-05 Large Scale comprehensive plan amendment package pertaining to 743± acres of subject property, generally located 1.75 miles south of Hartwood Marsh Road and east of US Highway 27. The proposed amendment would change the future land use (FLU) of the subject property from Lake County Wellness Way 1 to City of Clermont Master Planned Development. An associated rezoning request for a Planned Unit Development has been submitted.

The subject area is depicted in Figure 1.

**Figure 1: Location Map**



**FDOT Contact:** Tina Williamson, AICP  
Growth Management Coordinator  
FDOT District Five, PLEMO  
386-943-5150  
386-943-5713  
**Telephone:** 386-943-5150  
**Fax:** 386-943-5713  
**E-mail:** [Tina.Williamson@dot.state.fl.us](mailto:Tina.Williamson@dot.state.fl.us)  
**File:** h:\deland\development\plemo\planning\growth management\cpa\cpa project files\clermont\_lake\review\2019\19-05esr\proposed\revised\_city of clermont\_proposed\_19-05esr\_fdot\_07-31-2019-cpa review.docx

**Reviewed by:** Chelsea Williams  
HDR  
407-420-4137  
407-420-4242  
[Chelsea.Williams@hdrinc.com](mailto:Chelsea.Williams@hdrinc.com)

## REVISED-PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

**Local Government:** City of Clermont  
**DEO Amendment #:** 19-05ESR  
**Date Amendment Received FDOT:** 7/17/2019  
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**Today's Date:** 8/2/2019

The City of Clermont Master Planned Development FLU determines maximum density based on gross acres. Based on information provided in the transmittal package, there are 743± gross acres estimated on the subject property.

The proposed development program is for a density of up to 25 dwelling units (d.u.) per acre and an intensity of 0.25 FAR, with an anticipated 1,850 d.u. and up to 800,000 square feet (s.f.) of commercial uses. This development program is not included in the proposed FLUM Ordinance. The adopted FLU trip generation analysis is based on the assumption the maximum density and intensities will be used.

Table 1 below shows the trip generation potential for the currently adopted and proposed land use densities and/or intensities, and the change in trips as a result of the proposed FLU amendment. It is important to note the densities and intensities for Wellness Way 1 are based on buildable acres as opposed to the City's FLU based on gross acres.

**Table 1: Trip Generation Potential of the Subject Property**

| Scenario               | Land Use Designation | ITE Land Use Code | Allowed Development |        | Daily Trips    | P.M. Peak Hour Trips |
|------------------------|----------------------|-------------------|---------------------|--------|----------------|----------------------|
| Adopted                | Single Family Homes  | 210               | 2,229               | d.u.   | 21,042         | 2,207                |
| Adopted                | Commercial           | 820               | 64,730              | k.s.f. | 490,424        | 65,363               |
| Proposed               | Single Family Homes  | 210               | 18,575              | d.u.   | 175,348        | 18,389               |
| Proposed               | Commercial           | 820               | 8,091               | k.s.f. | 305,435        | 30,827               |
| <b>Change in Trips</b> |                      |                   |                     |        | <b>-30,683</b> | <b>-18,354</b>       |

Source: ITE Trip Generation Manual 10th Edition; d.u. = dwelling units; k.s.f = 1,000 square feet

Other uses are proposed in the FLU application including civic uses, adult living facility, a fire station, and a 15-acre school; however, it is assumed these land uses will generate insignificant trips compared to the land uses listed in the table above. Additionally, the size of these proposed land uses was not provided. The analysis shows that the proposed amendment decreases the trip generation potential of the subject property by 30,683 daily trips and 18,354 P.M. peak hour trips.

The State roadway segments within three miles of the site that could be impacted by the amendment are shown in the Table 2 with year 2019, 2029, and 2040 projected volumes.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>FDOT Contact: Tina Williamson, AICP<br/>Growth Management Coordinator<br/>FDOT District Five, PLEMO<br/>Telephone: 386-943-5150<br/>Fax: 386-943-5713<br/>E-mail: <a href="mailto:Tina.Williamson@dot.state.fl.us">Tina.Williamson@dot.state.fl.us</a><br/>File: h:\deland\development\plemo\planning\growth management\cpa\cpa project files\clermont_lake\review\2019\19-05esr\proposed\revised_city of clermont_proposed_19-05esr_fdot_07-31-2019-cpa review.docx</p> | <p>Reviewed by: Chelsea Williams<br/><br/>HDR<br/>407-420-4137<br/>407-420-4242<br/><a href="mailto:Chelsea.Williams@hdrinc.com">Chelsea.Williams@hdrinc.com</a></p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|



## REVISED-PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

**Local Government:** City of Clermont

**DEO Amendment #:** 19-05ESR

**Date Amendment Received FDOT:** 7/17/2019

**Review Comments Deadline:** 8/16/2019

**Today's Date:** 8/2/2019

**Table 2: State Roadway Segments Affected by FLUM Amendment**

| Roadway(s)          | Segment(s)                                    | SHS / SIS ? | LOS Standard | 2019                           |        |             | 2029                           |        |             | 2040                           |        |             |
|---------------------|-----------------------------------------------|-------------|--------------|--------------------------------|--------|-------------|--------------------------------|--------|-------------|--------------------------------|--------|-------------|
|                     |                                               |             |              | Service Volume at LOS Standard | AADT   | Acceptable? | Service Volume at LOS Standard | AADT   | Acceptable? | Service Volume at LOS Standard | AADT   | Acceptable? |
| S.R. 25/<br>U.S. 27 | Frank Jarrell Rd to Schofield Rd              | Y           | C            | 60,400                         | 25,500 | Y           | 60,400                         | 27,900 | Y           | 60,400                         | 60,400 | Y           |
|                     | Schofield Rd to Lake Louisa Rd                | Y           | D            | 98,300                         | 25,500 | Y           | 98,300                         | 27,900 | Y           | 98,300                         | 98,300 | Y           |
|                     | Lake Louisa Rd to Hartwood Marsh Rd           | Y           | D            | 59,900                         | 24,600 | Y           | 62,900                         | 29,100 | Y           | 62,900                         | 36,700 | Y           |
|                     | Hartwood Marsh Rd to Johns Lake Rd/Roper Blvd | Y           | D            | 59,900                         | 36,000 | Y           | 62,900                         | 40,800 | Y           | 62,900                         | 48,000 | Y           |

Source: FDOT District Five 2016 LOS\_ALL Report Update

### Technical Assistance:

S.R. 25/U.S. 27 segments from Frank Jarrell Road to Johns Lake Road/Roper Boulevard do not currently exceed the LOS standards and are not projected to exceed the LOS standards in the Year 2040. While the proposed land use amendment results in a decrease in the trip generation potential of the subject site, due to the magnitude of the development, there will be impacts to S.R. 25/U.S. 27. Therefore, the Department offers the following technical assistance comment:

1. S.R. 25/U.S. 27 is a SIS facility from Florida's Turnpike in the southern Leesburg area south into Polk County, and serves as a north-south spine for the Florida peninsula. U.S. 27 in the City of Clermont is a constrained six-lane roadway with no additional capacity improvements planned or expected. The local roadway network proposed as part of area developments is expected to augment U.S. 27 by supporting local north-south traffic parallel to U.S. 27 and connecting the developments to surrounding land uses north, south, and east of the site. If the local roadway network is not developed as proposed, then it will result in significant impacts to U.S. 27 and other state highway facilities and SIS connectors in the area.

We are providing a technical assistance comment consistent with Section 163.3168(3), Florida Statutes. The technical assistance comment will not form the basis of a challenge. The technical assistance comment can strengthen the local government's comprehensive plan in order to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S.

FDOT Contact: Tina Williamson, AICP  
Growth Management Coordinator  
FDOT District Five, PLEMO  
Telephone: 386-943-5150  
Fax: 386-943-5713  
E-mail: [Tina.Williamson@dot.state.fl.us](mailto:Tina.Williamson@dot.state.fl.us)  
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Reviewed by: Chelsea Williams

HDR  
407-420-4137  
407-420-4242  
[Chelsea.Williams@hdrinc.com](mailto:Chelsea.Williams@hdrinc.com)

## REVISED-PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

**Local Government:** City of Clermont  
**DEO Amendment #:** 19-05ESR  
**Date Amendment Received FDOT:** 7/17/2019  
**Review Comments Deadline:** 8/16/2019  
**Today's Date:** 8/2/2019

The Department respectfully requests a copy of the adopted plan amendment. Please provide the adopted plan amendment within two weeks of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184, Florida Statutes).

|               |                                                                                                                                                                                                                                                                                                                                                                                                                       |              |                  |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------|
| FDOT Contact: | Tina Williamson, AICP<br>Growth Management Coordinator<br>FDOT District Five, PLEMO                                                                                                                                                                                                                                                                                                                                   | Reviewed by: | Chelsea Williams |
| Telephone:    | 386-943-5150                                                                                                                                                                                                                                                                                                                                                                                                          |              | HDR              |
| Fax:          | 386-943-5713                                                                                                                                                                                                                                                                                                                                                                                                          |              | 407-420-4137     |
| E-mail:       | <a href="mailto:Tina.Williamson@dot.state.fl.us">Tina.Williamson@dot.state.fl.us</a>                                                                                                                                                                                                                                                                                                                                  |              | 407-420-4242     |
| File:         | <a href="h:\deland\development\plemo\planning\growth management\cpa\cpa project files\clermont_lake\review\2019\19-05esr\proposed\revised_city of clermont_proposed_19-05esr_fdot_07-31-2019-cpa review.docx">h:\deland\development\plemo\planning\growth management\cpa\cpa project files\clermont_lake\review\2019\19-05esr\proposed\revised_city of clermont_proposed_19-05esr_fdot_07-31-2019-cpa review.docx</a> |              |                  |



**Superintendent:**  
**Diane S. Kornegay, M.Ed.**

**School Board Members:**  
**District 1**  
Bill Mathias  
**District 2**  
Kristi Burns, Ph.D.  
**District 3**  
Marc Dodd  
**District 4**  
Sandy Gamble  
**District 5**  
Stephanie Luke

201 West Burleigh Boulevard • Tavares • FL 32778-2496  
(352) 253-6500 • Fax: (352) 253-6503 • [www.lake.k12.fl.us](http://www.lake.k12.fl.us)

August 27, 2019

**Via Email**

Mr. John Kruse, Planning Mgr.  
City of Clermont  
685 W. Montrose Street  
Clermont, Florida 34711

**RE: South County Area Schools**

Dear Mr. Kruse:

As we discussed, the District has closely monitored the continued residential growth in the south County area for the past several years. To address the growth the School District planned a new K8 and a high school classroom addition to provide capacity relief. However, in the last few months, the district has received several school concurrency requests from large developments proposing over 3,500 dwelling units. These projects are located in the Wellness Way Area Plan (WWAP). Subsequently, capacity reservations were issued resulting in a capacity deficit for the south county area schools.

The capital projects already proposed may address a portion of the WWAP's impact but were not planned to address the overall Wellness Way Area projects. Our analysis of the overall impact of the proposed residential development in the Wellness Way Area Plan indicates the need for three elementary schools, one middle school, and one high school. Currently the School District does not have the necessary school sites to serve the needs of WWAP and is actively searching for acceptable sites.

Please inform applicants submitting for development approvals within the city of the situation and that proportionate share mitigation may be required for a project to move forward in the process. Also, please feel free to refer them to us to discuss potential solutions. Any assistance the City can provide would be greatly appreciated.

Should you have any questions or need additional information please contact me at (352) 253-6694.

Sincerely,

Helen LaValley  
Growth Planning Department

## John E. Kruse

---

**From:** Plan\_Review <Plan.Review@dep.state.fl.us>  
**Sent:** Monday, August 19, 2019 5:14 PM  
**To:** John E. Kruse; DCPexternalagencycomments@deo.myflorida.com  
**Cc:** Plan\_Review  
**Subject:** Clermont 19-5ESR Proposed

To: John E. Kruse, Senior Planner

Re: Clermont 19-5ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to [Plan.Review@FloridaDEP.gov](mailto:Plan.Review@FloridaDEP.gov). If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



## John E. Kruse

---

**From:** Steve Fitzgibbons <SFitzgibbons@sjrwmd.com>  
**Sent:** Thursday, August 08, 2019 4:34 PM  
**To:** John E. Kruse  
**Cc:** DCPexternalagencycomments@deo.myflorida.com  
**Subject:** City of Clermont proposed comprehensive plan amendment 19-5ESR

Dear Mr. Kruse

St. Johns River Water Management District (District) staff have reviewed City of Clermont proposed comprehensive plan amendment 19-5ESR in accordance with the provisions of Chapter 163, Florida Statutes. Based on review of the submitted materials, District staff have no comments on the proposed amendment.

If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at [sfitzgibbons@sjrwmd.com](mailto:sfitzgibbons@sjrwmd.com).

Sincerely,  
Steve Fitzgibbons

Steven Fitzgibbons, AICP  
Intergovernmental Planner  
Governmental Affairs Program  
St. Johns River Water Management District  
7775 Baymeadows Way, Suite 102  
Jacksonville, FL 32256  
Office (386) 312-2369  
E-mail: [sfitzgibbons@sjrwmd.com](mailto:sfitzgibbons@sjrwmd.com)  
Website: [www.sjrwmd.com](http://www.sjrwmd.com)  
Connect with us: [Newsletter](#), [Facebook](#), [Twitter](#), [Instagram](#), [YouTube](#), [Pinterest](#)



[www.sjrwmd.com/epermitting](http://www.sjrwmd.com/epermitting)

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

### Notices

- Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>



**Ron DeSantis**  
GOVERNOR



**Ken Lawson**  
EXECUTIVE DIRECTOR

August 16, 2019

The Honorable Gail Ash  
Mayor, City of Clermont  
685 West Montrose Street  
Clermont, Florida 34711

Dear Mayor Ash:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of Clermont (Amendment No. 19-05ESR) received on July 19, 2019. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.FloridaJobs.org](http://www.FloridaJobs.org)  
[www.twitter.com/FLDEO](https://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

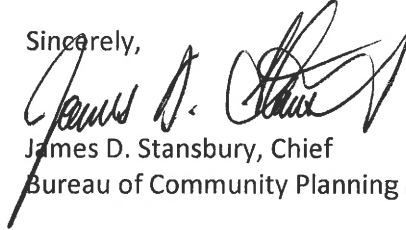
The Honorable Gail Ash, Mayor

August 16, 2019

Page 2 of 2

If you have any questions concerning this review, please contact Dan Evans, Planning Analyst, by telephone at (850) 717-8484 or by email at [dan.evans@deo.myflorida.com](mailto:dan.evans@deo.myflorida.com).

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury".

James D. Stansbury, Chief

Bureau of Community Planning and Growth

JDS/de

Enclosure(s): Procedures for Adoption

cc: John Kruse, Senior Planner, City of Clermont Development Services

Hugh W. Harling, Jr., Executive Director, East Central Florida Regional Planning Council

## SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

### FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

**SUBMITTAL LETTER:** Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ State Land Planning Agency identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

**ADOPTION AMENDMENT PACKAGE:** Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format.

\_\_\_\_\_ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

\_\_\_\_\_ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

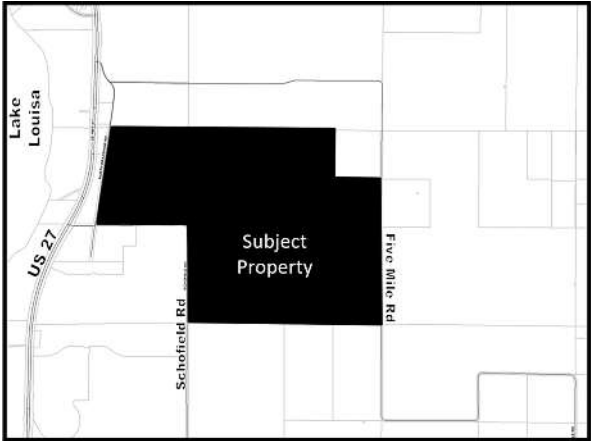
\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

CITY OF CLERMONT  
NOTICE OF PROPOSED  
AMENDMENT  
TO COMPREHENSIVE PLAN  
ORDINANCE NO. 2019-05

The City of Clermont will hold public hearings on Tuesday, July 2, 2019 at 6:30 p.m. before the Planning and Zoning Commission to consider a proposed change to the City's Future Land Use Map; and on Tuesday, July 9, 2019 at 6:30 p.m. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the parcel below from Lake County Wellness Way to City of Clermont Master Planned Development.

The City of Clermont will hold a public hearing on Tuesday, September 24, 2019 (final hearing) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



Location:

1.75 miles south of Hartwood Marsh Road, East US 27  
Alternate Keys 3777485, 1028477, 1594529, 1412315, 3853225,  
3853226, 3777484

Ordinance #2019-05:

An ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the large-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the large-scale comprehensive plan amendment; setting forth the purpose and intent of the large-scale comprehensive plan amendment; providing for the adoption of the large-scale comprehensive plan amendment; establishing the legal status of the large-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC  
City Clerk

D048697 - June 17 & September 9, 2019

☐ PROOF O.K. BY: \_\_\_\_\_ ☐ O.K. WITH CORRECTIONS BY: \_\_\_\_\_

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D048697 (100%)

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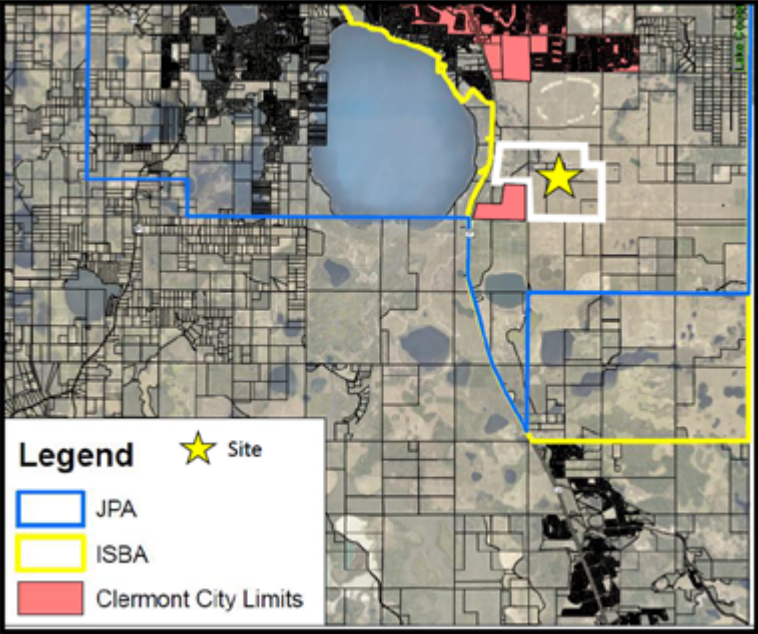




## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
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| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| Tuesday, November 19, 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| Ordinance No. 2019-06 <i>Final</i><br><i>South Lake Crossing PUD</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| Recommend approval of Ordinance 2019-06.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| <p>The owner, South Lake Crossings, is requesting a rezoning to a mixed use planned unit development (PUD) consisting of 1850 residential units, 300,000 square feet of commercial uses, and 500,000 square feet of office uses on 743 +/- acres in the Wellness Way area. The owner has applied for annexation and a large-scale comprehensive plan amendment change to Master Planned Development in the City of Clermont. The property is adjacent to the Olympus Sports &amp; Entertainment (OSE) project.</p>  <p>The residential developer, Lennar, is planning on 1850 dwelling units, consisting of duplexes, townhomes, and detached single-family homes. The Master Plan, Exhibit 2, shows the location of housing types, major roadways, and commercial and office uses. All of the residential development is arranged to be east of the Hancock Road extension. As indicated on the Master Plan, the total developable residential area is 469.21 acres, the employment district for office and commercial use is 101.88 acres, and the neighborhood centers are 18.80 acres. This doesn't include the additional preserved wetland buffers of 96.95 acres, wetland buffers of 12.30 acres, and 44.03 acres for right-of-way dedication. The lot widths range from 18 feet wide for the attached townhomes up to 70 feet wide for the detached single-family homes. On Exhibit 1, sheet C-8 of the Land Use Plan, a table has been provided to indicate the range of residential development standards for the development. The table is typical of the larger residential PUD's, such as WaterBrooke and Highland Ranch, to allow a variety of housing types. Included in the</p> |  |

ordinance under Exhibit 3 are sample architectural elevations. Staff is concerned over the 18 feet wide front loaded (garage on front) townhome product and is not supportive of this type of product.

Two Neighborhood Centers are being planned adjacent to the residential uses that consist of primarily C-1 Light Commercial uses that complement the residential uses. The northern Neighborhood Center may include one grocery store up to 60,000 square feet with a maximum aggregate of 100,000 square feet for the total shopping center. The southern Neighborhood Center may have up to a maximum of 40,000 square feet with any building over 16,000 square feet requiring a Condition Use Permit. This square footage will count in the overall 300,000 square feet of commercial uses for the project.

The remaining non-residential portion of the project, commercial and office uses will primarily be located on the western portion of the site between Hancock Road extension and US Hwy 27. Included in this area is a 15-acre charter school site and 1 ½-acre civic use site. The vision of this area is to develop jobs through office uses while providing supporting commercial uses. The requested office use is 500,000 square feet with 300,000 square feet of commercial use. The owner has included a land use conversion matrix that permits exchanging different types of land use based on traffic equivalents. The land use consists of single family, townhomes, retail, employment and multi-family. A land use may not be converted more than 50% with a limit of 350 dwelling units converted in the employment district. Staff has prohibited any conversions for multi-family in the Neighborhood Centers.

City staff, Lake County staff, the applicant, and their representatives have worked through the proposed project and waivers. Upon discussion and review, staff is able to support a majority of the requested waivers. These staff-supported waivers are the following:

1. Allow private streets within the subdivision with gated entry/exits, as indicated on Exhibit 2,.
2. Allow cut/fill exceeding 10 feet on a maximum of up to 10% of the site as indicated on sheet C-7, Exhibit 1.
3. Allow construction of 20-foot wide, one-way alleys with 12 feet of pavement as long as 20 feet of unobstructed emergency access is maintained, as indicated on sheet C-9, Exhibit 1.
4. Allow individual phases of the PUD to exceed the overall density of the PUD and to allow individual phases of the PUD to be developed without providing common open space in proportion to that contained within the entire PUD.
5. Allow street trees within the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than 6 feet from curbs and sidewalks as long as a minimum of 5 feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.
6. Allow private dead-end streets of less than one hundred fifty (150) feet in length to terminate without a cul-de-sac.
7. Interior landscape buffers between abutting property boundaries may have a shared ten (10) foot wide landscape buffer with a five (5) foot wide buffer on each lot to achieve a minimum ten (10) foot wide buffer.

Three additional requested waivers are not supported by staff. They include: (1) allow a minimum right-of-way width of fifty (50) feet for local streets instead of sixty (60) feet, (2) to allow off-site signage and (3) to allow signage design, height, and width exceeding code. Staff, specifically the utility department, has determined that the reduction of 10 feet in the right-of-way has posed challenges for utility maintenance. Staff also understands the desire to have signage and wayfinding on a project of this magnitude but the specific details of the signage has not been provided. This can be further worked out and presented to City Council through a Master Sign package at a later date.

The developer has incorporated many development standards into the project. These include open space in the form of usable parks, playgrounds, tot lots, community gardens, and pedestrian trails around stormwater ponds. In addition, a 10-acre amenity center is being set aside for the residential component. As for roadway impacts, the developer will enter into a Transportation Impact Fee Credit agreement with Lake County and the City of Clermont. This agreement shall require the developer to fund improvements for ConservII right-of-way, design and permitting of roadways and/or construction of roadways for Transportation impact fee credits. Prior to final plat or site plan approval for residential uses, school concurrency shall be met.

Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. The applicant is requesting several waivers, however; a majority of the waivers have been requested before in other PUD developments. Therefore, staff recommends approval of Ordinance 2019-06 for a Planned Unit Development to be developed in substantial accordance with the Wellness Way PUD Master Plan, Exhibit 2, prepared by VHB with a date of October 18, 2019. *The Planning & Zoning Commission recommended approval, 5-0.*

#### Additional Analysis

#### Fiscal Impact Summary

#### Fiscal Impact

#### Fund Number and Description

#### Available Budget Amount

#### Exhibits Attached (copies of original agreements)

|    |                                                              |                                                                  |
|----|--------------------------------------------------------------|------------------------------------------------------------------|
| 1. | 2019-06 South Lake Crossing REZ PZ Formatted                 | 2019-06 South Lake Crossing REZ PZ Formatted.doc                 |
| 2. | South Lake Crossings Map                                     | South Lake Crossings Map.pdf                                     |
| 3. | JPA ISBA Project Location Outline Annexation Map SL Crossing | JPA ISBA Project Location Outline Annexation Map SL Crossing.pdf |
| 4. | Exhibit 1 - Wellness Way PUD 2019-10-18                      | Exhibit 1 - Wellness Way PUD 2019-10-18.pdf                      |
| 5. | Exhibit 2 - Master Plan 300sc 24x36_REV 101819               | Exhibit 2 - Master Plan 300sc 24x36_REV 101819.pdf               |
| 6. | Exhibit 4 - Proportionate Share                              | Exhibit 4 - Proportionate Share.pdf                              |
| 7. | Wellness Way PUD Rezoning App 04092019                       | Wellness Way PUD Rezoning App 04092019.pdf                       |
| 8. | SL Crossing Legal Ad                                         | SL Crossing Legal Ad.pdf                                         |



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

**AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, AND PUBLICATION.**

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

**SECTION 1.**

The Official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property (hereinafter referred to as the "Property"):

**LEGAL DESCRIPTION**

Parcel 1:

Parcel A

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence S88°49'23"E along the north line of the northwest ¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue S88°49'23"E along said north line, 1976.14 feet; thence S88°49'23"E along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence S00°20'55"W along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.56 feet; thence S89°00'54"E along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence S00°19'09"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of N89°12'24"W, from a 5/8" iron rod and cap #PLS4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence S00°27'16"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of N89°12'03"W from a 4"x4" concrete monument #RLSL993 found at the northeast corner of said northeast ¼ of section 27, thence N89°12'03"W along said north line, 2612.50 feet to a 4"x4" concrete monument found at



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

the northeast corner of the northwest  $\frac{1}{4}$  of said section 27; thence N89°32'30"W along the north line of said northwest  $\frac{1}{4}$  , 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest  $\frac{1}{4}$  of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest  $\frac{1}{4}$  of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest of said section 22, said northwest corner according to certified corner record #48107; thence S89°36'30"W along the east-west center section line of the aforesaid section 21, 1287.60 feet; thence, departing said east-west center section line, N00°00'00"E, 456.14 feet; thence N55°49'12"E, 1567.27 feet to an iron rod with cap #LB68 set at the northwest corner of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of the aforesaid section 22; thence S89°00'54"E along the north line of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  , 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

Less and except therefrom: those parcels described in Official Records Book 849, page 2162; Parcel 122 (fee simple); the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple): the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple): the northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567;

Parcel 129 (fee simple): the westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple): the northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

and:

**Parcel B**

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast  $\frac{1}{4}$ , 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast  $\frac{1}{4}$ , run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 1210.47 feet; thence, departing said east-west center of section line, n00°00'00"e, 456.14 feet; thence n55°49'12"e, 1567.27 feet to the northwest corner of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of the aforesaid section 22; thence s89°00'54"e along the north line of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$ , 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast  $\frac{1}{4}$ , 2134.70 feet to the point of beginning.

Less and except

North Parcel (Cut Out Parcel)

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4 " iron pipe found at the northwest corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast  $\frac{1}{4}$ , 518.50 feet to the east right- of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast  $\frac{1}{4}$ , run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03"w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13' 52"w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of si5°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest  $\frac{1}{4}$  of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of said section 22, 1327.85 feet to the northwest corner of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Being more particularly described as:

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows;

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence s88°49'23"e along the north line of the northwest ¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue s88°49'23"e along said north line, 1976.14 feet; thence s88°49'23"e along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence s00°20'55"w along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.56 feet; thence s89°00'54"e along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence s00°19'09"w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of n89°12'24"w, from a 5/8" iron rod and cap #pls4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence s00°27'16"w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of n89°12'03"w from a 4"x4" concrete monument #rlsl993 found at the northeast corner of said northeast ¼ of section 27, thence n89°12'03"w along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest ¼ of said section 27; thence n89°32'30"w along the north line of said northwest ¼, 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of s89°32'30"e from a 4"x4" concrete monument found at the northwest corner of said northwest ¼ of section 27; thence n00°23'38"e along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest ¼ of the aforesaid section 22, 2696.34 feet; thence n89°12'24"w, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest of said section 22, said northwest corner according to certified corner record #48107; thence n00°23'17"e along the west line of the southwest ¼ of the northwest ¼ of the aforesaid section 22, 1327.85 feet to an iron rod with cap #lb68 set at the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence s89°00'54"e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00"w, 1325.72 feet to the point of beginning.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

Less and except therefrom;  
Those parcels described in Official Records Book 849, page 2162;

Parcel 122 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple):

The northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.  
Also less from said section 22, that parcel described in Official Records Book 845, page 567:

Parcel 129 (fee simple):

The westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that Parcel described in Official Records Book 851, page 1455:

Parcel 130 (fee simple):

The northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, all in the Public Records of Lake County, Florida.

Parcel 2:

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

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence n89°16'46"e along the north line of said northeast 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

Donald W. McIntosh associates, inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast  $\frac{1}{4}$ , run the following fourteen (14) courses and distances along said east right-of-way line; s09°07'38"w, 226.88 feet; s08°14'05"w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58"w, 235.08 feet; s07°40'42"w, 73.87 feet; s08°15'45"w, 120.18 feet; s08°15'35"w, 293.65 feet; s07°52'00"w, 391.90 feet; s08°15'41"w, 126.07 feet; s09°13'52"w, 181.39 feet; s09°21'18"w, 192.16 feet; s08°48'22"w, 191.95 feet; s10°07'14"w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01"e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30"e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest  $\frac{1}{4}$  of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of said section 22, 1327.85 feet to the northwest corner of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$ , 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of said section 22; thence n88°49'23"w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast  $\frac{1}{4}$  of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46"w along the north line of said northeast  $\frac{1}{4}$ , 2134.70 feet to the point of beginning.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, and that certain declaration of easement and agreement regarding Road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 1023, all in the Public Records of Lake County, Florida.

Contains 743.00 acres more or less.

**LOCATION**

East of US 27, West of Five Mile Road, North of Schofield Road, and South of Hartwood Marsh Road, Wellness Way (South Lake Crossings) Planned Unit Development  
(Alternate Keys 3777484, 1412315, 3853225, 1594529, 3777485, 1028477, and 3853226)

**From: Urban Transition (UT)**  
**To: Planned Unit Development (PUD)**

**SECTION 2.**

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed. To the extent that any term, condition, part or entitlement contained herein conflicts with any existing, ordinance, land development code provision or regulation of the City of Clermont, this Ordinance shall control.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from the Section to which such holding shall apply.





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

**SECTION 3.**

The exhibits below are contained in this Planned Unit Development (PUD) Ordinance and shall be referenced throughout the document and the life of the Planned Unit Development.

- Exhibit 1: Wellness Way Planned Unit Development Land Use Plan
- Exhibit 2: Wellness Way Planned Unit Development Master Plan
- Exhibit 3: Wellness Way Planned Unit Development Architectural Elevations
- Exhibit 4: Wellness Way Planned Unit Development Transportation Impact Study/Proportionate Share

**SECTION 4. General Conditions**

The Planned Unit Development approved herein shall allow for residential, commercial, office, institutional, open space and civic uses on the Property subject to the following conditions:

1. This Ordinance shall be recorded in the Public Records of Lake County at the expense of the applicant and the conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Wellness Way Planned Unit Development Master Plan, prepared by VHB, dated October 18, 2019 and incorporated herein and made a part hereof as Exhibit 2. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plans approval stage of each phase of the project. Applicable permits for any gopher tortoises and associated burrow commensal species or other threatened or endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of development activity.
5. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials and construction of the fiber optic conduit and pull boxes. At the time of site plan review, the City's Information Technology Director or authorized designee will make this determination.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

6. Easements shall be provided to the City at no expense to the City authorizing the City's unrestricted access to any existing and proposed utilities that the City will own and maintain.
7. The current use of the property is agriculture and may continue this use until clearing or grading for development occurs.
8. School concurrency shall be met before any final site plan approval that contains residential uses that will generate school age children in accordance with the Comprehensive Plan and Land Development Code. Wellness Way Planned Unit Development may plat the residential tracts in accordance with the Land Use Plan (Exhibit 1) in order to maintain its concurrency reservation certificate #LCS 2019-17 issued by Lake County School Board on July 17, 2019. Said Concurrency Reservation Certificate and Cover Letter stipulate a one (1) year period to enter into a Developer Agreement or Planned Unit Development adoption by ordinance with the City of Clermont. Furthermore, the same School Board Certificate and Cover Letter stipulate two (2) six month extensions to secure plat approval.
9. Any applicant for development of any portion of the Property may submit an application for multiple approvals as may be required under the City Code and request that such multiple applications be processed concurrently; however, such concurrent processing shall meet all applicable procedural and advertising requirements and shall proceed at the applicant's own risk, and shall have no implication in regard to the approval of any of the various approvals requested.

**SECTION 5. Land Uses and Specific Conditions**

1. Residential:
  - a. A total of 1,850 residential dwelling units, comprised of single-family dwelling units, duplexes, and townhouses. The Wellness Way Planned Unit Development gross development density and intensity will not exceed the Comprehensive Plan maximum residential density of 12 dwelling units/acre and 0.25 FAR. The applicant shall provide a table with the current and proposed total cumulative number of residential units, Floor Area Ratio, and Impervious Surface Ratio (ISR) for each phase of development or each site plan review. The Wellness Way Planned Unit Development Land Use Plan adopted by this Ordinance as Exhibit 1 shall govern the land uses and location within the project.
  - b. Phasing of Development: The project may be developed in multiple phases. Each phase of development shall have sufficient infrastructure to stand alone.
  - c. Any front loaded residential product on lots less than 40 feet in width shall incorporate hardscape features such as 3-foot masonry walls and/or decorative courtyard features along the front property line and side property lines. These features will be designed to soften the exterior of the buildings and complement the architectural styles while defining lot lines.
  - d. Residential Development Standards: Development standards for the development of residential dwelling units, shall be based on the size of the lot, as indicated in the table below:



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

| Design Item                                                                               | Townhomes         | Single Family Detached |                   |
|-------------------------------------------------------------------------------------------|-------------------|------------------------|-------------------|
|                                                                                           | (feet)            | Rear Load (feet)       | Front Load (feet) |
| Minimum Lot Width                                                                         | 18                | 32 – 40                | 40 - 70           |
| Minimum Living Area                                                                       | 1,000 sf          | 1,200 sf               | 1,500 sf          |
| Minimum Lot Depth                                                                         | 110               | 110                    | 120               |
| Minimum Front Building Setback (front load/rear load)                                     | 20 / 15           | 15                     | 20                |
| Minimum Front Porch Setback                                                               | 10                | 10                     | 10                |
| Minimum Garage Setback (front/rear)<br>(measured from edge of pavement)                   | 20/20             | 20/20                  | 20/20             |
| Minimum Side Yard Setback                                                                 | 0 / 5 (end units) | 5                      | 5                 |
| Setback From Side Street                                                                  | 15                | 15                     | 15                |
| Minimum Rear Yard Setback                                                                 | 20                | 20                     | 20                |
| Minimum Rear Yard Setback for Pools, Patios, Decks or Ancillary Structures                | 5                 | 5                      | 5                 |
| Rear Setback from Edge of Alley Pavement <sup>1</sup>                                     | 20                | 20                     | N/A               |
| Minimum Building Separation                                                               | 10                | 10                     | 10                |
| Maximum Impervious Surface Ratio (ISR) <sup>2</sup>                                       | 0.85              | 0.75                   | 0.75              |
| Maximum Building Height <sup>3</sup>                                                      | 40                | 40                     | 40                |
| Setback from Normal High Water Line, Mean High Water Line, or Jurisdictional Wetland Line | 25                | 25                     | 25                |
| Minimum Front Yard Utility Easement                                                       | 10                | 10                     | 10                |
| Minimum Side and Rear Yard Drainage and Utility Easement                                  | 5                 | 5                      | 5                 |

<sup>1</sup>Detached garages shall be setback a minimum of 3 feet.

<sup>2</sup>The maximum allowable ISR for the overall Planned Unit Development shall be 0.60. Individual lot ISR may exceed 0.60 as shown in the table above as long as overall maximum is not exceeded.

<sup>3</sup> The maximum height for recreational amenity buildings shall be 55 feet.

2. Employment District/Neighborhood Commercial:



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

- a. The maximum square footage of all Employment District tracts and Neighborhood Center Tracts shall not exceed 800,000 square feet – 500,000 square feet of employment use and 300,000 square feet of C-2 General Commercial uses. Any increase over 300,000 square feet of C-2 General Commercial Uses will require an amendment to the Planned Unit Development.
- b. Density/Intensity:      Residential Density                      12 dwelling units/acre per parcel  
                                         Employment Intensity                      0.25 Floor Area Ratio per parcel
- c. Phasing of Development: The project may be developed in multiple phases. Each phase of development shall have sufficient infrastructure to stand alone.
- d. Employment District:
- i. Employment Districts are primarily designated for employment hubs with uses such as professional offices and institutional uses. Ancillary uses are permitted under the C-2 General Commercial use. Any development that is conditional under the C-2 General Commercial use shall require a Conditional Use Permit, unless prohibited below.
  - ii. Prohibited uses are as follows,
    - Automobile and truck services, carwashes, and automobile, truck, boat and farm equipment sales.
    - Major equipment sales, manufactured housing sales, travel trailer and recreational vehicle sales.
- e. Neighborhood Center:
- i. A Neighborhood Center shall have a maximum of 140,000 square feet. Neighborhood Centers are primarily designated for C-1 Light Commercial uses that complement the adjacent residential uses. The uses permitted are the C-1 Light Commercial uses. The uses may include one grocery store up to 60,000 square feet, not to exceed a total maximum aggregate of 100,000 square feet in the shopping center on the northern Neighborhood Center. The southern Neighborhood Center may have up to 40,000 square feet, with any building over 16,000 square feet requiring a Conditional Use Permit. Any remaining square footage not developed in the Neighborhood Centers under the 140,000 square feet may be used in the Employment District.
- f. Employment District Development Standards: Development within the Employment District parcels shall comply with the C-2 General Commercial District development standards listed in Division 11 of the City of Clermont Land Development Code.
- g. Neighborhood Commercial District Development Standards: Development within the Neighborhood Commercial District shall comply with the standards listed below,

|                 |            |                   |
|-----------------|------------|-------------------|
|                 | Commercial | Employment        |
| Building Height | 35 feet/2- | 35 feet/2-stories |



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

|                     |         |     |
|---------------------|---------|-----|
|                     | stories |     |
| Max Impervious      | 75%     | 75% |
| Max Lot Coverage    | 75%     | 75% |
| Building Separation | N/A     | N/A |

- h. Land Use Conversion Matrix: Land uses within the Employment District and Neighborhood Commercial District shall be converted per the rates listed below. Residential development in the Employment District is limited to 350 dwelling units. No multi-family may be converted and developed in the Neighborhood Commercial Districts.

|            | 1,000 SF<br>Commercial | 1,000 SF<br>Employment | 1 Dwelling Unit<br>Townhome | 1 Dwelling<br>Unit Apartment |
|------------|------------------------|------------------------|-----------------------------|------------------------------|
| Commercial |                        | 3.86                   | 32.14                       | 40.91                        |
| Employment | 0.06                   |                        | 1.79                        | 2.27                         |
| Townhomes  | 0.03                   | 0.56                   |                             | 1.27                         |
| Apartment  | 0.05                   | 0.44                   | 0.79                        |                              |

Maximum conversion shall be 50% of the land use total.

- i. Parking Standards: Parking shall be provided per Section 98-14 of the City of Clermont Land Development Code.
- j. Yard Setbacks: The following yard setbacks shall apply to the Employment District and Neighborhood Commercial District,
- (1) Front yard. Property adjacent to U.S. Highway 27 shall maintain a 50-foot setback. The setback on all other streets shall be 25 feet.
  - (2) Side yard. The minimum side yard setback shall be 12 feet. On corner lots, a side yard setback of 50 feet shall be maintained on U.S. Highway 27 and a side yard setback of 25 feet shall be maintained from all other streets and 12 feet on the interior side yard. However, a side setback of 25 feet shall be maintained on the side adjacent to property that is either zoned or used as residential.
  - (3) Rear yard. The minimum rear yard setback shall be 25 feet except where a rear yard abuts U.S. Highway 27, a setback of 50 feet shall be maintained. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.
  - (4) Buffer strip. When a conditional or commercial use abuts a residential use, the conditional or commercial use shall provide a landscaped buffer strip along the abutting property line unless the residential use is within the Employment District boundaries.





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

- (5) Other setbacks. All yard setbacks for principal buildings shall be a minimum of 25 feet from established high-water marks. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

- k. Floor space: Any business establishment or structure proposing to occupy more than 16,000 square feet of floor space shall require a Conditional Use Permit as required by the Land Development Code.

**SECTION 6. Open Space**

1. Open space in accordance with the Comprehensive Plan, Chapter X, Recreation and Open Space, Policy 1.1.1 shall be provided and the Land Development Code (LDC), as amended. The adopted level of service standard for park land is 10 acres per 1,000 residents. This standard includes both passive and active City parks and recreational facilities, and includes community, neighborhood and mini-parks.
2. A minimum of four (4) percent of the gross acreage of the Planned Unit Development shall be provided as recreation in accordance with the Comprehensive Plan and Land Development Code (LDC).
3. Open Space/Recreation areas shall be provided in the form of useable parks, playgrounds, tot lots, community gardens, wetlands, wetland buffers, multi-use trails or similar related use areas. Wetlands and wetland buffers may be considered open space but not amenities as defined in 4 below.
4. Open Space amenities shall qualify as neighborhood centers and will be owned, operated and maintained by the Homeowners Association. Eighty percent (80%) of the homes shall be within one quarter (1/4) mile of a neighborhood center.
5. Each park or amenity area shall be required to have pedestrian and bicycle connections for the residents.
6. Stormwater ponds with pedestrian trails shall contribute up to one third (1/3) the required four (4) percent recreation area.
7. Amenities such as benches, and/or picnic tables, gazebos, overlooks or similar improvements must be included with trails to qualify as part of the calculated parks and community amenities requirement.

**SECTION 7. Landscaping, Buffering, and Screening**

1. Buffers shall be provided consistent with Section 118-73 of the City of Clermont Land



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

Development Code. Interior landscape buffers between abutting property boundaries may have a shared ten (10) foot wide landscape buffer with a five (5) foot wide buffer on each lot to achieve a minimum ten (10) foot wide buffer.

2. No landscaping buffer is required along the perimeter of the Planned Unit Development adjacent to wetlands, open water and conservation areas.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

3. A waiver to Section 118-71(1) of the Land Development Code is granted in order to allow street trees within the right-of-way along the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than six feet from curbs and sidewalks as long as a minimum of five feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.
4. All other landscaping, buffering, and screening requirements shall be in accordance with the Land Development Code, as amended. Existing trees may be used to meet the landscape buffer requirements in accordance with the Land Development Code, as amended.

**SECTION 8. Environmental**

1. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plans approval stage of each phase of the project. Applicable permits for any gopher tortoises and associated burrow commensal species or other threatened or endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of development activity.
2. Wetlands onsite will be placed in a conservation easement. Areas placed in a perpetual conservation easement will be recorded with the Lake County Clerk of Court.
3. Grading shall be completed in accordance with the approved Cut and Fill Analysis for the project set forth in Exhibit 1, sheet C-7.

**SECTION 9. Environmental Services**

1. The developer shall connect to the existing City potable water, sanitary sewer and reclaimed water (when available) systems at connection point or points approved by the City.
2. The route of any off-site lines shall be according to engineering plans produced by the developer and approved by the City.
3. Any proposed City-maintained utilities that are not located within a dedicated public right-of-way shall be placed in a utility easement dedicated to the City. Easements shall be provided at no expense to the City and in a form acceptable to the City.
4. The Developer shall be responsible for all costs of on-site improvements, including, but not limited to design, material, permitting, connection and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the City to serve the property.
5. Any existing dedicated City of Clermont utilities must stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the Developer shall prepare plans, permit the project and construct the modification at the Developer's expense.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

6. No building permits shall be issued until water and sewer are provided to the site or until a bond or letter of credit, acceptable to the City, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the City.
7. The City may require a looped system to provide reliability and redundancy to the property.
8. The project shall be plumbed for reuse water with purple piping to irrigate all uses.
9. All utilities shall be designed and installed as per the City's specifications or as amended and approved by City staff.
10. Drainage/Stormwater Management: The Developer shall submit drainage calculations and a stormwater management plan when filing for final engineering approval. A lawfully created Community Development District or other entity acceptable to the City, shall be responsible for maintenance of all private stormwater ponds and drainage systems and improvements. Unless otherwise provided in the approved plans or plat for the Project, or in a separate agreement approved by the City, all such improvements located on the private property, including, streets, roads and bike or pedestrian paths, shall be maintained by the Community Development District or other entity acceptable to the City.
11. 10 foot utility lateral line easements may be used in lieu of 15 feet in order to accommodate standard 10 foot building separation.
12. Lift station access may utilize 20 feet easement over access ways to connect to public dedicated road.
13. Bulkheads, walls, or non-turf vegetation slope stabilization may be used for stormwater retention side slopes.
14. To the extent that any water, sewer or reclaimed improvements provide capacity additional to that is required to serve the Project, the Developer reserves its rights, pursuant to Section 2-267 – Credits, of the City Code, to enter into an impact fee agreement with the City which shall provide for the establishment of credits and payment of impact fees in a specified manner and time. The terms and conditions of an impact fee agreement between the Developer and the City may replace or supersede the conditions contained in this Planned Unit Development.
15. To the extent that any off-site water, sewer or reclaimed improvements are required to serve the Project, the Developer reserves its rights, pursuant to Section 2-267 – Credits, of the City Code, to enter into an impact fee agreement with the City which shall provide for the establishment of credits and payment of impact fees in a specified manner and time. The terms and conditions of an impact fee agreement between the Developer and the City may replace or supersede the Environmental Service conditions contained in this Planned Unit Development.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

**SECTION 10.     Transportation Improvements/Access Management**

1. The development shall comply with all applicable City, County and Florida Department of Transportation access management requirements, including but not limited to, a traffic/transportation impact study reviewed and approved by Lake-Sumter Metropolitan Planning Organization. The Developer shall timely complete all required mitigation and other improvements as may be applicable.
2. The Developer shall enter into a Transportation Impact Fee Credit agreement with Lake County and the City of Clermont by December 31, 2020 which should be based upon Exhibit 4 – Wellness Way Transportation Impact Study/Proportionate Share. The Agreement shall require the Developer to fund improvements for ConservII right-of-way, design and permitting of roadways and/or construction of roadways for Transportation impact fee credits based upon the following priorities:
  - i. Design and permitting of Wellness Way from US Highway 27 to the Orange County line as a four-lane roadway
  - ii. Payment in escrow to Lake County for the acquisition of the four-lane right-of-way from Conserv for Wellness Way;
  - iii. Construction of Wellness Way from Hancock Road to the Orange County line as the first two lanes of the ultimate four lane roadway;
  - iv. Payment in escrow to Lake County for the acquisition of the four lane right-of-way from Conserv for Hancock Road;
  - v. Design and permitting of Hancock Road from Wellness Way to the northern boundary of the Conserv property as a four lane roadway;
  - vi. Construction of Hancock Road from Wellness Way to the entrance of the Fuqua project south of Hartwood Marsh Road as the first 2-lanes of the ultimate 4-lane roadway;
  - vii. Construction of the 3rd and 4th lanes of Wellness Way from US 27 to the Hancock/Schofield intersection;
3. The Developer will be responsible for their proportionate share of traffic signals, when warranted, at the time of construction for intersections that serve the project, including Wellness Way. The proportionate share shall be based upon the actual cost of traffic signals at the time they are constructed.
4. The Community Development District (CDD) or Property Owners Association (POA) shall be responsible to maintain all landscaping, hardscaping, traffic control devices, and stormwater conveyance systems on all private streets.
5. Any landscape, hardscape, signage, community ID signage or other improvements within the right-of-way that are above and beyond City or County minimum standards shall be maintained by the Community Development District, Property Owners Association, or similar entity.





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

6. Private drive aisles, private access ways, private easements for vehicular use shall not be required to be platted or re-platted.
7. For intersections on private streets, angled right-of-way lines in lieu of 25-foot radius may be used to accommodate fencing and building walls.
8. Curb radii internal to development for streets or access ways may utilize a 10-foot curb radii to promote traffic calming and pedestrian intersection and crossing safety.
9. Sidewalks/Streets:
  - a. Sidewalks to be constructed on both sides of residential and commercial streets.
  - b. Context sensitive street design standards/solutions as published by AASHTO & ITE shall be utilized for private streets and right-of-way within the boundary of the Planned Unit Development where the design speed is 30 miles per hour or under and City referenced Florida Department of Transportation highway standards and specifications do not align with low speed street design.
  - c. A waiver to Section 110-192(1) of the Land Development Code is granted to allow private streets with gates. Streets within the development will be gated, as shown in Exhibit 2, and will be maintained by the developer or Home Owners Association.
  - d. A waiver to Section 110-195(b) of the Land Development Code is granted to allow construction of 20-foot-wide, one-way alleys with 12 feet of pavement as long as 20 feet of unobstructed emergency access is maintained, unless greater distances are warranted by fire code.
10. Parking:
  - a. The Planned Unit Development may be developed using shared parking methodology, as determined by the Developer and reviewed and approved by the Site Review Committee.
11. The project development program can be modified based on the Wellness Way Planned Unit Development Equivalency-Trip Conversion Matrix contained in Exhibit 1. Any change in the development program mix will require the converting average daily trips between land uses based on the matrix. The matrix is designed to equate land uses based on equivalent traffic impacts such that use of the matrix should not impact the overall traffic impact of the project. The following are limitations on the use of the trip conversion matrix included in Exhibit 1, without amending the Planned Unit Development:
  - a. No more than fifty percent (50%) of each land use category located within the Employment and Neighborhood Commercial districts may be converted, subject to Section 5 (2) (a).



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

- b. No more than 350 multi-family units may be developed using the Wellness Way Planned Unit Development Equivalency-Trip Conversion Matrix within the Employment districts.
12. Decorative street lighting shall be included for all Planned Unit Development internal roadways and along Wellness Way and Hancock Road adjacent to the project. The Developer shall coordinate with the power utility provider for the installation and placement. The Developer shall be responsible for the cost of installation.
13. The Developer shall coordinate with the City, Lake County, and any other State Agencies in the placement and designing of a multi-purpose trail along the project's boundary as shown within in Exhibit 1 Wellness Way Planned Unit Development Land Use Plan.

**SECTION 11. Signs**

1. Signage shall be developed in accordance to the Master Sign Plan, which will be brought forth at a later date, and Chapter 102 where applicable, unless a specific waiver from the Land Development Code is granted.
2. City Gateway Signage and Community Identification Signage may be installed at the locations indicated on Exhibit 2, only after a Master Sign Plan is presented and approved by City Council.

**SECTION 12. School Concurrency**

School concurrency shall be met before final plat approval in accordance with the Comprehensive Plan and Land Development Code.

**SECTION 13. Concurrency Management Requirements**

Concurrency Management Requirements: Any development shall comply with the Lake County and the City of Clermont Concurrency Management System, as amended.

**SECTION 14. Development Review and Approval**

1. Prior to the issuance of permits, the developer shall be required to submit a Preliminary Plat, Construction Plans, and Final Plat generally consistent with Exhibit 2 - Conceptual Plan, prepared by VHB, dated October 18, 2019 for review and approval in accordance with the Comprehensive Plan and Land Development Code, as amended.
2. Expiration of applicable incremental development orders or project development agreement shall not occur prior to the expiration of the Planned Unit Development which shall not be less than five (5) years after the planned last phase of the development program. This Planned Unit Development shall become null and void if substantial construction work has not begun within five (5) years of the date that this Planned Unit Development is executed and signed by the permittee. "Substantial construction work" means the commencement and



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

continuous prosecution of construction of required improvements ultimately finalized at completion.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

**SECTION 15.     Future Amendments to Statutes, Code, Plans, and/or Regulations**

The specific references in this Planned Unit Development to the Florida Statutes, Florida Administrative Code, City Comprehensive Plan, and City Land Development Code shall include any future amendments to the statutes, code, plans, and/or regulations.

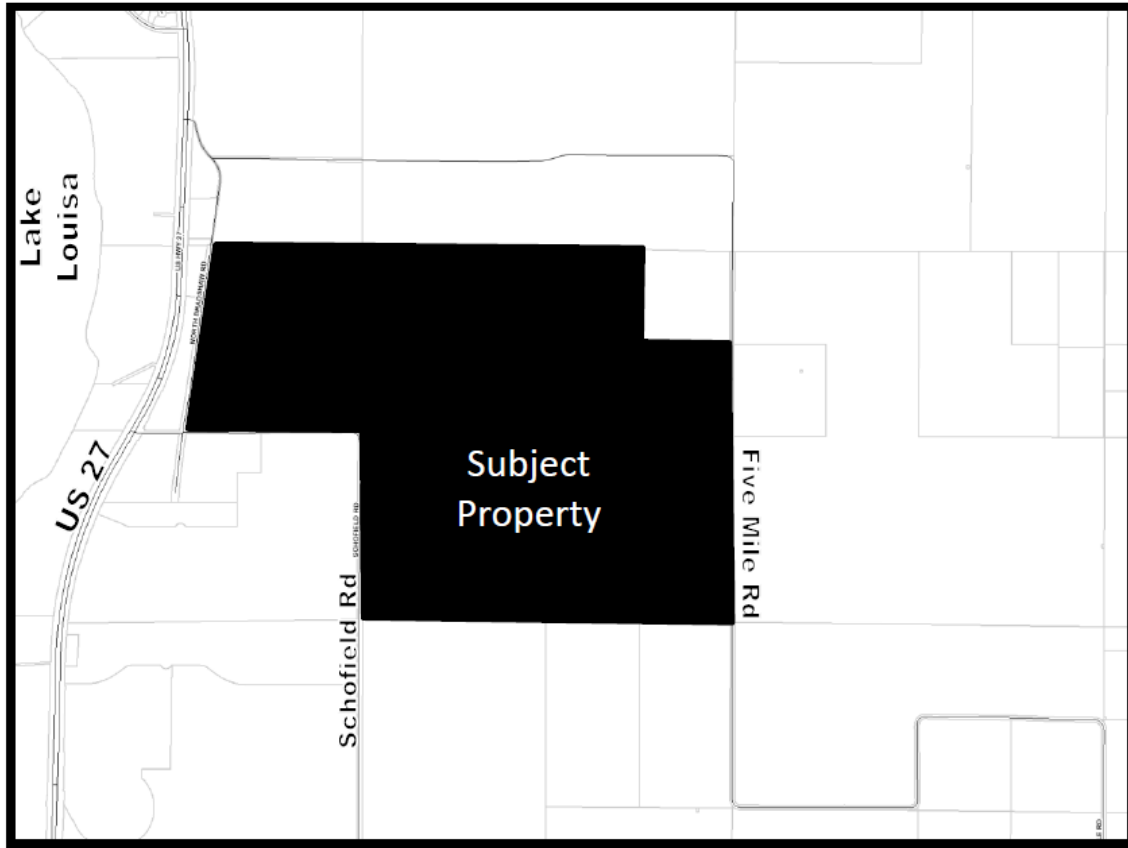
**SECTION 16.     Additional Conditions**

1. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Planned Unit Development. Any other proposed use must be specifically authorized by the Clermont City Council.
2. This Planned Unit Development shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
3. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental permitting agencies.
4. The transfer of ownership or lease of any or all of the property described in this Planned Unit Development shall be included in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Planned Unit Development and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Land Development Code, as amended.

**SECTION 17.**

This Ordinance shall be published as provided by law, and it shall become law and take effect upon its Second Reading and Final Passage.

Location map:







*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 19th day of November, 2019.

CITY OF CLERMONT

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Gail L. Ash, Mayor

ATTEST:

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Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

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Daniel F. Mantzaris, City Attorney



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

Exhibit 1: Wellness Way PUD Land Use Plan



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

Exhibit 2: Wellness Way Master Plan

Exhibit 3: Wellness Way PUD Architectural Elevations



Townhome Elevations: 22' Front Loaded – For illustrative purposes only



Townhome Elevations: 25' Rear Loaded – For illustrative purposes only



Exhibit 3: Wellness Way PUD Architectural Elevations



Single Family Elevation: 40' lot – For illustrative purposes only



Single Family Home Elevation: 32' lot – For illustrative purposes only



Exhibit 3: Wellness Way PUD Architectural Elevations



Single Family Home Elevation: 50' lot – For illustrative purposes only



Single Family Home Elevation: 50' lot – For illustrative purposes only



Exhibit 3: Wellness Way PUD Architectural Elevations



Single Family Home Elevation: 60' lot – For illustrative purposes only



Single Family Home Elevation: 60' lot – For illustrative purposes only

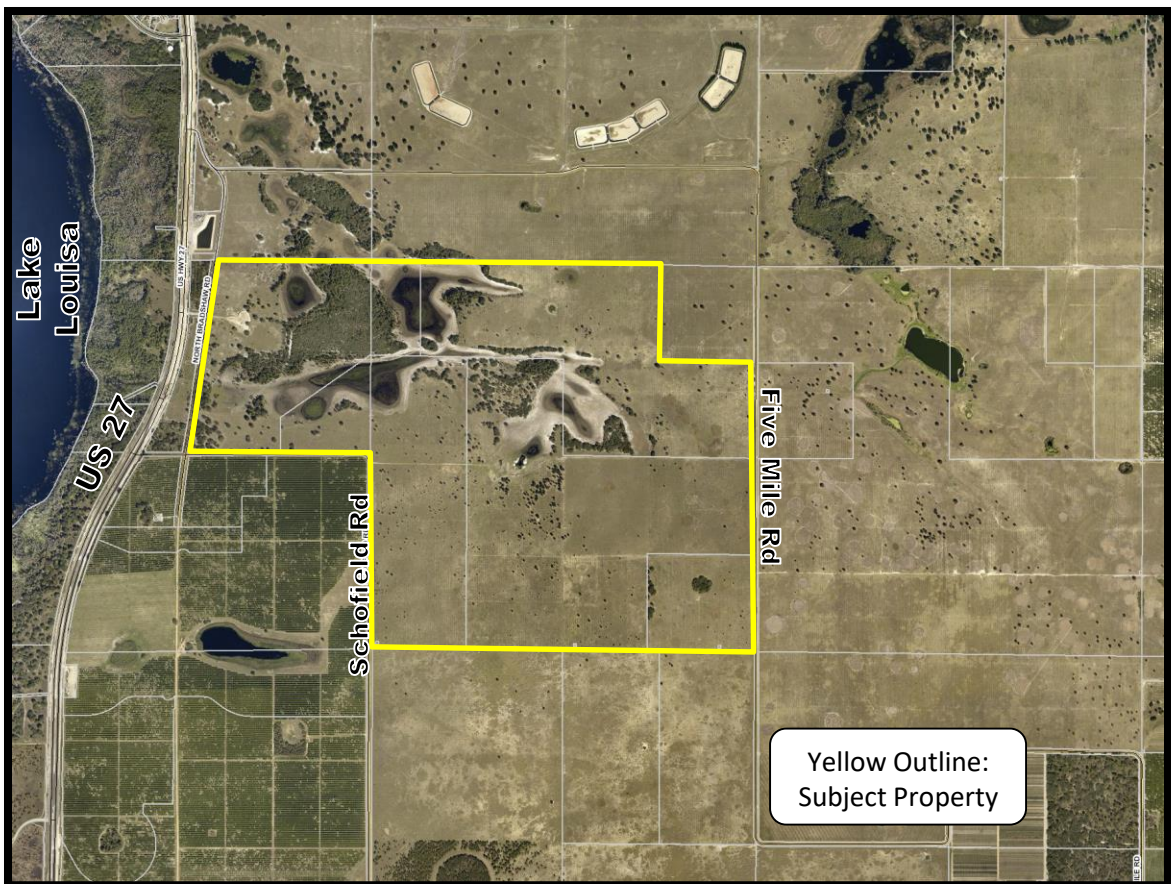
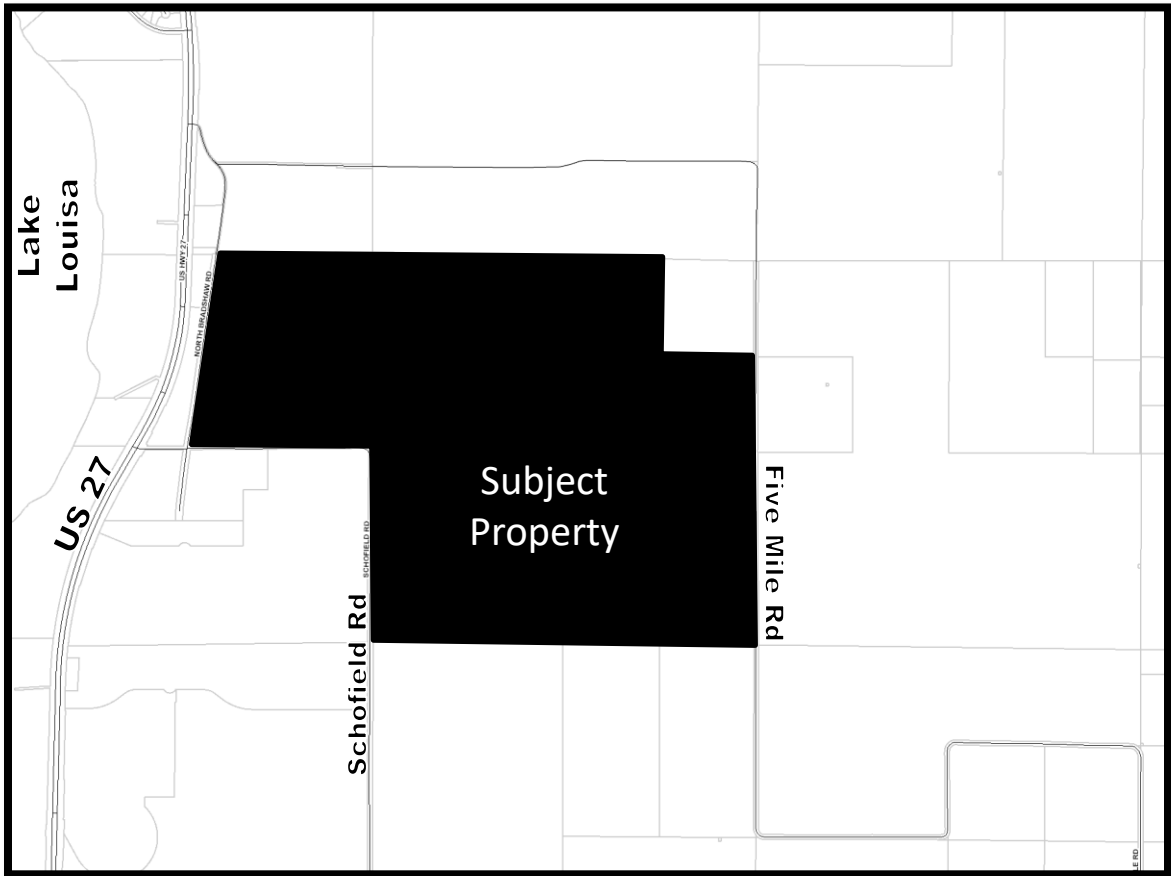


*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-06**

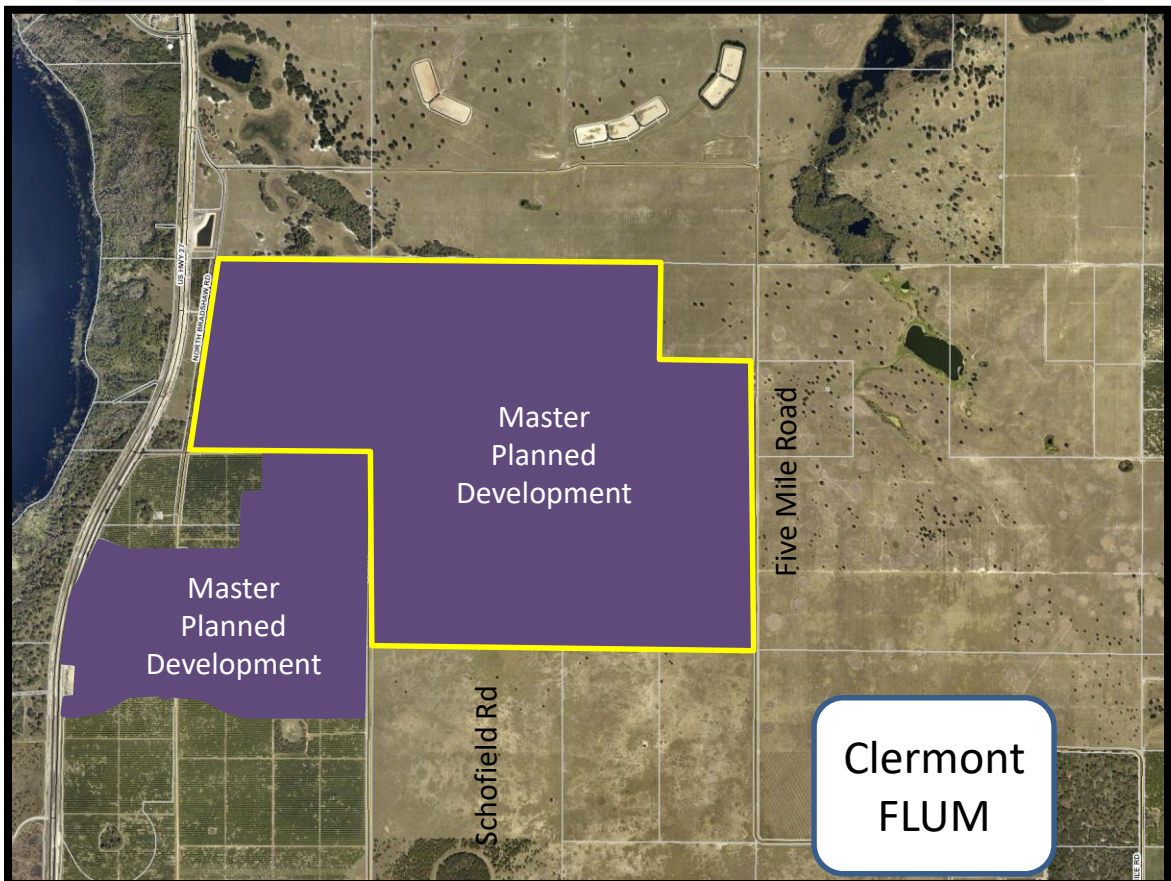
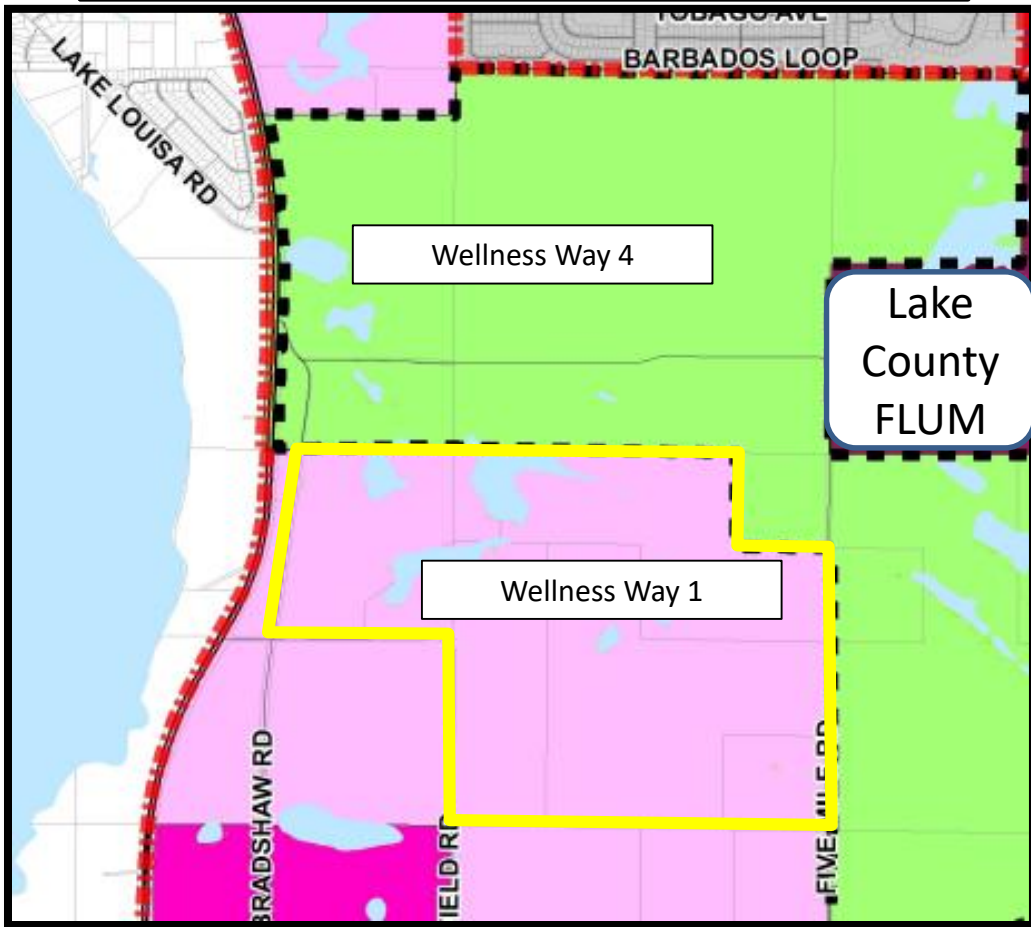
Exhibit 4: Wellness Way PUD Transportation Impact Study/Proportionate Share



# Exhibit - Location Map – South Lake Crossing Property

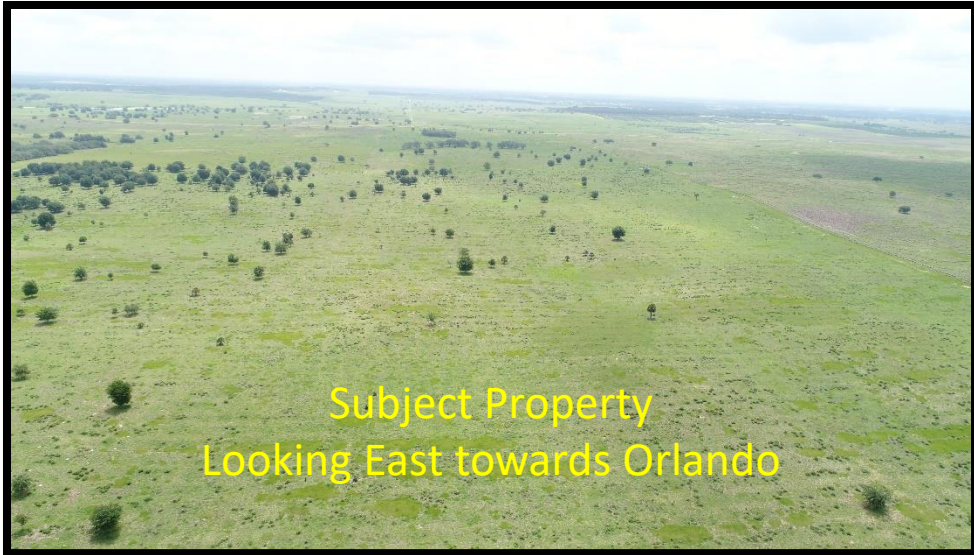


# Future Land Use Map—South Lake Crossing

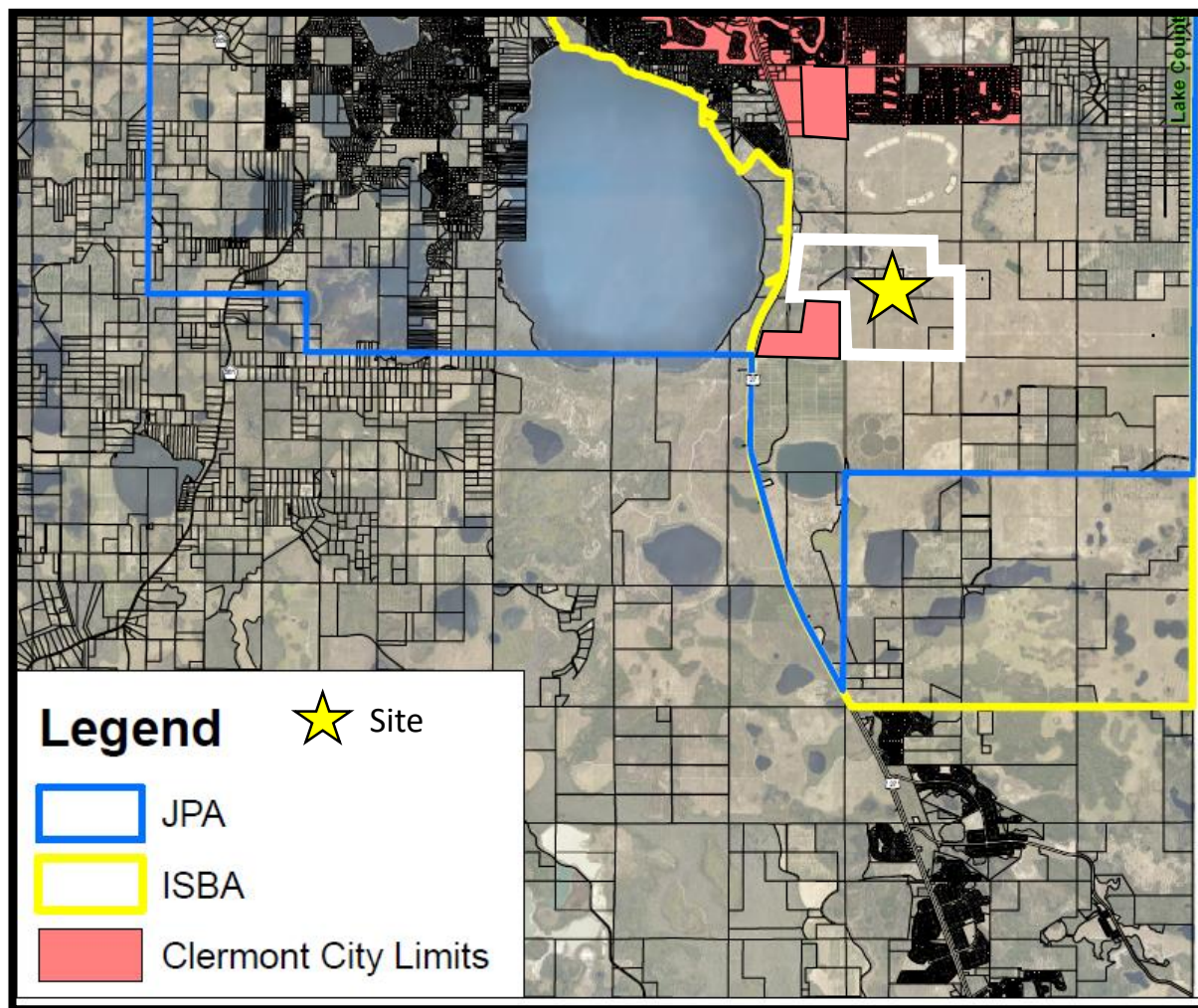




## Exhibit –South Lake Crossing



## Location within ISBA/JPA – South Lake Crossing





Engineers | Scientists | Planners | Designers



225 E. Robinson Street  
Suite 300  
Orlando, FL 32801  
407.839.4006  
407.839.4008  
Certificate of Authorization Number FL #3932

Hall Development Services Inc.

LEGAL DESCRIPTION  
SEE SHEET C-2.

# WELLNESS WAY PUD

## Clermont, Florida

Parcel ID: 21-23-26-0001-000-00500, 22-23-26-0003-000-00300,  
21-23-26-0001-000-00700, 22-23-26-0003-000-00400,  
22-23-26-0001-000-00900, 22-23-26-0004-000-00600,  
22-23-26-0002-000-01000

### Development Team

Owner:  
**South Lake Crossings I/II LLC**  
P.O. Box 135  
Windermere, FL 34786

Developer:  
**Lennar**  
6750 Forum Drive  
Suite 310  
Orlando, Florida 32821

Planning Consultant:  
**Hall Development Services, Inc.**  
1302 Osprey Ave.  
Orlando, Florida 32803

Land Planner/Civil Engineer:  
**VHB**  
225 E. Robinson Street, Suite 300  
Orlando, Florida 32801  
Phone: 407.839.4006 · Fax: 407.839.4008

Applicant/Land Use Attorney:  
**Shutts & Bowen LLP**  
300 South Orange Ave. Suite 1600  
Orlando, Florida 32801

# Land Use Plan

|              |                  |
|--------------|------------------|
| Issued for   | PUD Approval     |
| Date Issued  | April 5, 2019    |
| Latest Issue | October 18, 2019 |

### Sheet Index

| Number | Drawing Title                                | Latest Issue |
|--------|----------------------------------------------|--------------|
| C-2    | Legal Description                            | 10/4/2019    |
| C-3    | Existing Conditions Plan                     | 10/4/2019    |
| C-4    | Topography Plan                              | 10/4/2019    |
| C-5    | Environmental Conditions Plan                | 10/4/2019    |
| C-6    | Land Use Plan                                | 10/18/2019   |
| C-7    | Cut & Fill Analysis                          | 10/18/2019   |
| C-8    | Development Standards                        | 10/18/2019   |
| C-9    | Typical Lot Diagrams & Typical Road Sections | 10/18/2019   |
| C-10   | Master Sign Plan                             | 10/18/2019   |
| C-11   | Sign Character Sketches                      | 10/18/2019   |

**Request:**  
Rezone the property to PUD for a proposed development program of 1,850 residential units and approximately 800,000 s.f. of non-residential uses.



Site Location Map



0 2500 5000 Feet



LEGAL DESCRIPTION:

PARCEL 1:

PARCEL A

ALL THOSE PORTIONS OF SECTIONS 21, 22 AND 23, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT A 1-1/4" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48105; THENCE N89°16'46"E, 2653.20 FEET ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 TO A 2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF SAID SECTION 21, SAID NORTHEAST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48106; THENCE S88°49'23"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22, 670.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S88°49'23"E ALONG SAID NORTH LINE, 1976.14 FEET; THENCE S88°49'23"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, 1323.29 FEET; THENCE S00°20'55"W ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 22, 1314.56 FEET; THENCE S89°00'54"E ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, 1290.91 FEET TO THE WEST RIGHT-OF-WAY LINE OF FIVE MILE ROAD (A 66' WIDE RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 357, PAGE 21, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA); THENCE S00°19'09"W ALONG SAID WEST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET WESTERLY, BY PERPENDICULAR MEASURE, FROM THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 22, 1310.25 FEET TO A POINT IN THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22, DISTANT 33.00 FEET ON A BEARING OF N89°12'24"W, FROM A 5/8" IRON ROD AND CAP #PLS4779 FOUND AT THE EAST 1/4 CORNER OF SAID SECTION 22, SAID EAST 1/4 CORNER ACCORDING TO CERTIFIED CORNER RECORD #084030; THENCE S00°27'16"W ALONG SAID WEST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET WESTERLY, BY PERPENDICULAR MEASURE, FROM THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22, 2681.30 FEET TO A POINT IN THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 26 EAST, SAID POINT BEING DISTANT 33.00 FEET ON A BEARING OF N89°12'03"W FROM A 4"x4" CONCRETE MONUMENT #RLSL993 FOUND AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 27, THENCE N89°12'03"W ALONG SAID NORTH LINE, 2612.50 FEET TO A 4"x4" CONCRETE MONUMENT FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27; THENCE N89°32'30"W ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, 2614.54 FEET TO A 4"x4" CONCRETE MONUMENT FOUND IN THE EAST RIGHT-OF-WAY LINE OF SHELL POND ROAD, AND BEING DISTANT 33.00 FEET ON A BEARING OF S89°32'30"E FROM A 4"x4" CONCRETE MONUMENT FOUND AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF SECTION 27; THENCE N00°23'38"E ALONG SAID EAST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET EASTERLY, BY PERPENDICULAR MEASURE, FROM THE WEST LINE OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 22, 2696.34 FEET; THENCE N89°12'24"W, 33.00 FEET TO A 1-1/2" IRON PIPE FOUND AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF SECTION 22, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48107; THENCE S89°36'30"W ALONG THE EAST-WEST CENTER SECTION LINE OF THE AFORESAID SECTION 21, 1287.60 FEET; THENCE, DEPARTING SAID EAST-WEST CENTER SECTION LINE, N00°00'00"E, 456.14 FEET; THENCE N55°49'12"E, 1567.27 FEET TO AN IRON ROD WITH CAP #LB68 SET AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22; THENCE S89°00'54"E ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, 679.40 FEET; THENCE, DEPARTING SAID NORTH LINE, N00°00'00"W, 1325.72 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THEREFROM: THOSE PARCELS DESCRIBED IN OFFICIAL RECORDS BOOK 849, PAGE 2162: PARCEL 122 (FEE SIMPLE) : THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE EASTERLY 35.00 FEET OF THE WESTERLY 2832.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA. PARCEL 123 (FEE SIMPLE): THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE EASTERLY 35.00 FEET OF THE WESTERLY 118.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA. PARCEL 124 (FEE SIMPLE): THE NORTHERLY 20.00 FEET OF THE SOUTHERLY 50.00 FEET OF THE EASTERLY 30.00 FEET OF THE WESTERLY 83.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA. ALSO LESS FROM SAID SECTION 22, THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 845, PAGE 567: PARCEL 129 (FEE SIMPLE): THE WESTERLY 35.00 FEET OF THE EASTERLY 523.26 FEET OF THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA. ALSO LESS FROM SAID SECTION 22, THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 851, PAGE 1455: PARCEL 130 (FEE SIMPLE): THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 900.00 FEET OF THE WESTERLY 35.00 FEET OF THE EASTERLY 93.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

AND:

PARCEL B

THAT PART OF SECTIONS 21 AND 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT A 1-1/4" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48105; THENCE N89°16'46"E ALONG THE NORTH LINE OF SAID NORTHEAST ¼, 518.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF BRADSHAW ROAD AS MAINTAINED BY LAKE COUNTY, SAID EAST RIGHT-OF-WAY LINE AS FILED SURVEYED BY DONALD W. MCINTOSH ASSOCIATES, INC. AND SHOWN ON A "SPECIFIC PURPOSE SURVEY" PREPARED BY DONALD W. MCINTOSH ASSOCIATES, INC., DRAWING NUMBER CS#02-203, SURVEY DATE 02/27/02, AND TO THE POINT OF BEGINNING; THENCE, DEPARTING SAID NORTH LINE OF SAID NORTHEAST 1/4, RUN THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES ALONG SAID EAST RIGHT-OF-WAY LINE: S09°07'38"W, 226.88 FEET; S08°14'05"W, 483.61 FEET; S08°51'03"W, 111.11 FEET; S08°15'58"W, 235.08 FEET; S07°40'42"W, 73.87 FEET; S08°15'45"W, 120.18 FEET; S08°15'35"W, 293.65 FEET; S07°52'00"W, 391.90 FEET; S08°15'41"W, 126.07 FEET; S09°13'52"W, 181.39 FEET; S09°21'18"W, 192.16 FEET; S08°48'22"W, 191.95 FEET; S10°07'14"W, 16.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 36.00 FEET AND A CHORD BEARING OF S15°39'01"E; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°32'31" FOR A DISTANCE OF 32.38 FEET TO A NON-TANGENT LINE BEING THE EAST-WEST CENTER OF SECTION LINE OF AFORESAID SECTION 21; THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE, N89°36'30"E ALONG SAID EAST-WEST CENTER OF SECTION LINE 1210.47 FEET; THENCE, DEPARTING SAID EAST-WEST CENTER OF SECTION LINE, N00°00'00"E, 456.14 FEET; THENCE N55°49'12"E, 1567.27 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 22; THENCE S89°00'54"E ALONG THE NORTH LINE OF SAID SOUTHWEST ¼ OF THE NORTHWEST ¼, 679.40 FEET; THENCE, DEPARTING SAID NORTH LINE, N00°00'00"W, 1325.72 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST ¼ OF SAID SECTION 22; THENCE N88°49'23"W ALONG SAID NORTH LINE, 670.44 FEET TO A 2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE AFORESAID SECTION 21, SAID NORTHEAST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48106; THENCE S89°16'46"W ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 2134.70 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

NORTH PARCEL (CUT OUT PARCEL)

THAT PART OF SECTIONS 21 AND 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT A 1-1/4" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48105; THENCE N89°16'46"E ALONG THE NORTH LINE OF SAID NORTHEAST ¼, 518.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF BRADSHAW ROAD AS MAINTAINED BY LAKE COUNTY, SAID EAST RIGHT-OF-WAY LINE AS FILED SURVEYED BY DONALD W. MCINTOSH ASSOCIATES, INC. AND SHOWN ON A "SPECIFIC PURPOSE SURVEY" PREPARED BY DONALD W. MCINTOSH ASSOCIATES, INC., DRAWING NUMBER CS#02-203, SURVEY DATE 02/27/02, AND TO THE POINT OF BEGINNING; THENCE, DEPARTING SAID NORTH LINE OF SAID NORTHEAST 1/4, RUN THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES ALONG SAID EAST RIGHT-OF-WAY LINE: S09°07'38"W, 226.88 FEET; S08°14'05"W, 483.61 FEET; S08°51'03"W, 111.11 FEET; S08°15'58"W, 235.08 FEET; S07°40'42"W, 73.87 FEET; S08°15'45"W, 120.18 FEET; S08°15'35"W, 293.65 FEET; S07°52'00"W, 391.90 FEET; S08°15'41"W, 126.07 FEET; S09°13'52"W, 181.39 FEET; S09°21'18"W, 192.16 FEET; S08°48'22"W, 191.95 FEET; S10°07'14"W, 16.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 36.00 FEET AND A CHORD BEARING OF S15°39'01"E; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°32'31" FOR A DISTANCE OF 32.38 FEET TO A NON-TANGENT LINE BEING THE EAST-WEST CENTER OF SECTION LINE OF AFORESAID SECTION 21; THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE, N89°36'30"E ALONG SAID EAST-WEST CENTER OF SECTION LINE 2498.07 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 22; THENCE, DEPARTING SAID EAST-WEST CENTER OF SECTION LINE, N00°23'17"E ALONG THE WEST LINE OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 22, 1327.85 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 22; THENCE DEPARTING SAID WEST LINE RUN S89°00'54"E ALONG THE NORTH LINE OF SAID SOUTHWEST ¼ OF THE NORTHWEST ¼, 679.40 FEET; THENCE, DEPARTING SAID NORTH LINE, N00°00'00"W, 1325.72 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST ¼ OF SAID SECTION 22; THENCE N88°49'23"W ALONG SAID NORTH LINE, 670.44 FEET TO A 2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE AFORESAID SECTION 21, SAID NORTHEAST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48106; THENCE S89°16'46"W ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 2134.70 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: (CONT.)

BEING MORE PARTICULARLY DESCRIBED AS:

ALL THOSE PORTIONS OF SECTIONS 21, 22 AND 23, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT A 1-1/4" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48105; THENCE N89°16'46"E, 2653.20 FEET ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 TO A 2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF SAID SECTION 21, SAID NORTHEAST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48106; THENCE S88°49'23"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22, 670.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S88°49'23"E ALONG SAID NORTH LINE, 1976.14 FEET; THENCE S88°49'23"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, 1323.29 FEET; THENCE S00°20'55"W ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID NORTHEAST 1/4 OF SAID SECTION 22, 1314.56 FEET; THENCE S89°00'54"E ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, 1290.91 FEET TO THE WEST RIGHT-OF-WAY LINE OF FIVE MILE ROAD (A 66' WIDE RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 357, PAGE 21, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA); THENCE S00°19'09"W ALONG SAID WEST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET WESTERLY, BY PERPENDICULAR MEASURE, FROM THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 22, 1310.25 FEET TO A POINT IN THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22, DISTANT 33.00 FEET ON A BEARING OF N89°12'24"W, FROM A 5/8" IRON ROD AND CAP #PLS4779 FOUND AT THE EAST 1/4 CORNER OF SAID SECTION 22, SAID EAST 1/4 CORNER ACCORDING TO CERTIFIED CORNER RECORD #084030; THENCE S00°27'16"W ALONG SAID WEST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET WESTERLY, BY PERPENDICULAR MEASURE, FROM THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22, 2681.30 FEET TO A POINT IN THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 23 SOUTH, RANGE 26 EAST, SAID POINT BEING DISTANT 33.00 FEET ON A BEARING OF N89°12'03"W FROM A 4"x4" CONCRETE MONUMENT #RLSL993 FOUND AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 27, THENCE N89°12'03"W ALONG SAID NORTH LINE, 2612.50 FEET TO A 4"x4" CONCRETE MONUMENT FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27; THENCE N89°32'30"W ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, 2614.54 FEET TO A 4"x4" CONCRETE MONUMENT FOUND IN THE EAST RIGHT-OF-WAY LINE OF SHELL POND ROAD, AND BEING DISTANT 33.00 FEET ON A BEARING OF S89°32'30"E FROM A 4"x4" CONCRETE MONUMENT FOUND AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF SECTION 27; THENCE N00°23'38"E ALONG SAID EAST RIGHT-OF-WAY LINE, DISTANT 33.00 FEET EASTERLY, BY PERPENDICULAR MEASURE, FROM THE WEST LINE OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 22, 2696.34 FEET; THENCE N89°12'24"W, 33.00 FEET TO A 1-1/2" IRON PIPE FOUND AT THE NORTHWEST CORNER OF SAID SOUTHWEST OF SAID SECTION 22, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48107; THENCE N00°23'17"E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22, 1327.85 FEET TO AN IRON ROD WITH CAP #LB68 SET AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22; THENCE S89°00'54"E ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, 679.40 FEET; THENCE, DEPARTING SAID NORTH LINE, N00°00'00"W, 1325.72 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM:

THOSE PARCELS DESCRIBED IN OFFICIAL RECORDS BOOK 849, PAGE 2162:

PARCEL 122 (FEE SIMPLE) :

THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE EASTERLY 35.00 FEET OF THE WESTERLY 2832.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

PARCEL 123 (FEE SIMPLE):

THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE EASTERLY 35.00 FEET OF THE WESTERLY 118.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

PARCEL 124 (FEE SIMPLE):

THE NORTHERLY 20.00 FEET OF THE SOUTHERLY 50.00 FEET OF THE EASTERLY 30.00 FEET OF THE WESTERLY 83.00 FEET OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

ALSO LESS FROM SAID SECTION 22, THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 845, PAGE 567:

PARCEL 129 (FEE SIMPLE) :

THE WESTERLY 35.00 FEET OF THE EASTERLY 523.26 FEET OF THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 80.00 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

ALSO LESS FROM SAID SECTION 22, THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 851, PAGE 1455:

PARCEL 130 (FEE SIMPLE):

THE NORTHERLY 50.00 FEET OF THE SOUTHERLY 900.00 FEET OF THE WESTERLY 35.00 FEET OF THE EASTERLY 93.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, IN THE COUNTY OF LAKE, STATE OF FLORIDA.

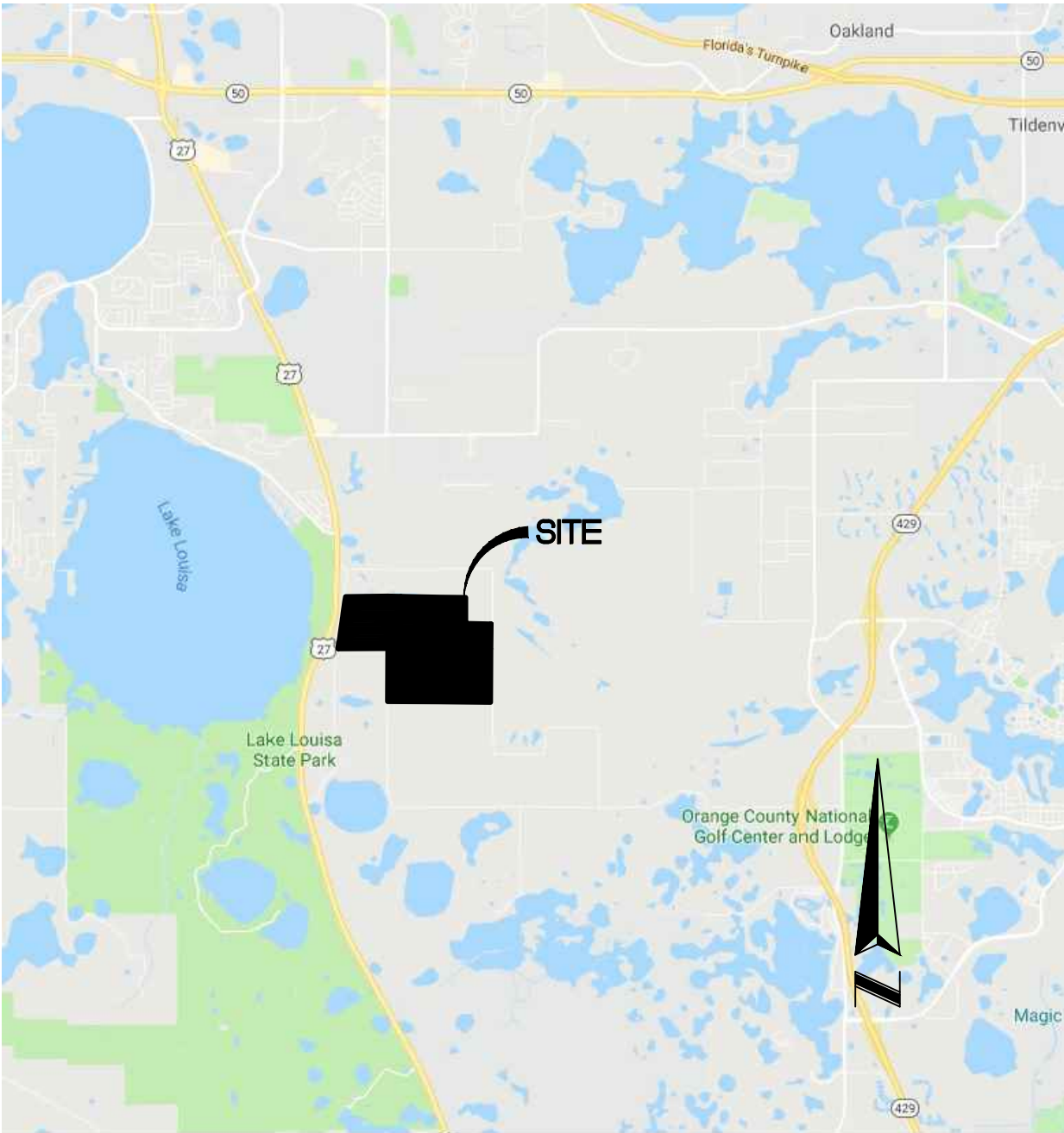
TOGETHER WITH THE BENEFICIAL EASEMENTS CONTAINED IN THAT CERTAIN DECLARATION OF EASEMENT AND AGREEMENT REGARDING ROAD AND UTILITY IMPROVEMENTS DATED MAY 25, 2006 AND WHICH IS RECORDED ON JUNE 2, 2006 IN OFFICIAL RECORDS BOOK 3175, PAGE 997, ALL IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 2:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS: THAT PART OF SECTIONS 21 AND 22, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS: COMMENCE AT A 1-1/4" IRON PIPE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHWEST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48105; THENCE N89°16'46"E ALONG THE NORTH LINE OF SAID NORTHEAST 518.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF BRADSHAW ROAD AS MAINTAINED BY LAKE COUNTY, SAID EAST RIGHT-OF-WAY LINE AS FILED SURVEYED BY DONALD W. MCINTOSH ASSOCIATES, INC. AND SHOWN ON A "SPECIFIC PURPOSE SURVEY" PREPARED BY DONALD W. MCINTOSH ASSOCIATES, INC., DRAWING NUMBER CS#02-203, SURVEY DATE 02/27/02, AND TO THE POINT OF BEGINNING; THENCE, DEPARTING SAID NORTH LINE OF SAID NORTHEAST 1/4, RUN THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES ALONG SAID EAST RIGHT-OF-WAY LINE: S09°07'38"W, 226.88 FEET; S08°14'05"W, 483.61 FEET; S08°51'03"W, 111.11 FEET; S08°15'58"W, 235.08 FEET; S07°40'42"W, 73.87 FEET; S08°15'45"W, 120.18 FEET; S08°15'35"W, 293.65 FEET; S07°52'00"W, 391.90 FEET; S08°15'41"W, 126.07 FEET; S09°13'52"W, 181.39 FEET; S09°21'18"W, 192.16 FEET; S08°48'22"W, 191.95 FEET; S10°07'14"W, 16.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 36.00 FEET AND A CHORD BEARING OF S 15°39'01" E; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°32'31" FOR A DISTANCE OF 32.38 FEET TO A NON-TANGENT LINE BEING THE EAST-WEST CENTER OF SECTION LINE OF AFORESAID SECTION 21; THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE, N89°36'30"E ALONG SAID EAST-WEST CENTER OF SECTION LINE 2498.07 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 22; THENCE, DEPARTING SAID EAST-WEST CENTER OF SECTION LINE, N00°23'17"E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22, 1327.85 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22; THENCE DEPARTING SAID WEST LINE RUN S89°00'54"E ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, 679.40 FEET; THENCE, DEPARTING SAID NORTH LINE, N00°00'00"W, 1325.72 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE N88°49'23"W ALONG SAID NORTH LINE, 670.44 FEET TO A 2" IRON PIPE FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 21, SAID NORTHEAST CORNER ACCORDING TO CERTIFIED CORNER RECORD #48106; THENCE S89°16'46"W ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, 2134.70 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE BENEFICIAL EASEMENTS CONTAINED IN THAT CERTAIN DECLARATION OF EASEMENT AND AGREEMENT REGARDING ROAD AND UTILITY IMPROVEMENTS DATED MAY 25, 2006 AND WHICH IS RECORDED ON JUNE 2, 2006 IN OFFICIAL RECORDS BOOK 3175, PAGE 997, AND THAT CERTAIN DECLARATION OF EASEMENT AND AGREEMENT REGARDING ROAD AND UTILITY IMPROVEMENTS DATED MAY 25, 2006 AND WHICH IS RECORDED ON JUNE 2, 2006 IN OFFICIAL RECORDS BOOK 3175, PAGE 1023, ALL IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CONTAINS 743.00 ACRES MORE OR LESS.



VICINITY MAP NOT TO SCALE



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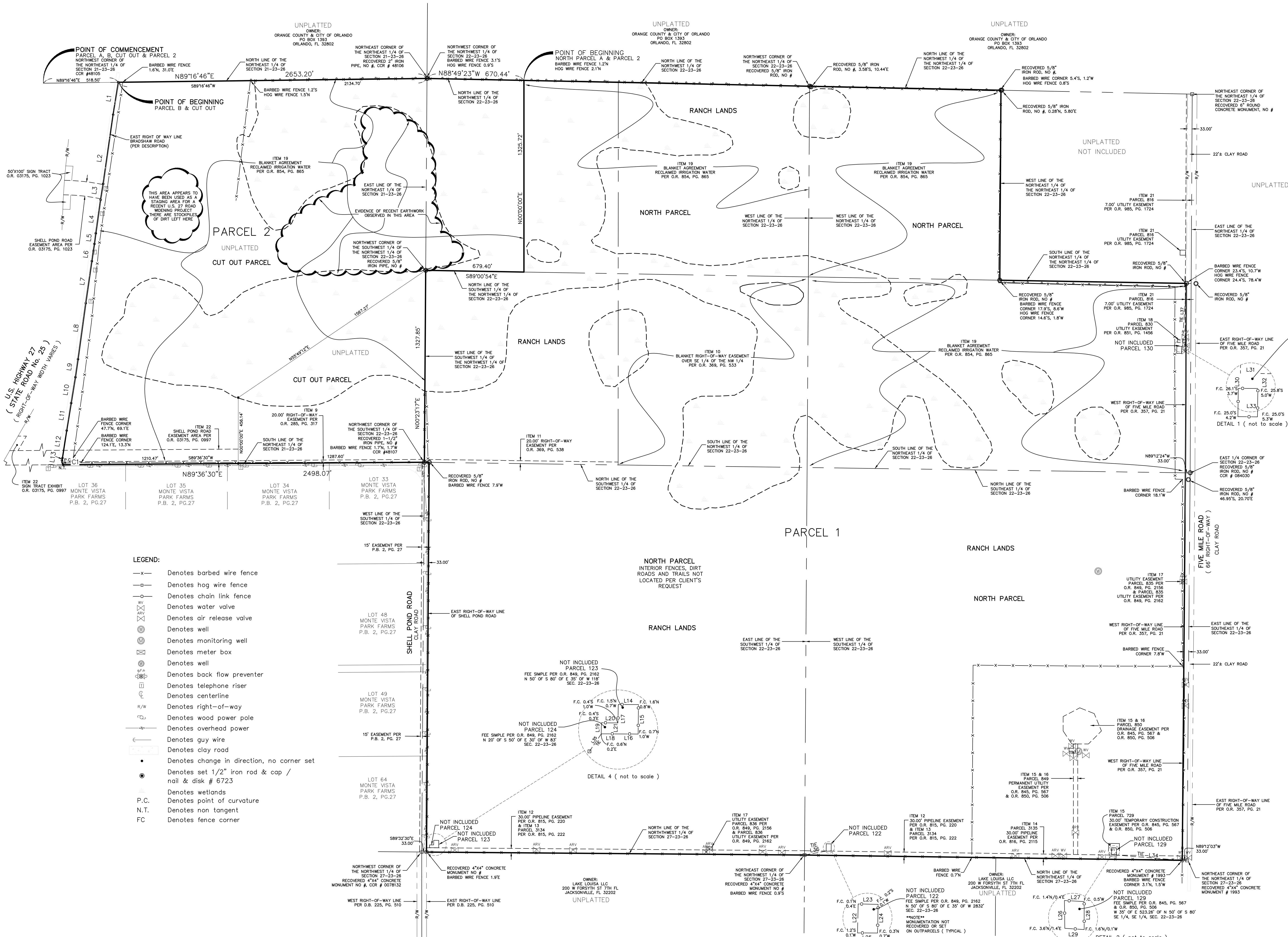
## Wellness Way PUD

### City of Clermont, Florida

## Legal Description

|                                                                                                                                                                                                                                                                                                                |  |                   |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------|--|
| CERTIFIED TO:<br>LENNAR HOMES, LLC,<br>SOUTH LAKE CROSSINGS I, LLC<br>SOUTH LAKE CROSSINGS III, LLC<br>FIRST AMERICAN TITLE INSURANCE COMPANY<br>SHUTTS & BOWEN, LLP                                                                                                                                           |  |                   |  |
| THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 8, 11 AND 13 OF TABLE A THEREOF. |  |                   |  |
| THE FIELDWORK WAS COMPLETED ON JULY 23, 2018.                                                                                                                                                                                                                                                                  |  |                   |  |
| FOR THE LICENSED BUSINESS # 6723 BY:                                                                                                                                                                                                                                                                           |  |                   |  |
| Drawing                                                                                                                                                                                                                                                                                                        |  | Sheet of          |  |
| Scale                                                                                                                                                                                                                                                                                                          |  | Project Number    |  |
| Date                                                                                                                                                                                                                                                                                                           |  | 63302.00          |  |
| JAMES L. RICKMAN P.S.M. # 5633                                                                                                                                                                                                                                                                                 |  | DATE              |  |
| Oct. 18, 2019                                                                                                                                                                                                                                                                                                  |  | 6330200-PD-EC.DWG |  |





- LEGEND:**
- x— Denotes barbed wire fence
  - o— Denotes hog wire fence
  - o— Denotes chain link fence
  - o— Denotes water valve
  - o— Denotes air release valve
  - o— Denotes well
  - o— Denotes monitoring well
  - o— Denotes meter box
  - o— Denotes well
  - o— Denotes back flow preventer
  - o— Denotes telephone riser
  - o— Denotes centerline
  - o— Denotes right-of-way
  - o— Denotes wood power pole
  - o— Denotes overhead power
  - o— Denotes guy wire
  - o— Denotes clay road
  - Denotes change in direction, no corner set
  - Denotes set 1/2" iron rod & cap / nail & disk # 6723
  - Denotes wetlands
  - P.C. Denotes point of curvature
  - N.T. Denotes non tangent
  - FC Denotes fence corner



NOT INCLUDED  
PARCEL 130  
FEE SIMPLE PER  
O.R. 851, PG. 1455  
N50° OF S 900'  
OF W 35° OF E 93'  
SEC. 22-23-26

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Project Title

## Wellness Way PUD

City of Clermont, Florida

Drawing Title

## Existing Conditions Plan

Drawing

C-3

Scale Sheet of

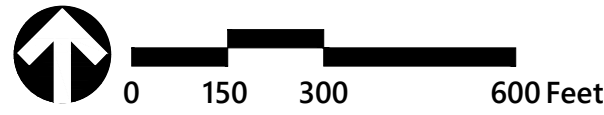
Date Oct. 18, 2019 Project Number 63302.00

6330200-PD-EC.DWG





Source:  
Lake County GIS, 2017



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Project Title

## Wellness Way PUD

City of Clermont, Florida  
Drawing Title

## Topography Plan

Drawing

C-4

Scale Sheet of

Date: Oct. 18, 2019 Project Number: 63302.00

6330200--PD--TOPO.DWG

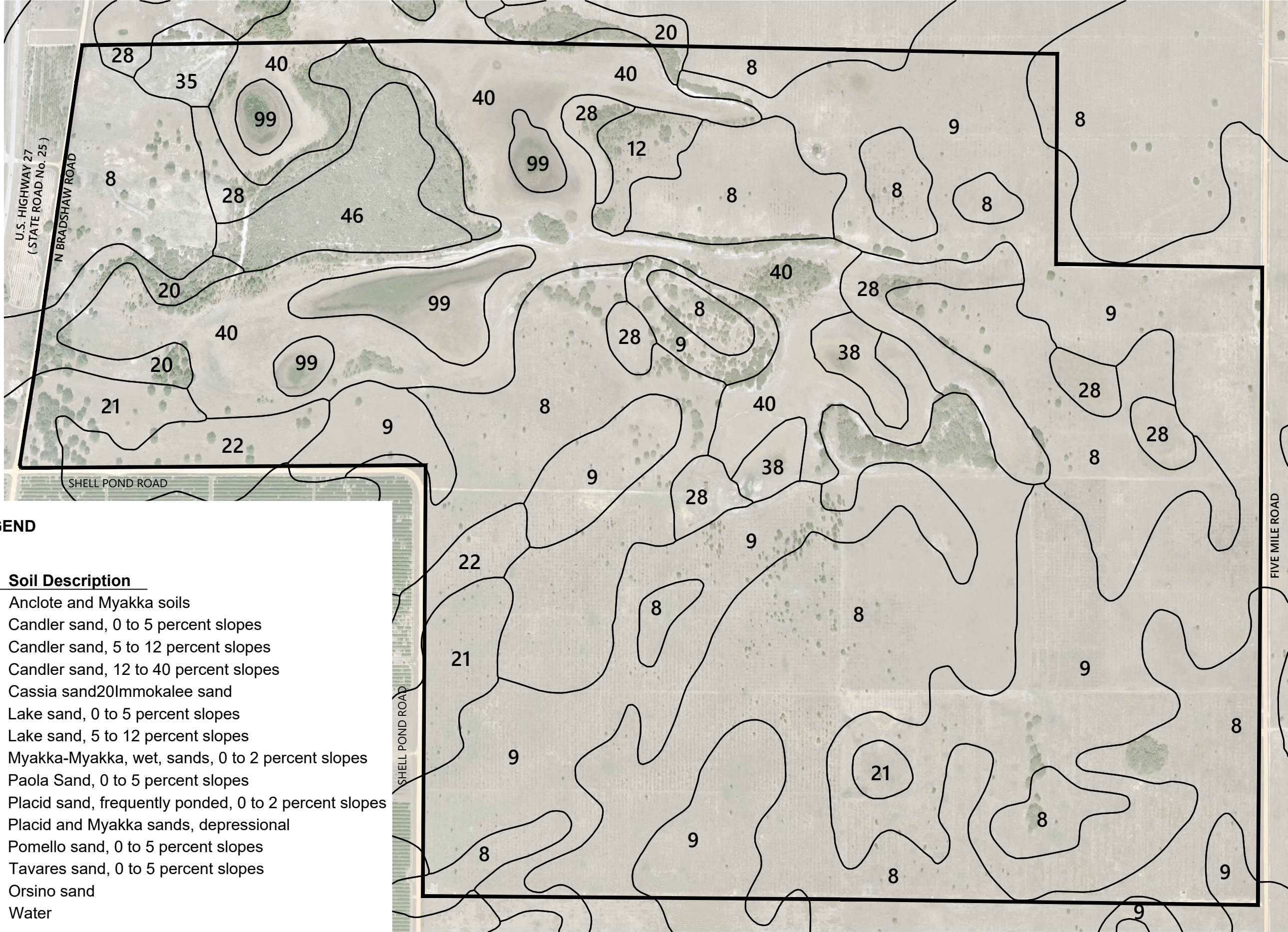




 FEMA FLOOD LIMITS

SOURCE:  
LAKE COUNTY GIS & FEMA.GOV  
PANEL # 12069C0675E - 12/18/2012

Floodplain (FEMA)

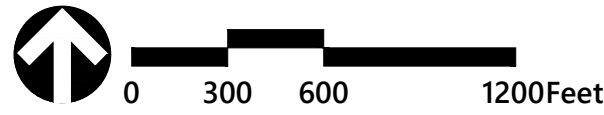


SOILS LEGEND

| Soil   |                                                       |
|--------|-------------------------------------------------------|
| Number | Soil Description                                      |
| 4      | Anclote and Myakka soils                              |
| 8      | Candler sand, 0 to 5 percent slopes                   |
| 9      | Candler sand, 5 to 12 percent slopes                  |
| 10     | Candler sand, 12 to 40 percent slopes                 |
| 12     | Cassia sand20Immokalee sand                           |
| 21     | Lake sand, 0 to 5 percent slopes                      |
| 22     | Lake sand, 5 to 12 percent slopes                     |
| 28     | Myakka-Myakka, wet, sands, 0 to 2 percent slopes      |
| 35     | Paola Sand, 0 to 5 percent slopes                     |
| 38     | Placid sand, frequently ponded, 0 to 2 percent slopes |
| 40     | Placid and Myakka sands, depressional                 |
| 41     | Pomello sand, 0 to 5 percent slopes                   |
| 45     | Tavares sand, 0 to 5 percent slopes                   |
| 46     | Orsino sand                                           |
| 99     | Water                                                 |

SOURCE:  
LAKE COUNTY GIS & WEB SOIL SURVEY (NCSS)  
<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

Soils



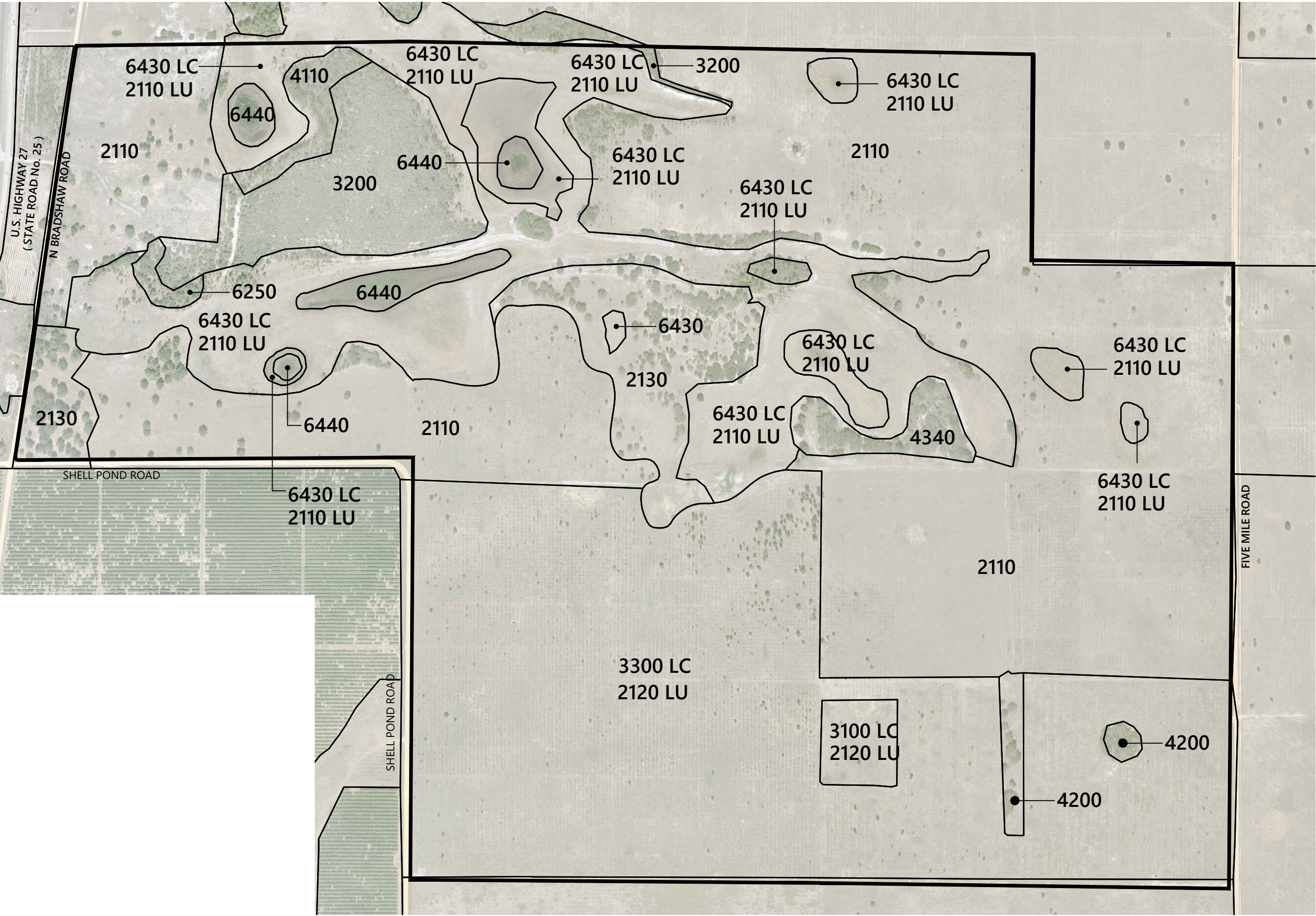
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FLUCCS LEGEND

| FLUCCS CODE | FLUCCS DESCRIPTION          |
|-------------|-----------------------------|
| 2110        | Improved Pastures           |
| 2120        | Unimproved Pastures         |
| 2130        | Woodland Pastures           |
| 3100        | Herbaceous                  |
| 3200        | Shrub and Brushland         |
| 3300        | Mixed Rangeland             |
| 4110        | Pine Flatwoods              |
| 4200        | Upland Hardwood Forests     |
| 6250        | Wet Pinelands - Hydric Pine |
| 6430        | Wet Prairies                |
| 6440        | Emergent Aquatic Vegetation |

LC = LAND COVER CLASSIFICATION  
LU = LAND USE CLASSIFICATION

SOURCE:  
LAKE COUNTY GIS



Vegetation



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Project Title

Wellness Way  
PUD

City of Clermont, Florida

Drawing Title

Environmental  
Conditions  
Plan

Drawing

C-5

Scale

Sheet of

Date

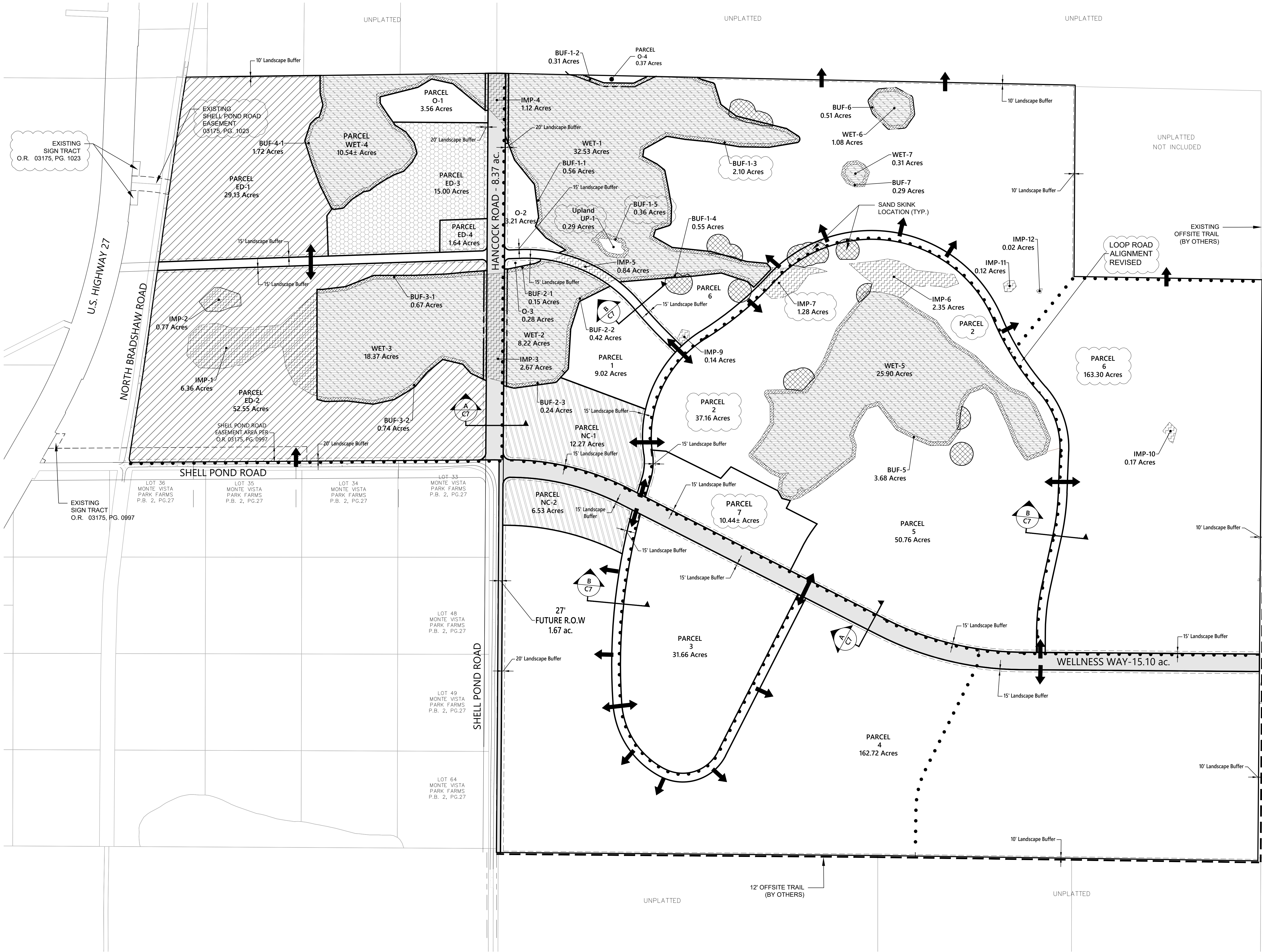
Oct. 18, 2019

Project Number

63302.00

6330200-PD-ENVIRONMENTAL.DWG





**LEGEND**

- FRAMEWORK ROAD
- OFFSITE TRAIL
- PROPOSED MULTI-USE TRAIL
- WETLAND LIMITS
- WETLAND SOURCE: ALLEN & COMPANY SURVEYORS 11/16/2018
- WETLAND BUFFER (25' WIDE)
- WETLAND IMPACT
- EMPLOYMENT DISTRICT
- PROPOSED SCHOOL/PARK
- NEIGHBORHOOD CENTER
- ACCESS

0 150 300 600 Feet

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**vhb**

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Project Title

**Wellness Way PUD**

City of Clermont, Florida

Drawing Title

**Development Plan**

Drawing

**C-6**

Scale

Date

Oct. 18, 2019

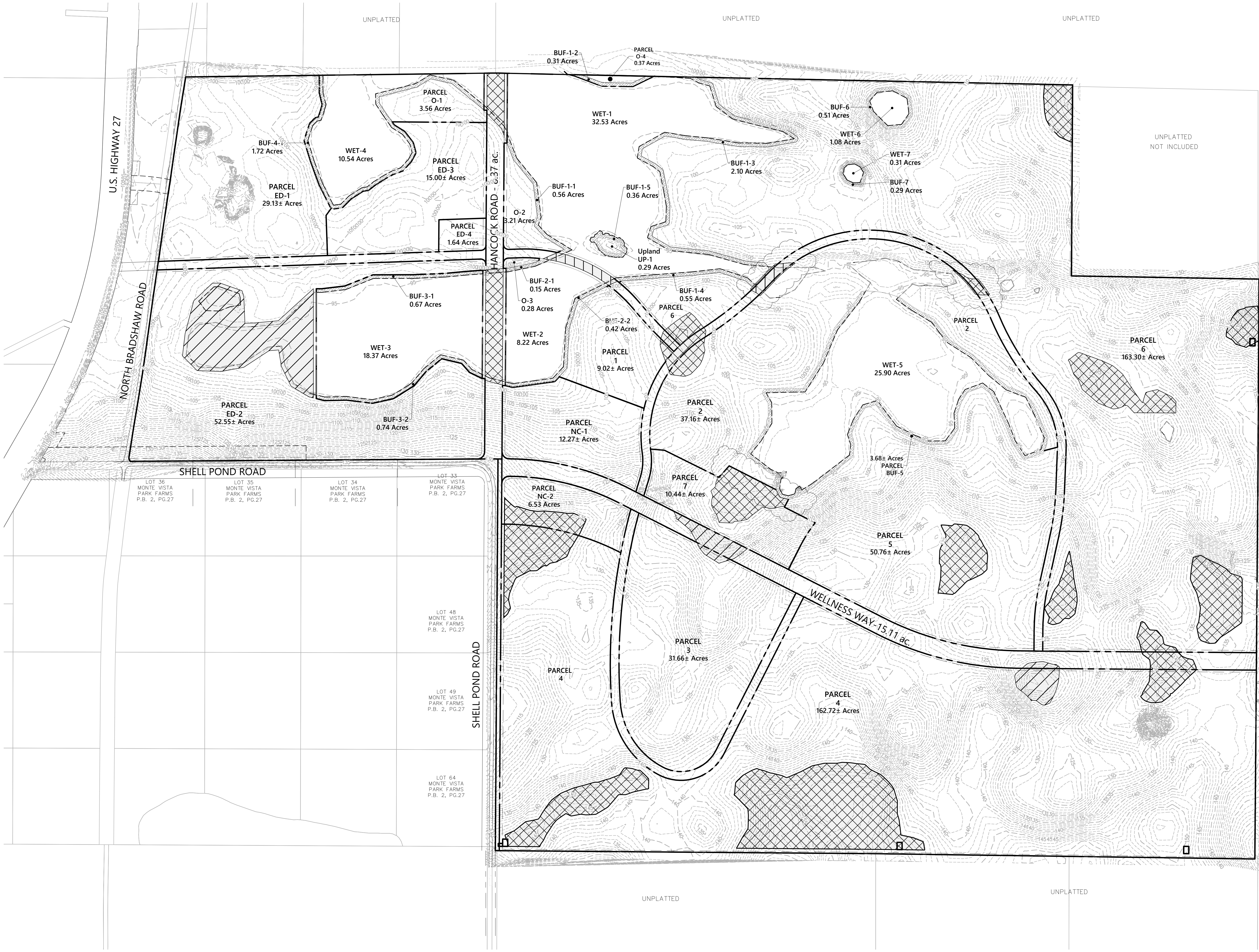
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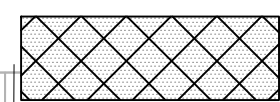
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6330200-PD-DEVELOP\_WET\_FLOOD.DWG

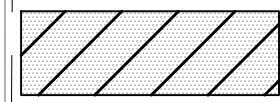




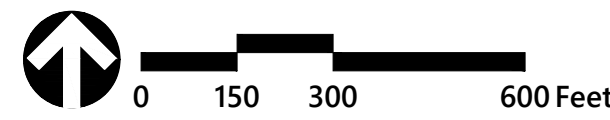
LEGEND



POTENTIAL AREAS EXCEEDING  
CITY OF CLERMONT'S **10 FT.**  
MAXIMUM CUT/FILL CRITERIA.  
**60.3 Ac. TOTAL CUT/FILL AREA**  
**(8.1% OF PROJECT AREA)**



POTENTIAL AREAS EXCEEDING  
CITY OF CLERMONT'S **15 FT.**  
MAXIMUM CUT/FILL CRITERIA.  
**13.4 Ac. TOTAL CUT/FILL AREA**  
**(1.8% OF PROJECT AREA)**



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Project Title

Wellness Way  
PUD

City of Clermont, Florida

Drawing Title

Cut & Fill  
Analysis

Drawing

C-7

Scale Sheet of

Date Project Number

September 16, 2019

63302.00

6330200-PD-GRADING-WAIVER.DWG



## Site Data

|                                |           |
|--------------------------------|-----------|
| Gross Project Area:            | 743.17 ac |
| Preserved Wetlands:            | 96.95 ac  |
| Wetland Buffers:               | 12.30 ac  |
| ROW                            | 44.03 ac  |
| Net Developable Area:          | 589.89 ac |
| Residential Area:              | 469.21 ac |
| Economic Development District: | 101.88 ac |
| Neighborhood Center:           | 18.80 ac  |

|                           |                                             |
|---------------------------|---------------------------------------------|
| Current Future Land Use:  | Wellness Way 1/Wellness Way 4 (Lake County) |
| Proposed Future Land Use: | Master Planned Development                  |
| Current Zoning:           | A (Lake County)                             |
| Proposed Zoning:          | PUD                                         |

|                                  |                                  |
|----------------------------------|----------------------------------|
| Maximum Allowable Gross Density: | 12 du/acre                       |
| Total Residential Units:         | 1,850 du (25% maximum townhomes) |
| Gross Density:                   | 2.49 du/acre                     |
| Net Density:                     | 3.60 du/ac                       |

|                                                                  |            |
|------------------------------------------------------------------|------------|
| Maximum Allowable Gross Intensity:                               | 0.25 FAR   |
| Total Square Feet <sup>1</sup> :                                 | 800,000 sf |
| Commercial                                                       | 300,000 sf |
| Employment                                                       | 500,000 sf |
| Gross FAR:                                                       | 0.02 FAR   |
| Net FAR:                                                         | 0.16 FAR   |
| <sup>1</sup> . Elementary school square footage is not included. |            |

### Support Services:

|                 |                  |
|-----------------|------------------|
| Potable Water   | City of Clermont |
| Central Sewer   | City of Clermont |
| Reclaimed Water | City of Clermont |

|                        |                                                                                                 |
|------------------------|-------------------------------------------------------------------------------------------------|
| Stormwater Management: |                                                                                                 |
| Retention/Detention:   | Facilities will be designed to meet the water quality and water quantity criteria of the SJRWMD |

|                    |                                                          |
|--------------------|----------------------------------------------------------|
| Fire Protection:   | Lake County Fire Rescue/City of Clermont Fire Department |
| Police Protection: | City of Clermont Police Department                       |

### Open Space, Parks and Community Amenities

|                           |                                     |
|---------------------------|-------------------------------------|
| Open Space Required:      | 74.30 ac (10% of the gross acreage) |
| Recreation Area Required: | 29.72 ac (4% of the gross acreage)  |

- Open Space/Recreation areas shall be provided in the form of useable parks, playgrounds, tot lots, community gardens, stormwater ponds, wetlands, buffers, multi-use trails or similar related use areas.
- Open Space amenities shall qualify as neighborhood centers and will be owned, operated and maintained by the HOA.
- Each park or amenity area shall be required to have pedestrian and bicycle connections for the residents.
- Stormwater ponds with pedestrian trails shall be counted up to one-third ( $\frac{1}{3}$ ) of the required four (4) percent recreation area.
- Amenities such as benches, and/or picnic tables, gazebos, overlooks or similar improvements must be included with trails to qualify as part of the calculated parks and community amenities requirement.

### Neighborhood Form & Structure

- Average block face is calculated neighborhood by neighborhood. Block faces can be interrupted by public streets, pedestrian facilities, neighborhood centers, parks or if one side of the street is in open space, conservation area or upland preservation are for an uninterrupted five hundred (500) feet.
- Each home shall have direct access to a minimum five (5) foot wide sidewalk.
- A hierarchy of street types from arterial (where applicable) to collector streets to local streets is provided within the Wellness Way PUD. Arterial and collector streets are encouraged to include bike lanes, trails and other pedestrian/bicycle facilities. Different local street cross sections are encouraged to calm traffic within neighborhoods.

### Housing Variety

- A minimum of seven (7) base model types shall be provided for the project.
- Each base model shall have multiple exterior material treatment variations and design options available for customization.
- No block face should have more than two consecutive single-family homes with the same house model, façade and/or exterior materials or color.
- There shall be a minimum of three (3) different housing product types as defined by lot configuration.
- Townhomes may be front loaded.

### Garage Standards

- Garages are encouraged to be located to the side or rear of a residential lot.
- Front loaded garages must be recessed a minimum of four (4) feet behind the primary front building façade of the home and a minimum of with twenty (20) feet from the street right-of way. A front porch with a minimum depth of four (4) feet may be used to meet the minimum garage recess requirement. The qualifying front porch may encroach into the front building setback.
- Side loaded homes must incorporate windows and trim on the wall facing the front street.
- All front, street-facing facades shall have windows covering at least fifteen (15) percent of the facade's area.
- Front loaded garage lots must randomly alternate the location of driveways in relation to front façade to avoid repetition, unless utility layouts cause conflicts.
- Front facing facades may not be dominated by the garage portion of the elevation.
- Rear loaded lots may have a minimum front setback of ten (10) feet.
- Front loaded townhomes shall provide façade depth changes between units. Garage overhangs are strongly encouraged.

### General Notes

- Per City of Clermont Comprehensive Plan Policy 1.24, overall density may not exceed 12 du/ac and FAR may not exceed 0.25 per acre.
- Acreages shown are approximate and subject to change with final design and platting.
- Project Phasing: The project will be developed in multiple phases. Each phase shall have sufficient infrastructure to standalone.
- Portions of the site fall within flood Zone A as shown of FIRM Panel numbers 12069C0675-E, effective December 18, 2012. Compensating storage will be provided for any encroachments that may occur. No published levels for OHWL, MHWL or 100yr flood exist. They will be determined at final engineering.
- The applicant shall submit drainage calculations and a stormwater management plan when filing for Improvement Plan approval.
- The applicant shall comply with all City of Clermont fire protection requirements.
- Buffers shall be provided consistent with Section 118-73 of the City of Clermont LDC. Interior landscape buffers between abutting property boundaries may have a shared ten (10) foot wide landscape buffer with a five (5) foot wide buffer on each lot to achieve a minimum ten (10) foot wide buffer.
- School concurrency shall be met prior to final plat approval in accordance with the Comprehensive Plan and LDC, as amended.
- Residential development may occur within the Economic Development District per the land use conversion matrix table.
- Parking shall be provided per the table of minimum parking space requirements in Section. 98-14 of the City's LDC.

## Employment District/Neighborhood Center District

The maximum square footage of all Employment District tracts and Neighborhood Center Tracts shall not exceed 800,000 square feet - 500,000 square feet of employment use and 300,000 square feet of C-2 General Commercial uses. Any increase over 300,000 square feet of C-2 General Commercial Uses will require an amendment to the PUD.

#### Proposed Uses:

**Employment District:** Employment Districts are primarily designated for employment hubs with uses such as professional offices and institutional uses. Ancillary uses are permitted under the C-2 General Commercial use. Any development that is conditional under the C-2 General Commercial use shall require a Conditional Use Permit, unless prohibited below.

#### Prohibit uses are:

- Automobile and truck services carwashes, and automobile, truck, boat and farm equipment sales.
- Major equipment sales, manufactured housing sales, travel trailer and recreational vehicle sales.

**Neighborhood Center:** The Neighborhood Center shall have a maximum of 140,000 square feet.

Neighborhood Centers are primarily designated for C-1 Light Commercial uses that complement the adjacent residential uses. The uses permitted are the C-1 Light Commercial uses. The uses may include one grocery store up to 60,000 square feet, not to exceed a total maximum aggregate of 100,000 square feet in the shopping center on the northern Neighborhood Center. The southern Neighborhood Center may have up to 40,000 square feet, with any building over 16,000 square feet requiring a Conditional Use Permit. Any remaining square footage not developed in the Neighborhood Centers under the 140,000 square feet may be used in the Employment District

## Trip Generation

|                               |       |
|-------------------------------|-------|
| Total PM Peak Hr Trips        | 3,503 |
| Residential                   | 1,703 |
| Economic Development District | 1,800 |

| ITE Category    |                 | Size (SF) | Units | Daily Trips | PM Peak Hr Trips |      |       |       | Internal Capture |       |      |     | Pass By |       |      |       | Net New External Trips |       |  |
|-----------------|-----------------|-----------|-------|-------------|------------------|------|-------|-------|------------------|-------|------|-----|---------|-------|------|-------|------------------------|-------|--|
| ITE Code        | Land Use 1      |           |       |             | Total            | % In | Enter | Exit  | Total            | Enter | Exit | %   | Total   | Enter | Exit | Total | Enter                  | Exit  |  |
| Phase I         |                 |           |       |             |                  |      |       |       |                  |       |      |     |         |       |      |       |                        |       |  |
| 820             | Shopping Center | 100,000   | SF    | 6,012       | 543              | 48%  | 261   | 282   | 73               | 36    | 37   | 25% | 118     | 56    | 62   | 352   | 169                    | 183   |  |
| 210             | Single Family   | 1,550     | DU    | 14,632      | 1,535            | 63%  | 967   | 568   | 22               | 11    | 11   | 0%  | -       | -     | -    | 1,513 | 956                    | 557   |  |
| 220             | Townhomes       | 300       | DU    | 2,227       | 168              | 63%  | 106   | 62    | 4                | 2     | 2    | 0%  | -       | -     | -    | 164   | 104                    | 60    |  |
| Total Trips     |                 |           |       |             | 2,246            |      | 1,334 | 912   | 99               | 49    | 50   |     | 118     | 56    | 62   | 2,029 | 1,229                  | 800   |  |
| Buildout (2028) |                 |           |       |             |                  |      |       |       |                  |       |      |     |         |       |      |       |                        |       |  |
| 710             | General Office  | 500,000   | SF    | 5,055       | 575              | 16%  | 92    | 483   | 57               | 29    | 29   | 0%  | -       | -     | -    | 518   | 64                     | 455   |  |
| 820             | Shopping Center | 300,000   | SF    | 12,690      | 1,225            | 48%  | 588   | 637   | 179              | 65    | 94   | 25% | 262     | 131   | 131  | 784   | 392                    | 412   |  |
| 210             | Single Family   | 1,550     | DU    | 14,632      | 1,535            | 63%  | 967   | 568   | 76               | 65    | 94   | 0%  | -       | -     | -    | 1,459 | 902                    | 474   |  |
| 220             | Townhomes       | 300       | DU    | 2,227       | 168              | 63%  | 106   | 62    | 8                | 65    | 94   | 0%  | -       | -     | -    | 160   | 41                     | (32)  |  |
| Total Trips     |                 |           |       |             | 3,503            |      | 1,753 | 1,750 | 320              | 224   | 311  |     | 262     | 131   | 131  | 2,921 | 1,399                  | 1,309 |  |

<sup>1</sup>ITE, Inc.

Notes:

- Trip generation rates and equations are based on the Institute of Transportation (ITE) Trip Generation Manual 10th Edition.
- Internal capture based on NCHRP 684 Estimation Tool developed by Texas A&M Transportation Institute, Version 2013.1
- Elementary school square footage is not incuded.

Mar-19

## Land Use Conversion Matrix

Land uses within the Wellness Way PUD may be exchanged based on traffic equivalents as listed below:

| LAND USE                  | ITE CODE | PM PEAK HOUR RATE | Conversion TO <sup>2</sup>    |                          |                        |                            |                              |
|---------------------------|----------|-------------------|-------------------------------|--------------------------|------------------------|----------------------------|------------------------------|
|                           |          |                   | SINGLE FAMILY CONVERSION RATE | TOWNHOME CONVERSION RATE | RETAIL CONVERSION RATE | EMPLOYMENT CONVERSION RATE | MULTI-FAMILY CONVERSION RATE |
| SINGLE FAMILY             | 210      | 0.99              |                               | 1.77                     | 0.06                   | 0.99                       | 2.25                         |
| TOWNHOME                  | 220      | 0.56              | 0.57                          |                          | 0.03                   | 0.56                       | 1.27                         |
| RETAIL <sup>1</sup>       | 820      | 18.00             | 18.18                         | 32.14                    |                        | 18.00                      | 40.91                        |
| EMPLOYMENT                | 710      | 1.00              | 1.01                          | 1.79                     | 0.06                   |                            | 2.27                         |
| MULTI-FAMILY <sup>2</sup> | 221      | 0.44              | 0.44                          | 0.79                     | 0.02                   | 0.44                       |                              |

#### Sources:

*Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition*

#### Notes:

<sup>1</sup> PM Peak Hour Rate based on 1,000 SF for Retail, General Office and Medical Office

<sup>2</sup> Multi-Family Mid-Rise with at least three dwelling units and three to 10 levels/floors

<sup>3</sup> A land use may not be converted more than 50%.

#### Example:

Every 10,000 sf of retail can be exchanged for 182 single family units.

250 single family units can be gained by exchanging 15,000 square feet of retail.

Every multi-family unit can be exchanged for 440 sf of employment.

25,000 square feet of employment can be gained by exchanging 57 multi-family units.

## Waiver Requests

- A waiver to Section 94-195(b)(3) of the City Code is requested to allow for maximum depth of cut or fill for construction of any roadway to exceed fifteen (15) feet for the areas indicated on Sheet C-7, Cut & Fill Analysis.
- A waiver to Section 94-195(c)(2) of the City Code is requested to allow elevation changes in topography to exceed ten (10) feet for the areas indicated on Sheet C-7, Cut & Fill Analysis.
- A waiver to Section 102-12(b)(1) of the City Code is requested to allow a minimum setback of twenty (20) feet from the right-of-way lines of US 27 and Wellness Way (Shell Pond Road) to the off-site ground sign.
- A waiver to Section 102-15(e)(4) of the City Code is requested to allow off-site signage at the intersection of Wellness Way (Shell Pond Road) and US 27, and at the intersection of Shell Pond Road Easement Area (as identified on the boundary survey) and US 27 meeting the following standards:
  - Maximum sign area = 60 square feet
  - Maximum sign height = 20 feet (ornamental architectural elements permitted up to thirty (30) feet height for no more than fifty (50) percent of the sign width)
  - Sign setbacks = 20 feet from US 27 and 20 feet from Wellness Way (Shell Pond Road)
- A waiver to Section 110-192(1) of the City Code is requested to allow private streets with gates.
- A waiver to Section 110-192(7) of the City Code is requested to allow private dead-end streets of less than one hundred fifty (150) feet in length to terminate without a cul-de-sac.
- A waiver to Section 110-193 of the City Code is requested to allow a minimum right-of-way width of fifty (50) feet for local streets in lieu of sixty (60) feet.
- A waiver to Section 110-195(b) of the City Code is requested to allow construction of a twenty (20) foot wide one-way alleys with twelve (12) feet of pavement as long as twenty (20) feet of unobstructed emergency access is maintained.
- A waiver to Section 118-71(1) of the LDC is requested to allow street trees within the right-of-way along the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than 6 feet from curbs and sidewalks as long as a minimum of 5 feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.
- A waiver to Section 122-3196(b)(4) of the City Code is requested to allow individual phases of the PUD to exceed the overall density of the PUD and to allow individual phases of the PUD to be developed without providing common open space in proportion to that contained within the entire PUD.

## Development Standards

### Residential Development Standards (Parcels 1-6)

|                                                                                           | Two-Family Semi-Detached Dwelling Units (Duplex) | Single Family Attached Dwelling Units (Townhomes) | Single Family Detached Dwelling Units |               |
|-------------------------------------------------------------------------------------------|--------------------------------------------------|---------------------------------------------------|---------------------------------------|---------------|
|                                                                                           |                                                  |                                                   | Rear Loaded                           | Front Loaded  |
| Minimum Lot Width                                                                         | 50 ft                                            | 18 ft                                             | 32 ft - 40 ft                         | 40 ft+ -70 ft |
| Minimum Living Area (square feet)                                                         | 1,000                                            | 1,000                                             | 1,200                                 | 1,500         |
| Minimum Lot Depth                                                                         | 100 ft                                           | 110 ft                                            | 110 ft                                | 120 ft        |
| Minimum Front Building Setback (front load/rear load)                                     | 15 ft                                            | 20 ft/15 ft                                       | 15 ft                                 | 20 ft         |
| Minimum Front Porch Setback                                                               | 10 ft                                            | 10 ft                                             | 10 ft                                 | 10 ft         |
| Minimum Garage Setback (front/rear) (measured from edge of pavement)                      | 20 ft/20 ft                                      | 20 ft/20 ft                                       | 20 ft/20 ft                           | 20 ft/20 ft   |
| Minimum Side Yard Setback                                                                 | 5 ft                                             | 0 ft/5 ft (end units)                             | 5 ft                                  | 5 ft          |
| Setback From Side Street                                                                  | 15 ft                                            | 15 ft                                             | 15 ft                                 | 15 ft         |
| Minimum Rear Yard Setback                                                                 | 20 ft                                            | 20 ft                                             | N/A                                   | 20 ft         |
| Minimum Rear Yard Setback for Pools, Patios, Decks or Ancillary Structures                | N/A                                              | 5 ft                                              | 5 ft                                  | 5 ft          |
| Rear Setback from Edge of Alley Pavement <sup>3</sup>                                     | N/A                                              | 20 ft                                             | 20 ft                                 | N/A           |
| Minimum Building Separation                                                               | 10 ft                                            | 10 ft                                             | 10 ft                                 | 10 ft         |
| Maximum Impervious Surface Ratio (ISR) <sup>1</sup>                                       | 0.85                                             | 0.85                                              | 0.75                                  | 0.75          |
| Maximum Building Height <sup>2</sup>                                                      | 40 ft                                            | 40 ft                                             | 40 ft                                 | 40 ft         |
| Setback from Normal High Water Line, Mean High Water Line, or Jurisdictional Wetland Line | 50 ft                                            | 50 ft                                             | 50 ft                                 | 50 ft         |
| Minimum Front Yard Utility Easement                                                       | 10 ft                                            | 10 ft                                             | 10 ft                                 | 10 ft         |
| Minimum Side and Rear Yard Drainage and Utility Easement                                  | 5 ft                                             | 5 ft                                              | 5 ft                                  | 5 ft          |

<sup>1</sup>The maximum allowable ISR for the overall PUD development shall be 0.60. Individual lot ISR may exceed 0.60 as shown in the table above as long as overall maximum is not exceeded.

<sup>2</sup>The maximum height for recreational amenity buildings shall be 75 ft.

<sup>3</sup> Detached garages shall be setback a minimum of 3 feet

### Employment District/Neighborhood Commercial Development Standards

|                                        | Commercial                 | Employment                  | Apartment                  | Townhomes                  |
|----------------------------------------|----------------------------|-----------------------------|----------------------------|----------------------------|
| Building Height                        | 35 feet/2-stories          | 35 feet/2-stories           | 45 feet/3-stories          | 35 feet/2-stories          |
| Max. Impervious                        | 75%                        | 75%                         | 75%                        | 70%                        |
| Max. Lot Coverage                      | 75%                        | 75%                         | 75%                        | 70%                        |
| Building Separation                    | N/A                        | N/A                         | 20 feet                    | 5 feet                     |
| Minimum Yard Setbacks <sup>1,4,5</sup> |                            |                             |                            |                            |
| Front                                  | 25 feet/50 feet from US 27 | 25 feet/50 feet from US 27  | 25 feet/50 feet from US 27 | 15 feet/50 feet from US 27 |
| Side <sup>2</sup>                      | 12 feet                    | 12 feet                     | 12 feet                    | 5 feet                     |
| Side Street                            | 25 feet                    | 25 feet                     | 25 feet                    | 15 feet                    |
| Rear <sup>3</sup>                      | 25 feet/50 feet from US 27 | 25 feet/ 50 feet from US 27 | 25 feet/50 feet from US 27 | 20 feet/50 feet from US 27 |
| NHWE <sup>3</sup>                      | 25 feet                    | 25 feet                     | 25 feet                    | 25 feet                    |

<sup>1</sup>When a conditional or commercial use abuts a residential use, the conditional or commercial use shall provide a landscaped buffer strip along the abutting property line unless the residential use is within the Employment District boundary.

<sup>2</sup>On corner lots, a side yard setback of 50 feet shall be maintained on US 27 and a side yard setback of 25 feet shall be maintained from all other streets and 12 feet on the interior side yard. However, a side setback of 25 feet shall be maintained adjacent to property zoned or used as residential.

<sup>3</sup>No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted Comprehensive Plan and after formal approval of a site development plan by the Administrative Official.

<sup>4</sup>Buffer strip. When a conditional or commercial use abuts a residential use, the conditional or commercial use shall provide a landscaped buffer strip along the abutting property line unless the residential use is within the Employment District boundaries.

<sup>5</sup>Other setbacks. All yard setbacks for principal buildings shall be a minimum of 25 feet from established high-water marks. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.



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Project Title

# Wellness Way PUD

## City of Clermont, Florida

Drawing Title

## Development Standards

Drawing

# C-8

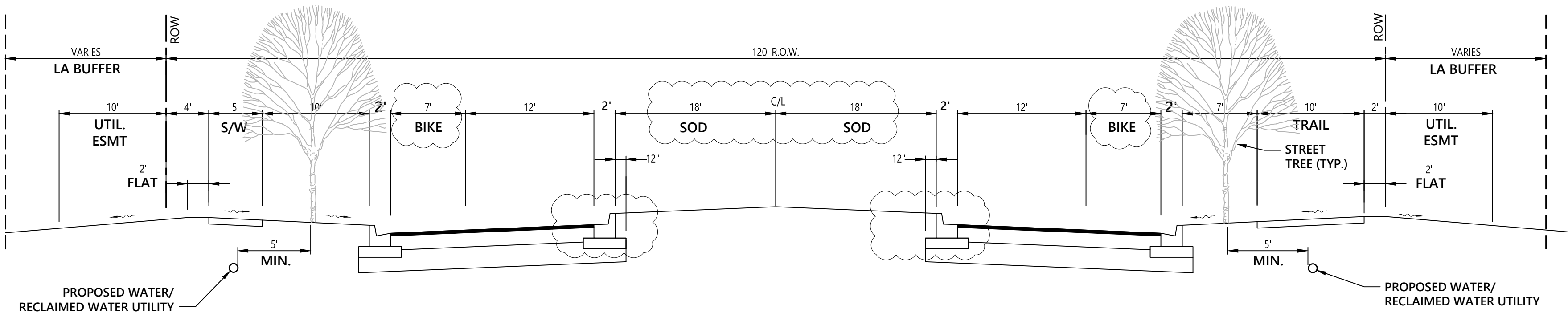
Scale Sheet of

Date Project Number

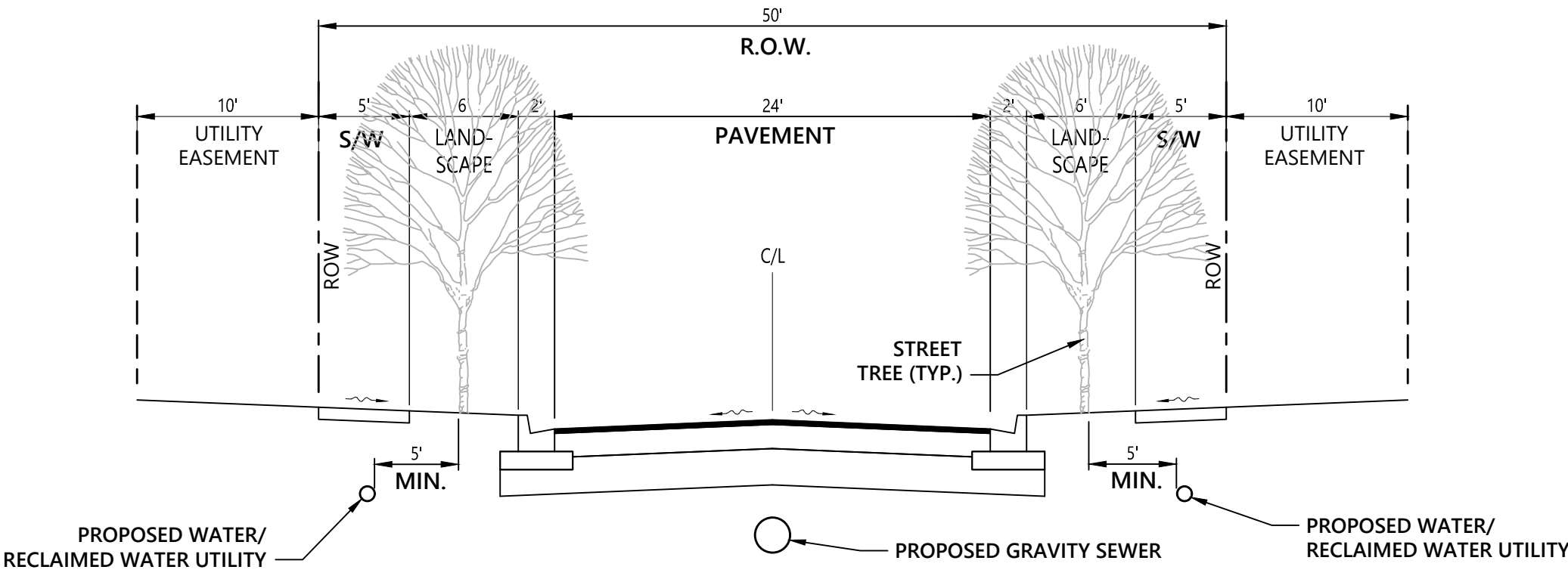
Oct. 18, 2019 63302.00

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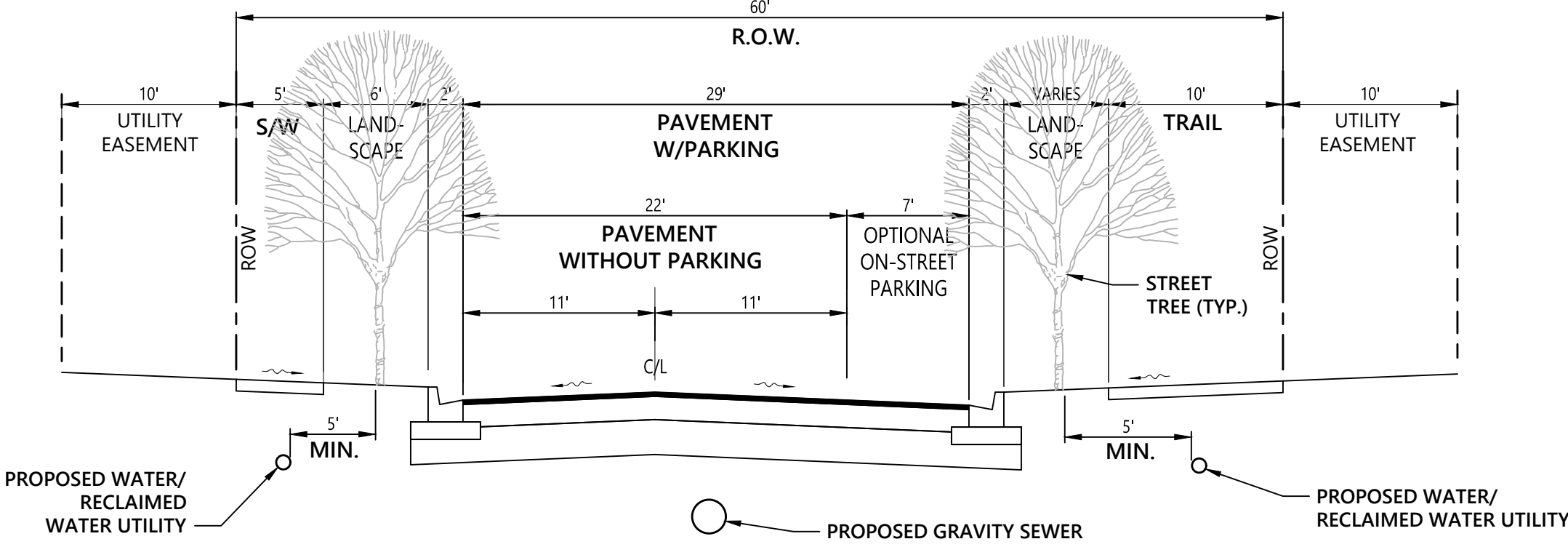


**A - Typical Road Section - Wellness Way & Hancock Road**  
N.T.S.

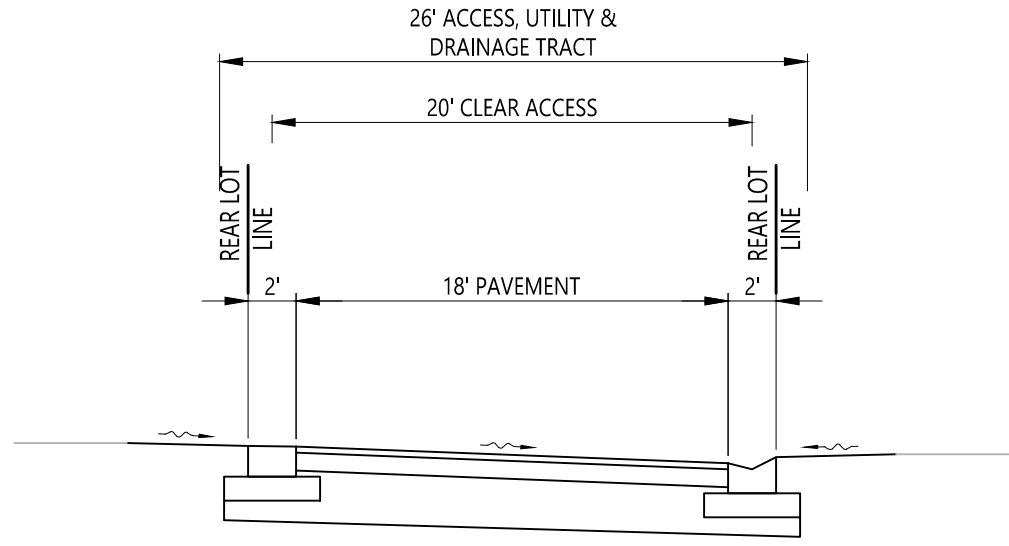


FOR RESIDENTIAL DEVELOPMENT .  
INCLUDES SIGNAGE TO ALLOW PARKING ON ONE SIDE OF ROAD ONLY.

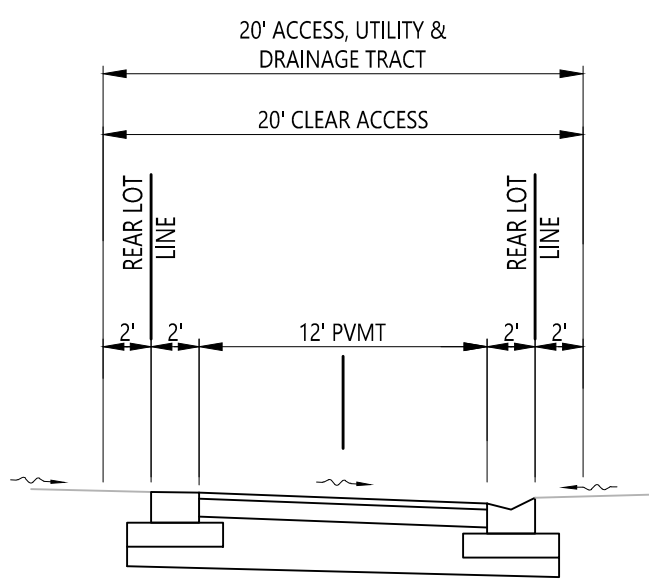
**Typical Residential Road Section (50' ROW)**  
N.T.S.



**B - Typical Road Section (60' ROW)**  
N.T.S.



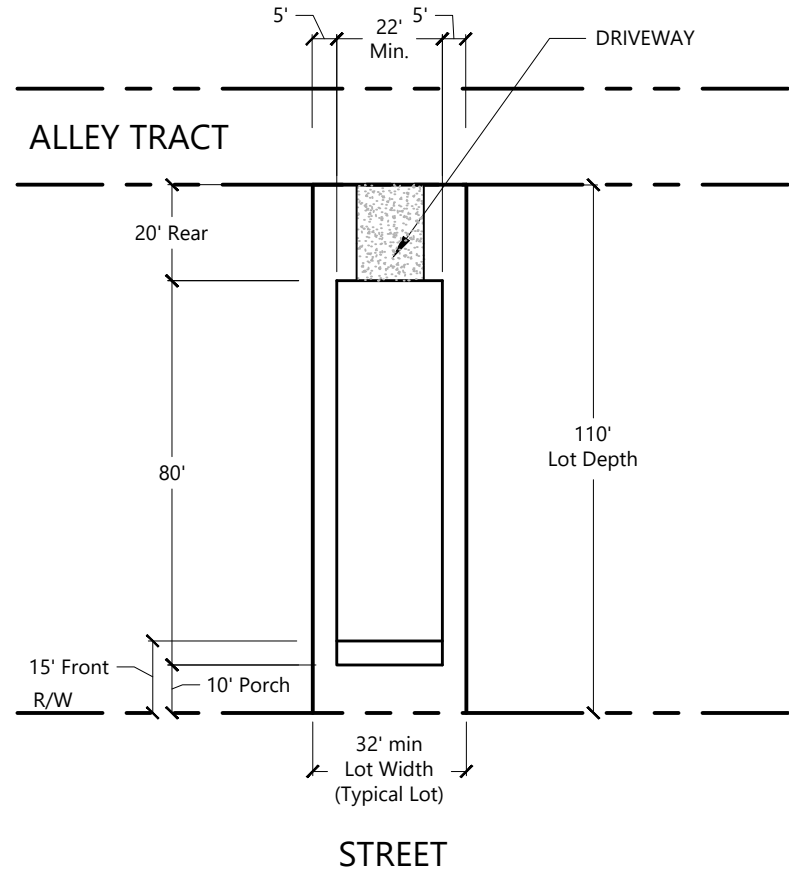
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N.T.S.



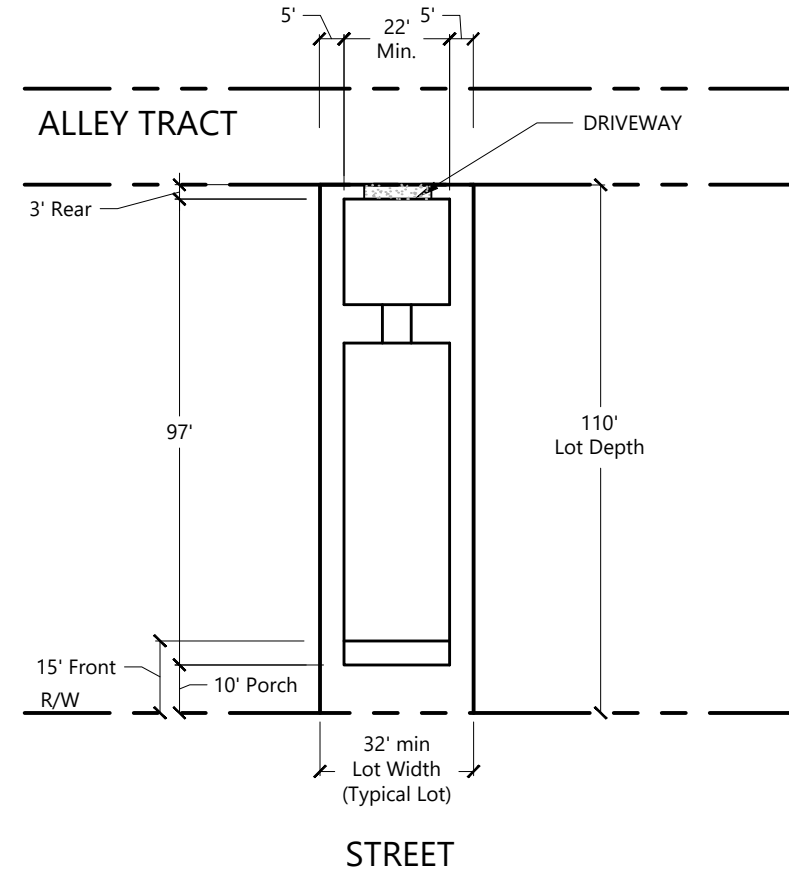
**Typical Alley Road Section - One Way**  
N.T.S.

**NOTES**

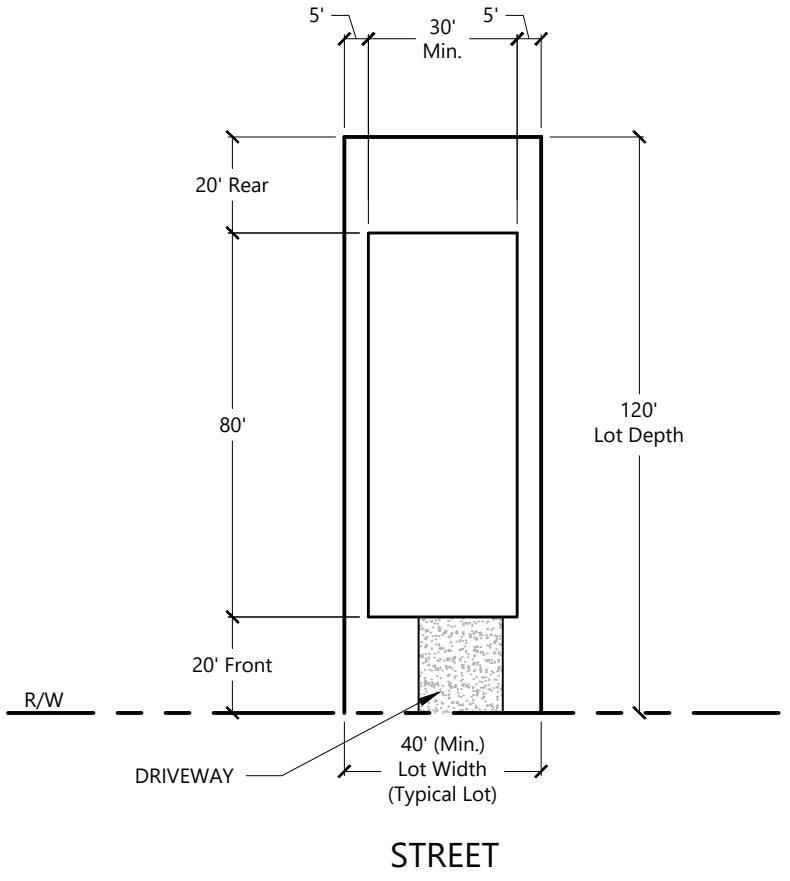
- Each lot shall include a minimum 10' front yard utility easement.
- Each lot shall include a minimum 5' side and rear yard drainage and utility easement.
- Street corner radius shall not effect street side yard or front setbacks.



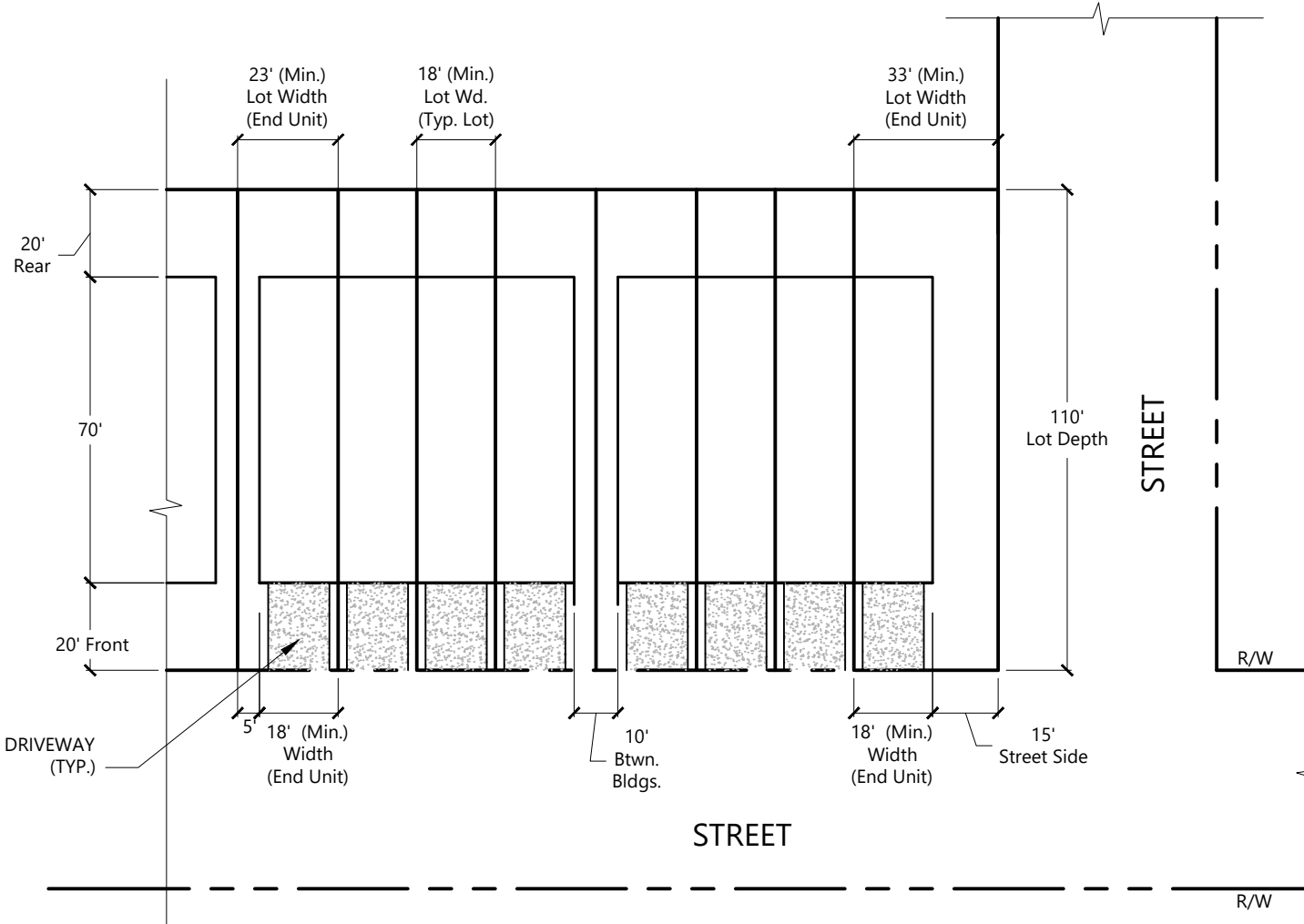
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Scale: 1"=40'



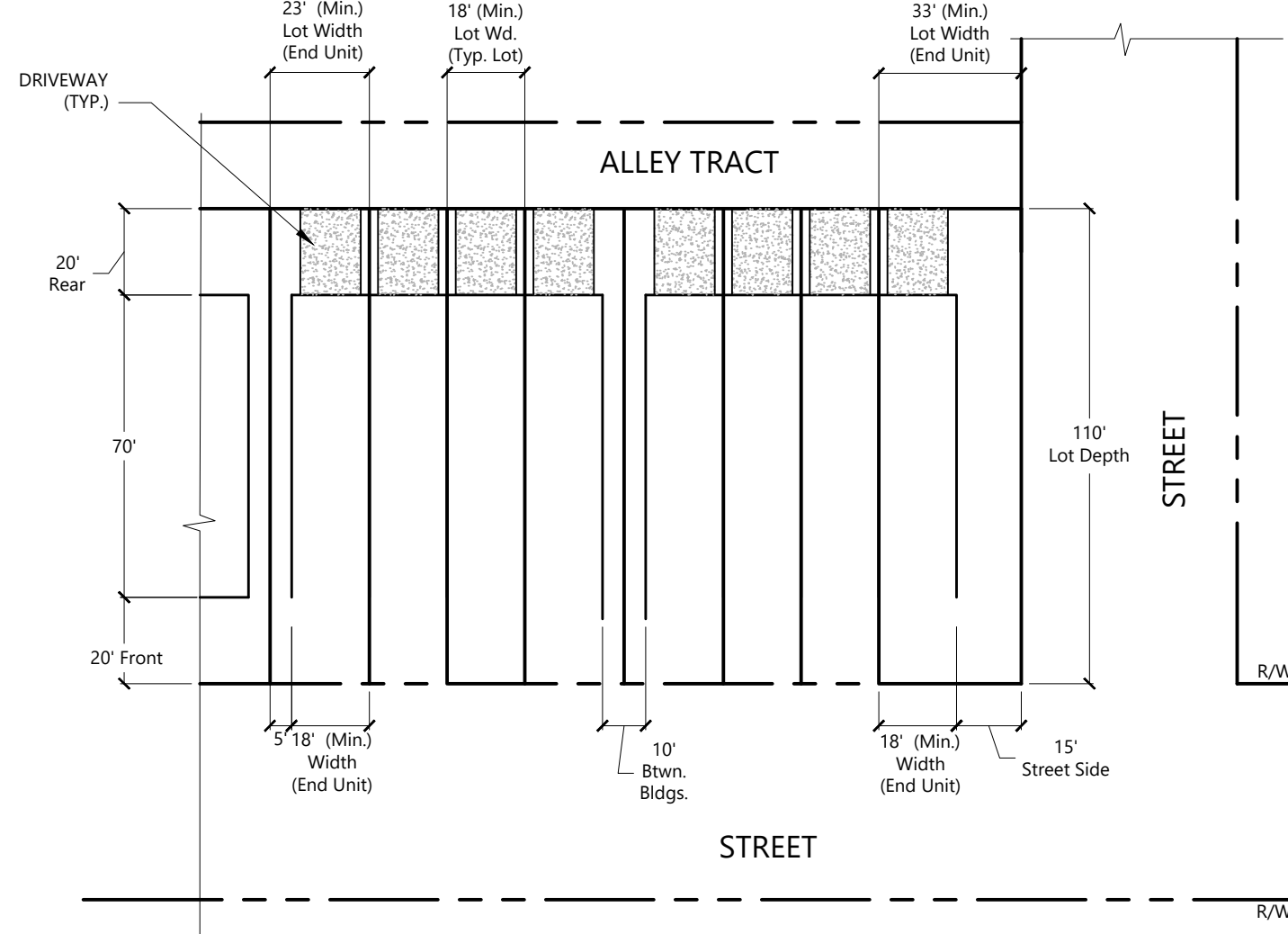
**32' - 40' x 110' Single-Family Lot (Rear Loaded with Detached Garage)**  
Scale: 1"=40'



**40' - 70' x 120' Single-Family Lot (Front Loaded)**  
Scale: 1"=40'



**18' - 25' x 110' Townhome (Front Loaded)**  
Scale: 1"=40'



**18' - 25' x 110' Townhome (Rear Loaded)**  
Scale: 1"=40'

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Certificate of Authorization Number 3932

Project Title

**Wellness Way PUD**

City of Clermont, Florida

**Typical Lot Diagrams & Road Sections**

Drawing

**C-9**

Scale

Date

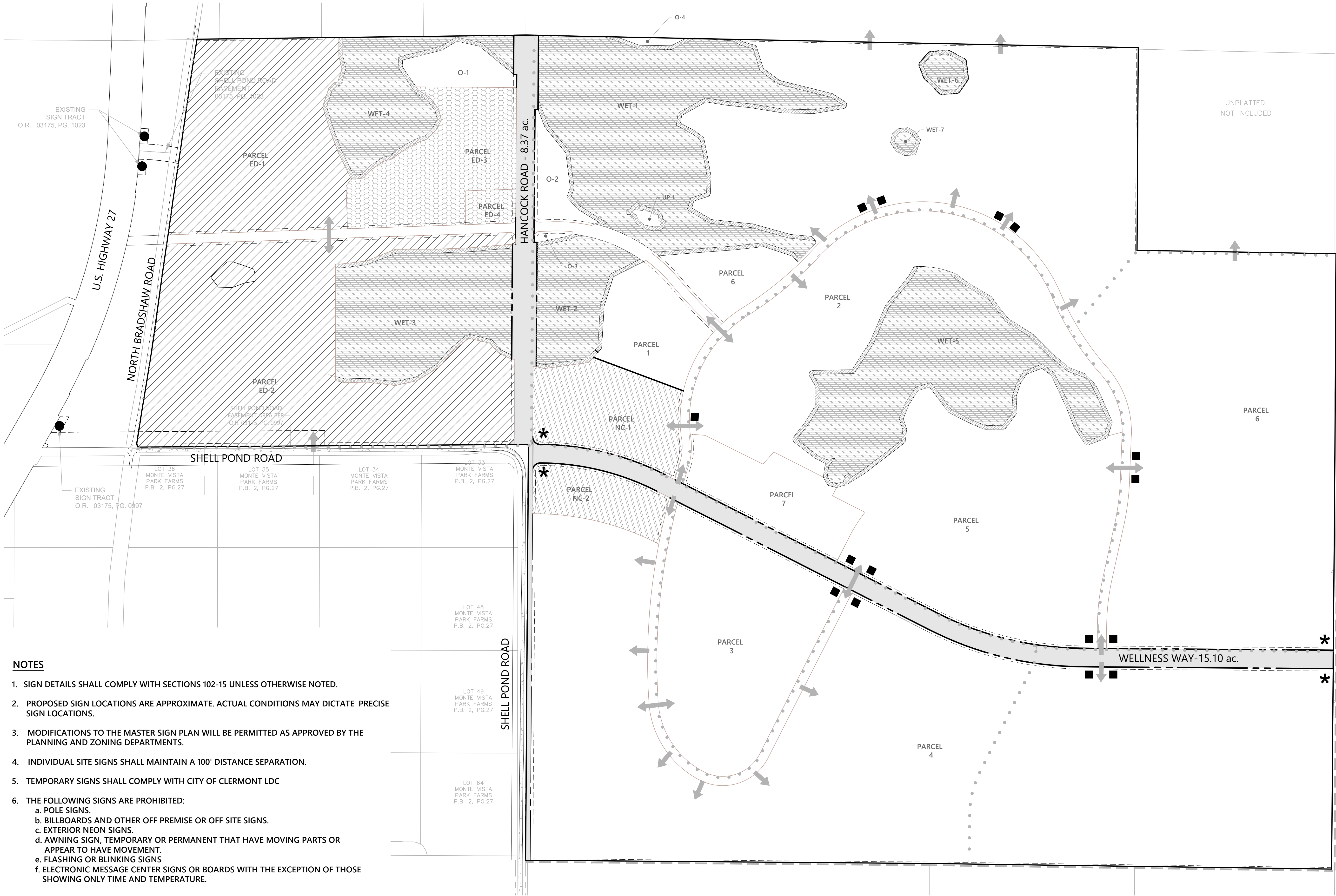
Oct. 18, 2019

Project Number

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6330200-PD-LOT DIAGRAM.DWG





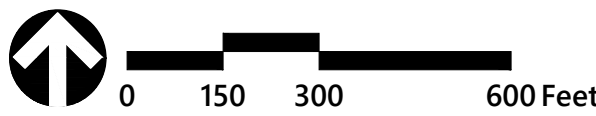
NOTES

- SIGN DETAILS SHALL COMPLY WITH SECTIONS 102-15 UNLESS OTHERWISE NOTED.
- PROPOSED SIGN LOCATIONS ARE APPROXIMATE. ACTUAL CONDITIONS MAY DICTATE PRECISE SIGN LOCATIONS.
- MODIFICATIONS TO THE MASTER SIGN PLAN WILL BE PERMITTED AS APPROVED BY THE PLANNING AND ZONING DEPARTMENTS.
- INDIVIDUAL SITE SIGNS SHALL MAINTAIN A 100' DISTANCE SEPARATION.
- TEMPORARY SIGNS SHALL COMPLY WITH CITY OF CLERMONT LDC
- THE FOLLOWING SIGNS ARE PROHIBITED:
  - POLE SIGNS.
  - BILLBOARDS AND OTHER OFF PREMISE OR OFF SITE SIGNS.
  - EXTERIOR NEON SIGNS.
  - AWNING SIGN, TEMPORARY OR PERMANENT THAT HAVE MOVING PARTS OR APPEAR TO HAVE MOVEMENT.
  - FLASHING OR BLINKING SIGNS
  - ELECTRONIC MESSAGE CENTER SIGNS OR BOARDS WITH THE EXCEPTION OF THOSE SHOWING ONLY TIME AND TEMPERATURE.

|   | GROUND SIGN TYPE                     | NUMBER OF SIGNS | MAX. HEIGHT TO GROUND ALLOWED PER CODE | MAX. WIDTH ALLOWED PER CODE | MAX. COPY AREA ALLOWED PER CODE | MAX. HEIGHT TO GROUND PROVIDED | MAX. WIDTH PROVIDED | MAX. COPY AREA PROVIDED |
|---|--------------------------------------|-----------------|----------------------------------------|-----------------------------|---------------------------------|--------------------------------|---------------------|-------------------------|
| ● | GATEWAY SIGN (U.S. HIGHWAY 27)       | 3               | 10'                                    | 10'                         | 60 S.F.<br>(ARTERIAL ROADWAY)   | 15'                            | 20'                 | WAIVER REQUESTED        |
| ★ | COMMUNITY IDENTIFICATION             | 4               | 8'                                     | 10'                         | 48 S.F.<br>(COLLECTOR ROADWAY)  | 15'                            | 20'                 | PER CODE                |
| ■ | RESIDENTIAL SUBDIVISION/MULTI-FAMILY | 15              | 8' - SUBDIVISION<br>9' - MULTI-FAMILY  | N/A                         | 32 S.F.<br>(INTERNAL ROADWAY)   | PER CODE                       | PER CODE            | PER CODE                |

LEGEND

- FRAMEWORK ROAD
- OFFSITE TRAIL
- PROPOSED MULTI-USE TRAIL
- WETLAND LIMITS  
WETLAND SOURCE:  
ALLEN & COMPANY SURVEYORS  
11/16/2018
- WETLAND BUFFER (25' WIDE)
- ED  
EMPLOYMENT DISTRICT
- ED  
PROPOSED SCHOOL/PARK
- NC  
NEIGHBORHOOD CENTER
- ACCESS



| No. | Revision | Date | Appvd. |
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Project Title

Wellness Way PUD

City of Clermont, Florida  
Drawing Title

Master Sign Plan

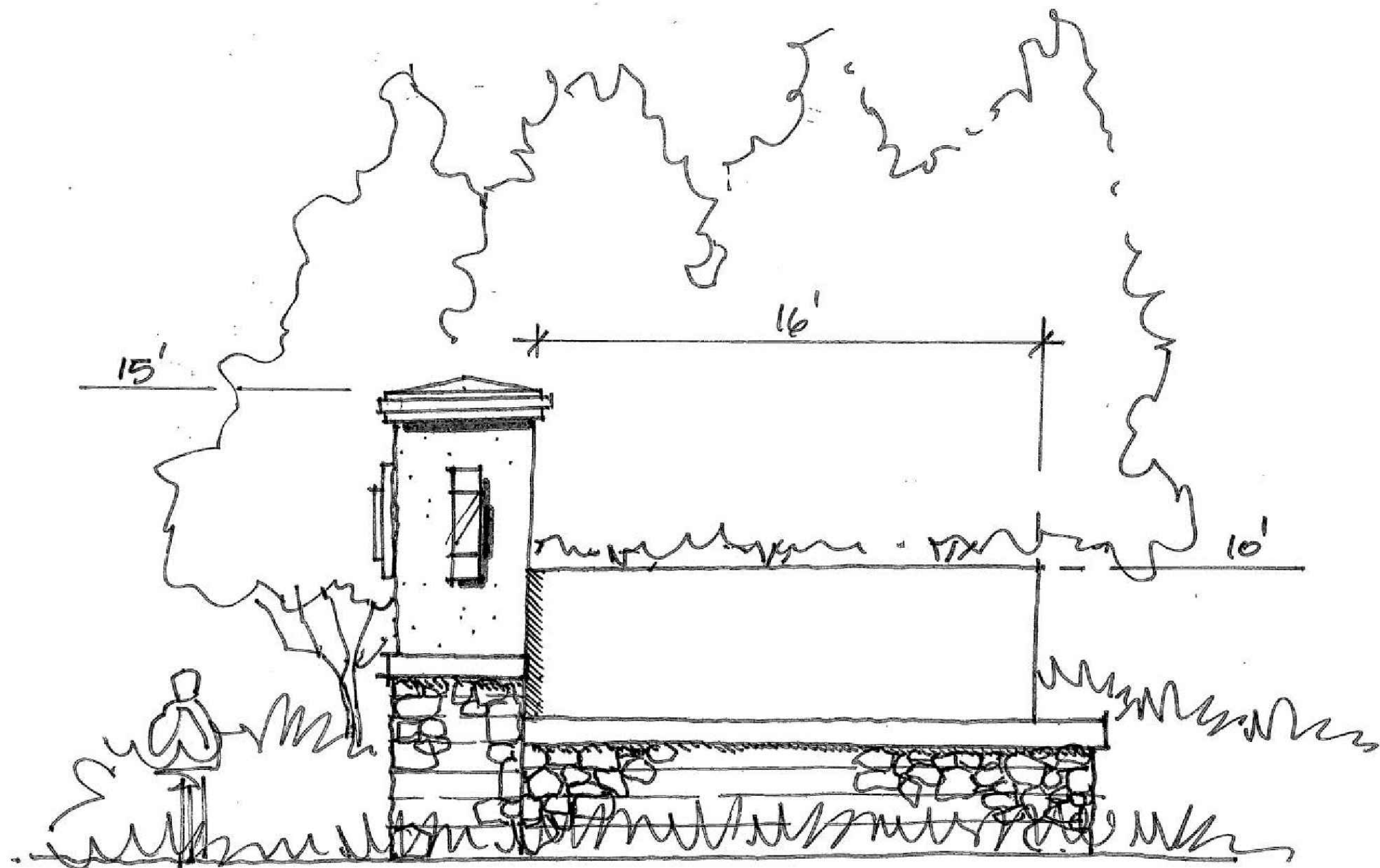
Drawing

C-10

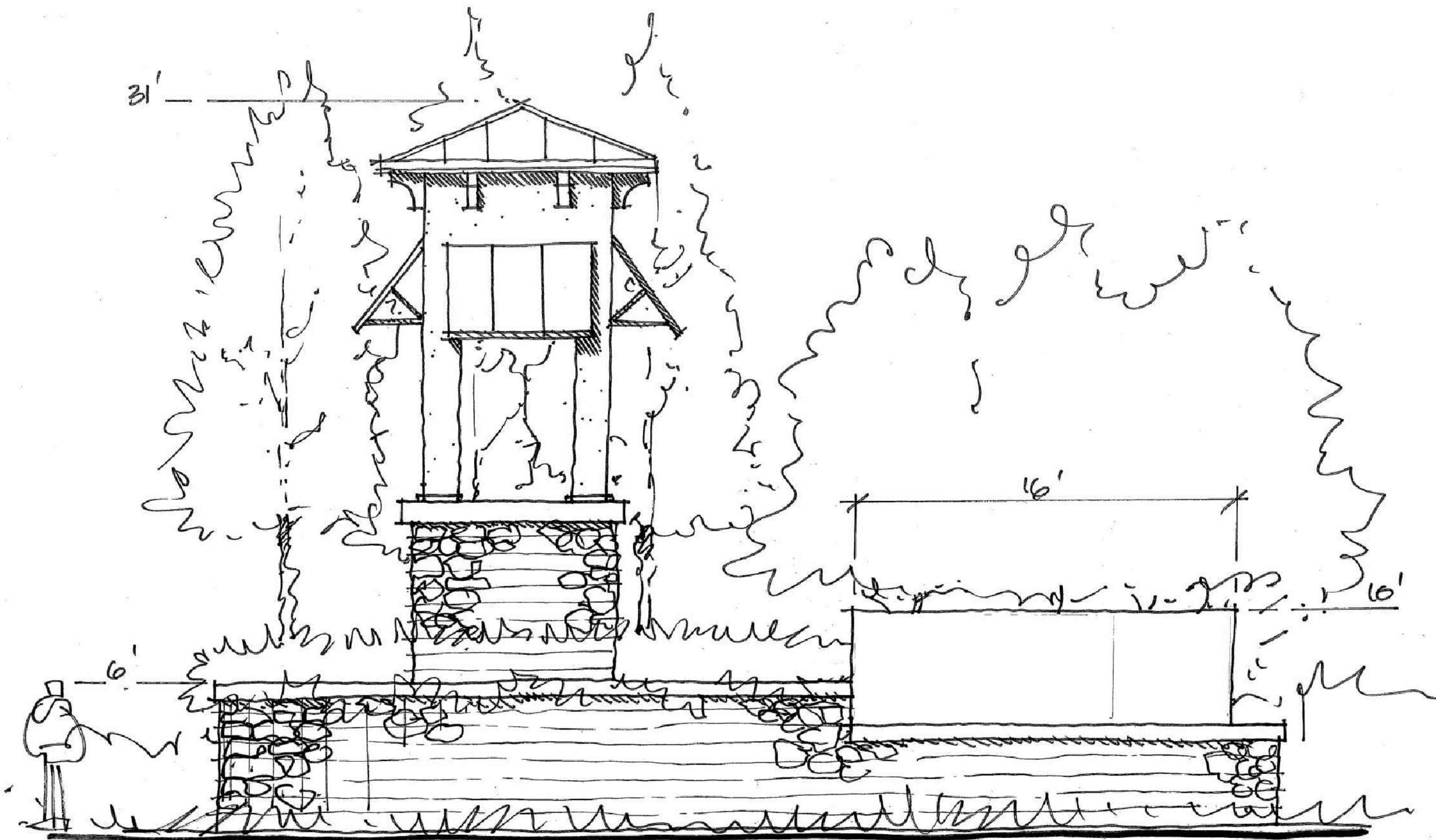
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Oct. 18, 2019 63302.00

6330200-PD-SIGN.DWG





A - Community Identification Sign  
N.T.S.



B - Gateway Sign  
N.T.S.

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Project Title

Wellness Way  
PUD

City of Clermont, Florida

Sign Character  
Sketches

C-11

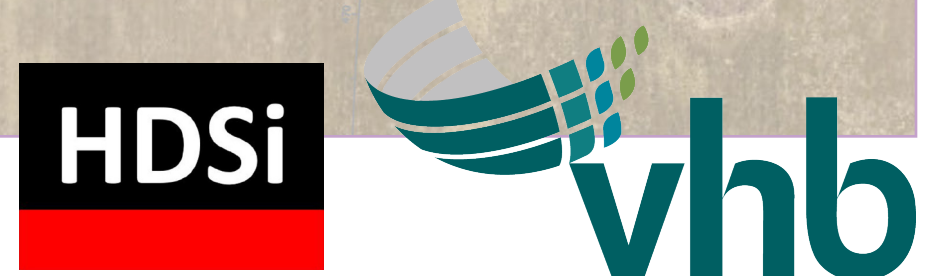
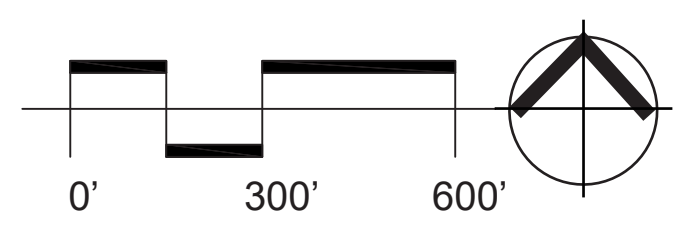
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Oct. 18, 2019 63302.00





**WELLNESS WAY**  
**MASTER PLAN**  
 Lake County ▪ Florida

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FILE PATH: \\vhb\gb\proj\Orlando\63302.00 Lennar-Wellness Way\graphics\BOARDS\Rendered Master Plan\ Master Plan 300sc 24x36.indd



# Exhibit 4

## Proportionate Share Calculation

The deficient roadway segments listed in the previous section will require mitigation via a proportionate share cost or physical improvements to the deficient roadways. The County, City and area property owners including South Lake Crossings are in the process of establishing a term sheet for the delivery of the Wellness Way Framework Streets which prioritize the two-lane (future four-lane) Wellness Way and Hancock Road Extension. A resolution supporting the Wellness Way Transportation Network will be presented to the Lake County Board of County Commissioners for approval at the May 7, 2019. Therefore, the proportionate share costs provided in the **Table 10** include impacts to the Wellness Way Framework Streets regardless of an identified deficiency assuming the ultimate build of a four-lane roadway and four-lane capacity. It is the intent that proportionate share costs be pipelined to advance the acquisition of right-of-way adjacent to Conserve II for Wellness Way and design, permitting and construction of Wellness Way, Hancock Road Extension, and CR 455/Hartle Road Extension.

Cost per mile was based on the Lake County construction cost per the CEMEX Agreement with an adjustment of 10% for contingency, 12% for design, and 10% for CEI for an adjustment factor of 1.32. The 2018 FDOT Long Range Estimate Cost Per Mile Model was also used with an adjustment of 10% for design and 10% for CEI. Cost per mile calculations are provide in **Table 10**.

**Table 10** summarizes the proportionate share cost based on the product of the cost for the improvement and the ratio of peak hour projects trip to the added peak hour capacity. The proportionate share cost calculated for the buildout of South Lake Crossings is \$7,701,691.

Table 10 - Proportionate Share Calculation (Buildout)

| Roadway           | Segment                                | Peak Hour Capacity |        |       | Length | Cost per Mile Assumptions <sup>1</sup> |              |               | PK Hr Project Trips | Signific | Defic | Proportionate Share |
|-------------------|----------------------------------------|--------------------|--------|-------|--------|----------------------------------------|--------------|---------------|---------------------|----------|-------|---------------------|
|                   |                                        | Existing/Committed | Future | Added |        | Source                                 | Total        | Segment Cost  |                     |          |       |                     |
| CR 455/Hartle Rd  | Hartwood Marsh Rd to Wellness Way      | 0                  | 3,580  | 3,580 | 3.25   | FDOT                                   | \$ 5,175,342 | \$ 16,819,862 | 42                  | N        | Y     | \$ 197,327.98       |
|                   | Wellness Way to E-W Connector          | 0                  | 3,580  | 3,580 | 1.32   | FDOT                                   | \$ 5,175,342 | \$ 6,831,451  | 134                 | Y        | N     | \$ 255,702          |
| S Hancock Rd      | Hook St to Johns Lake Rd               | 1,440              | 3,222  | 1,782 | 1.22   | FDOT                                   | \$ 3,434,590 | \$ 4,190,199  | 155                 | Y        | Y     | \$ 364,467          |
|                   | Johns Lake Rd to Hartwood Marsh Rd     | 1,440              | 3,222  | 1,782 | 1.75   | FDOT                                   | \$ 3,434,590 | \$ 6,010,532  | 207                 | Y        | Y     | \$ 698,193          |
|                   | Fuqua Boundary to Conserve             | 0                  | 3,580  | 3,580 | 0.66   | FDOT                                   | \$ 5,175,342 | \$ 3,415,726  | 318                 | Y        | N     | \$ 303,408          |
|                   | Conserve to Wellness Way               | 0                  | 3,580  | 3,580 | 0.74   | FDOT                                   | \$ 8,938,253 | \$ 6,614,307  | 498                 | Y        | N     | \$ 920,091          |
| Hartwood Marsh Rd | US 27 to Hancock Rd                    | 1,197              | 2,628  | 1,431 | 0.71   | FDOT                                   | \$ 5,175,342 | \$ 3,674,493  | 43                  | N        | Y     | \$ 110,415          |
|                   | Hancock Rd to N 90 Degree Bend         | 1,197              | 2,628  | 1,431 | 1.44   | FDOT                                   | \$ 5,175,342 | \$ 7,452,492  | 43                  | N        | Y     | \$ 223,939          |
| Wellness Way      | N 90 Degree Bend to Orange County Line | 1,197              | 2,628  | 1,431 | 1.59   | FDOT                                   | \$ 5,175,342 | \$ 8,228,794  | 16                  | N        | Y     | \$ 92,006           |
|                   | US 27 to Hancock Road                  | 1,440              | 3,580  | 2,140 | 0.61   | Lake Co                                | \$ 1,650,000 | \$ 1,006,500  | 560                 | Y        | N     | \$ 263,383          |
|                   | Hancock Road to 1.12 miles east        | 0                  | 3,580  | 3,580 | 1.12   | FDOT                                   | \$ 8,938,253 | \$ 10,010,844 | 804                 | Y        | N     | \$ 2,248,245        |
|                   | 1.12 miles east to County Line         | 0                  | 3,580  | 3,580 | 2.23   | FDOT                                   | \$ 5,175,342 | \$ 11,541,013 | 628                 | Y        | Y     | \$ 2,024,513        |
| Total             |                                        |                    |        |       |        |                                        |              |               |                     |          |       | \$ 7,701,691        |

Notes:

<sup>1</sup> Cost per mile based on Construction Cost per the Lake County CEMEX Agreement and 2018 FDOT Long Range Estimate Cost Per Mile Model (see tables below)

Lake County Cost

| Improvement                           | Construction Cost per mile (CEMEX Agreement) | Adjustment Factor | Total Cost |
|---------------------------------------|----------------------------------------------|-------------------|------------|
| New 2L Urban - Future 4L              | \$ 3,675,000                                 | 1.32              | 4,851,000  |
| New 2L Rural Undivided w/ 4' shoulder | \$ 1,624,350                                 | 1.32              | 2,144,142  |
| Widen 2L inside 4L divided, Urban     | \$ 1,250,000                                 | 1.32              | 1,650,000  |

Adjustment Factor = 1.32 (assumes 10% contingency, 12% design and 10% CEI)

2018 FDOT Long Range Estimate Cost Per Mile Model

| Improvement                                               | LRE Construction Cost per mile | Design (10%)  | CEI (10%)     | Total        |
|-----------------------------------------------------------|--------------------------------|---------------|---------------|--------------|
| New Urban 2LU (w/ 4' bike lanes)                          | \$ 4,981,800                   | \$ 498,180.00 | \$ 498,180.00 | \$ 5,978,160 |
| New Rural 2L (w/ 5' paved shoulders)                      | \$ 2,202,091                   | \$ 220,209.10 | \$ 220,209.10 | \$ 2,642,509 |
| New Rural 3LU with 5' paved shoulder and turn lanes       | \$ 2,673,585                   | \$ 267,358.51 | \$ 267,358.51 | \$ 3,208,302 |
| New Rural 4 LD (w/ 2' paved shoulders inside, 5' outside) | \$ 4,312,785                   | \$ 431,278.50 | \$ 431,278.50 | \$ 5,175,342 |
| New Urban 4L (w/ 22' median and 4' bike lanes)            | \$ 7,448,544                   | \$ 744,854.44 | \$ 744,854.44 | \$ 8,938,253 |
| Widen 2L to 4L Divided, Rural                             | \$ 2,862,158                   | \$ 286,215.80 | \$ 286,215.80 | \$ 3,434,590 |

Based on Long Range Estimate Cost per Mile Model (3/20/2019)





**CITY OF CLERMONT  
REZONING  
APPLICATION**

DATE: \_\_\_\_\_

FEE: \$542.<sup>00</sup>  
+ cost of advertisement

PROJECT NAME (if applicable): \_\_\_\_\_

APPLICANT: Shutts & Bowen

CONTACT PERSON: Daniel O'Keefe

Address: 300 S. Orange Ave., Suite 1600

City: Orlando State: FL Zip: 32801

Phone: 407-835-6956 Fax: \_\_\_\_\_

E-Mail: dokeefe@shutts.com

OWNER: South Lake Crossings I LLC; South Lake Crossings III LLC

Address: PO Box 135

City: Windermere State: FL Zip: 34786

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Address of Subject Property: 14811 Shell Pond Road

Legal Description (include copy of survey): \_\_\_\_\_

please see attached

Acreage: \_\_\_\_\_ Land Use: Wellness Way (Lake County)  
(City verification required)

Present Zoning: A (Lake County) Proposed Zoning: PUD  
(City verification required)



**CITY OF CLERMONT  
REZONING  
FILING INSTRUCTIONS**

Any person requesting a Rezoning shall file a complete application and pay a fee as established by resolution of the City Council in the Development Services Department on or before the 1<sup>st</sup> day of the month; Complete applications may then be scheduled for Public Hearings the following month - on the 1<sup>st</sup> Tuesday (Planning & Zoning Commission), 2<sup>nd</sup> Tuesday (City Council first reading only) and 4<sup>th</sup> Tuesday (City Council adoption). All applications must be complete, and include applicable site plans and/or pertinent descriptive materials in order to be processed. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearings.

**A Pre-Application meeting with the Development Services Director (or designated staff) may be required prior to submittal of the application. Please check with the Development Services Department staff.**

**The Applicant shall provide the following information with this application:**

- ▶ Completed application. Include all signatures:
  - ◇ Applicant's signature (if different from owner of record)
  - ◇ Owner's signature (owner of record) unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitted with the application.
- ▶ Proof of ownership – (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- ▶ Plot plan (drawn to scale) of the property involved showing the location of existing buildings or structures and the location of proposed buildings or structures which specifically delineates and illustrates the extent of the rezoning request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on rezoning)
  - a. Name, address and phone number of the applicant.
  - b. North arrow, date and scale.
  - c. Property lines, existing structures, proposed structures and contiguous streets.
  - d. A short description of the proposed structural usage.
  - e. A topographical map with five (5) foot contour lines (if deemed necessary for clarification purposes by City staff).
- ▶ Fee: \$542.<sup>00</sup> plus the cost of the advertisement



**CITY OF CLERMONT  
REZONING  
APPLICATION**  
Page 2

**Answers to the following questions are required to complete this application.**

What are you proposing to do that would require a rezoning?

please see the attached narrative.

Daniel T. O'Keefe  
Applicant Name (print)

X Dan O'Keefe  
Applicant Name (signature)

Thomas J. Karr, Jr.  
Owner Name (print)

X Thomas J. Karr, Jr.  
Owner Name (signature)

**City of Clermont**  
Development Services Department  
685 W. Montrose St.  
P.O. Box 120219  
Clermont, FL. 34712-0219  
(352) 394-4083 Fax: (352) 394-3542



# Daily Commercial

## Advertising Receipt

The Daily Commercial  
PO Box 490007  
Leesburg, FL 34749-0007  
Phone: (352) 365-8200  
Fax: (352) 365-1951

CITY OF CLERMONT  
Carlie Zinker  
P.O. BOX 120219  
CLERMONT, FL 34712

Account Number: 7101866  
Order Number: 10089822  
Phone: (352) 241-7331  
Date: 08/09/19  
Ad Taker: Joanne French

### Ad Classification: LEGAL NOTICES

| Description                                                                   | Start      | End        | Total      |
|-------------------------------------------------------------------------------|------------|------------|------------|
| LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler | 08/19/2019 | 09/09/2019 | \$1,899.24 |

#### LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

#### ORDINANCE NO. 2019-06

An ordinance under the Code of Ordinances of the City of Clermont, Lake County, Florida amending the official zoning map of the City of Clermont, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances; Rezoning the real properties described herein as shown below, providing for severability, an effective date and publication.

#### LOCATION

1.75 miles south of Hartwood Marsh Road, East of US 27  
Approx. 743 +/- Acres

#### LEGAL DESCRIPTION

Parcel 1:

Parcel A

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast 1/4 of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E, 2653.20 feet along the north line of said northeast 1/4 to a 2" iron pipe found at the northeast corner of said northeast 1/4 of said section 21, said northeast corner according to certified corner record #48106; thence S88°49'23"E along the north line of the northwest 1/4 of the aforesaid section 22, 670.44 feet to the point of beginning;

thence continue S88°49'23"E along said north line, 1976.14 feet; thence S88°49'23"E along the north line of the northwest 1/4 of the northeast 1/4 of said section 22, 1323.29 feet; thence S00°20'55"W along the west line of the northeast 1/4 of said northeast 1/4 of said section 22, 1314.56 feet; thence S89°00'54"E along the south line of said northeast 1/4 of the northeast 1/4 of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence S00°19'09"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast 1/4 of section 22, 1310.25 feet to a point in the north line of the southeast 1/4 of said section 22, distant 33.00 feet on a bearing of N89°12'24"W, from a 5/8" iron rod and cap #PLS4779 found at the east 1/4 corner of said section 22, said east 1/4 corner according to certified corner record #084030; thence S00°27'16"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast 1/4 of said section 22, 2681.30 feet to a point in the north line of the northeast 1/4 of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of N89°12'03"W from a 4"x4" concrete monument #RLSL993 found at the northeast corner of said northeast 1/4 of section 27, thence N89°12'03"W along said north line, 2612.60 feet to a 4"x4" concrete monument found at the northeast corner of the northwest 1/4 of said section 27; thence N89°32'30"W along the north line of said northwest 1/4, 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00

feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest 1/4 of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest 1/4 of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest 1/4 of section 22, said northwest corner according to certified corner record #48107; thence S89°38'30"W along the east-west center section line of the aforesaid section 21, 1287.60 feet; thence, departing said east-west center section line, N00°00'00"E, 456.14 feet; thence N55°49'12"E, 1567.27 feet to an iron rod with cap #LB68 set at the northwest corner of the southwest 1/4 of the northwest 1/4 of the aforesaid section 22; thence S89°00'54"E along the north line of said southwest 1/4 of the northwest 1/4, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

Less and except therefrom: those parcels described in Official Records Book #49, page 2162; Parcel 122 (fee simple); the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2892.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple): the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple): the northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the

westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567;

Parcel 129 (fee simple): the westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast 1/4 of the southeast 1/4 of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 851, page 145E;

Parcel 130 (fee simple): the northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast 1/4 of the northeast 1/4 of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

and:

Parcel b

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast 1/4 of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E along the north line of said northeast 1/4, 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by

| Payment Info   |            |
|----------------|------------|
| Ad Price       | \$1,899.24 |
| Tax            | \$0.00     |
| Sub Total      | \$1,899.24 |
| Prepaid Amount | \$0.00     |
| Balance Due    | \$1,899.24 |

# Daily Commercial

## Advertising Receipt

The Daily Commercial  
PO Box 490007  
Leesburg, FL 34749-0007  
Phone: (352) 365-8200  
Fax: (352) 365-1951

CITY OF CLERMONT  
Carlie Zinker  
P.O. BOX 120219  
CLERMONT, FL 34712

Account Number: 7101866  
Order Number: 10089822  
Phone: (352) 241-7331  
Date: 08/09/19  
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

| Description                                                                   | Start      | End        | Total      |
|-------------------------------------------------------------------------------|------------|------------|------------|
| LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler | 08/19/2019 | 09/09/2019 | \$1,899.24 |

Donald W. McIntosh associates, Inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38" w, 226.88 feet; s08°14'05" w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58" w, 235.08 feet; s07°40'42" w, 73.87 feet; s08°15'45" w, 120.18 feet; s08°15'35" w, 293.65 feet; s07°52'00" w, 391.90 feet; s08°15'41" w, 126.07 feet; s09°13'52" w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14" w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01" e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30" e along said east-west center of section line 1210.47 feet; thence, departing said east-west center of section line, n00°00'00" e, 458.14 feet; thence n88°49'12" e, 1587.27 feet to the northwest corner of the southwest ¼ of the northwest ¼ of the aforesaid section 22; thence s89°00'54" e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23" w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46" w along the north

line of said northeast ¼, 2134.70 feet to the point of beginning.

Less and except

North Parcel (Cut Out Parcel)

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48106; thence n89°16'46" e along the north line of said northeast ¼, 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, Inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, Inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38" w, 226.88 feet; s08°14'05" w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58" w, 235.08 feet; s07°40'42" w, 73.87 feet; s08°15'45" w, 120.18 feet; s08°15'35" w, 293.65 feet; s07°52'00" w, 391.90 feet; s08°15'41" w, 126.07 feet; s09°13'52" w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14" w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01" e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the

east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30" e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17" e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence, departing said west line run s89°00'54" e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23" w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46" w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Being more particularly described as:

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48106; thence n89°16'46" e, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence s88°49'23" e along the north line of the northwest

¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue s88°49'23" e along said north line, 1976.14 feet; thence s88°49'23" e along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence s00°20'55" w along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.86 feet; thence s89°00'54" e along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.81 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence s00°19'09" w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of n89°12'24" w, from a 5/8" iron rod and cap #pls4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence s00°27'16" w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of n89°12'03" w from a 4"x4" concrete monument #ris1993 found at the northeast corner of said northeast ¼ of section 27, thence n89°12'03" w along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest ¼ of said section 27; thence n89°32'30" w along the north line of said northwest ¼, 2614.54 feet to a 4"x4" concrete monument found in

| Payment Info   |            |
|----------------|------------|
| Ad Price       | \$1,899.24 |
| Tax            | \$0.00     |
| Sub Total      | \$1,899.24 |
| Prepaid Amount | \$0.00     |
| Balance Due    | \$1,899.24 |

# Daily Commercial

## Advertising Receipt

The Daily Commercial  
PO Box 490007  
Leesburg, FL 34749-0007  
Phone: (352) 365-8200  
Fax: (352) 365-1951

CITY OF CLERMONT  
Carlie Zinker  
P.O. BOX 120219  
CLERMONT, FL 34712

Account Number: 7101866  
Order Number: 10089822  
Phone: (352) 241-7331  
Date: 08/09/19  
Ad Taker: Joanne French

### Ad Classification: LEGAL NOTICES

| Description                                                                   | Start      | End        | Total      |
|-------------------------------------------------------------------------------|------------|------------|------------|
| LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler | 08/19/2019 | 09/09/2019 | \$1,899.24 |

the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest ¼ of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest ¼ of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest ¼ of said section 22, said northwest corner according to certified corner record #48107; thence N00°23'17"E along the west line of the southwest ¼ of the northwest ¼ of the aforesaid section 22, 1327.85 feet to an iron rod with cap #1668 set at the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence S89°00'54"E along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

#### Less and except therefrom;

Those parcels described in Official Records Book 848, page 2162;

#### Parcel 122 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

#### Parcel 123 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state

of Florida.

#### Parcel 124 (fee simple):

The northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567:

#### Parcel 129 (fee simple):

The westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast ¼ of the southeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that Parcel described in Official Records Book 861, page 1458:

#### Parcel 130 (fee simple):

The northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast ¼ of the northeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, all in the Public Records of Lake County, Florida.

#### Parcel 2:

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

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48106; thence N89°16'46"E along the north line of said northeast 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, Inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, Inc., drawing number 02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line; S09°07'38"W, 226.88 feet; S08°14'05"W, 483.61 feet; S08°51'03"W, 111.11 feet; S08°15'58"W, 235.08 feet; S07°40'42"W, 73.97 feet; S08°15'45"W, 120.18 feet; S08°15'35"W, 293.65 feet; S07°52'00"W, 391.90 feet; S08°15'41"W, 126.07 feet; S08°13'52"W, 181.39 feet; S08°21'18"W, 192.16 feet; S08°45'22"W, 191.95 feet; S10°07'14"W, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of S15°39'01"E; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of

aforesaid section 21; thence, departing said east right-of-way line, N89°26'30"E along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, N00°23'17"E along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of the aforesaid section 22; thence departing said west line run S89°00'54"E along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence N88°49'23"W along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence S89°16'46"W along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, and that certain declaration of easement and agreement regarding Road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 1023, all in the Public Records of Lake County, Florida.

Contains 743.00 acres more or less.

From: Urban Transition UT  
To: Planned Unit Development PUD

| Payment Info   |            |
|----------------|------------|
| Ad Price       | \$1,899.24 |
| Tax            | \$0.00     |
| Sub Total      | \$1,899.24 |
| Prepaid Amount | \$0.00     |
| Balance Due    | \$1,899.24 |



# Daily Commercial

## Advertising Receipt

The Daily Commercial  
PO Box 490007  
Leesburg, FL 34749-0007  
Phone: (352) 365-8200  
Fax: (352) 365-1951

CITY OF CLERMONT  
Carlie Zinker  
P.O. BOX 120219  
CLERMONT, FL 34712

Account Number: 7101866  
Order Number: 10089822  
Phone: (352) 241-7331  
Date: 08/09/19  
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

| Description                                                                   | Start      | End        | Total             |
|-------------------------------------------------------------------------------|------------|------------|-------------------|
| LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler | 08/19/2019 | 09/09/2019 | <b>\$1,899.24</b> |

This request will be considered by the Planning & Zoning Commission on Tuesday, September 3, 2019 at 6:30 p.m. and a public meeting to consider the request will be held before the City Council on Tuesday, September 24, 2019 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall, located at 685 W. Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC  
City Clerk

Ad No: 10089822  
August 19, 2019 &  
September 09, 2019

| Payment Info   |                   |
|----------------|-------------------|
| Ad Price       | <b>\$1,899.24</b> |
| Tax            | <b>\$0.00</b>     |
| Sub Total      | <b>\$1,899.24</b> |
| Prepaid Amount | <b>\$0.00</b>     |
| Balance Due    | <b>\$1,899.24</b> |



## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

### Meeting Date

Tuesday, November 19, 2019

### Agenda Item Name

Ordinance No. 2019-47 *Final*  
*Heritage Square Distillery*

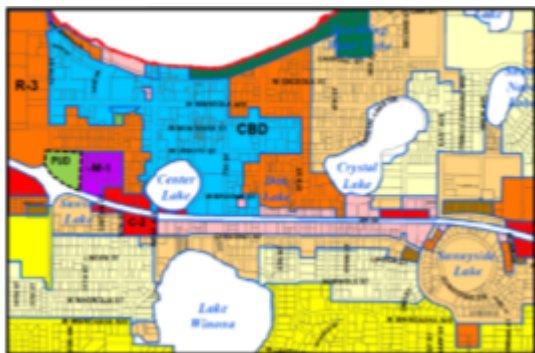
### Requested Action

Recommend approval of Ordinance No. 2019-47

### Staff Report

The applicant is requesting a zoning change from M-1 Industrial to Planned Unit Development (PUD), to allow for the development of a Distillery with a tasting room, restaurants and retail shops. The vacant 5.9 +/- acre parcel is located at the corner of State Road 50 and 12th Street. The current Land Use is Commercial and Planned Unit Development (PUD) zoning will allow the developer more flexibility to create a Master Development Plan for the property.

The subject property is located at the entrance and gateway of the City's Downtown Central Business District. The development of the property will promote and encourage more retail and mixed uses business opportunities in the area. The Master Development Plan includes development for up to six (6) buildings with up to a maximum 60,000 total square footage for all buildings. The permitted uses are commercial, office, retail, restaurants, bottling and warehouse, spirits and alcohol production, distillery, bars, and any other distribution associated with the distillery. The project shall be designed in substantial accordance with the Conceptual Development Plan prepared by McCoy and Associates. The project will be required to comply with the Land Development Regulations and all buildings must comply with Clermont Architectural Standards. The Applicant will be required to provide a Traffic Impact Study and comply with any identified traffic concurrency mitigation. Any Driveway Permits or Access points must be reviewed and approved by the City Engineer or his/her designee and by Lake County Public Works for any County Streets at the time of Site Plan Review.



The Planned Unit Development (PUD) zoning allows some flexibility to the Land Development Code, defined as waivers to the code. The applicant is requesting the following waivers:

1. To allow shared parking spaces between the restaurants and retail/commercial facilities.
2. To allow up to a maximum of 14 parking spaces between parking landscape islands.

3. To allow nine feet width x 20 feet depth (9' x 20') for employee parking spaces.
4. To allow the 11th Street Driveway Access within 35' of the Intersection.
5. To allow a 10 feet maximum height retaining wall instead of code requirements of 6 feet height.
6. To allow employee parking without internal terminal landscape islands.
7. To allow a 15 feet Building Setback for Building identified as (C) adjacent to 11th Street.

Staff has reviewed the application as submitted and finds the proposed project does meets the general requirements and standards for Section 122-315, Review Criteria for a PUD. The applicant is requesting several waivers to the Land Development Codes; the intent of PUD zoning is to allow more development flexibility by creating a development plan in accordance to the provisions of the land development code.

Staff recommends approval of Ordinance No. 2019-47 to rezone subject parcel from M-1 Industrial to Planned Unit Development (PUD). *The Planning & Zoning Commission recommended approval, 5-0.*

#### Additional Analysis

#### Fiscal Impact Summary

| Fiscal Impact | Fund Number and Description | Available Budget Amount |
|---------------|-----------------------------|-------------------------|
|               |                             |                         |

#### Exhibits Attached (copies of original agreements)

- |    |                                                      |                                                          |
|----|------------------------------------------------------|----------------------------------------------------------|
| 1. | Ordinance 2019-47 Heritage Square Distillery PUD REZ | Ordinance 2019-47 Heritage Square Distillery PUD REZ.pdf |
| 2. | Location Map                                         | Location Map.pdf                                         |
| 3. | Zoning Map                                           | Zoning Map.pdf                                           |
| 4. | Concept Site Plan-Final                              | Concept Site Plan-Final.pdf                              |
| 5. | Concept Plan-(2)                                     | Concept Plan-(2).pdf                                     |
| 6. | Application                                          | Application.pdf                                          |
| 7. | ORD 2019-47 Legal Ad Proof                           | ORD 2019-47 Legal Ad Proof.pdf                           |





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-47**

**AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, RECORDING AND PUBLICATION.**

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

**SECTION 1.**

The Official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

**LEGAL DESCRIPTION**

All of Blocks 123 and 124, together with a portion of Juniata Street between Blocks 123 and 124 and the North ½ of vacated Broome Street lying South of Block 124, City of Clermont, according to the map of plat thereof as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

**LOCATION**

Vacant property located northeast of the 12th Street and State Road 50 intersection  
(Alternate Key 1628580)

**From: M-1 Industrial District**  
**To: Planned Unit Development Zoning District (PUD)**

**SECTION 2. General Conditions**

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with Exhibit A - Planned Unit Development (PUD) Conceptual Development Plan prepared by McCoy and Associates. Formal construction plans incorporating all conditions stated in this Ordinance shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or any other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-47**

**SECTION 3. Land Uses and Specific Conditions**

1. The project may consist of up to six (6) buildings with up to a maximum 60,000 total square footage for all buildings. The permitted uses are commercial, office, retail, restaurants, bottling and warehouse, spirits and alcohol production, distillery, bars, and any other distribution associated with the distillery.
2. Building Setbacks

|                    |                                |
|--------------------|--------------------------------|
| From State Road 50 | 50 feet from the property line |
| Side Street        | 25 feet from the property line |
| Side Yard Setback  | 12 feet from the property line |
| Rear Yard Setback  | 25 feet from the property line |
3. Sidewalks shall be constructed adjacent to any streets' right-of-ways for pedestrian safety and to comply with Americans with Disabilities Act requirements.
4. The architectural features and building height shall not exceed 55 feet, measured at the highest point. The buildings shall be designed and constructed to meet the City of Clermont's Architectural Design Standards.
6. The project may be developed to allow shared parking between the restaurants, commercial, office and retail businesses.
7. The project may be developed to allow up to 14 parking spaces between landscape islands instead of code requirements of a maximum 10 parking spaces.
8. The project shall be developed according to the C-2 General Commercial zoning district in the Land Development Code, unless expressly stated above.
9. The project may be developed to allow 9 feet wide and 20 feet depth (9'x20') for employee parking spaces instead of requirements of the Land Development Code.
10. The project may be developed to allow employee parking without internal terminal landscape islands.
11. The project may be developed with no building landscaping in front of bay doors, but landscaping will be required around the office building.
12. The project may be developed to allow a maximum 10 foot height for retaining walls instead of 6 foot height requirements.
13. The Building identified as "C" setback may be reduced to 15 feet adjacent to 11th Street instead of the 25 feet requirement.
14. Any Driveway Permits or Access points must be reviewed and approved by the City Engineer or his/her designee and by Lake County Public Works for any designated County Streets at the time of Site Plan Review.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-47**

15. All fencing shall be ornamental wrought iron or metal, or decorative wood fencing, as approved by the Site Review Committee.
16. The 11th Street Driveway shall be within 35 feet of the intersection.
17. A Traffic Impact Study (TIS) shall be completed and reviewed by the Lake-Sumter Metropolitan Planning Organization. The study and comments shall be shared with all jurisdictions within the traffic impact area. If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies.

**SECTION 4.**

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

**SECTION 5.**

This Ordinance shall be recorded in the Public Records of Lake County, Florida.

**SECTION 6.**

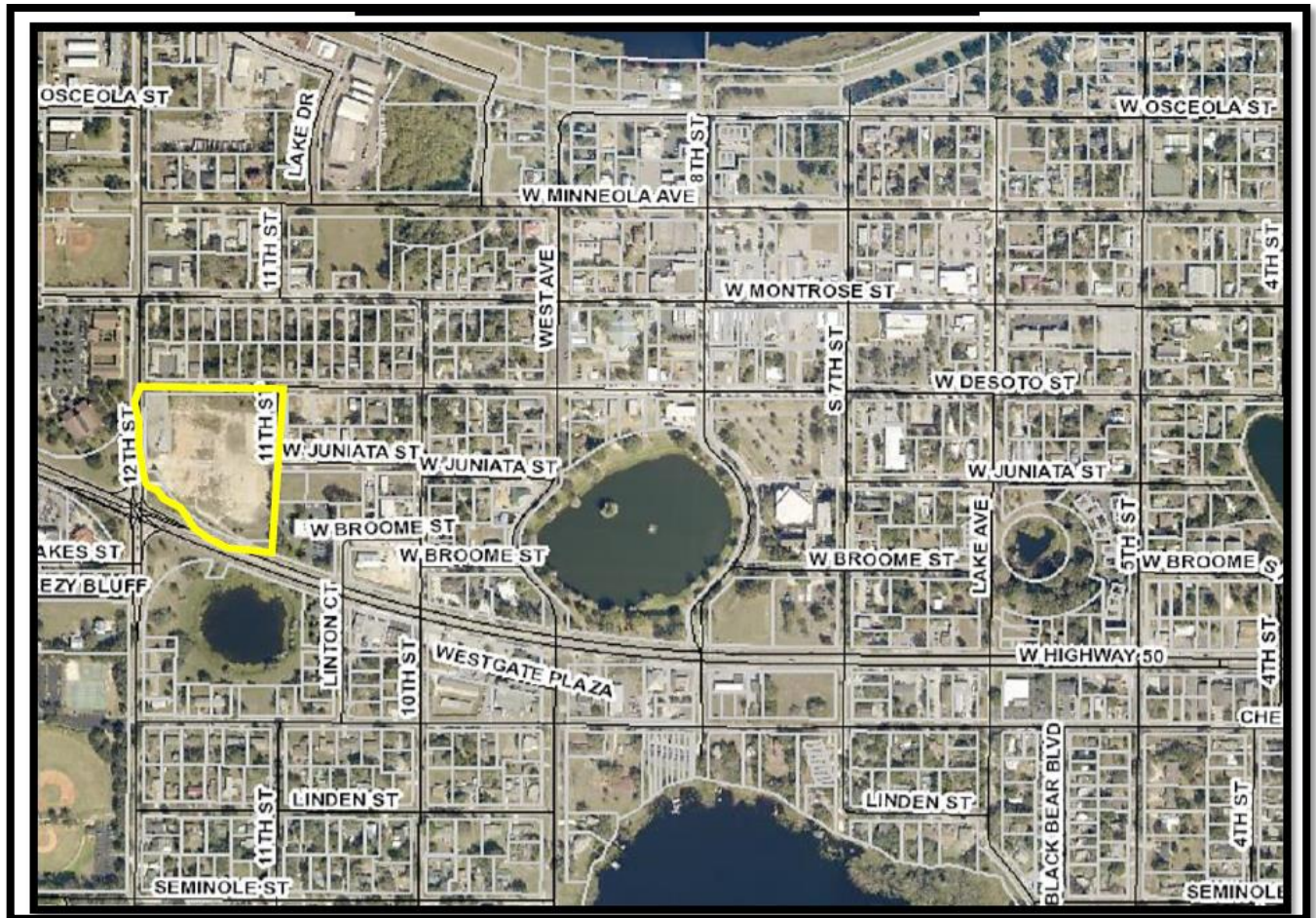
Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from the Section to which such holding shall apply.

**SECTION 7.**

This Ordinance shall be published as provided by law, and it shall become law and take effect upon its Second Reading and Final Passage.

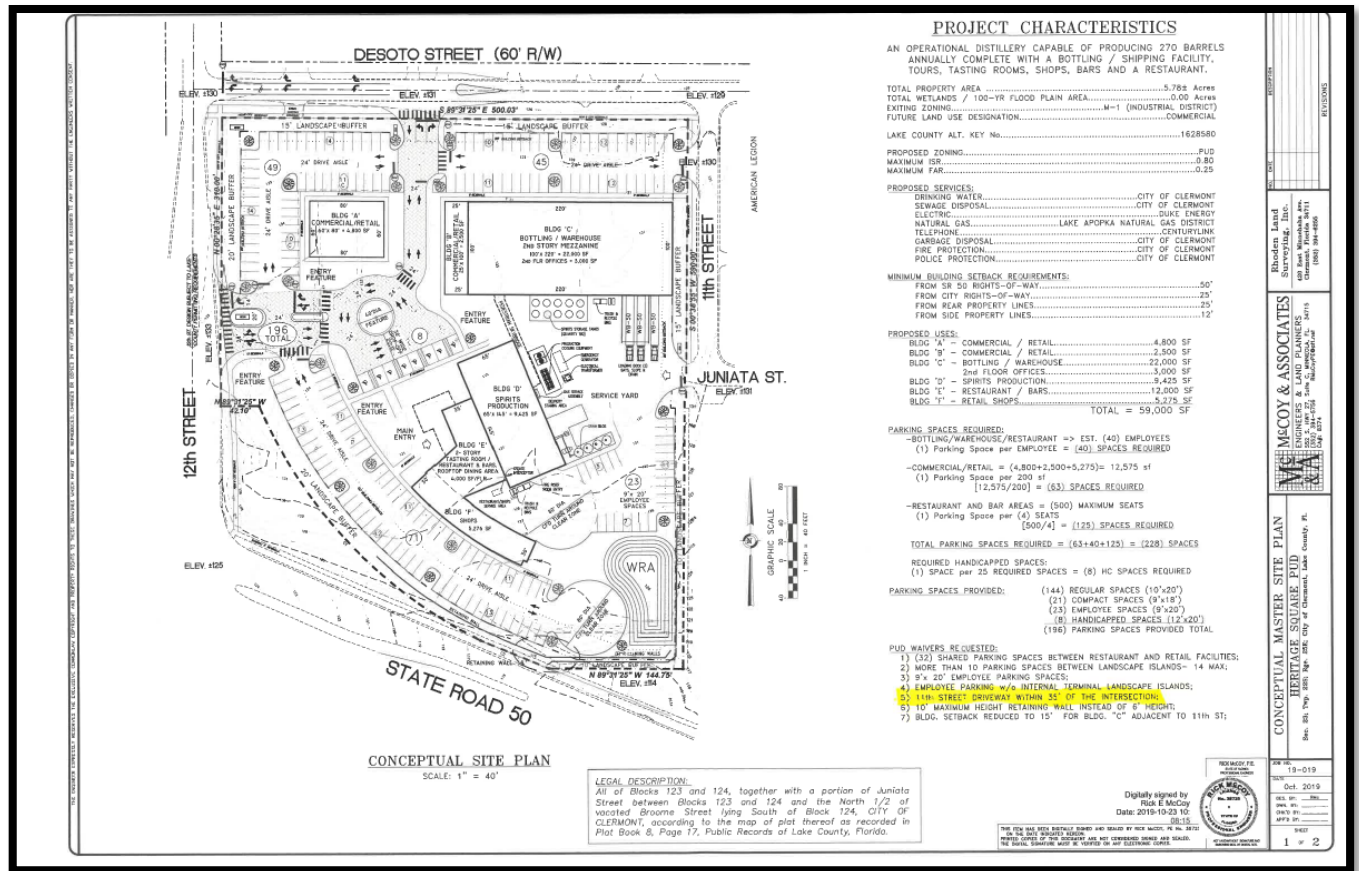


**Location Map:**



# CITY OF CLERMONT ORDINANCE NO. 2019-47

## Exhibit A:





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-47**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF CLERMONT

\_\_\_\_\_  
Gail L. Ash, Mayor

ATTEST:

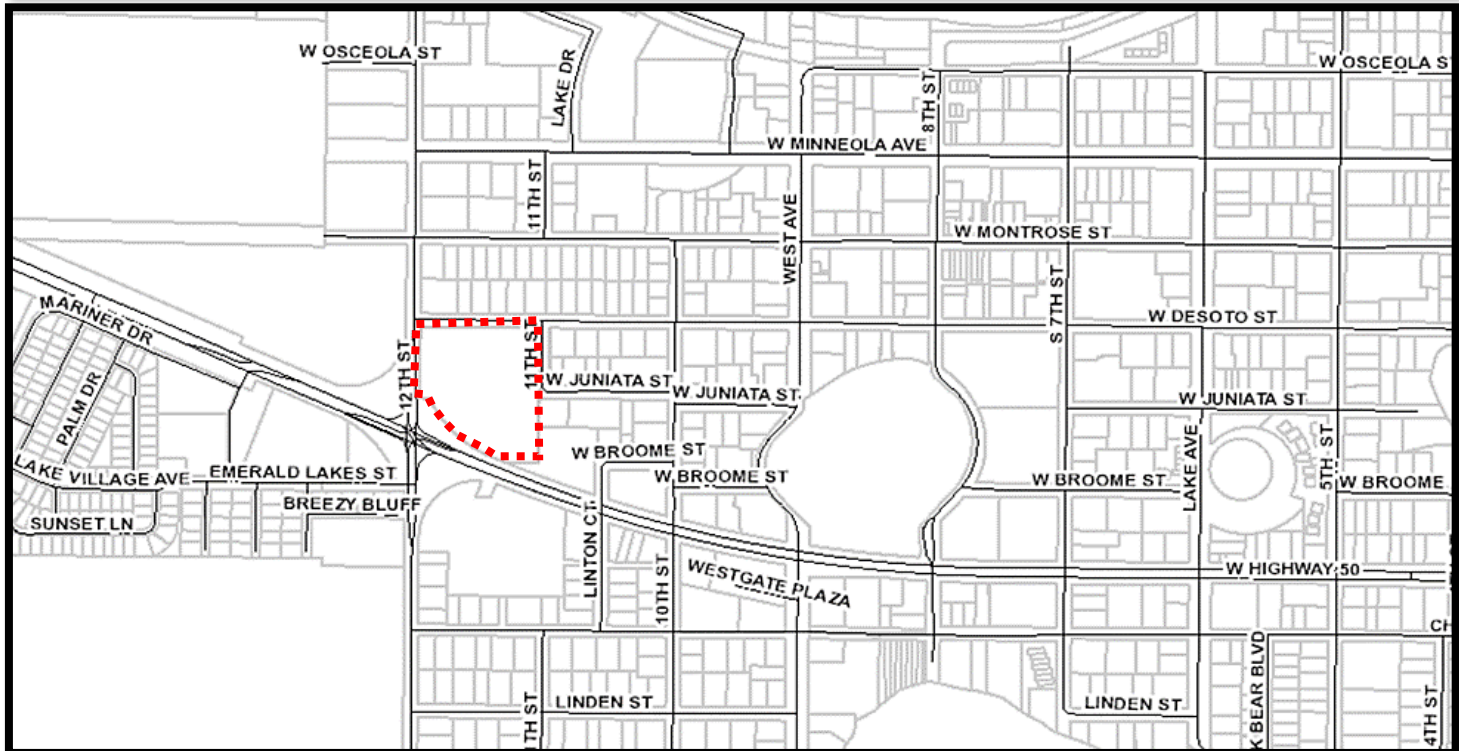
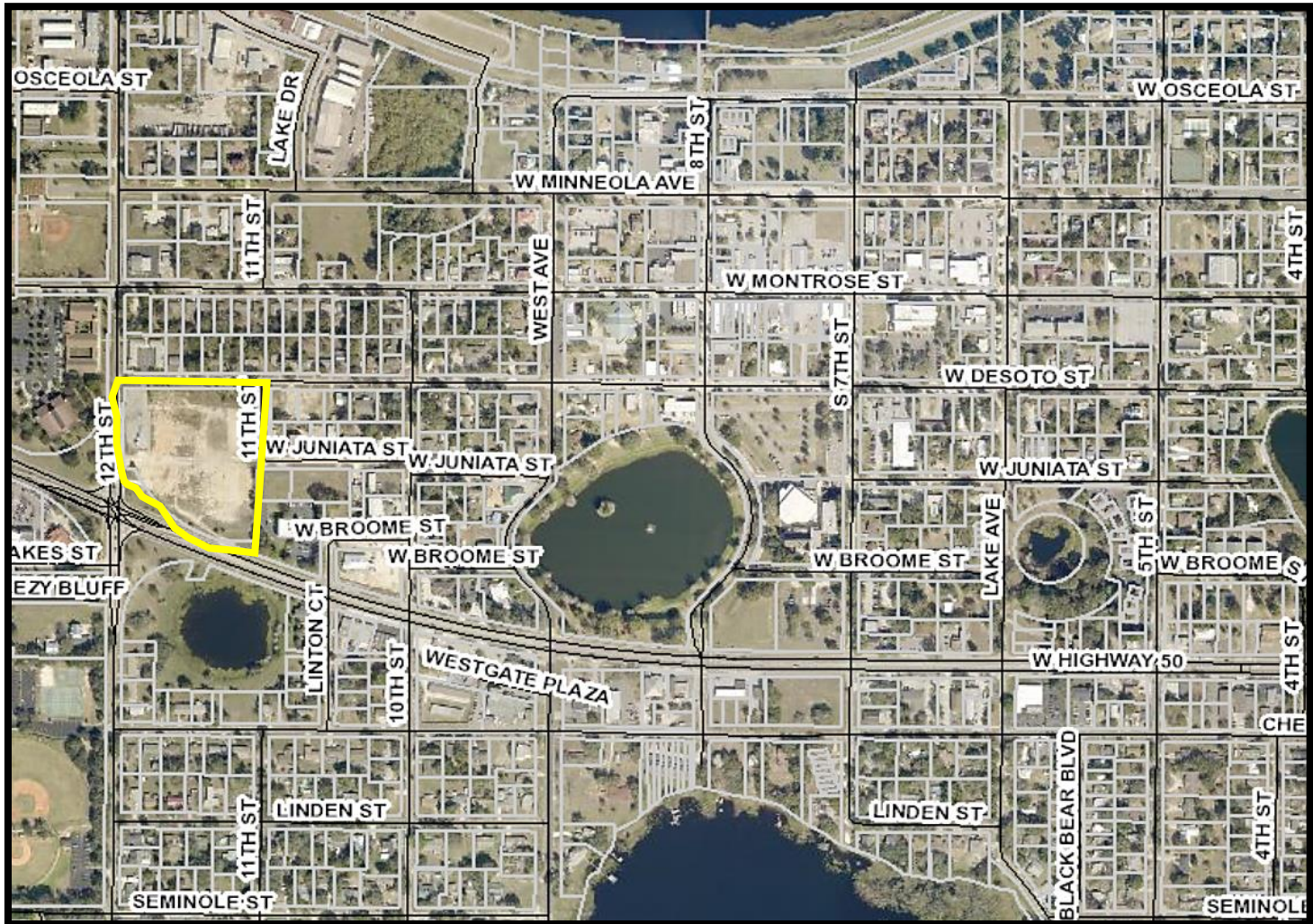
\_\_\_\_\_  
Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Daniel F. Mantzaris, City Attorney

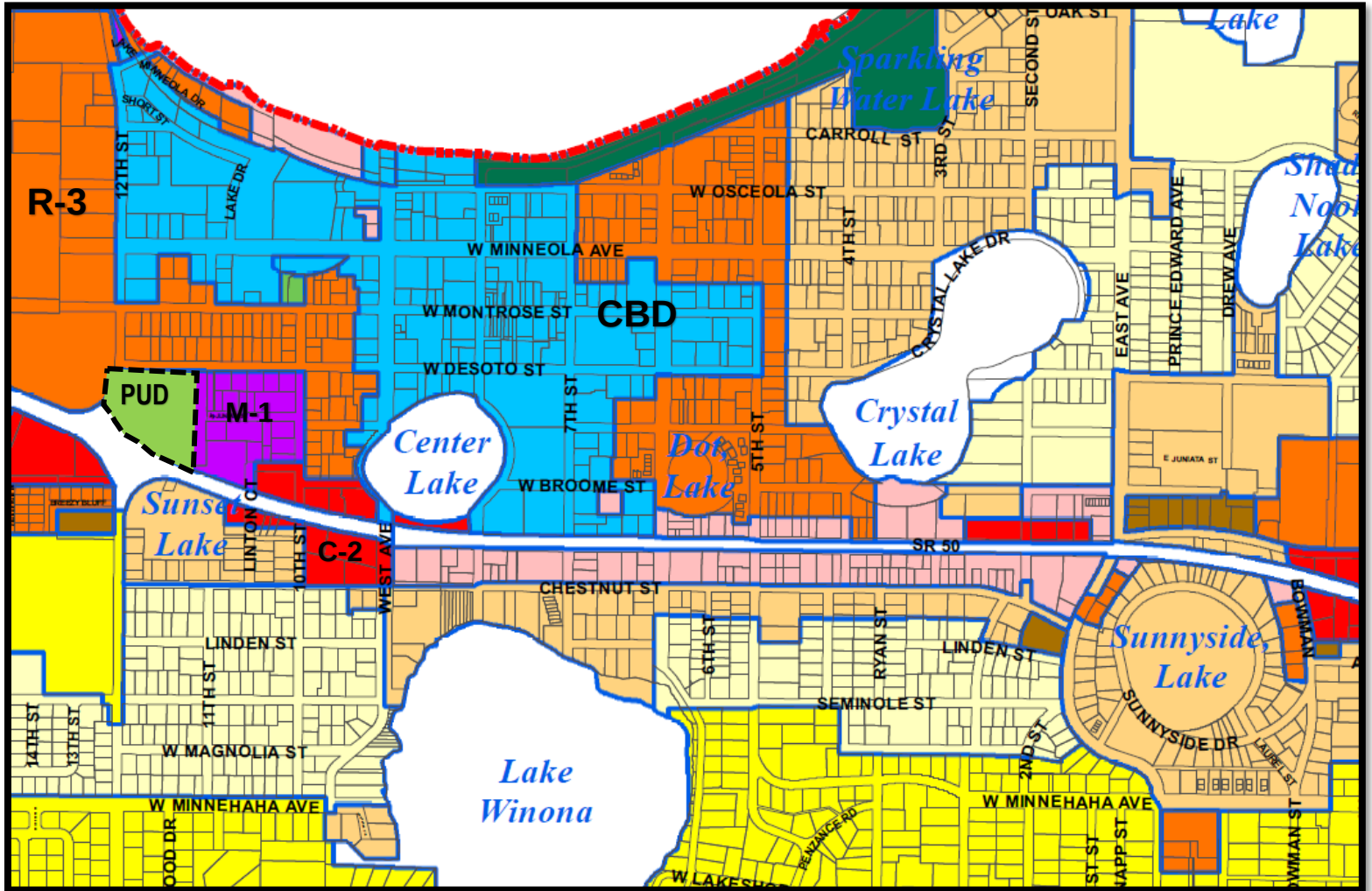


# Location Map

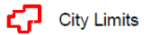




# Clermont Zoning Map



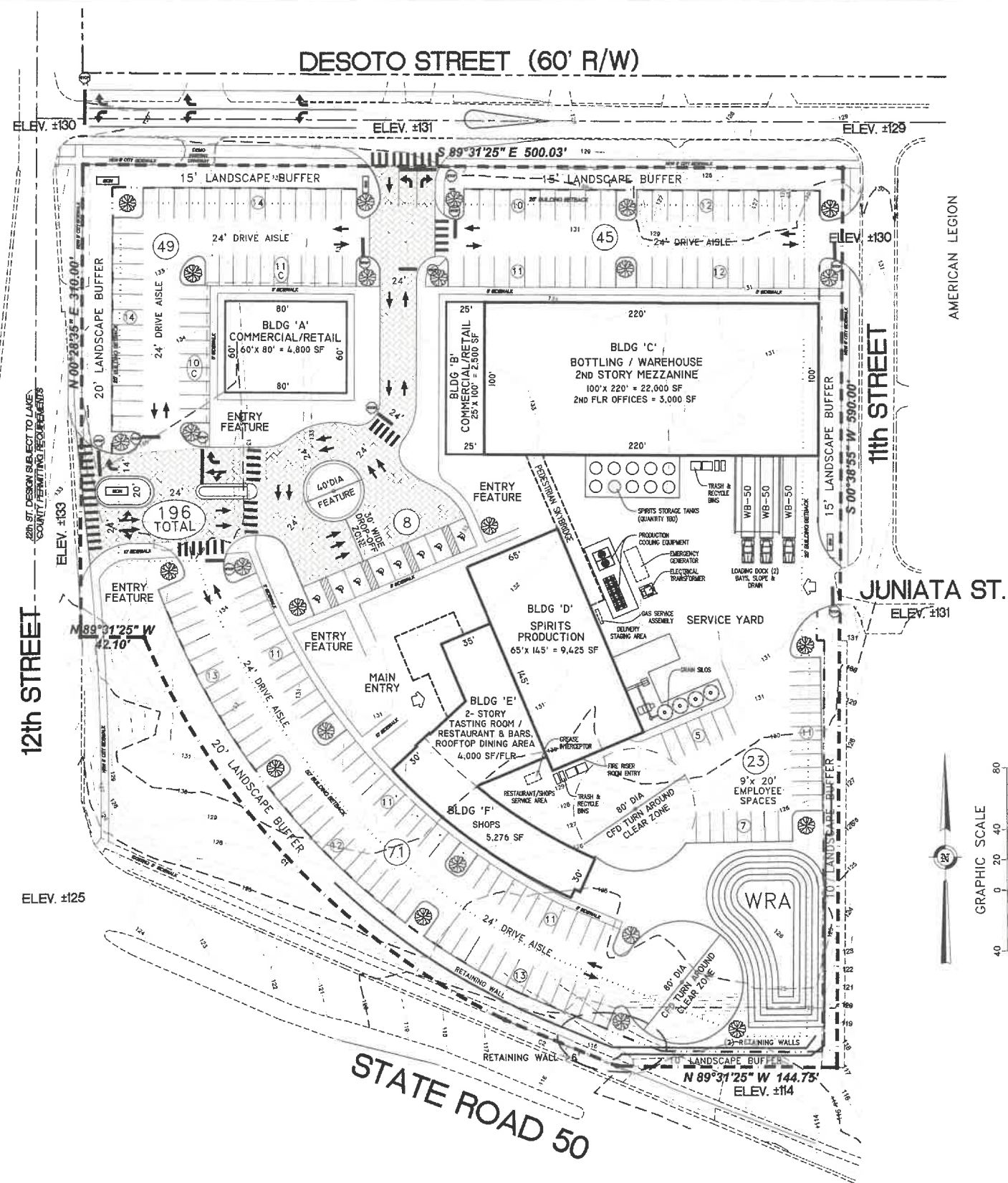
## Legend



## Zoning Designations

- UT URBAN TRANSITION DISTRICT
- UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
- R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
- R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-3-A RESIDENTIAL/PROFESSIONAL DISTRICT
- R-3 RESIDENTIAL/PROFESSIONAL DISTRICT
- O-1 OFFICE DISTRICT
- C-1 LIGHT COMMERCIAL DISTRICT
- C-2 GENERAL COMMERCIAL DISTRICT
- CBD CENTRAL BUSINESS DISTRICT
- M-1 INDUSTRIAL DISTRICT
- CD COMMERCE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- AREAS NOT WITHIN THE CITY LIMITS

THE ENGINEER EXPRESSLY RESERVES THE EXCLUSIVE COMMUNAL COPYRIGHT AND PROPERTY RIGHTS TO THESE DRAWINGS WHICH MAY NOT BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT THE ENGINEERS WRITTEN CONSENT.



### CONCEPTUAL SITE PLAN

SCALE: 1" = 40'

#### LEGAL DESCRIPTION:

All of Blocks 123 and 124, together with a portion of Juniata Street between Blocks 123 and 124 and the North 1/2 of vacated Broome Street lying South of Block 124, CITY OF CLERMONT, according to the map of plat thereof as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

## PROJECT CHARACTERISTICS

AN OPERATIONAL DISTILLERY CAPABLE OF PRODUCING 270 BARRELS ANNUALLY COMPLETE WITH A BOTTLING / SHIPPING FACILITY, TOURS, TASTING ROOMS, SHOPS, BARS AND A RESTAURANT.

TOTAL PROPERTY AREA .....5.78± Acres  
TOTAL WETLANDS / 100-YR FLOOD PLAIN AREA.....0.00 Acres  
EXITING ZONING.....M-1 (INDUSTRIAL DISTRICT)  
FUTURE LAND USE DESIGNATION.....COMMERCIAL

LAKE COUNTY ALT. KEY No.....1628580

PROPOSED ZONING.....PUD  
MAXIMUM ISR.....0.80  
MAXIMUM FAR.....0.25

#### PROPOSED SERVICES:

DRINKING WATER.....CITY OF CLERMONT  
SEWAGE DISPOSAL.....CITY OF CLERMONT  
ELECTRIC.....DUKE ENERGY  
NATURAL GAS.....LAKE APOPKA NATURAL GAS DISTRICT  
TELEPHONE.....CENTURYLINK  
GARBAGE DISPOSAL.....CITY OF CLERMONT  
FIRE PROTECTION.....CITY OF CLERMONT  
POLICE PROTECTION.....CITY OF CLERMONT

#### MINIMUM BUILDING SETBACK REQUIREMENTS:

FROM SR 50 RIGHTS-OF-WAY.....50'  
FROM CITY RIGHTS-OF-WAY.....25'  
FROM REAR PROPERTY LINES.....25'  
FROM SIDE PROPERTY LINES.....12'

#### PROPOSED USES:

BLDG 'A' - COMMERCIAL / RETAIL.....4,800 SF  
BLDG 'B' - COMMERCIAL / RETAIL.....2,500 SF  
BLDG 'C' - BOTTLING / WAREHOUSE.....22,000 SF  
2nd FLOOR OFFICES.....3,000 SF  
BLDG 'D' - SPIRITS PRODUCTION.....9,425 SF  
BLDG 'E' - RESTAURANT / BARS.....12,000 SF  
BLDG 'F' - RETAIL SHOPS.....5,275 SF  
TOTAL = 59,000 SF

#### PARKING SPACES REQUIRED:

-BOTTLING/WAREHOUSE/RESTAURANT => EST. (40) EMPLOYEES  
(1) Parking Space per EMPLOYEE = (40) SPACES REQUIRED

-COMMERCIAL/RETAIL = (4,800+2,500+5,275) = 12,575 sf  
(1) Parking Space per 200 sf  
[12,575/200] = (63) SPACES REQUIRED

-RESTAURANT AND BAR AREAS = (500) MAXIMUM SEATS  
(1) Parking Space per (4) SEATS  
[500/4] = (125) SPACES REQUIRED

TOTAL PARKING SPACES REQUIRED = (63+40+125) = (228) SPACES

#### REQUIRED HANDICAPPED SPACES:

(1) SPACE per 25 REQUIRED SPACES = (8) HC SPACES REQUIRED

#### PARKING SPACES PROVIDED:

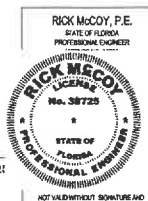
(144) REGULAR SPACES (10'x20')  
(21) COMPACT SPACES (9'x18')  
(23) EMPLOYEE SPACES (9'x20')  
(8) HANDICAPPED SPACES (12'x20')  
(196) PARKING SPACES PROVIDED TOTAL

#### PUD WAIVERS REQUESTED:

- (32) SHARED PARKING SPACES BETWEEN RESTAURANT AND RETAIL FACILITIES;
- MORE THAN 10 PARKING SPACES BETWEEN LANDSCAPE ISLANDS- 14 MAX;
- 9'x 20' EMPLOYEE PARKING SPACES;
- EMPLOYEE PARKING w/o INTERNAL TERMINAL LANDSCAPE ISLANDS;
- 11th STREET DRIVEWAY WITHIN 35' OF THE INTERSECTION;
- 10' MAXIMUM HEIGHT RETAINING WALL INSTEAD OF 6' HEIGHT;
- BLDG. SETBACK REDUCED TO 15' FOR BLDG. "C" ADJACENT TO 11th ST;

Digitally signed by  
Rick E McCoy  
Date: 2019-10-23 10:  
08:15

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RICK MCCOY, PE No. 38725  
ON THE DATE INDICATED HEREON.  
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED.  
THE DIGITAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



### CONCEPTUAL MASTER SITE PLAN

#### HERITAGE SQUARE PUD

Sec. 25; Twp. 25S; Rge. 25E; City of Clermont, Lake County, FL.

JOB NO. 19-019  
DATE Oct. 2019  
DES. BY: RMC  
OWN. BY:  
CHK'D BY:  
APP'D BY:

SHEET 1 OF 2

Rhoden Land  
Surveying, Inc.

420 East Minnehaha Ave.  
Clermont, Florida 34711  
(352) 394-8256

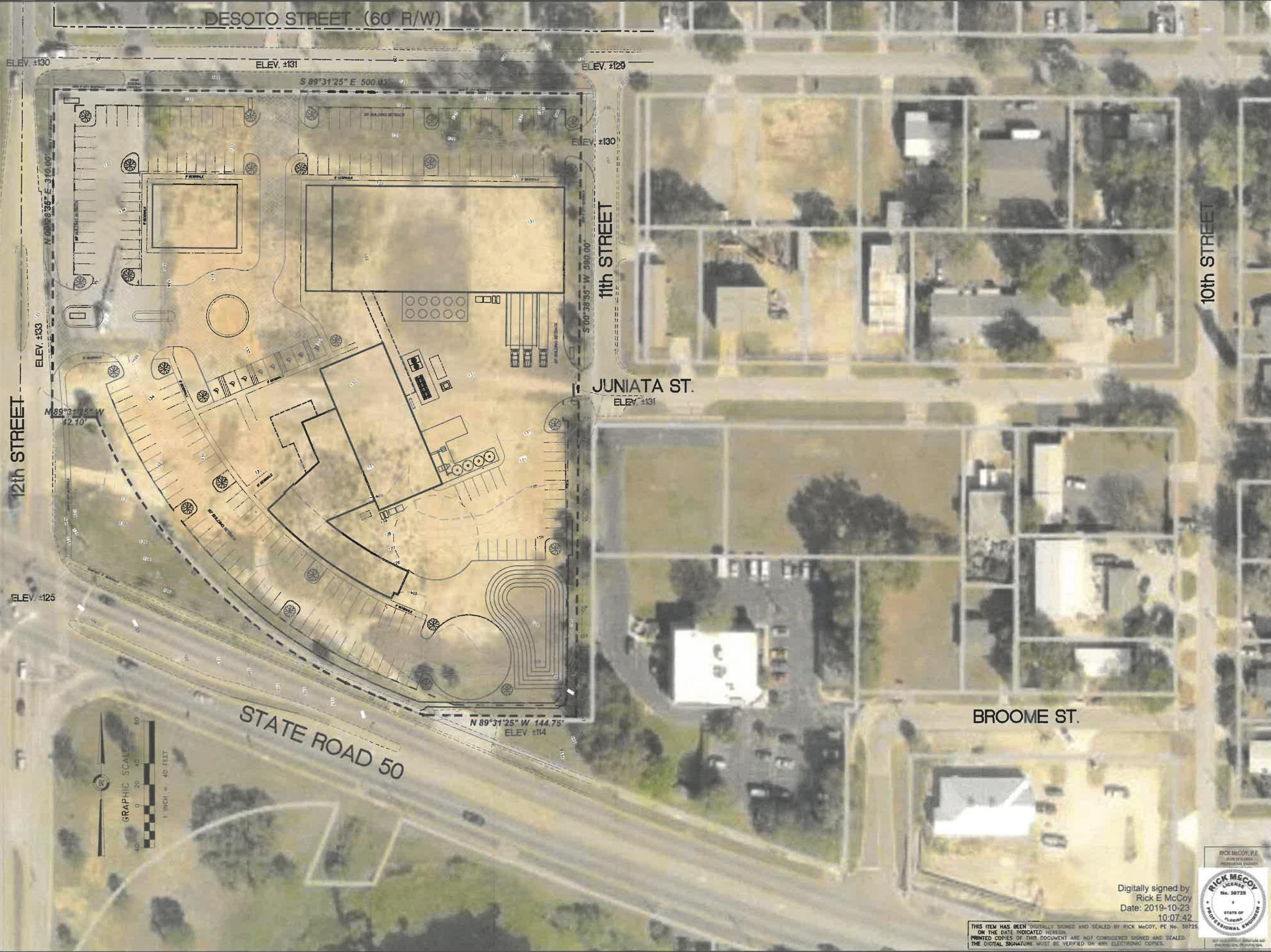
McCOY & ASSOCIATES  
ENGINEERS & LAND PLANNERS

552 S. HWY 27, Suite C, MINNEOLA, FL 34715  
(352) 394-5756  
rmccoy@att.net  
CA# 6574

REVISIONS



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BROOME ST.

10th STREET

JUNIATA ST.  
ELEV. ±131

11th STREET

12th STREET

DESOTO STREET (60' R/W)

STATE ROAD 50



Digitally signed by  
Rick E McCoy  
Date: 2019-10-23  
10:07:42



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RICK MCCOY, P.E. No. 38728.  
ON THE DATE INDICATED HEREON.  
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED.  
THE DIGITAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

AERIAL OVERLAY  
HERITAGE SQUARE PUD  
Sec. 23; Twp. 22S; Rge. 25E; City of Clermont, Lake County, FL.

**McCoy & Associates**  
ENGINEERS & LAND PLANNERS  
552 S. HWY 27, Suite C, MINNEOLA, FL 34715  
(352) 394-5756  
RMccoy@aol.com

**Rhoden Land Surveying, Inc.**  
420 East Minnehaha Ave.  
Clermont, Florida 34711  
(352) 394-8255

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |

REVISIONS

|           |           |
|-----------|-----------|
| JOB NO.   | 19-019    |
| DATE      | Oct. 2019 |
| DES. BY:  | RMc       |
| DWN. BY:  |           |
| CHK'D BY: |           |
| APP'D BY: |           |
| SHEET     | 2 OF 2    |



REZ 1910 - 0001



**CITY OF CLERMONT  
REZONING  
APPLICATION**

DATE: October 2, 2019

FEE: \$542.<sup>00</sup>  
+ cost of advertisement

PROJECT NAME (if applicable): Heritage Square

APPLICANT: Jimmy D. Crawford, Esq.

CONTACT PERSON: Jimmy Crawford and/or Jennifer Cotch

Address: 702 W. Montrose Street

City: Clermont State: Florida Zip: 34711

Phone: 352-432-8644 Fax: 352-432-8699

E-Mail: jcrawford@cmhlawyers.com jcotch@cmhlawyers.com

OWNER: Robert Wade

Address: 1363 W. Lakeshore Drive

City: Clermont State: Florida Zip: 34711

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Address of Subject Property: 901 12th Street, Clermont

Legal Description (include copy of survey): East 10 feet of Lot 21, Block 112, Block 123, Block 124 and all of vacated portion of Juanita Street adjacent to said Blocks 123 and 124 and the North half of vacated Broome Street adjacent to said Block 124, in Sunset Park, a subdivision in the Official Map of the City of Clermont

Acres: 5.9 acres Land Use: Commercial  
(City verification required)

Present Zoning: M-1 Industrial Proposed Zoning: PUD  
(City verification required)



**CITY OF CLERMONT**  
**REZONING**  
**APPLICATION**  
Page 2

**Answers to the following questions are required to complete this application.**

What are you proposing to do that would require a rezoning?

Restaurant and distillery with tasting room and retail componet.

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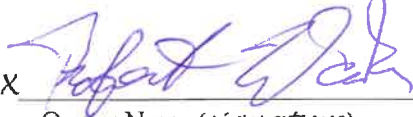
Jimmy D. Crawford, Esq.

Applicant Name (print)

X   
Applicant Name (*signature*)

Robert Wade

Owner Name (print)

X   
Owner Name (*signature*)

**City of Clermont**  
Development Services Department  
685 W. Montrose St.  
P.O. Box 120219  
Clermont, FL. 34712-021 9  
(352) 394-4083 Fax: (352) 394-3542

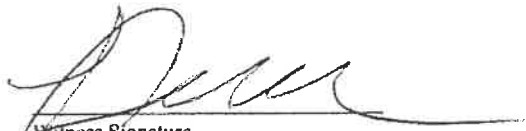


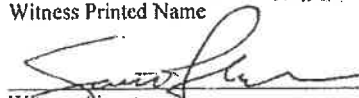
IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

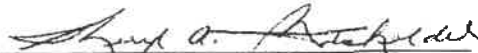
Signed, sealed and delivered in presence of:

**S. W. WILLIAMS FAMILY L.L.C., a  
Florida limited liability company**

By: Shafter W. Williams Revocable Trust  
Agreement Dated April 17, 1992, its Sole  
Authorized Member

  
Witness Signature  
Linda K. Wilder  
Witness Printed Name

  
Witness Signature  
W. SCOTT LLOYD  
Witness Printed Name

By:   
**SHERYL A. BATCHELDER, Trustee**

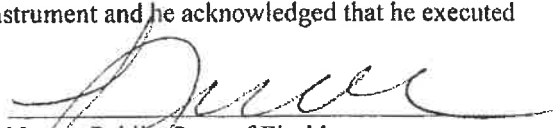
**STATE OF FLORIDA**

**COUNTY OF ORANGE**

The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of March, 2018, by **SHERYL A. BATCHELDER** as Trustee of the **SHAFTER W. WILLIAMS REVOCABLE TRUST AGREEMENT DATED APRIL 17, 1992** as Sole Authorized Member of **S. W. WILLIAMS FAMILY L.L.C., a Florida limited liability company**, on behalf of the company and who is personally known to me, or who has produced a valid driver's license as identification and who executed the foregoing instrument and he acknowledged that he executed the same.

(Notary Seal)



  
Notary Public, State of Florida  
My Commission Expires: \_\_\_\_\_

## Advertising Receipt

CITY OF CLERMONT  
Carlie Zinker  
P.O. BOX 120219  
CLERMONT, FL 34712

Account Number: 7101866  
Order Number: 10091497  
Phone: (352) 241-7331  
Date: 10/14/19  
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

| Description                                                                   | Start      | End        | Total    |
|-------------------------------------------------------------------------------|------------|------------|----------|
| LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler | 10/21/2019 | 11/04/2019 | \$240.68 |

### LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

### ORDINANCE NO. 2019-47

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, RECORDING, AND PUBLICATION

### LOCATION

Vacant property located northeast of the 12th Street and SR 50 intersection. Approx. 5.73 +/- Acres

### LEGAL DESCRIPTION

All of Blocks 123 and 124, together with a portion of Juniata Street between Blocks 123 and 124 and the North ½ of vacated Broome Street lying South of Block 124, City of Clermont, according to the map of plat thereof as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

From: M-1 Industrial Uses  
To: Planned Unit Development PUD

This request will be considered by the Planning & Zoning Commission on Tuesday, November 5, 2019 at 6:30 p.m. and a public meeting to consider the request will be held before the City Council on Tuesday, November 19, 2019 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall, located at 685 W. Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC  
City Clerk

Ad No: 10091497  
October 21, 2019 &  
November 04, 2019

| Payment Info   |          |
|----------------|----------|
| Ad Price       | \$240.68 |
| Tax            | \$0.00   |
| Sub Total      | \$240.68 |
| Prepaid Amount | \$0.00   |
| Balance Due    | \$240.68 |



# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| Tuesday, November 19, 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| Resolution No. 2019-30R                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| Request approval of an updated Comprehensive Fee Schedule.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| The current Comprehensive Fee Schedule includes a Daily Boat Launch Fee of \$5.00 and an Annual Boat Launch Fee of \$35.00 for City Residents Only. The fees have been waived during the construction of the new boat ramp at Waterfront Park. With the opening of the new boat ramp expected to occur in November, the fees will start being charged again. In order to clarify the fees, staff is proposing to change the name of the fees to Daily Parking Fees and an Annual Parking Permit. The fee/permit amounts will remain unchanged. |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| No fiscal impact since the fee/permit amounts are unchanged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |
| 1. Resolution No. 2019-30R - 10-22-19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    | 2019-30R - Boat Ramp Fees .doc |





*CITY OF CLERMONT*  
**RESOLUTION NO. 2019-30R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE PARKS AND RECREATION FEE SCHEDULE; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Clermont pursuant to its authority as a municipal corporation under the laws of the State of Florida, has the authority to establish and collect fees for planning and zoning, building services, fire review and inspection services, parks and recreation use, police, city clerk and utility billing; and

**WHEREAS**, the adoption of fees as set forth herein, is consistent with Clermont City Code Section 86.112, is in the best interest of the citizens of the City of Clermont and the cost effective, efficient, and appropriate operation of the City.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Clermont, Lake County, Florida, as follows:

**SECTION 1.**

The City Council does hereby amend Section 4 – Parks and Recreation Fees of the Comprehensive Fee Schedule, as follows:

|                                                                                                                        | <u>City Resident/Non-Profit</u> | <u>Non-Resident</u> |
|------------------------------------------------------------------------------------------------------------------------|---------------------------------|---------------------|
| <b><u>Boat Ramp</u></b>                                                                                                |                                 |                     |
| Daily <del>Boat Launch</del> <u>Parking Fee</u> ( <del>per boat</del> )                                                | \$5.00                          | \$5.00              |
| Annual <del>Boat Launch Fee</del> <u>Parking Permit</u> ( <del>per boat cost</del> )<br>( <u>City Residents only</u> ) | \$35.00                         | n/a                 |

**SECTION 2.**

Any resolution or ordinance previously adopted by the City Council and in conflict herewith is hereby repealed to the extent of the conflict.

**SECTION 3.**

A copy of this Resolution and the Comprehensive Fee Schedule shall be kept on file in the City Clerk's office and made available to the public upon request.

**SECTION 4.**

This Resolution shall take effect October 22, 2019.



*CITY OF CLERMONT*  
**RESOLUTION NO. 2019-30R**

**DONE AND RESOLVED**, by the City Council of the City of Clermont, Lake County, Florida this 19th day of November, 2019.

**CITY OF CLERMONT**

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Gail L. Ash, Mayor

ATTEST:

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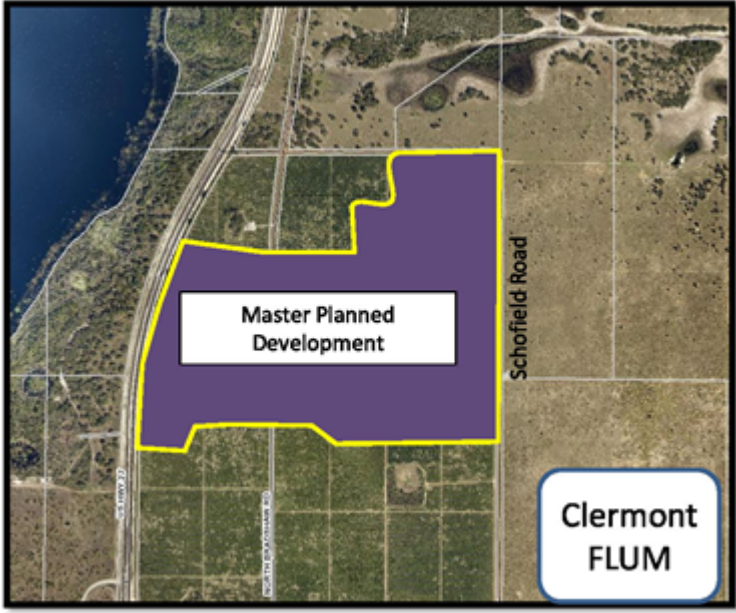
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

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Daniel F. Mantzaris, City Attorney

**AGENDA ITEM**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| Tuesday, November 19, 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| Ordinance No. 2019-48 <i>Introduction</i><br><i>Olympus Community Development District</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| Recommend introduction of Ordinance 2019-48                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| <p>The Olympus Sports and Entertainment project received City Council approval on May 14th, 2019. The developer is moving forward with getting the infrastructure in place to support the development. In order to assist with these costs, the developer is seeking a Community Development District designation over the project area. The proposed community development district is comprised of approximately 247.02 acres, more or less, generally located east of U.S. Highway 27, south and west of Schofield Road, and north of the Trout Lake. The developer has proposed to establish the Olympus Community Development District to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities, which may be authorized by such districts under Florida law including but not limited to Chapter 190, <i>Florida Statutes</i>. Staff recommends approval of Ordinance No. BLANK.</p> |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |



| Fiscal Impact Summary                             |                                           |                                               |
|---------------------------------------------------|-------------------------------------------|-----------------------------------------------|
|                                                   |                                           |                                               |
| Fiscal Impact                                     | Fund Number and Description               | Available Budget Amount                       |
|                                                   |                                           |                                               |
| Exhibits Attached (copies of original agreements) |                                           |                                               |
| 1.                                                | Notice_of_Establishment_Hearing_-_Olympus | Notice_of_Establishment_Hearing_-_Olympus.doc |
| 2.                                                | CDD Ordinance Draft                       | 2019-48 Olympus CDD (upd).docx                |

**NOTICE OF PUBLIC HEARING**  
**City Council of the City of Clermont, Florida**  
**Petition to Establish the Olympus Community Development District**

DATE: December 10, 2019  
TIME: 6:30 p.m.  
LOCATION: City Hall  
685 West Montrose Street  
Clermont, FL 34711

In accordance with the provisions of Chapter 190, *Florida Statutes*, a public hearing will be held by the City Council of the City of Clermont beginning at 6:30 p.m., on December 10, 2019, at City Hall, 685 West Montrose Street, Clermont, Florida 34711, to consider an ordinance granting a petition to establish a community development district which will be known as the “Olympus Community Development District” (the “District”). The title of the proposed ordinance is as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, FLORIDA, ESTABLISHING, ON THE PROPOSED PROPERTY KNOWN AS OLYMPUS AND FURTHER DESCRIBED HEREIN, AND RECOGNIZING, THE COMMUNITY DEVELOPMENT DISTRICT, CREATED AND CHARTERED BY UNIFORM GENERAL LAW, THE UNIFORM COMMUNITY DEVELOPMENT DISTRICT ACT OF FLORIDA, CHAPTER 190, FLORIDA STATUTES (2001 AND HEREAFTER); ACKNOWLEDGING THE UNIFORM DISTRICT CHARTER EXPRESSED IN SECTIONS 190.006-190.041, FLORIDA STATUTES, AND AS REFERENCED AND PROVIDED BY SECTION 190.004(4), FLORIDA STATUTES, AND CONFIRMED BY SECTION 189.4031(2), FLORIDA STATUTES; ESTABLISHING THE DISTRICT (ON THE PROPERTY PROPOSED IN THIS PETITION) AND DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS; AND, DESIGNATING THE PROPOSED LAND AREA WITHIN WHICH THE DISTRICT MAY MANAGE AND FINANCE ITS BASIC INFRASTRUCTURE, SYSTEMS, FACILITIES, SERVICES, IMPROVEMENTS AND PROJECTS; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

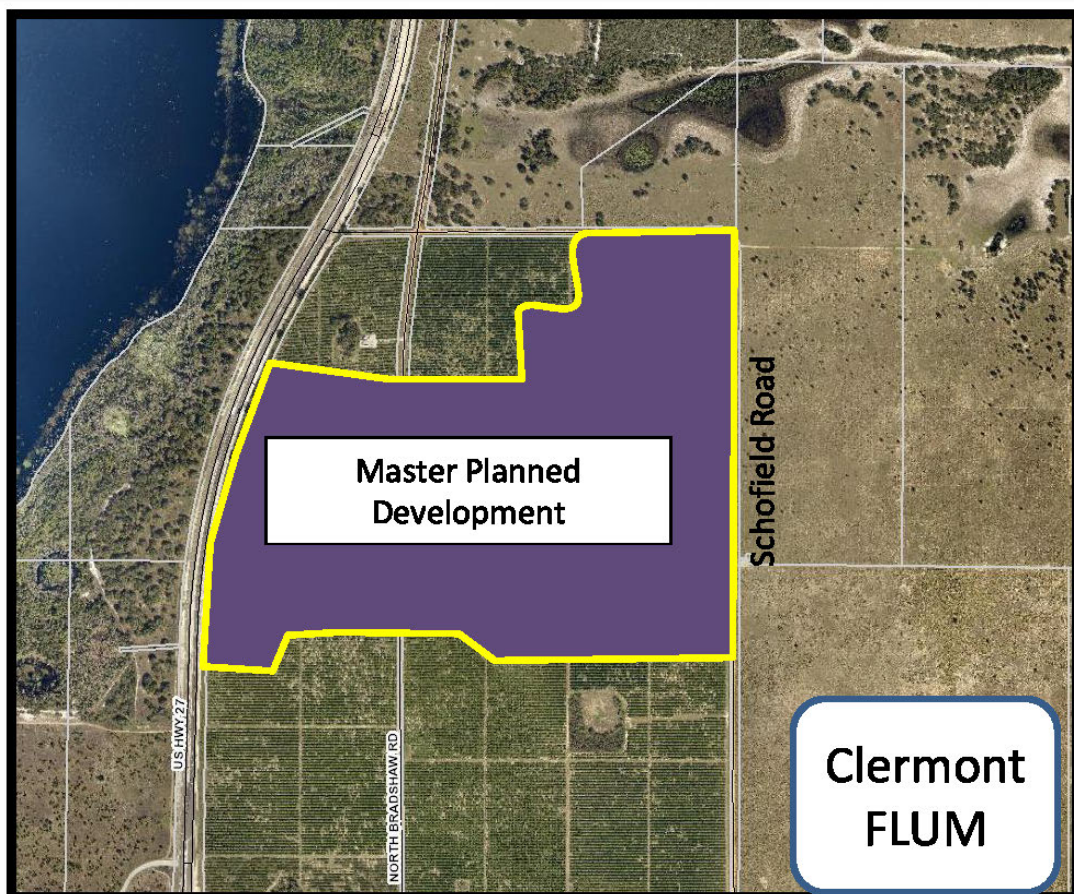
The proposed community development district is comprised of approximately 247.02 acres, more or less, generally located east of U.S. Highway 27, south and west of Schofield Road, and north of the Trout Lake. The Petitioner has proposed to establish the Olympus Community Development District to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities, which may be authorized by such districts under Florida law including but not limited to Chapter 190, *Florida Statutes*.

Copies of the petition and the proposed ordinance are open to public inspection at the office of the City Clerk, 685 West Montrose Street, Clermont, Florida 34711.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general-purpose local government, who wish to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and *Florida Statutes*, Section 286.26, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the office of the City Clerk, 685 West Montrose Street, Clermont, Florida 34711, (352) 241-7331, not later than 5 business days prior to the proceeding. Vision or hearing impaired please call (800) 955-8771.

Run Dates: November 12, 19, 26 and December 3







*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-48**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, FLORIDA, ESTABLISHING, ON THE PROPOSED PROPERTY KNOWN AS OLYMPUS AND FURTHER DESCRIBED HEREIN, AND RECOGNIZING, THE COMMUNITY DEVELOPMENT DISTRICT, CREATED AND CHARTERED BY UNIFORM GENERAL LAW, THE UNIFORM COMMUNITY DEVELOPMENT DISTRICT ACT OF FLORIDA, CHAPTER 190, FLORIDA STATUTES (2001 AND HEREAFTER); ACKNOWLEDGING THE UNIFORM DISTRICT CHARTER EXPRESSED IN SECTIONS 190.006-190.041, FLORIDA STATUTES, AND AS REFERENCED AND PROVIDED BY SECTION 190.004(4), FLORIDA STATUTES, AND CONFIRMED BY SECTION 189.4031(2), FLORIDA STATUTES; ESTABLISHING THE DISTRICT (ON THE PROPERTY PROPOSED IN THIS PETITION) AND DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS; AND, DESIGNATING THE PROPOSED LAND AREA WITHIN WHICH THE DISTRICT MAY MANAGE AND FINANCE ITS BASIC INFRASTRUCTURE, SYSTEMS, FACILITIES, SERVICES, IMPROVEMENTS AND PROJECTS; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, the City of Clermont, Florida received on \_\_\_\_\_, 2019 a petition (the “Petition”) for Establishment of a Community Development District of less than 2500 acres located entirely within the municipal boundaries of the City of Clermont, hereinafter the “District”, as provided pursuant to Chapter 190, Florida Statutes, from \_\_\_\_\_ (the “Petitioner”); and

**WHEREAS**, it has been determined that the Petition contains the requisite information as mandated by Section 190.005(1)(a), Florida Statutes; and

**WHEREAS**, the Petitioner has obtained the written consent to the establishment of the District by the owners of 100% of the real property described in Exhibit A, attached hereto and collectively referred to as Olympus; and

**WHEREAS**, the decision of the City Council to establish the District is a quasi-legislative decision authorized by Chapter 190, Florida Statutes, and the City of Clermont’s home rule authority and Article VIII of the Florida Constitution; and

**WHEREAS**, the City of Clermont has reviewed factors as required by Chapter 190, Florida Statutes, and will consider such factors prior to the final adoption of the subject ordinance, and upon such review has determined that the establishment of the District is in the best interest of the City of Clermont, for the orderly growth of the City in an efficient manner for their existing and future health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Clermont, Florida, in lawful session assembled, as follows:



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-48**

**SECTION 1. Findings of Fact and Considerations**

The City of Clermont has reviewed the petition, and the representations, information, statements and evidence presented at the public hearing by Petitioner or on Petitioner's behalf and makes the following Findings of Fact:

- a. The Statements contained within the Petition are true and correct.
- b. The Petition for and establishment of the District is not inconsistent with the State Comprehensive Plan or City's comprehensive plan.
- c. The area of land within the District is of sufficient size, sufficiently compact and sufficiently contiguous to be developable as one functional interrelated community.
- d. The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District.
- e. The community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities.
- f. The area to be served by the District is amenable to separate independent special-district government.

**SECTION 2. Establishment of District**

Based on the above findings and consideration, the City Council of the City of Clermont does hereby grant the Petition and there is hereby established the Olympus Community Development District for all purposes consistent with, and as authorized by Chapter 190, Florida Statutes, and all other applicable laws. The City does further hereby acknowledge the uniform district charter set forth in Chapter 190, Florida Statutes.

**SECTION 3. Establishment of District Boundary**

The external boundary for the District shall include and incorporate all property as more particularly described in Exhibit A, attached hereto and incorporated herein, all such property (247 acres more or less) being located entirely within the municipal boundaries of the City of Clermont. No real property within the external boundaries of the District is to be excluded.

**SECTION 4. Appointment of Initial Board of Supervisors**

The City Council of the City of Clermont does hereby appoint the following individuals as the initial Board of Supervisors to serve for a period not to exceed ninety (90) days after the creation of the District upon which a new Board of Supervisors will be elected as provided by law. The initial Board of Supervisors shall be:



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-48**

- a. Michael J. Carroll, Sr
- b. Michael J. Carroll, Jr.
- c. Joshua Jeppesen
- d. Mathew Carroll
- e. Russell Caldwell

**SECTION 5. Charter; Powers**

The District shall be governed by the provisions of Chapter 190, Florida Statutes as amended. The District shall have, and the District Board of Supervisors may exercise, all powers and functions granted pursuant to Sections 190.011 and 190.012(1), Florida Statutes, as amended from time to time, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies and special districts having authority with respect to any area included in the District. In addition, the City Council of the City of Clermont hereby consents to the District's Board of Supervisors exercise of certain other special powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities and basic infrastructure within, and outside of, the boundaries of the District as described under and authorized by Section 190.012(2), Florida Statutes.

**SECTION 6. City Comprehensive Plan and Land Development Code**

The District shall be governed by the development and construction standards of the City of Clermont Comprehensive Plan and the City of Clermont Land Development Code on its construction as if it were a developer.

**SECTION 7. Severability and Repeal**

All ordinances, agreements, or resolutions and parts thereof in conflict herewith to the extent of such conflicts are hereby repealed. If any phrase, clause, sentence, paragraph, section or subsection of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining phrases, clauses, sentences, paragraphs, sections or subsections of this Ordinance.

**SECTION 8. Effective Date**

This Ordinance shall be published as provided by law and shall become law and shall take effect on the date of its Second Reading and Final Passage.

**SECTION 9. Recording**

A certified copy of the ordinance may be filed with the Clerk of the Circuit Court of Lake County, Florida, and duly recorded among the Public Records of Lake County, Florida.





*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-48**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this \_\_\_\_ day of November, 2019.

CITY OF CLERMONT

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Gail L. Ash, Mayor

ATTEST:

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Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

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Daniel F. Mantzaris, City Attorney